

**CONTRACTORS
CODE OF CONDUCT**

**CORMALLEN HILL
HOMEOWNERS ASSOCIATION**

REVISION NO 2 : MARCH 2011

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- A. Application to be Registered as a Building Contractor
- B. Registration certificate issued by the CHHOA registering a Contractor

1. **INTRODUCTION**

- 1.1 The purpose of this CONTRACTORS CODE OF CONDUCT is to encourage good co-operation between OWNERS, CONTRACTORS and CORMALLEN HILL HOME OWNERS ASSOCIATION (CHHOA).
- 1.2 It is also imperative that the Owner and Contractor made themselves aware of the contents of the following documentation available from the Estate Manager and also available on the web site (www.cormallen.hill.co.za):
- House Rules and Regulations for Cormallen Hill; and
 - Architectural Design Guidelines for Cormallen Hill.
- 1.3 All Contractors working at Cormallen Hill Estate must sign acceptance of this protocol prior to any work commencing on site. This code also applies and covers all Sub-Contractors working under a main Contractor on any site within the boundaries of the Estate.
- 1.4 The CHHOA has the right to suspend any building activity in contravention of any of the conditions and the CHHOA accepts no liability for any losses sustained by an Owner as a result thereof.

2. **CONDITIONS REGARDING CONTRACTOR ACTIVITY**

The Owner must ensure that the Contractor to be used by the Owner to conduct any form of building activity on his property complies with the following criteria:

- 2.1 As from 1 April 2011 all Building Contractors have to be registered with the CHHOA by:
- 2.1.1 Submission of an “ Application to be Registered as a Building Contractor”;
- 2.2 An evaluation will be done by the CHHOA of the information supplied by the applicant. The decision of the CHHOA is final and the CHHOA is not compelled to provide reasons for a decision taken on matters of registration;
- 2.3 The registration certificate issued by the CHHOA will only be valid for a period of 12 (twelve) months after the issuing of such certificate and the Owner and Contractor will therefore have to apply for such registration certificate annually;
- 2.4. The CHHOA shall be entitled to refuse re-registration or terminate registration of any contractor, should the standard of work and adherence to the Architectural Guidelines and / or Security Rules and Management and control of the employees of the building contractor or of any of its sub-contractors, not be to the satisfaction of the CHHOA, in its sole and absolute discretion;

- 2.5 The Building Contractor responsible for construction of a home on a property in the Estate, has to be registered with the National Home Builders Registration Council;
- 2.6 All specialist contractors, whose appointment is not a sub-contractor to the main Building Contractor, such as pool contractor, landscaping contractor, etc. must be registered by the Owner to the CHHOA before any activities take place. The Owner takes full responsibility for this specialist contractor while working in the Estate;
- 2.7 CHHOA is responsible to protect the integrity of the Estate and the other home owners from “ building projects gone wrong”, therefore an Owner Builder in addition to all other conditions and provisions hereby undertakes and agrees to the following:
- 2.7.1 An Owner Builder will only be allowed to build a home on a property in the Estate registered in his name;
 - 2.7.2 An Owner who intends to act as a Owner Builder must apply in writing to the CHHOA and provide the following details:
 - 2.7.2.1 Owners Name
 - 2.7.2.2 Stand Number
 - 2.7.2.3 Architect responsible for the building plans
 - 2.7.2.4 Project Engineer
 - 2.7.2.5 Project Manager / Responsible person who will be in charge of the building project as describe in par 3.1.1;
 - 2.7.2.6 Proof that the building project has been registered with the National Home Builders Registration Council as Owner Builder;
 - 2.7.2.7 The Owner Builder must complete and sign the Contractors Code of Conduct;
 - 2.7.2.8 In the absence of a main contractor, all contractors / sub-contractors will need to sign the Contractors Code of Conduct before they are allowed entrance to the Estate. The Owner Builder takes responsibility that this documentation be handed to the Estate Manager in due time.

3 ENTRANCE SECURITY

- 3.1 Before an Owner will be allowed to perform any building activities, the following arrangements must be finalized with the Estate Manager and the Director : Building Works:
- 3.1.1 The Owner must nominate a responsible person, eg a Builder, Manager, Site Foreman, etc on the building site who will be registered on the Click On System at the Guard House and be available on site to perform security protocol as described in this Code of Conduct;
 - 3.1.2 This person will be called from the Guard House when ANY Contractor / Delivery / Visitor / etc. wants entrance to his building site;
 - 3.1.3 Should this person be satisfied that he is aware who the visitor is, he will allow entrance to his building site by pressing 9 on his cell phone;

