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BOGMORE HOMEOWNERS ASSOCIATION
CONDUCT RULES

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BOGMORE HOMEOWNERS ASSOCIATION
CONDUCT RULES

1. INTRODUCTION

Community living is the concept we aspire to when we buy into a gated Estate. In order to enjoy the full privilege of a safe and secure lifestyle for ourselves and our families, we need to co-exist and be considerate to our neighbours by respectfully adhering to the Conduct rules as governed by the HOA and the constitution. These rules which are set out below are binding on all owners of Bogmore Homeowners Association and all persons occupying any Erf who, in turn, are responsible for ensuring that members of their families and their tenants, invitees and Domestic employees comply with them.

Successful community living is achieved when members and residents use and enjoy their properties and the common areas in such a manner that they show respect and consideration for the rights of other persons lawfully on the property. Compliance with the conduct rules and general consideration by owners and residents for each person lawfully on the property will greatly assist in achieving a happy community. The HOA Committee will responsibly govern by these rules and apply the content thereof in a fair and lawful manner.

In case of annoyance, aggravation or complaints occurring between owners or occupants an attempt should be made by the parties concerned to settle the matter between themselves. This should be done with consideration and tolerance. If, however, such problems cannot be resolved between the parties only then should they be brought to the notice of the HOA Committee in writing. The HOA Committee may require that a complaint is submitted to them in the form of an affidavit before they consider it.

In case of any conflict between the Conduct Rules and the Constitution, the Constitution shall prevail.

2. MOTOR VEHICLES, USE OF ROADS AND PARKING AREAS

2.1 Residents, their visitors and guests shall:

2.2 Observe all the Road Traffic Laws including any road signs and speed limits in the Estate.

2.3 Not drive their vehicles within the Estate in any manner which creates a nuisance or is considered by the HOA Committee not to be in the interest of safety, including texting, or use of a cell phone while driving without the use of a hands free kit.

2.4 Not allow any unlicensed person to drive any vehicle within the Estate.

2.5 Not sound hooters within the Estate other than in emergencies.

2.6 Only park vehicles in such areas of the Estate as are specifically indicated or approved by the Home Owners Association for that purpose and in such a way that the flow of traffic and access to the egress from the driveways are not obstructed.

2.7 Ensure that damaged vehicles and vehicles that are not in general use, do not drip oil or brake fluid or that vehicles which are not road worthy are not parked within the Estate other than for such short periods as may be approved by the HOA Committee, and with their prior written consent.

2.8 Not park trucks, caravans, trailers, boats or heavy vehicles within the Estate without the prior written consent of the HOA Committee.

2.9 Not wash, dismantle or effect major repairs to any vehicle on any portion of the common property.

2.10 Not undertake repairs to and reconditioning of vehicles on common property.

2.11 Not travel at speeds in excess of 20 kilometers per hour on any portion of the common property.

2.12 Not leave bicycles, motorcycles, tricycles, roller skates, skateboards and the like on any portion of the common property.

2.13 The HOA Committee may impose a fine at the risk and expense of the owner of the vehicles, any vehicle parked, and standing or abandoned within the Estate in contravention of the rules.

2.16 Vehicles entering the Estate are subject to the express conditions that they are parked at the owner's risk and responsibility, and that no liability shall attach to the Home Owners Association or its agents or any of their employees for any loss or damage of whatever nature which the owner, or any person claiming through or under him, may suffer whilst the vehicle is parked on common property.

2.15 All motor vehicles, motorbikes and quad bikes operated on the Estate roads must be road legal and licensed as per the applicable traffic legislation.

2.16 Speed limits must apply to all road users including skateboards, bicycles, scooters, electric bicycles/ scooters and motorbikes.

2.17 Bike helmets are to be worn at all times by skateboards, bicycles, scooters, electric bicycles/ scooters and motorbikes

3. LAUNDRY

3.1 Washing hung out to dry is done so at the sole risk of the owner thereof.

3.2 Washing may only be hung out to dry in the private areas attached to each home and especially assigned for that purpose and must not be visible to other residents, or from the common property.

