



BUILDING CONTRACTING ACTIVITY: CODE OF CONDUCT

1. Introduction

The KYALAMI ESTATES HOMEOWNERS' ASSOCIATION (KEHOA), the legal representative of residents of KYALAMI ESTATE, has adopted certain rules relating to building/contracting activity in the Estate. Building/contracting activity is defined as any activity relating to the building trade i.e. painting, tiling, paving, etc. The primary intention of the provisions hereunder is to ensure that all building activity at KYALAMI ESTATE occurs with the least possible disruption to existing residents. In the event of any uncertainty, owners and/or their contractors are welcome to contact the Estate Manager or the appointed Security company.

2. Legal Status

The conditions governing the building activity as set out in this document are rules adopted by KEHOA and are therefore binding on all owners, their contractors and sub-contractors and/or owner-builders. Furthermore, all owners are obliged to ensure that their building contractors, sub-contractors and/or workers are made aware of the conditions and comply with them. Owners are therefore required to include the conditions in their entirety in any building contract concluded in respect of property in the Estate and all such contracts may be required to be submitted to KEHOA for prior approval. KEHOA has the right to suspend any building activity in contravention of any of the conditions and KEHOA accepts no liability whatsoever for any losses sustained by an owner, contractor or sub-contractor, as a result thereof.

3. Conditions regarding building contracting activity

Contractors and all building workers will only be permitted to enter or exit through the designated gateways / turnstiles. All building workers must be in possession of a valid Identity document or valid work permit, whether working for an owner, contractor or sub-contractor.

An access system, requiring issue of time-limited access cards has been introduced. The cost of these cards will be for the account of the contractor concerned – R70.00 on issue with R30 refund on completion. Cards are person specific and only the person to whom the card was issued and whose photograph is on the card may use the card. If this regulation is contravened fines will be issued. Please contact the Estate Office for further details or to book an appointment.

***Residents / Stand owners are prohibited from issuing builders / contractors with normal access cards. A fine will be imposed should this occur.**

***Once on site no workmen are permitted to walk around the Estate. All food must be provided prior to entering the Estate. Workmen will not be allowed to walk to any shops. A fine will be imposed should this take place.**

All the contractors' workers and / or sub-contractors must enter the Estate on foot, through the turnstile at the bottom gate and re-enter their vehicles for transport to site once inside.

Resident owner builders are to handle access / exit in exactly the same way as external contractors.

Contractor activities are only allowed during the following hours:

06:30 to 17:00 stop work, exit by the very latest 17h30

Weekdays

06:30 to 14:00 Saturdays

- 3.2 Building activity will not be permitted after 14:00 on Saturdays, and no building activities will be permitted on Sundays or Public Holidays. *Building activity is not permitted during the holiday in December / January period (dates will be advised annually).*
- 3.3 *Contractors found working outside the prescribed times will be fined.
No night watchmen and/or other workers may remain on any building site after the above “public time” hours, as set out in points 3.1 and 3.2 of this document.
4. ***All building sites must be kept clean and tidy at all times. The Contractor shall provide a skip for rubble removal and shall ensure that workers use that facility and that all rubble is removed at least weekly by 17:00 on Friday afternoon if the skip is full, failing which KEHOA will clear the site and debit the owner’s levy account. No rubble or rubbish may be burnt on site. No rubble may be buried on site. These rules will be strictly enforced and all offenders may face a fine or other penalty.**
5. Where materials are off-loaded by a supplier onto pavements or roadways, these materials must be moved to within the boundaries of the Stand / Erf within 48 hours of delivery and NOT allowed to remain for any longer period on the pavement areas unless special circumstances exist which necessitate written permission being requested from the Estate Manager. Deliveries from suppliers must be scheduled in public times only. A fine will be levied for any contraventions.
- 5.1 Where permission to use the pavement/verge is granted the materials must be kept neat and tidy and must not inhibit the use of the pavement by pedestrians.
- 5.2 In cases where there is no need to use the pavement/verge and where no boundary wall exists or where contracting activities impact on neighbouring properties the materials must be kept neat and tidy.
6. The skip detailed in clause 4 and the toilet detailed in clause 7 must be screened from public view. Contractors are to erect a screen of black shade cloth. Such screen must be 1.8m in height.
7. ***It is essential that all contractors and owners note that they bear the responsibility for ensuring that the roads are swept clean or all materials including soil, sand, stone, bricks, ready-mix concrete, etc., and where necessary the roadway must be washed. KEHOA intends to ensure that the roads are kept clean and reserves the right to impose fines or penalties on any offender. Fines will be payable to KEHOA at the Estate Manager’s office before further work may commence. Should this fine**

not be so paid within the prescribed period, building operations can or will be suspended until such time as payment has been made.

8. In terms of the National Building and local authority regulations it is incumbent on the Contractor to provide toilet facilities for the workers.

8.1 **In terms of the Local Authority and KEHOA rules, no dwelling may be occupied unless all work is completed and an occupancy certificate has been obtained.**

9. Only **one** building board may be erected per site and this must comply with KEHOA's standards, details of which are available from KEHOA. Such boards must be removed after completion of construction.

10. The owner and the Contractor shall be responsible for any damage to kerbs and/or plants on the pavements and/or damage to private or Estate property.

11. **Should KEHOA have any concern with the conduct of the owner/builder, contractor and/or sub-contractor, KEHOA may rectify as deemed necessary and/or reserve the right to suspend building activity until the undesirable conduct is rectified, which it may do from time to time and without notice, and without recourse from the owner and/or contractor and/or sub-contractor.**

Contractors are solely responsible for the safekeeping of their materials and equipment.

12. The above document is fully understood and the owner and contractor undertake to comply with the above points, in addition to any further controls, which may be instituted by KEHOA from time to time in the form of written notification, and to ensure compliance by any sub-contractor employed by the owner or contractor.

STAND NUMBER: STREET:

OWNER OF PROPERTY:

POSTAL ADDRESS:

CONTACT PERSON:

TEL: FAX:

NAME OF CONTRACTOR:

COMPANY:

ADDRESS:

TEL: FAX:

SIGNATURE OF OWNER: DATE:

SIGNATURE OF CONTRACTOR: DATE:

CONTRACTORS REGISTRATION CERTIFICATE

THIS IS TO CERTIFY THAT THE FOLLOWING COMPANY HAS REGISTERED WITH THE KYALAMI ESTATE HOMEOWNERS' ASSOCIATION (KEHOA):

DETAILS OF CONSTRUCTION COMPANY

Name of Company:

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Contact Person:

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Contact Person's Cellular No.:

Postal Address:

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Physical Address:

.....

Telephone No.: Fax No.:

Are you a member of a Building Association, if so which

Vehicle Registration Details:

Drivers Name: Registration No:

Drivers Name: Registration No:

Details of permanent employees:

To be filled in on Attached Form.

DETAILS OF OWNER AND STAND

Stand Owner:

Stand No.: Street:

Postal Address:

Telephone No.: Fax No.:

I HEREBY CONFIRM THAT I HAVE RECEIVED A COPY OF THE BUILDERS/CONTRACTORS CODE OF CONDUCT, WHICH I HAVE READ AND UNDERSTOOD AND WITH WHICH I WILL COMPLY.

SIGNATURE: **Date:**
(Contractor)

SIGNATURE: **Date:**
(Estate Manager for KEHOA)