



HOME OWNERS ASSOCIATION

HOUSE RULES

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1. INTRODUCTION

- 1.1 Kraaibosch Country Estate and Manor has been designed to provide a secure country lifestyle with mountain views, manicured parks and cobbled roads for its residents.
- 1.2 House Rules have been established to protect and enhance this lifestyle. These Rules are binding on all persons resident at or visiting Kraaibosch Country Estate and Manor.
- 1.3 The registered owners of the properties at Kraaibosch Country Estate and Manor are responsible for ensuring that members of their families, tenants, visitors, invitees, friends, employees and contractors, which includes tradespersons and suppliers, are aware of, and abide by, the House Rules. Tenants have the same responsibility in respect to their households, visitors, invitees and employees and contractors. Any person entering Kraaibosch Country Estate and Manor does so at their own risk.
- 1.4 The House Rules are subject to change from time to time at the discretion of the Trustee. In the event of a dispute between residents the parties involved should use their best endeavors to settle the matter between them. Where the dispute cannot be resolved it should be referred to the Trustee. The decision of the Trustee is final and binding in respect of the interpretation of the Rules.
- 1.5 The House Rules must be read in conjunction with the following documents:
 - 1.5.1 The Constitution of Kraaibosch Country Estate and Manor;
 - 1.5.2 The Building Design Manual;
 - 1.5.3 The Builders Code of Conduct.

2. USE OF STREETS

- 2.1. Whilst children should be discouraged from playing in the streets and should rather play in the park areas, it is not forbidden for children to play in the streets or on the pavements subject to the following provisions:
 - 2.1.1 No activity shall be permissible which causes a nuisance to the residents. In particular, games like soccer, rugby, cricket and tennis or any other ball game are not allowed in Kraaibosch Boulevard, Goukou Crescent, Kaaimans Boulevard and Keiskama Crescent;

- 2.1.2 Skateboards, roller skates and similar devices may only be used in the side streets. Children using Kraaibosch Boulevard, Goukou Crescent, Kaaimans Boulevard and Keiskama Crescent with their skateboards, roller skates and similar devices use it at own risk and should at all times be supervised by their parents;
- 2.1.3 Owners are responsible for the control of their children, their visitors or occupants for any damage caused by them.
- 2.2 Vehicles shall not be parked in the street or on any portion of the street or in front of garages for longer than one week. No parking on Kraaibosch Boulevard, Goukou Crescent, Kaaimans Boulevard and Keiskama Crescent.

3. REFUSE

- 3.1 All household refuse must be put in black bags and deposited on the pavements on the collection days.
- 3.2 No rubble or refuse should be dumped or discarded in public areas, including the roads / streets, sidewalks or any vacant bush and area within the Estate.

4. ANIMALS

- 4.1 The residents of any house may keep a maximum of two dogs or two cats or one dog and one cat on their property. Budgies, hamsters and fish are allowed, but are to be kept inside the house.
- 4.2 All domestic animals are to be kept and retained within the erf boundaries. All stray/unaccompanied domestic animals found outside residential erf boundaries will be removed from the Estate at the cost of its owner.
- 4.3 Domestic animals shall only be kept with the written approval of the Association. Members must take all reasonable precautions and if required by the Association erects a suitable enclosure that conforms to the Architectural Guidelines and Controls to prevent the domestic animals from straying.
- 4.4 Domestic animals shall at all times be restrained by means of a leash or similar device when accompanied by Members onto any of the open space.

- 4.5 All domestic animals shall be tagged and display the Member's name and telephone number.
- 4.6 In the event of any domestic animal being introduced onto Kraaibosch Country Estate and Manor without prior approval, the Association may call on the owner of the animal to remove it forthwith and should the owner of the animal concerned fail, refuse or neglect to do so, the Association may impose penalties on the relevant Member or may procure the animal's removal from the Estate and recover any costs so incurred from the Member concerned, without prejudice to its rights to recover any penalty imposed on such Member.
- 4.7 Should any domestic animal prove to be a continual nuisance to other residents, the Association may call on the owner of the domestic animal to remove it and if the owner fails or refuses to do so, the Association may impose penalties on the Member concerned and/or procure its removal from the Estate and recover any costs so incurred from such Member concerned, without prejudice to its rights to recover any penalty imposed.
- 4.8 In all cases, whether on the Common Areas or on, should dogs cause a mess or cause damage to the Association's property, the dog's owner shall forthwith remove the mess or repair the damage as the case may be. Should the dog's owner fail to remove the mess or repair the damage caused, the Association shall be entitled to have such mess to removed or repaired and to recover such costs or damages from the Member concerned.
- 4.9 No poultry, pigeons, aviaries, domesticated wild animals or other livestock may be kept within the Estate.