3.3 No washing may be hung on the common property, or from a veranda, balcony, window or fence.

3.4 No drying rack may be positioned in the front garden or on a veranda at any time.

3.5 No carpets may be left to dry in the driveway or fence.

3.6 It is the responsibility of residents to ensure these restrictions are properly conveyed to all employees.

4. REFUSE DISPOSAL

A member or tenant shall:

4.1 Maintain in a hygienic and dry condition, a 240-liter green or black wheelie bin ("the bin").

4.2 Ensure that before refuse is placed in a bin it is securely wrapped, or in the case of other containers, completely drained.

4.3 For purpose of having the refuse collected, place the bin within the area and at the times designated by the HOA Committee in writing. The collection days are as follows:

Monday – Black garbage bags

Wednesday-White Garden Dolphin Coast Waste Management refuse bags

Thursday – Black garbage bags only. No garden refuse will be collected on this day.

Friday – Recycling Transparent plastic bags only to be used and not placed in a wheelie bin.

4.4 When the refuse has been collected, promptly return the bin to their property.

4.5 Ensure that household garbage or bins are not visible from the common property.

4.6 Ensure that household garbage is not handled contrary to the regulations of the Local Authority, e.g. all glass must be wrapped in a double layer of paper.

4.7 Ensure that no garbage or garden rubble is left on any portion of the common property or elsewhere where it will be visible from the common property whether in a container in or otherwise, except when left for collection on collection days. It may not be left out overnight.

4.8 Ensure that the different types of refuse are placed only in the appropriate color and type of bag and that white garden refuse bags are not placed within a bin. Garden refuse placed in black bags will not be collected. Place only 2 (two) white garden refuse bags outside a property for collection on the designated day.

4.9 Not include general garbage in the transparent recycling bags. The contents to be limited to cardboard, plastic containers, newspapers, magazines and cleaned drained tins.

5. NOISE

5.1 Residents in the Estate shall ensure that they and their visitors or guests do not make or create undue noise.

5.2 Motor hooters may not be used in the Estate except in emergencies.

5.3 Radios, musical instruments, music devices and TV sets must be used in such manner as not to be heard in adjoining homes or on common property.

5.4 Generators may only be installed with prior written consent of the HOA Committee, such consent being conditional on noise reducing measures or installation methods being employed. Stand-alone generators may not be used at all on the estate without prior written consent of the HOA Committee. Generator installations require the completion of the Generator Installation Compliance Guidelines application. Under emergency situations stand-alone generators may not be used for more than 7 days.

6. GARDENING

6.1 Residents shall maintain their garden in a neat and tidy condition.

6.2 No plant or flower may be picked from nor any damage caused to the garden areas on the common property and the natural flora and fauna shall not be destroyed, removed or damaged in any way.

6.3 Garden tools and other equipment shall not be kept in any place where they will be visible from common property or other properties.

6.4 All gardening in respect of common property areas shall only be done by person/s authorized by the HOA Committee.

6.5 Private gardens must at all times be kept neat and tidy and be landscaped to the reasonable standard determined by the HOA Committee.

6.6 Leaf blowers, regardless of type, may not be used on the Estate.

6.7 No burning of garden refuse is permitted on the Estate.

7. SWIMMING POOLS

7.1 Any owner constructing a swimming pool on their property shall comply with all local authority requirements including ensuring that it is correctly fenced.

7.2 If the communal pool is used the rules expressed on the notice in the pool area and those below will apply.

7.2.1 The pool may only be used by bona fide residents or occupiers or their visitors. A visitor must, at all times, be accompanied by the Resident whom they are visiting.

7.2.2 The pool may only be used during the hours of 07h00 and 20h00.

7.2.3 No glass may be taken into the pool enclosure area.

7.2.4 No pets may be taken into the pool enclosure area.

7.2.5 No inflatable toys may be taken into the pool.

7.2.6 No rowdy behavior is permitted in the pool or its surrounds.

7.2.7 Proper swimming attire to be worn by people using the pool.

7.2.8 No tampering with the pool equipment is permitted and anyone doing so, where the equipment is subsequently found to be damaged, will be charged with all costs for the repair/ replacement of the item.

7.2.9 No alcohol is permitted in the pool area.

8. DAMS

8.1 Dams in the Estate have certain areas of "common property" around them. Residents are required to exercise respect and not intrude on the privacy of residents whose properties front onto these dams.

