

## ANNEXURE "B"

BRIGHTWARD HOME OWNERS ASSOCIATION (PTY) LIMITED (NPC)

# BUILDING CONTRACTOR'S CODE OF CONDUCT

### 1. INTRODUCTION

The primary intention of this code is to ensure that all building activity at Brightward Estate is conducted with the minimum of inconvenience and disruption to other residents.

### 2. LEGAL STATUS

The rules and regulations governing building activity as set out in this document are binding on all residents, their contractors and sub-contractors. Furthermore, all residents are obliged to ensure that their building contractors and sub-contractors are made aware of these rules and that they are strictly complied with. Residents are accordingly required to include these rules in their entirety in any building contracts concluded in respect of any property on the Estate. Such contracts may be required to be submitted to the HOA for prior approval. The HOA has the right to suspend any building activity in contravention of any of the conditions and does not accept any losses sustained by a resident or contractor or sub-contractor as a result thereof, or any claims for damages of whatsoever nature.

### 3. BUILDING CONTRACTOR ACTIVITY

3.1 Unless otherwise agreed by the HOA or its appointed representative, Contractor activity is limited to the following public time hours:

07h00 - 18h00 Normal Weekdays  
07h00 - 13h00 Saturdays

NOTE: Contractor activity is not permitted on Sundays and Public Holidays without special permission, as these days are viewed as private time. Special application for contractor activity during private time must be lodged with the HOA, together with the approval of all adjacent neighbours.

3.2 The contractor will be required to sign a document containing the following clauses indicating his acceptance of the conditions specified in the clauses.

- 3.2.1 Contractor personnel are not permitted to remain on site between the hours of 18h00 and 06h00.
- 3.2.2 All the contractor's workers and/or the contractor's sub-contractor workers must enter the Estate in an approved vehicle with an access card, or alternatively obtain a casual employee ID card at the security gate by lodging a valid ID document, which will be handed back on the return of the ID card. This access card system for permanent workers. Temporary workers will be required to hand in their ID documents. Temporary workers are only allowed in the estate for 1 working thereafter they are to purchase the access card. Access cards attract a fee which may vary from time to time. This fee is non refundable.
- 3.2.3 No contractors and workers are allowed to walk in the estate from 08h00 to 16h30. They are to remain at stand where they have been allocated. Only vehicles may move a contractor/worker to various sites they may be working at within the estate.
- 3.2.4 The contractor shall provide facilities for rubbish disposal and ensure that the workers use the facility provided. Rubbish and/or rubble shall be removed within 48 hours and not burnt or disposed of on the Estate.
- 3.2.5 The site is to be kept clean during construction.
- 3.2.6 Materials off-loaded by a supplier which encroach onto the sidewalk or roadway, must be removed onto the site by the contractor. Material and/or rubble must not be allowed to remain on the roadway, on the stand or sidewalk and it is the contractor's and owner's responsibility to clear these areas of all such materials and/or rubble. The same applies to sand or rubble washed or moved onto the road during building operations.
- 3.2.7 Deliveries from suppliers must be scheduled during working hours (specified in 3.1 above) only.
- 3.2.8 It is incumbent on the contractors to provide toilet facilities for the workers in terms of Local Council regulations. A 3m x 3m

screened area must be available for use as a changing area for contractors.

- 3.2.9 Building boards may only be erected if they comply with the HOA's specifications, details of which are available from the HOA. Such boards are to be erected on site not on the sidewalks. Sub-contractors' boards must be removed after completion of construction.
- 3.2.10 The Owner and the contractor shall be responsible for damage to kerbs and/or plants on the sidewalks and/or damage to private or Estate property.
- 3.2.11 Should the HOA have any reservations with regard to the conduct of the Contractor and/or sub-contractor, the HOA reserves the right to suspend all building activity until such conduct is rectified, which it may do at any time and without notice, and free of recourse from the owners and/or contractor and/or sub-contractor to the HOA and seller. The HOA and the seller shall have the right and to refuse access to the contractor and/or sub-contractor into the estate until such time as the contravention and conduct is rectified.
- 3.2.12 This document is fully understood and accepted by the Contractor, Owner and/or any sub-contractor who undertakes to comply with these rules, in addition to any further rules and regulations which may be introduced by the HOA from time to time.
- 3.2.13 Only approved contractors and/or contractor's employees who are in possession of legitimate South African identity documents will be allowed access to the Estate unless otherwise arranged with the HOA in writing. In the event that illegal workers are apprehended on the Estate, the contractor's employees in totality will be denied access to the Estate.
- 3.2.14 The HOA shall be entitled to levy fines against the Home Owners or their contractors and/or sub-contractors with respect to any contravention of the above and in particular with respect to any excessive driving of contractors and/or sub-contractors over and

above the existing speed limit of 40km per hour within the Estate.

- 3.2.15 The Seller and/or the HOA shall have the right to demand that any damage done to the estate property by the contractor and/or sub-contractor is repaired by the contractor and/or sub-contractor to its former state on demand. Should such damage not be repaired then the seller and/or the HOA shall refuse access to the estate until such damage is repaired to its former state.
- 3.2.16 The HOA has the right to restrict access to home owners and contractors employed by the home owner should the home owner be in arrears with the HOA levies. The HOA shall have the right to restrict such access until such time as the arrears have been paid in full.
- 3.2.17 Ensure the stand is kept neat and tidy during building operations and thereafter completion. Should there be any form of builders rubble, refuse or vegetation that is not removed the HOA reserves the right to remove such material and charge the member/owner/tenant accordingly. The HOA shall not be required to notify the purchaser to remove any builders rubble, refuse or vegetation. It is the duty of the purchaser to acquaint himself with the building contractors code of conduct/estate rules prior to commencement of building.