

SUMMERWOOD AT PINEHURST

ASSOCIATION CONDUCT RULES

**Made by the Management Committee of the
Summerwood at Pinehurst Home Owners' Association
in terms of its Constitution**

Approved by the Members
at the Annual General Meeting on 5 May 2011
and as revised and approved by the Management Committee
on 10 October 2012, 20 December 2015 and
16 March 2016

SUMMERWOOD AT PINEHURST

DISCLAIMER

Any person wishing to enter Summerwood (village) and/or makes use of any facilities may only do so at their own risk.

The Summerwood Home Owners' Association (SHOA) and registered owners, agents, employees and appointees shall not be liable for any injury, loss or damage to any person or property arising out of any cause whatsoever, including, without limitation thereto, the negligence of any of the above persona or the intentional acts of agents, employees and appointees without derogating from the above.

All owners, tenants, visitors or contractors in Summerwood make use of roads therein, whether public or private, at their own risk.

Whilst every effort is made to secure and monitor the village, the SHOA and registered owners, and their appointed agents, employees or appointees shall not be deemed to have warranted the safety of any person or property, (whether movable or immovable), in the village.



SPEED RESTRICTION

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PREAMBLE

In choosing to live within Summerwood at Pinehurst, a resident will enjoy the benefits of communal living, such as an attractive environment, cost-effective security and access to shared recreational facilities which are well maintained.

However, communal living inevitably brings responsibilities along with its benefits. Levies are raised and need to be paid in order for the Association to meet its obligations and to pay its accounts. Conduct Rules must be put in place and obeyed in order to ensure the smooth running of the community so that, firstly, residents may derive the maximum collective benefit and, secondly, basic aesthetic standards are maintained in order to enhance the property values in the village.

In particular, the integrity of the security of the village is considered to be of paramount importance. For access control to be effective there will be a small degree of inconvenience to residents' visitors.

It should be borne in mind that the Conduct Rules to which all Members agreed to submit themselves when acquiring property in Summerwood at Pinehurst, contribute towards the exceptional lifestyle we enjoy.

1. Definitions

In the interpretation of these Rules, unless the context indicates a contrary intention –

- 1.1 **Constitution** means the **Constitution of the Summerwood at Pinehurst Home Owners' Association**, as amended from time to time;
- 1.2 **Village** means the **Summerwood at Pinehurst Development** as defined in Clause 2.3 of the Constitution;
- 1.3 **Management Committee** means the body made up of the 5 Trustees elected by majority vote to remain in office for 1 (one) year and who are responsible for managing the affairs of the Association;
- 1.4 **Village Manager** means the person from time to time appointed by the Management Committee on its behalf *inter alia* to ensure compliance with rules, guidelines and control measures regulating security, work and conduct in the village;
- 1.5 **Resident** means any person who has the right to reside, or be present, in a property in the village in terms of a lease agreement or other arrangement, whether for consideration or not;
- 1.6 **Signage** means any sign, notice, billboard, advertisement, placard, or the like, irrespective of the material of which it is manufactured; and
- 1.7 **Vehicle** means any mode of transport, including, but not limited to, motor car, motor cycle, motor scooter, truck, caravan, trailer or boat.

2. Words and expressions

- 2.1 Words importing –
 - 2.1.1 a reference to the singular includes the plural, and the converse also applies;

- 2.1.2 a reference to a gender includes the other genders; and
- 2.1.3 a reference to natural persons includes legal persons, and the converse also applies.
- 2.2 Words and expressions to which a meaning is assigned in the Constitution shall bear the meaning so assigned to them, and in the event of any conflict between the Constitution and these Rules, the Constitution shall prevail, unless it is inconsistent with the context.

3. Calculation of periods

When any number of days is prescribed in these Rules, the same shall be reckoned exclusively of the first and inclusively of the last day unless the last day falls on a Saturday, Sunday or proclaimed public holiday, in which event the last day shall be the next succeeding day which is not a Saturday, Sunday or proclaimed public holiday.