8.2 The rules that apply to access and use of the dam area are clearly expressed on the notices posted on the access gates.

8.3 Fishing is permitted on a catch and release basis in any dam under the jurisdiction of the HOA, using light dam or river rods. The use of large rods and any form of net is prohibited.

8.4 Please ensure that you leave the area clean and tidy and free of any fishing tackle including fishing line and bait. The pollution of the dams is prohibited.

9. THE RIGHT TO KEEP AND CONTROL OF PETS

9.1 KwaDukuza Municipal bye-laws relating to pets must be complied with where applicable (i.e. annual licensing/ numbers/rabies inoculations etc.)

9.2 Prior to bringing a pet onto the Estate, and when a pet is replaced, the following conditions must be met:

9.3 Written permission must be obtained from the Committee. This permission will not be unreasonably withheld provided compliance with the rules is satisfied.

9.4 Application for such consent shall be made in writing to the Committee, via the Managing Agent, who shall keep a Pet Register. The application form can be obtained from the Estate Manager.

9.6 A written response will be made to the applicant informing him whether the pet(s) will be allowed or not. If permission to keep the pet(s) is declined, reasons will be provided in the written response.

9.7 Until such time that permission is granted for the pet(s) being applied for, the pet(s) are not allowed into the estate. Permission may be granted conditionally by the HOA (e.g. not until an appropriate fence is erected).

9.8 No more than a total of two pets (dogs and/or cats) are permitted per household, i.e. two dogs or two cats, or one of each. The Committee may grant temporary relief in respect of this rule based on circumstances and a written motivation. Such temporary relief shall be solely at the Committee's discretion.

9.9 All pets must be spayed or neutered.

9.10 Only small to medium sized dog breeds will be allowed. Small breeds are considered under 9 – 10 kg Medium dogs fall into the 11 – 25 kg.

9.11 Should a pet be found out of its owner's premises and the estate's security contractor picks up the pet, a fine will be raised against the responsible home owner's levy account. Should the Estate not be able to identify who the pet belongs to, the pet will be removed off the Estate & taken to the SPCA. The Committee shall not be liable for any injury to any pet thus removed or for any other loss so incurred by the owner or occupier or any other person.

9.12 Caged birds will be allowed subject to not more than two birds per cage and a maximum of two portable cages.

9.14 Dogs must be kept in an adequately contained area within the owner's property and, when outside the owner's property, must at all times be on a leash and under the control of a responsible person. Any dog found wandering out of its owner's property without a leash and/or without a collar and name tag will be taken to the security contractor and may be taken to the SPCA if the owner is not identified. A penalty levy will be payable by the owner. For any subsequent offences, the HOA Committee has the right to reasonably increase the penalty levy.

9.15 Fouling by pets of property belonging to the Estate, or to other owners, must be removed immediately by the responsible owner. For this purpose, owners are advised to carry a scooper or plastic bags whenever walking their pets outside their own property.

9.16 Pets must not cause a nuisance, disturbance, or annoyance to other residents. This includes, but is not limited to, persistent barking, howling, squawking, or other disruptive behaviours—particularly when unprovoked. However, natural behaviours such as dogs barking at passersby will not automatically be considered a nuisance. Dogs must be kept on a leash at all times when outside and are not permitted to roam the estate unsupervised. Cats do by nature roam freely within the Estate, and all residents are asked to respect and accommodate this instinctive behaviour. Should a resident wish to discourage a cat from entering their property, only safe methods of repelling cats from unwanted visits to individual properties, must be observed. All complaints related to pet disturbances must be submitted in writing to the Estate Manager. The HOA reserves the right to investigate such complaints and, if necessary, may request the removal of the pet from the estate if the issue persists after reasonable notice has been provided.

9.17 Any animal, bird or reptile being on the Estate in contravention of these rules shall be removed forthwith on notice from the HOA. Any costs incurred will be for the account of the home owner.

9.18 The owner of any pet found to have been responsible for injuring or threatening any humans or wild life on the Estate will be held accountable for any costs or claims arising there from, and will be obliged to remove such pet from the Estate immediately.