- 3.1.4 This person will also convey an Exit Code, allocated to his building site, to the visitor and the visitor will use this code to exit at the Guard House;
 - 3.1.5 Should an exit code not be given to your visitor, this visitor will not be allowed exit at the Guard House by the Guards.
 - 3.1.6 All expenses on the Click-On System will be for the account of the Owner of the Building Site;
 - 3.1.7 **NB!!! THE PERSON BEING NOMINATED AS DESCRIBED ABOVE, CERTIFIED BY SIGNING THIS DOCUMENT, THAT HE TAKES FULL RESPONSIBILITY FOR EACH AND EVERY PERSON BEING ALLOWED ENTRANCE TO HIS BUILDING SITE BY PRESSING 9 ON HIS CELL PHONE.**
- 3.2 All Contractors / Sub Contractors and their workers must be registered at the Guard House and the following protocol will be applicable:
- 3.2.1 Contractors and their workers must hand in an ID Document / Passport on entrance of the Estate;
 - 3.2.2 A Site Ticket will be issued to each Contractor and Worker for the day;
 - 3.2.3 The Site Ticket must be visibly displayed by the Contractor / Worker at all times;
 - 3.2.4 When a Contractor / Worker leaves the Estate, he must hand in his Site Ticket at the Guard House and collect his ID Document / Passport;
 - 3.2.5 Under NO CIRCUMSTANCES will any Contractor / Worker be allowed entrance at the Guard House without handing in his ID Document / Passport to the Security Guard on duty;
 - 3.2.6 NO ID DOCUMENT / PASSPORT - NO ENTRANCE !!! and this rule will be strictly enforced.
 - 3.2.7 Should a Contractor / Worker not be on their building site and walking around in the Estate, Security will remove this person immediately from the Estate. Should it be a Worker, the Contractor / Sub Contractor to whom he reports, will also be removed simultaneously from the Estate;
 - 3.2.8 A penalty of R 500 will immediately be applicable and the person(s) being removed from the Estate, will not be allowed any further entrance to the Estate until such time that the penalty is been paid and the problem being rectified with the Estate Manager;
- 3.3 Security Guards are working under instruction and must be adhered to at all times. Contractors and their workers must treat the security personnel in a co-operative manner;
- 3.4 Security protocol at the gate must be adhered to at all times;
- 3.5 Contractors and Visitors must make use of the entrance and exit gates closest to the Guard House.

4 ESTATE SECURITY

- 4.1 No worker of a Contractor will be allowed to walk to and from the Guard House and the Building Site. All workers must be transported to and from the Building Site and the Guard House;
- 4.2 No Worker of a Contractor will be allowed loitering in the Estate. All workers MUST be on the Building Site at all times during the day; (See par 3.2.7 & 3.2.8 above);
- 4.3 The Estate will be manned by security 24 hours a day and patrolled on a random basis. Should a worker(s) of a Contractor not be on his Building Site during patrolled sessions, the worker(s) will be removed from the Estate by the Security Guard immediately and will not be allowed further entrance to the Estate. Contractors must inform their workers in this regard and no excuses will be accepted; (See par 3.2.7 & 3.2.8 above);
- 4.4 Residents must advise the Security Guard on duty should they be aware of any person loitering on the Estate. Should it be found that this is a worker of a Contractor, the stipulations of par. 4.3 will pertain;
- 4.5 A Contractor working on a Building Site on the perimeter must inform their workers of the dangers pertaining the electrical fencing.

5 BUILDING SITE AND CONSTRUCTION ACTIVITIES

- 5.1 Construction hours are restricted from 07H00 to 17H00 on Mondays to Fridays and from 08H00 to 14H00 on Saturdays. No construction activities is to take place on Public Holidays and Sundays;
- 5.2 No workmen will be permitted on any Building Site between the hours of 18H00 and 06H00;
- 5.3 A Contractor will be allowed to put a Contractor - / Professional board on the Building Site. No advertising or Sub-Contractors board will be permitted;
- 5.4 All building materials are to be delivered and stored within the Building Site boundary behind the screened shade net. No material is to be off-loaded onto the road or road reserve or other erven / neighbouring stand(s);
- 5.5 Open boundaries of the Building Site must be screened off with a shade net in order to maintain privacy of residents and reflect neatness of the Building Site and of the Estate.
The shade net must comply with the following:
- Green shade net with 80% density;
 - Minimum height of 1.8m;
 - Wire between poles to keep the shade net neat and tidy;

- Access gate that can be closed properly;
- The building site must be screened off in total, eg. from adjacent boundary wall to another boundary wall;
- This shade net fence must be maintained in a neat and tidy manner throughout the construction period.

Note: No exception will be allowed for the screening off on the building site. If boundary walls will be erected as the first construction, the screening can be removed as the construction commences;

5.6 Should it be for whatever reason necessary for an Owner / Contractor to make use of an open neighboring stand during their building activities , the following stipulations will remain:

5.6.1 The Owner must before any building activities take place, make a written request to the CHHOA and must give full reasons / motivation in this regard;

5.6.2 The CHHOA will consider the request and also take it up with the owner of the open stand for his comments;

5.6.3 Should this request be approved, the Owner who made the application have to:

- make a payment to CHHOA for an additional building deposit of R 5 000-00 which deposit will be refunded as soon as the neighboring stand has been cleaned to the satisfaction of the CHHOA for reasons used during building activities;
- such neighboring stand must be screened off and the stipulations in par 5.5 above will be mutatis mutandis applicable in this regard;