4. Legal status of Conduct Rules

- 4.1 The means of protecting and preserving the quality lifestyle enjoyed by residents is enshrined in the Constitution and Conduct Rules. The Rules which may be amended by the Management Committee from time to time, have been made in terms of the Articles of the Association of the Summerwood at Pinehurst Home Owners' Association.
- 4.2 In the process of purchase and transfer to Members of their property, all have submitted to the provision of these Rules. As a result they are binding upon all Members, as is any decision taken, condition determined or instruction given by the Management Committee. It is the duty of a Member to ensure that the existence of the Conduct Rules is made known and the compliance with same by –
 - 4.2.1 any member of his family, his visitor, estate agent, service provider, employee and other worker; and
 - 4.2.2 any occupant of his property, and any member of the occupant's family, his visitor, service provider, employee and worker.
- 4.3 The Management Committee is empowered to take any action it deems necessary, including applying to a court of competent jurisdiction for an order to compel the person or persons concerned to comply with these Rules and/or any decision taken, condition determined or instruction given.
- 4.4 The Management Committee, on behalf of the Association, shall be entitled, within its sole discretion, to impose on and collect from any Member or their tenant a fine or fines in accordance with the schedule which follows hereunder and as determined by the Committee from time to time, in respect of any breach of these Conduct Rules, in addition to any further or other rights and/or remedies which the Association may have at law.
- 4.5 In the process of applying the Conduct Rules and their accompanying fine structures for breaches of a Rule, the Management Committee will comply with the Rule of Natural Justice and shall ensure that a resident is given notice of the pending imposition of such fine and an opportunity to dispute the application thereof. The Committee shall be entitled to determine the process to be followed in such circumstances. It is important to note, however, that the Village Manager may issue an on-the-spot fine for the contravention of a series of offences, e.g. dogs found roaming freely in the street without the owner being in attendance, or, an owner who does not immediately remove the faeces

of his dog when walking the animal in the village. In the case of the last-mentioned offences the Rule of Natural Justice will not be followed.

- 4.6 Further to the explanation given in Rule 2.2 above, should any conflict arise between the specific content of any of these Conduct Rules and that of a resolution of the Management Committee, taken within their mandated responsibility, or a resolution of the Members of the Association taken at an Annual General or Special Meeting, the resolution of any one of the two afore-mentioned bodies will take prevalence over the Conduct Rule.

5. Relaxation of Conduct Rules

No indulgence or relaxation in respect of these Rules shall constitute a waiver or consent, or prevent their enforcement by the Management Committee at any time.

6. Risk and indemnity

- 6.1 Any person present in the village is there and does so entirely at his own risk, and no person shall have any recourse or claim of whatever nature against the Association, its Management Committee, employee, worker, agent or contractor arising from such presence, nor for anything that may befall him or his property, in the course of such presence, whether caused by human or animal agency, natural phenomenon or otherwise
- 6.2 The Association shall not be liable for any injury, loss or damage of any description that any person may sustain, physically or to his property, directly or indirectly, in or about the streets or public open spaces, or for any act done by, or for any neglect on the part of, the Association, its Management Committee, worker employee, agent or contractor.
- 6.3 In terms of the Construction Regulations (2014) under the Occupational Health and Safety Act (No 85 of 1993), all property owners must meet their health and safety duties and responsibilities when they are going to undertake maintenance, alterations, additions, construction or demolition work on the building. The Association shall not be liable for any claims resulting from injury, loss or damage which may have been brought about by work of this nature being undertaken by residents.

7. Member's liability

- 7.1 The Member concerned may be held liable for damages, fines, all legal costs (including costs between an attorney and client) and collection of commission, expenses and charges incurred by the Management Committee in enforcing compliance by him, or any other person referred to in Rule 4, with these Rules or any decision taken, condition determined or instruction given hereunder.
- 7.2 Damages, fines, all legal costs (including costs between an attorney and client) and collection of commission, expenses and charges incurred by the Management Committee in enforcing compliance with these Rules and any decision taken, condition determined or instruction given hereunder shall be deemed to be a levy contemplated in the Constitution, and may, if it is not paid within fourteen (14) days after a Member, or any other person referred to in Rule 4, has been notified thereof, be added to the Member's levy statement and shall bear interest as a levy debt.