9.19 The HOA reserves the right to ban any breed of dog considered to be a threat or a danger to persons or wild life. At this stage PITBULLS, ROTTWEILERS, BOEREBULLS, DOBERMAN, ALSATIANS and GERMAN SHEPHERD breeds are banned (Including mixed breeds of above). Vicious animals of any kind are not allowed on the Estate.

9.20 Pets may not be left overnight unattended in a residence, and suitable arrangements of engaging a friend or house sitter must be made, alternatively the owner may make arrangements with a third party to look after their pet/s during their absence from the Estate. This third party should be easily contactable in the event of a problem with the pet/s.

9.21 Pets must be cared for appropriately. Cruelty to pets will be reported to the SPCA.

9.22 Cats, which have not been spayed or neutered, may not be kept on the property.

9.23 Properties housing pets must be fenced in compliance with the Architectural Guidelines.

9.25 Financial and other responsibility for any injury caused by a pet or any damage to personal property or any resident, guest or employee or any member of the public shall be that of the pet owner. The HOA is not liable in any way for damages or injuries caused by pets.

9.26 No rabbits may be kept on the estate.

10. DOMESTIC EMPLOYEES

All Residents shall:

10.1 Ensure that their domestic/garden employees have their Identification document registered with Estate Security & be issued with a card granting them access to the Estate.

10.2 Be responsible for the activities & conduct of all domestic employees and ensure that they do not breach any rules, national legislation or local authority by-law which may affect the Estate.

10.3 Ensure that the domestic employees do not create any undue noise on the Estate.

10.4 Ensure that domestic employees are aware of and comply with the Estates Conduct Rules and its security procedures.

11. EXTERIOR OF BUILDINGS

11.1 Alterations, additions, or decorations to the exterior of a house, including solar panels and water storage tanks may not be made without prior written consent of the HOA Committee. Solar installations require the completion of the Solar Installation Compliance Guidelines application.

11.2 Radio/ television/ DSTV aerials/ dishes may be attached to the exterior of the buildings but not above the skyline of the roof, and subject to the HOA Committee having granted written consent.

11.3 Requests for consent for any alterations or additions shall be made in writing to the HOA Committee and shall be accompanied by plans and specifications showing the nature, kind, shape, height, material, color and location of the proposed alterations, addition or decoration or installation of the radio/ television/ DSTV aerial/ dish, as the case may be.

11.4 Residents shall be obliged to maintain their property in a state of good order and repair and to take all reason able steps to keep them in a clean, hygienic, neat and attractive condition.

11.5 If a Resident fails to keep such property in a state acceptable to the HOA Committee, and such failure persists for a period of 30 days after written notice to repair or maintain given by the HOA Committee or the managing agents, the HOA Committee shall be entitled to take legal action to have the property properly maintained. All costs of such legal action will be for the account of the owner of the property.

11.6 Notwithstanding, any approval granted by the HOA Committee, no alteration, addition, or decoration to the exterior may be undertaken until any permit or approval required from any authority has been obtained. It is the duty and responsibility of the owner of the property concerned to obtain any such necessary permit or approval at their own cost.

11.7 Should any contractor, in performing any work on the Estate, cause any damage, the owner of the property where the contractor is working shall be liable to make good any damage caused in the performance of such work at their own expense.

11.8 All contractors working on the Estate shall comply with the Caledon Contractors Obligation agreement all security measures in place at the time that they work on the Estate. If they fail to comply with the security measures the HOA Committee may deny them entry to the Estate.

12. INTERIOR OF SECTIONS

12.1 Any interior alterations should be carried out between 7am and 5pm Monday to Friday and from 8am to 4pm on Saturdays and shall not cause any undue disturbance to residents of neighbouring properties.

12.2 The positioning of air-conditioning units must be approved in writing by the HOA Committee before installation thereof. Air conditioner installations require the completion of the Air Conditioner Installation Compliance Guidelines application.

12.3 Burglar guards must be installed inside the house and must be in a design approved in writing by the HOA Committee prior to installation.

12.4 Blinds and backing of curtains must be only white or natural in color.

12.5 External blinds to be approved in writing by the HOA Committee before installation.

13. APPEARANCE FROM OUTSIDE

Residents shall not place or do anything on any part of their property which, in the discretion of the HOA Committee, is aesthetically displeasing or undesirable when viewed from the outside.

