



PENALTY PROTOCOL

ALL OWNERS, PROJECT MANAGERS, CONTRACTORS, SUB-CONTRACTORS AND SERVICE PROVIDERS INVOLVED IN BUILDING ACTIVITIES IN BRIDGE CITY (THE ESTATE)

You are asked to appreciate and understand the necessity for controls on an Estate such as Bridge City, due to its visibility and reputation. Many of the premises are occupied and will suffer from the effects of non-compliance of the rules. The future and reputation of Bridge City rely to a great degree on your respect for it as a whole, and compliance with the rules whilst working on your sites.

REVISED EDITION – 15 August 2016

(This document supersedes all previous editions)

1. BREACH.

1.1 In the event of any Owner, Contractor, Service Provider, Sub-Contractor, or any of their employees, being in breach of any Obligations, Rules, or Protocols as set out hereunder by the Bridge City Management Association, the Association shall be entitled to one or more of the following remedies:

- 1.1.1 Issue of written notification to the Owner, Contractor, Service Provider, Sub-Contractor, or individual employee, to remedy the breach within 24 hours.
- 1.1.2 Closure or restriction of access to the site, until the breaches have been remedied. Any contractual delay claims will be at the Contractor's expense. This is dependent on the danger/safety exposed.
- 1.1.3 Insistence on rectification of the breach at the cost to the Owner, Contractor, Service Provider, Sub-Contractor, or employee.
- 1.1.4 Issue of a written warning.
- 1.1.5 Imposition of a penalty or fine as indicated in the list within this document, or as decided by the Association Rules Committee or Design Review Panel, as the case may be.
- 1.1.6 The Project Manager is responsible on behalf of the Owner for the actions of all Contractors and sub-contractors on site.

2. PENALTIES / FINES.

A written warning or fine up to the amount indicated

OFFENCE	1ST OFFENCE	2ND OFFENCE	REPEAT OFFENCES
2.1 Unroadworthy Vehicle.	Written Warning	R 500.00	R 5 000.00
2.2 Speeding and/or dangerous/negligent driving.	Written Warning	R 1 000.00	R 2 000.00
2.3 Parking Vehicle on Vegetation/Gardens/verge	Written Warning	R 50.00	R 1 000.00
2.4 Parking – causing obstruction.	Written Warning	R 50.00	R 500.00
2.5 Dangerous Loads (people or goods).	Written Warning	R 500.00	R 5 000.00
2.6 Spillage on roads (spoil, gravel etc.)	R 500.00	R 1 000.00	R 2 000.00
2.7 (Diesel, oil or similar)	R 1 000.00	R 2 000.00	R 4 000.00
	Plus costs	Plus costs	Plus costs
2.8 Damage to trees/Vegetation/Landscaping	R 1 000.00	R 3 000.00	R10 000.00
2.9 Littering	Written Warning	R 500.00	R 1 000.00
2.10 Interfering with game or setting snares.	R 500.00	R 1 000.00	R 5 000.00
2.11 Possession of alcohol or drugs (individual person).	Written Warning	Banned from the Estate	
2.12 Failure to use toilets / Washing in view of public.	Written Warning	R 500.00	R 1 000.00
2.13 Damage to light poles and any street furniture.	Written Warning	R 1 500.00	R 3 000.00
	Plus costs	Plus costs	Plus costs
2.14 Damage to services and manholes	R 1 000.00	R 2 000.00	R 5000.00
	Plus costs	Plus costs	Plus costs
2.15 Damage to road surfaces	R 1 000.00	R 2 000.00	R 5 000.00
	Plus costs	Plus costs	Plus costs
2.16 Failure to secure a site at end of working day.	R 500.00	R 1 000.00	R 2 000.00
2.17 No toilet / Insufficient toilets on site.	Written Warning	R 2 000.00	R 5 000.00.
2.18 No litter collection area.	R 500.00	R 1 000.00	R 5 000.00
2.19 Burning on site.	R 500.00	R 1 000.00	R 5 000.00
2.20 Storage of equipment and materials on verge.	Written Warning	R 500.00	R 2 000.00
2.21 Deviation from approved plan without approval.	Referred to Design Review Panel for Decision		
2.22 Building without approved plans.	Referred to Design Review Panel for Decision		
2.23 No Foreman/Supervisor on site.	Written Warning	R 500.00	R 1 000.00
2.24 Illegal signage.	R 500.00	R 1 000.00	R 2 000.00
	Per sign	Per sign	Per sign
2.29 Failure to comply with written Notices/Instructions.	R 500.00	R 2 000.00	R 5 000.00
2.30 Failure to install Professional Notice Board.	Written Warning	R 500.00	R 1 000.00
2.31 Tampering with water supply or meter.	R 500.00	R 2 000.00	R10 000.00
2.32 Tampering with any services.	R 500.00	R 2 000.00	R10 000.00
2.33 Encroachments over building lines.	Referred to Design Review Panel for Decision		
2.34 Encroachments over Boundaries/Servitudes.	Referred to Design Review Panel for Decision		
2.35 Failure to comply with the C.E.M.P.	R 2 000.00	R 20 000.00	R 50 000.00
2.36 Failure to rehabilitate areas on instruction.	R 2 000.00	R 5 000.00	R 20 000.00
2.37 Failure to install adequate storm water control.	R 5 000.00	R 20 000.00	R 50 000.00
2.38 Pollution of any kind.	R 5 000.00	R 25 000.00	R 50 000.00
2.39 Failure to erect perimeter hoarding within 14 days of site handover	R 2 000.00	R 10 000.00	R 20 000.00
2.40 Removal of any trees or indigenous vegetation without written permission.	R 2 000.00	R 10 000.00	R 30 000.00
2.41 Use of or pollution of any neighbouring sites without written permission.	R 1 000.00	R 2 000.00	R 4 000.00
2.42 Damaged/insecure/dangerous hoarding.	R 500.00	R 1 000.00	R 2 000.00
2.43 Failure to maintain property in good and proper order	Written Warning	R 1 000.00	R 2 000.00

Please Note: All fines are to be paid within 7 working days of notification, failing which the full amount of the fine will be added to the Owner's levy account, or deducted from the Retention fee deposited with the Association by the Owner of the property or the Contractor.

Failure to comply with notices within 7 days of the issue thereof will result in the relevant penalty being imposed.

Failure to heed a warning within 7 days of such warning will result in the next level of penalty being imposed.

Where any costs are incurred to effect repairs due to the above offences, the Owner, Project Manager, Contractor or person who caused the damage will be invoiced for such repairs. Failure to pay the fine or for the repairs within the period specified by the Association management will result in the full amount being deducted from the Retention fee deposited with the Association by the Owner of the property.

The penalties will accrue to the particular Project Manager/Building Contractor, on whichever site it occurs. i.e. if a Contractor breaches a rule on one site, and the same rule on another, the latter will be seen as a second offence and so on.

The Association reserves the right to revise this list of penalties and/or fines from time to time without notice.

The above list is not exhaustive, and any breaches of any Protocols not listed will be dealt with in accordance with Clause 1.0 of this Protocol and Clause 8 of the Memorandum and Articles of Association.