8. Member's obligations

- 8.1 When concluding an agreement of sale with a prospective purchaser or an agreement granting rights of occupancy with a prospective occupant, the Member must include a provision in such agreement that the person concerned is obliged to comply with these Rules, and furnish him with a copy thereof.
- 8.2 A Member may not use, or permit to be used, his property or any structure thereon, or a street or public open space, in a manner or for a purpose that will cause or create a disturbance, or that will be injurious to the ambience of the village.

9. Business activities

- 9.1 No person may conduct a business or practice a trade on or from property in the village without the prior written permission of the Management Committee and of the City of Cape Town's Strategy and Planning Department.
- 9.2 If the applicant is not the owner of the property concerned, the written permission of that owner for such an application must accompany the application to the Management Committee and the City of Cape Town.

10. Persons employed by the Management Committee

No person referred to in Rule 4.2.1 and 4.2.2 may request a service provider, employee, worker or agent of the Management Committee to perform tasks for them during their work hours, or interfere with such persons in the performance of their duties, and must give them their full co-operation.

11. Unbecoming conduct

No person who resides in, or enters, the village may indulge in conduct that, in the discretion of the Management Committee, is unbecoming, constitutes a nuisance or creates a disturbance.

12. Security measures

(Read in conjunction with Conduct Rule SW-A1 and 2)

- 12.1 Any person entering the village must comply with the systems, procedures and protocols relating to access control and other security measures that are from time to time implemented by the Management Committee, and must comply with the instructions of Village Security and of the Village Manager and treat them in a co-operative and respectful manner.
- 12.2 A person who has acquired a village remote or has been issued with an access identity card may not allow it to be used by another person and must, in the event that he –
 - 12.2.1 arrives at the entrance gate without it, comply with any instructions of the Village Security and of the Village Manager in order to gain entry;
 - 12.2.2 loses it, forthwith report such loss to Village Security or the Village Manager for a replacement at the prescribed fee; and

12.2.3 no longer is entitled to or requires it, hand it over to Village Security or the Village Manager.

13. Traffic control

IMPORTANT TO NOTE

Speed humps constructed in the village as a traffic calming measure must be negotiated with the utmost care to prevent damage to vehicles.

- 13.1 Due to the fact that the roads in the village are the property of and controlled by the City of Cape Town, the normal statutory traffic laws apply in terms of their use. The Management Committee will support the normal policing of the roads by Municipal authorities.
- 13.2 A speed limit of 40km/h applies in the village.
- 13.3 Pedestrians, many of whom are children, frequently use the roadways and motorists are cautioned to always operate their vehicles with the necessary care. A vehicle may not be driven anywhere other than on the streets.
- 13.4 A vehicle may not be operated on a street by a person who is not in possession of a valid driver's license.
- 13.5 A vehicle that is not licensed, not roadworthy, produces excessive noise or smoke, or drips or spills lubricant or other fluid, or that in any way may damage or deface the Association's property or infrastructure, may not be operated on a street or be parked or stood on a demarcated parking bay.
- 13.6 A vehicle may not be parked or stood on a street, unless in the case of an emergency or, during the hours of daylight for short periods, but must be parked or stood on the property of the resident for whose purposes the vehicle is in the village, or on the property of another resident with that resident's explicit permission, or on a demarcated parking bay.
- 13.7 A vehicle may not be left unattended in such a manner that it may cause an obstruction to other street users or impede the flow of traffic, or occupies more than one demarcated parking bay.
- 13.8 No vehicle may be abandoned in the village: Provided that the Village Manager may cause to be removed for the account of the owner or the person in control thereof a vehicle that in his discretion has been abandoned.