14. LITTERING

Residents shall not deposit, throw, or permit or allow to be deposited or thrown on the common property any rubbish, including dirt, cigarette butts, food scraps or any other litter whatsoever.

15. STORAGE OF INFLAMMATORY MATERIAL AND OTHER DANGEROUS ACTS

Residents shall not store any material, or do or permit or allow to be done, any other dangerous act in the building or on common property which will or may increase the rate of the premium payable by the association on any insurance policy

16. USE OF A DWELLING

16.1 The use of a dwelling shall be governed by the Kwadukuza Municipal Town Planning Scheme in force at the time or any other approved scheme applicable to the Estate from time to time.

16.2 A unit should be used for residential purposes however home offices will be allowed provided the owner complies with the following rules:

16.2.1 Ensuring that the use of the property is in line with the zoning regulations and Local Authority's Municipal Planning By-Laws applicable to Caledon Estate.

16.2.2 Not more than 25% of the built floor area of the dwelling, may be used for non-residential purposes.

16.2.3 The owner must also permanently reside in the dwelling and the number of people working within that business is limited to two in addition to the members of the household who live there permanently.

16.2.4 Any business being run from home should not increase noise levels or compromise available parking facilities.

16.2.5 The HOA reserves the right to inspect business premises.

17 LETTING OF UNITS

17.1 The owner of any property within the Estate shall be obliged to ensure that any tenant or other person/s granted rights of occupancy by the registered owner is obliged to comply with these Conduct Rules, notwithstanding any provision to the contrary contained in any lease or any grant of rights of occupancy. It is the registered owner's responsibility to inform the tenant of the rules of conduct.

17.2 The owner shall be obliged to notify the HOA Committee or the managing agents in writing within 14 days of conclusion of a lease of the registered property of the full name/s of the tenant/s and the period of the lease.

17.3 The owner shall advise the HOA Committee or the managing agents in writing of the number of people occupying the property and the full details of each of the occupants including their names and I.D. numbers.

17.4 The owner shall immediately advise the HOA Committee or the managing agents in the event of the lessee absconding.

17.5 At least 14 days notice shall be given by the owner to the HOA Committee or the managing agents before departure of the tenant on the termination or cancellation of a lease on the registered property.

17.6 The number of persons permitted to occupy the property is limited to 2 persons per bedroom. This will equate to 4 persons for a two bedroom dwelling and 6 persons for 3 bedroom dwelling.

17.7 The committee are to allow for payment arrangements to be considered between owners and the committee from rental receipts to recover the debt due. These cases to be considered by the committee as they arise.

18. ERADICATION OF PESTS

An owner shall keep their property free of white ants, borer and other wood destroying insects and take such action as may be reasonably necessary to eradicate any such pests. The costs of the inspection, eradication of any such pests as may be found shall be borne by the owner of the property concerned.

19. CHILDREN

19.1 All children of owners, residents & visitors alike must be under adult supervision while playing on the common property. In particular, care must be taken to avoid damage to plants, light fittings, signs, decorations or any property belonging to an owner or the Home Owners Association.

19.2 No Children under the age of 10 may cycle, skateboard, roller blade or use any other motorized means to play in the roads on the Estate, without adult supervision.

19.3 Children younger than 16 must be under responsible Adult supervision when using the Pool & Playground areas. No children over the age of 12 yrs are permitted to use the facilities in the Jungle Gym areas.

19.4 Children are not permitted to play in or around the Guard House.

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20. ACTIVITIES ON COMMON PROPERTY

No hobbies or other activities which may constitute a nuisance to Residents shall be conducted on the common property and a ruling by the HOA Committee as to whether an activity does constitute a nuisance shall be final and binding.

21. VISITORS

Owners are liable for the conduct of their family, visitors and tenants and they must ensure that all rules and security requirements are properly adhered to.

22. SECURITY

22.1 Ensure that should you give a staff member item/s, the removal of the goods must be authorised by means of a Permission Slip. If there is no Permission slip the goods will be stored in the Estate Manager's office until the slip is produced.

22.2 Ensure that all visitors entering the estate have a valid access code from the resident that they are visiting as well as a valid driver's licence.

22.3 NO Code means NO Entry. This rule will be strictly adhered to and is applicable to all homeowners, residents,

22.4 visitors and contractors.