5. TRAFFIC AND PEDESTRIANS

- 5.1 No vehicles shall enter or leave the Estate at any point except at the official entrance. Non-Members are required to sign the register at the gates stating that they will abide by the House Rules, regulations and Constitution of Kraaibosch Country Estate and Manor.
- 5.2 No vehicles shall enter the Estate unless admitted by the guard on duty at the gate, except residents with valid remote controls issued by the Estate Manager, enabling the driver to operate the vehicle entrance gate himself.
- 5.3 No Member shall permit the use of an access control device issued to such Member for operating the vehicle entrance gate by any person other than a member of his household, or guests or lessees of that Member.

- 5.4 Commercial and construction deliveries are not permitted on Sundays or public holidays, nor before 07H00 and after 18H00 on weekdays, nor before 07H00 and after 15H00 on Saturdays without the prior consent of the Association.
- 5.5 Motorised vehicles shall only be driven on the Estate roads by persons who hold a valid driver's license which would permit them to drive that vehicle on a public road within the Republic of South Africa.
- 5.6 No person shall drive any vehicle on any road within the Estate at a speed in excess of 40 km per hour. The Association shall be entitled to impose a penalty on the Member concerned, whether such contravention is committed by such Member his guests, members of his household, employees or invitees. The Association reserves the right to enact from time to time such traffic rules as they deem appropriate in the circumstances.
- 5.7 Pedestrians, animals, birds and wild life shall at all times have the right of way within Estate and vehicles shall be brought to a stop whenever necessary.
- 5.8 All persons who enter the Estate shall observe and comply with the provisions of any and all road traffic legislation applicable to the Western Cape Province as fully and effectively as though the Estate's roads are public roads as defined in such legislation.
- 5.9 No quad bikes, small motor bikes and go-carts shall be allowed to be driven on the Estate.
- 5.10 No person shall store any motor vehicle, golf cart, caravan, boat or the like on the Estate, except in a structure built for this purpose approved in writing by the Architectural Review Committee. None of the above shall be left overnight on any road.
- 5.11 No helicopters or any means of aerial conveyance may be landed at any place on the Estate without the written authority of the Association.

6. OPEN SPACE, ENVIRONMENTAL CONTROL AND COMMON FACILITIES

- 6.1 The Association has the right and obligation to control the environment of the Estate in terms of the Environmental Management Plan and the environmental Guidelines more fully described in the Architectural Guidelines.

- 6.2 No person shall do anything that detrimentally affects the amenities and/or unreasonably interfere with the use and enjoyment of the Common Area by others. Members using the playgrounds do so at their own risk.
- 6.3 No camping shall be permitted. Picnicking shall only be allowed at such places set aside for that purpose by the Association. All places must be kept clean at all times.
- 6.4 No fire shall be lit on the Estate except in such places as may be designated for the purpose by the Association or in an approved and a properly constructed fireplace or barbecue.
- 6.5 Subject to any law or regulation made in terms of the Environment Conservation Act No. 73 of 1989, or any permit granted in terms of this Act or the Environment Conservation Act No. 100 of 1982, the Association shall be entitled to prohibit access to any part of the open space in order to preserve the natural flora and fauna, and no person shall enter such area without the written consent of the Association.
- 6.6 The driving of motorised vehicles in the Common Area is confined to roads and driveways. Only maintenance vehicles may be driven on the Common Area.
- 6.7 Members are required to keep the exterior of their dwellings in a good state of repair and their erven tidy. Should a dwelling fall into a state of disrepair, or should an erf become unsightly, the Association shall call upon such Member to rectify the situation, detailing what remedies are required and giving the Member a reasonable period for commencement and completion. If the Member fails to comply with the Associations' requirements within the stipulated times, the Member shall be in breach of the House Rules and the Association may proceed in terms of Clause 10 of these House Rules.
- 6.8 Littering in streets and open spaces is prohibited.