14. Maintenance of communal facility

- 14.1 A resident who owns a property that borders on the security fence and structures, or on which there are any such related infrastructure which are used or capable of being used, in connection with any communal service, must at all reasonable times allow the Village Manager or a person authorised thereto by him, to enter the property to carry out inspections, repairs or maintenance of same.
- 14.2 If a person is obstructed from, or hindered in, the performance of his duties contemplated herein, the resident of the property concerned may be liable for any additional costs incurred by the Management Committee of such duties.

15. Security fence and structures

- 15.1 A person may not damage, remove or make any attachments to any part of the security fence and its structures, tamper with the security system or any of its components, or in any way obstruct it so as to prevent the proper functioning of the village security system.
- 15.2 Existing trees, shrubs or plants which are likely to interfere with the proper functioning of the village electric security fence need to be trimmed back in order to leave a clear area of 300mm between the strands of the fence and the vegetation. In terms of the future trees, shrubs and plants which are anticipated to interfere with the electric fence should not be planted in close proximity to the fence.
- 15.3 No signage may be erected against or on top of the security fence and structures.

16. Maintenance of properties and streetscape

(Read in conjunction with Conduct Rules SW-E, SW-F and SW-G)

- 16.1 The external appearance of all properties, especially that which forms part of the streetscape must at all times be maintained in a state of good repair and neatness to the satisfaction of the Management Committee.
- 16.2 A garden and the area between the facade of the property structures and the street kerb must at all times be kept in a neat and tidy state, free of rubble, litter, other material or unwanted articles.
- 16.3 Trees, shrubs or plants in a garden or in the area between the property façade and the kerb may not be allowed to impede traffic or to pose a safety hazard.
- 16.4 Washing or other domestic articles which have been washed may not be hung so that it is visible from a street, a public open space or another property.
- 16.5 An item, fluid or material that may cause a blockage may not be disposed into the sewerage system. In the event of a blockage that is shown to be the result of such disposal, the resident concerned must clear the sewerage system within 24 (twenty four) hours after the occurrence of the blockage, failing which the Village Manager may have the system cleared at the risk and for the account of the resident concerned.
- 16.6 Refuse containers/bins must be kept on a property, outside of collection days, in such a manner so that they are not visible from an adjoining street, a public open space or another property.
- 16.7 Structures such as Wendy-type houses or similar structures of a solid material or shade cloth and dog kennels as well as caravans, boats or trailers may not be placed or parked on the property so that they are visible from an adjoining street, public open space or another property.
- 16.8 No structure or item which in the discretion of the Management Committee is unsightly, aesthetically displeasing or undesirable or detrimental to the general appearance of the village when viewed from a street, a public open space or another property, may be placed or erected on a property.
- 16.9 Signage may not without the written permission of the Village Manager be erected or placed on any part of property so that it is visible from an adjoining street, public open space or another property.

17. Streets and public open spaces

- 17.1 A person who makes use of a street or public open space must at all times be considerate and exercise proper care of the structure or facility.

- 17.2 A person may not in any way damage or deface a street or public open space or any structure or item erected or placed thereon.
- 17.3 Building rubble, refuse, litter, unwanted articles or other material may not be deposited, thrown, placed, stored or dumped, or permitted, or allowed to be deposited, thrown, placed, stored or dumped on a street, a public open space or another property.
- 17.4 Malicious damage to plant material in the village is prohibited.
- 17.5 Trees, shrubs or plants may not be removed from, or planted on, a public open space without the prior written permission of the Village Manager.
- 17.6 Open fires or braais are not permitted on a street or public open space except in the case of an official gathering of residents arranged by, or with the permission of the Management Committee.

18. Keeping of pets

(To be read in conjunction with Conduct Rules SW-C and SW-I)