22.5 In the case of a contractor requiring multiple entries and exits for one day the 'One Day 24-hour' code must be issued. The 'Multi Day' code can also be used for contractors working on site for 2 to 5 days.

22.6 No packages for residents will be accepted by the guards for keeping in the Gatehouse on a residents behalf.

23. FINES

23.1 Any contravention of the Conduct Rules will result in the issuance of fines at the HOA Committee's discretion.

23.2 A fine between R500 and R5000 may be imposed by the HOA Committee

23.3 Fines issued to Residents will be charged to the account of the owner of the property in which the Resident resides.

23.4 A written appeal can be made through the managing agent to the HOA Committee. Any appeal must be made within 3 days of the issuance of a fine with a detailed motivation.

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INFRINGEMENT/OFFENCE FINE - ('WW' means with warning)

- Damage to common property (in addition to costs for repairing such damage) R2000
- Destroying or damaging trees and flora (in addition to costs for replacing damaged trees and flora) R2000
- Building alterations without the required approval R5000
- Contractor's failure to comply with rules, regulations and policies whilst undertaking their work R5000
- Reckless driving of any motorized vehicle R1000 ww
- Use of fire hoses other than for fighting fires R1000
- Drunk and disorderly conduct outside own property and within common areas R1000
- Unacceptable behavior or causing a disturbance of the peace outside of own property R1000 ww
- Any infringement of the rules regarding the right to keep pets/animals stipulated R1000 ww
- Non-compliance with the rules for vehicles, in particular the parking of vehicles in an un-authorized area (including regular or excessive use of delegated Visitors Parking areas) R500 ww
- Non-compliance to written requests for maintenance on property – after 30-day notice period. R1000
- Residents shall not place or do anything on any part of their property which, in the discretion of the HOA Committee, is aesthetically displeasing or undesirable when viewed from the outside. R1000 ww
- Hanging linen, clothing or rugs from balconies or outside a unit where they are in full view, except in the drying area set aside expressly for this purpose R150 ww
- Leaving rubbish bags on verges and unauthorized areas R150 ww
- Verbal and /or physical abuse of staff and security guards R1000
- Tampering with any part of the security system R5000
- Non-compliance of Body Corporate with regards to rules and maintenance requests from BHOA R1000 ww
- Failure to submit documents for building alterations after the 60-day warning period. R 500
- If plans have been submitted to municipality, we require proof of submission, otherwise we proceed with the fine on a monthly basis. R5000 / month until done
- Flying a drone in the estate R5000
- No parking permitted on common property, verges, grass areas and roads at any time and overnight. R500
- Transgressing the short-term letting rules with regards to access and codes of conduct being signed R 2000

24. GENERAL

24.1 The Homeowners' Association or its agents shall not be liable for any injury or loss or damage of any description which any Resident in the Estate or any member of their family, employee or their relative, friend, acquaintance, visitor, invitee or guest may sustain, physically or to his or their property, directly or indirectly, in or about the common property or in the individual properties by reason of any defect in the common property, it's amenities or for any act done or for any neglect on the part of the association of any of the Association's employees, agents or contractors.

24.2 The Homeowners' Association or its agent's shall not be liable or responsible in any manner whatsoever for the receipt or the non-receipt and delivery or non- delivery of goods, postal matter or any other property.

24.3 No firearms or pellet guns may be discharged on the Estate. In terms of the Firearms Control Act, Act 60 of 2000, Section 120, paragraph 3b , It is an offense and illegal to – "discharge or otherwise handle a firearm or and airgun in a matter likely to injure or endanger the safety or property of any person or with reckless disregard for the safety or property of any person;" Paragraph 7 – "It is an offense discharge a firearm, antique firearm or airgun in a built area or any public place, without good reason to do so."

24.4 No fireworks may be discharged on the Estate.

24.5 No stones or other solid objects may be thrown or propelled on the common property.

24.6 The owner shall not:

24.7 Use their home or permit their home to be used for any purpose which is injurious of the reputation of the association.

24.8 Keep or do anything on the common property after due notice in that regard had been communicated to them in writing by the HOA Committee.

24.9 No resident, owner or contractors for residents or owners may fly a drone in the estate.

24.10 Respect and general consideration by all owners and residents for all other owners and all users of the Estate should be exercised at all times.