7. SELLING AND LETTING OF HOUSES

- 7.1 The following rules, read with 1.3 above, shall apply to the letting and resale of property:
 - 7.1.1 All agents are welcome to market, sell and letting any property at Kraaibosch Country Estate and Manor provided they are informed by the Association;

- 7.1.2 Such agents must operate on a “by appointment” basis. They may not erect any “for sale” or “sold” boards and they must personally accompany prospective buyers or tenants onto the property. However show houses may from time to time be on show, but only by prior arrangement. During the period of the show house temporary signs may be erected.
- 7.2 Tenants to whom properties are let or leased are obliged to abide by all of the House Rules, regulations and requirements of the Constitution. The agent who is letting a property is obliged to supply the tenants with copies of the Constitution and House Rules.
- 7.3 When a Member personally sells or lets his property, the provisions of 7.1.2, and 7.3 will apply to them.
- 7.4 Members or their agents are required to give the Association prior notice of any tenants or guests who are to occupy the Member’s property in the absence of the Member. This may be done in writing or by telephoning the office of the Association and giving the name of the tenants or guests and the dates of their occupancy. In the case of tenants, the tenants will be obliged to register at the offices of the Association within one working day of arrival, and to sign a declaration that they are acquainted with the House Rules and Constitution and accept it as binding on them.
- 7.5 Prior to the transfer of any erf to a successor in title a Member shall obtain a certificate from the Association that confirms that:
- 7.6.1 No levies, fines and/or penalties are due to the Association; and
- 7.6.2 That, to the best of the knowledge of the Association, such Member is not in breach of any of the provisions of the Constitution, and/or these House Rules.

8. GENERAL CONDUCT

- 8.1 All clothing, household linen or washing of any nature, shall be adequately screened from view and may only be placed in a drying yard or such other area designed for such purpose. Under no circumstances may any washing be hung out on balconies or over balcony railings.
- 8.2 No unauthorised persons are allowed onto building sites under construction.

- 8.3 No person shall make or cause to make any unacceptable disturbance or excessive or undue noise which constitutes a nuisance to other persons. In particular:
- 8.3.2 All vehicles, but particularly motorcycles, must be efficiently silenced;
 - 8.3.3 The mowing and/or edging of lawns, the use of leaf blowers, or the operation of any other noisy machinery which may disturb neighbours is strongly discouraged after normal working hours unless there are exceptional circumstances. These activities are, however, prohibited on Sundays and Public Holidays. All building work, whether undertaken by a contractor or by a Member, shall be done during the hours stipulated by the Association from time to time for building contractors, unless written approval for an exception is given by the Association;
 - 8.3.4 All undue noise must cease between 22H00 and 06H30 except for the occasional party, when such noise shall cease at 24H00. Residents are encouraged to inform their neighbours if they are going to have a party where music will be playing;
 - 8.3.5 Loud music out of motor vehicles is not allowed in the Estate.
- 8.4 To maintain the residential nature of the estate, no Member or tenant shall permit the number of occupants of his erf to exceed two persons per bedroom.
- 8.5 Whenever the Association receives a written complaint from a Member, duly signed by such complainant, relating to unacceptable behaviour or conduct in contravention or in breach of these Rules and/or the Constitution, the Association shall investigate such complaint and take appropriate steps to stop such behaviour or breach within the scope of these House Rules and the Constitution.
- 8.6 The Association is not limited by clause 8.5 from taking action of its own initiative, if evidence of unacceptable behaviour or conduct as contemplated above, comes to its attention from a source other than a written complaint.

9. COMMERCIAL ACTIVITY

- 9.1 The Association may regulate commercial activity on Kraaibosch Country Estate and Manor. No application for a trading license or zoning relaxation

shall be made to the relevant authority unless the prior written approval by the Association has been obtained.

- 9.2 No advertising board may be displayed anywhere on the Estate other than the standard architectural building board during building construction.
- 9.3 No door to door canvassing or selling is permitted on the Estate.
- 9.4 Use of the HOA mailing list for commercial purposes is prohibited and Members are prohibited from providing non-members with the HOA mailing list.