5.7 A Contractor will be required to provide screened ablution facilities for workmen and Sub-Contractors under his control. Only chemical toilets will be allowed with no temporary connections to the main drainage system;

5.8 Delivery route for vehicles is through the Security Gate Entrance. Only single unit delivery trucks may come into the Estate and also up to a maximum weight of 30 tons. No approval for delivery of any building material or supplies will be granted after 17H00 on week days;

5.9 No articulated trucks will be allowed to deliver any material on a Building Site;

5.10 Delivery vehicles who spill material en-route, damage roadways and kerbs, stain tarmac and generally create nuisance within the Estate, will result in a fine of R 500 allocated to the Owner / responsible Building Contractor of that building site and deliveries from that Supplier will not be allowed any further entrance to the Estate until such time that the fine is paid and the problem being rectified with the Estate Manager;

- 5.11 An internal speed limit of 25 km/h must be adhered to at all times by any construction vehicle and the Contractor must inform his personnel and Suppliers in this regard;
- 5.12 Due to the fact that building activities take place in a residential area, the Owner and Contractor must ensure that the Building Site be at all times clean and neat to acceptable standards.
NB. There is no reason for a building site to look like a dumping site!!
- 5.13 The Owner / Contractor must make arrangements that the street(s) be cleaned on a daily basis. Should any building material, whatsoever, lands in the street, the street must be washed up and until the point where water submerges in a gutter;
- 5.14 All plastics, paper, boxes and the like, must be recycled in a container (rubbish bins) and the Contractor must ensure that no rubble as described are to be spread in the Estate by wind or by any other means;
- 5.15 Building rubble must be divided and taken to a legal dumping site and must be removed at regular intervals. No building rubble must be dumped or temporarily placed on an open / neighboring stand. A Contractor must make arrangements that the Building Site be cleaned of all building rubble on **Fridays** and the Building Site must be left tidy and neat at knock off time each and every day, eg. stack / pile all building material, store all equipment, empty all rubbish bins, wipe and wash the street(s), etc.;
- 5.16 Should an Owner / Building Contractor not adhere to the stipulations of par. 5.12, 5.13, 5.14 & 5.15 above, a penalty of R 500 will be applicable and no further entrance will be allowed to any Contractors / Workers to that building site until such time that the penalty is been paid and the problem be rectified with the Estate Manager;
- 5.17 No building material or building equipment may be kept on a Building Site or open stand unless active building activities are taking place;
- 5.18 No vehicles / trucks / trailers / etc, must be left on the Building Site or any other open stand at night or during week-ends;
- 5.19 If for whatever reason, building activities cease the Owner must inform the CHHOA immediately in writing and give reasons for this situation. All building material, building rubble and equipment in and around the property should be removed. This property must still be screened off by shade net as described in par 5.5 above;
- 5.20 No construction personnel or night watchmen will be allowed to sleep on the Building Site;

- 5.21 The Contractor must ensure that the Building Site at all times comply with Health and Safety Regulations;
- 5.22 Non compliance of any of the rules in this document, will result in further penalties be imposed against the Owner. Further on, should there be no co-operation from a Contractor or any of his personnel, entrance to the Building Site for the Contractor, his Sub-Contractors and workmen will be suspended until such time that the problem be rectified with the Estate Manager.

6. BINDING STATUS.

- 6.1 The rules and regulations governing building activities as set out in this document are binding on all Owners, their Contractors and Sub-contractors. All Owners are obliged to ensure that their building contractors and sub-contractors are made aware of these rules and that they are strictly adhered to;
- 6.2 Owners are accordingly required to include these rules in their entirety in any building and architectural contract. A signed copy of the Builders Code of Conduct with all addendums / annexure must be submitted to the CHHOA prior to any commencement of any construction activity;
- 6.3 The CHHOA shall not be liable for damage to any persons or association submitting any architectural plans for approval or to any owner of lands within the Estate by reason of any action, failure to act, approval, and disapproval, with regard to such architectural plans. Any person or association acquires the title to any property in the Estate or any persons or associations submitting plans to the CHHOA for approval, by doing so agree that he or it will not bring action or suit to recover damages against the CHHOA, its members as individuals, or its advisors, employees or agents;
- 6.4 The CHHOA shall keep written record of all applications submitted for approval, all actions approved / denied and any other actions taken by it under provisions of this body. These records will be safeguarded for at least one year;
- 6.5 The CHHOA reserves the right to suspend any building activity in contravention of any of the conditions and does not accept claims for any losses sustained by an Owner, Contractor or Sub-contractor as a result thereof.

7. ACKNOWLEDGMENT

This document is fully understood and accepted and the Owner as well as his Building Contractor undertake to comply with the above points, in addition to any further controls which may be instituted by the CHHOA from time to time in the form of written notification and to ensure compliance by any Sub-Contractor employed by the Contractor and any Supplier to either the Contractor, Sub-Contractor or Owner.

SIGNED ON THISDAY OF 20.....

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CONTRACTOR / RESPONSIBLE
PERSON ON SITE

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OWNER

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FOR AND ON BEHALF OF CHHOA

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