24.11 Unreasonable disturbance, inconvenience, annoyance, being a nuisance to, or interference with any other owner or resident, or their rights, in any manner deemed by the HOA to be unacceptable to harmonious living, is strictly prohibited.

24.12 Vandalism Policy:

24.13 The Estate will have a zero-tolerance approach. Security will attend the scene & investigate. If the perpetrators are identified, their parents/owners will be immediately informed of the incident. Parents/owners may be advised to visit the scene and witness the type of vandalism caused. Depending on the seriousness of the damage/incident, the Estate may take any of the following steps:

24.13.1 Call for a meeting with the parents and perpetrators

24.13.2 Lay a charge of malicious damage to property

24.13.3 Issue warning/financial penalty or recover costs for replacement/ repair.

24.13.4 Request for perpetrators to perform community service on the Estate.

24.14 Auctions/Jumble Sales/Garage Sales, Any form of public auction or sale on any property within the Estate is prohibited (other than with the prior written permission from the Estate Management).

24.15 Use of and Conduct in Open Spaces:

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24.16.1 The lighting of fires in any open common space on the Estate is prohibited. Unless its in an Estate-provided braai and fire facility.

24.16.2 Disturbing, collecting or destroying of plant material is prohibited, unless authorized by Estate Management.

24.16.3 Disturbing, harming or destroying any wild animal, reptile, insect or bird is prohibited. (Should wild animals become a nuisance; the problem should be brought to the attention of the Estate Management).

24.16.4 The use of any open space in a manner or through conduct which may unreasonably interfere with the use and enjoyment thereof by other persons, or in such a way as to cause a nuisance which may detrimentally affect the amenity of such space, is prohibited.

24.16.5 Littering or discarding of any item whatsoever on the Estate is prohibited except in receptacles specially provided.

24.17 Failure to comply with the Rules.

Failure by an Owner or tenant to comply with any provisions of any Estate rules may result in:

24.17.1 A reprimand and a request to comply

24.17.2 The imposition of a financial penalty.

24.17.3 The withdrawal of any previously given consent applicable to the particular matter.

24.17.4 An order to pay for damages resulting from non-compliance with any rule.

24.17.5 Application to the Courts for the enforcement of the rule(s).

24.18 The actions to be taken and the penalties to be imposed for breaches or contraventions of the rules shall be entirely at the discretion of the Managing Agent.

24.20 Should any owner or tenant be aggrieved by any decision made by the Managing Agent, they may, within 7 days of such decision, lodge an appeal in writing via the Managing Agent to the HOA Committee, who shall take due regard of the nature, circumstances and severity of each misdemeanour, breach or non-compliance, giving their reasons for such an appeal.

24.21 Financial penalties imposed for the breach of or non-compliance with the rules shall be deemed to be part of the Estate levy due by the Owner.

24.22 The owner inviting any third party into the Estate shall be responsible for that third parties conduct on the Estate and shall be liable for any financial penalties raised in respect of the third party.

24.23 The owner is responsible for obtaining and maintaining the necessary firefighting equipment if they have gas installations or lithium-ion batteries in their homes

25. SLAUGHTERING OF ANIMALS FOR RITUAL / CULTURAL PURPOSES

No slaughtering of animals or birds shall be permitted on the common property. The slaughtering of animals for cultural or ritual purposes shall only be permitted provided the following conditions are adhered to.

25.1 Two weeks written notice to be submitted to the trustees prior to the event requesting permission.
The notice must contain the following information

25.1.1 the date and time of the slaughter

25.1.2 the type of animal to be slaughtered.

25.1.3 the name and qualifications of the person who will be carrying out the slaughter.

25.1.4 confirmation that the animal will be brought onto the premises immediately prior to the ritual slaughter and that the carcass will be removed immediately from the premises after the slaughter.

25.2 Requiring a notice from the local authority confirming that the owner has permission and will comply with all by-laws

25.3 Requiring a notice from the health department confirming that health department specifications will be complied with

25.4 Requiring a certificate from the SPCA confirming that an SPCA official will be present to ensure that the animal will not endure unnecessary pain and suffering

25.5 That written notice must be given to all adjacent units of the date and time of the slaughter