10. FINES AND PENALTIES

- 10.1 Any person who contravenes or fails to comply with any provision of the Constitution, these House Rules, or any conditions imposed by or directions given in terms of the House Rules, shall be deemed to have breached these House Rules and will be subject to any penalties imposed by the Association having regard to the circumstances and which may include the imposition of fines.
 - 10.1.1 In the event of a breach by members of the Member's household, employees, invitees, guests and tenants, and the members of the tenant's household and the tenant's employees, invitees and guests, the Member shall be liable for the payment of any fines imposed;
 - 10.1.2 In the event of a breach by a tenant, a member of the tenant's household or employees, invitees or guests of the tenant, the Association may, in addition to the imposition of any fine or other penalty, bar such person access to the Estate.
- 10.2 In the event of a continuing offence, any person subject to these House Rules who contravenes or fails to comply with any of their provisions, or any condition or direction given in terms thereof, shall be deemed to be guilty of a separate offence for every 7 days or part thereof during which such offence continues and shall be liable in respect of each such separate offence.
- 10.3 Any fine imposed on a Member, in terms of 10.1.1 or 10.1.2, shall be a debt due and payable to the Association by the Member on demand.
- 10.4 The imposition of penalties is subject to the relevant provisions of the Association's Constitution.

10.5 Should a Member fail or refuse to comply with these House Rules, the Association may take whatever action necessary and appropriate in the circumstances and recover from the Member any costs incurred in taking such action without prejudice to its rights to recover any fines or other penalties imposed.

11. SECURITY

- 11.1 The security guards are doing a difficult job. They may not under any circumstances be abused.
- 11.2 Security protocol at the gate must be adhered to at all times. Under no circumstances may residents or any person other than the security personnel, management or Trustees be allowed into the Gate House.
- 11.3 The ID card system for permanent workers, temporary workers and contractor representatives must be conscientiously enforced by every owner with respect to people in his/her service.
- 11.4 All owners must request visitors to adhere to security protocol and residents are requested to always treat the security personnel in a cooperative manner.
- 11.5 All owners must ensure that contractors in their employ adhere specifically to the security stipulations of the Builders Code of Conduct.
- 11.6 All attempts at burglary or instances of fence jumping must immediately be reported to the Estate Manager a member of the security staff and/or the security sub-committee.
- 11.7 Security is an attitude and it is the concern of each and every one of us to practice not taking everything for granted, therefore one must be aware of all things, all the time. Be aware that you need to enforce and apply security to make it work. Do not hesitate to question suspicious persons not displaying formal ID cards.
- 11.8 The Estate is manned by security 24 hours a day and patrolled on a regular basis.
- 11.9 No residents may issue instructions to security and maintenance personnel.
- 11.10 Remote control may not be utilized by anyone other than the Home Owner and registered user, nor may they be loaned to other persons.

- 11.11 All Members and tenants are required to advise Security at the entrance gate in advance the name and approximate time of arrival of any non-member (including a member(s) of his family) to be admitted to Kraaibosch Country Estate and Manor as invitees or guests. Failing which, the Security Officer will, when approached by any person for entry to Kraaibosch Country Estate and Manor, shall telephone the destination point for instructions. Entry will be refused if the above process cannot satisfactorily be concluded.
- 11.12 No unauthorised person shall interfere with Kraaibosch Country Estate and Manor security arrangements or the activities of its appointed security service provider and/or its staff.

12. FIREWORKS

- 12.1 No fireworks may be set off within the boundaries of the Estate.
- 12.2 As the discharge of fireworks has been prohibited by Municipal by-law, criminal charges will be brought against any perpetrator.

13. USE OF FIREARMS

- 13.1 Discharging a firearm in a residential area has been outlawed and is, therefore, prohibited within the Estate. Criminal charges will be instituted in all cases of unlawful firearm discharges.
- 13.2 Discharging of firearm for recreational purposes, or reasons other than self-defense and emergencies, will be met with criminal charges.

14. OTHER REGULATIONS

A breach of the Associations' Architectural Guidelines or any other Regulation made in terms of the Associations' Constitution shall, in addition to any procedures and penalties prescribed therein, be subject to the procedures and penalties set out in Clause 10 of these House Rules.

15. CONCLUSION

Rules are not to form a police state, but to protect the interest of all. A satisfied community appeals to all and promotes good property value.