- 18.1 No more than two dogs and two cats may be kept on any one property without the written permission of the Management Committee.
- 18.2 A poisonous, exotic or other undomesticated pet, poultry, pigeons, aviaries or livestock may not be kept on a property or in any structure erected or placed thereon.
- 18.3 The Management Committee may on written application in its sole discretion give written permission on such conditions as it may determine for the keeping of a pet, or a number of pets, that would otherwise not be permitted: Provided that should such conditions not be met, the Committee may in writing withdraw their approval to keep such pet(s) and instruct the resident concerned forthwith to remove the pet(s) from the village.
- 18.4 A pet must wear a collar fitted with a tag indicating the contact details of its owner or be identifiable by another means.
- 18.5 A dog may not freely roam the village outside the owners' property and must at all times be kept on a leash when not on the property of its owner.
- 18.6 A pet may not be allowed to create a nuisance or cause a disturbance to residents in the village.
- 18.7 A pet may not be neglected by, for example, leaving it to fend for itself or failing to provide it with sufficient shelter, nutrition or veterinary attention.
- 18.8 No person may inflict physical cruelty on a pet or subject it to violence.
- 18.9 The excrement of a pet deposited inside the property on which it is kept must be removed at least once a day, and must be removed immediately when it is deposited on a street, a public open space or another property.

19. Service providers

- 19.1 A service provider may not display any signage or distribute any advertisement in the village.
- 19.2 A service provider may work only on days and during hours as follows:

- Monday to Thursday - 07:00 to 17:00
- Saturday - 08:00 to 14:00

19.3 A service provider may not work on Sundays or proclaimed public holidays.

19.4 The Village Manager may on good cause shown, and subject to such conditions as he may determine, in a particular instance, allow a deviation from the work days and hours; Provided that if it can be reasonably expected that an intended deviation may cause undue inconvenience or disturbance, the Village Manager must in advance consult with neighbours who may be directly affected.

20. Estate agents

20.1 No estate agent or private seller signage, or other type of advertisement may be displayed or distributed in the village.

20.2 An estate agent may show property that is being marketed only by appointment with the resident concerned and only after having made prior arrangements with the Village Manager in this regard.

21. Breach of Conduct Rules

21.1 If in the discretion of the Village Manager the operator of a vehicle contravenes, or a vehicle does not comply with, any provision of Conduct Rule 13: Traffic control, he may -
21.1.1 instruct such person to comply with such provision; or

21.1.2 refuse such vehicle entry into the village; or

21.1.3 instruct the owner or the person in control thereof to remove the vehicle from the village; or

21.1.4 impose the prescribed fine (see schedule of Conduct Rules and fine structures which follows hereunder)

21.1.5 apply more than one of the options mentioned

21.2 If a person on whom these Conduct Rules, other than Conduct Rule 13: Traffic control, are binding, is in breach of any of these Rules or any decision taken, condition determined or instruction given hereunder, or if the conduct of any such person is unbecoming, constitutes a nuisance or creates a disturbance, the Village Manager may, or the Management Committee may order the Village Manager to –

21.2.1 instruct such person to remedy such breach within the indicated period; or

21.2.2 instruct such person forthwith to desist from such conduct; or

21.2.3 impose the prescribed fine (see schedule of Conduct Rules and fines structures which follows hereunder)

21.2.4 apply more than one of the options mentioned.

22. Failure to comply with instruction/pay fine

If an instruction is not complied with, and/or a fine is not paid, within the indicated period, the resident concerned will be issued with a written notice giving an adequate description of the instruction and intimating that –

- 22.1 the instruction must be complied with within the indicated period, and that if it is not so complied with, the Management Committee may remedy the breach in question for his account;
- 22.2 the fine imposed, if not paid within the indicated period, may be added to his levy statement as contemplated in Conduct Rule 7;
- 22.3 a court of competent jurisdiction may be approached for an order to compel him to comply with the instruction and/or pay the fine, all costs of which will be for the account of the resident.

23. Appeal lodged with Management Committee

- 23.1 A resident who is aggrieved by any decision taken, condition determined, instruction given or action by the Management Committee or its Village Manager under these Conduct Rules, may in writing lodge an appeal with the Management Committee: Provided that if the grievance concerns an instruction to desist from certain conduct and/or to stop any work, such referral shall not absolve the person concerned from complying with such instruction.

23.1.1 The appeal must give a full explanation of the circumstances of the matter and clearly indicate the relief sought.

23.2 The Management Committee, or a Sub-committee of its members designated by it, must then convene a meeting to consider the appeal.

23.3 A written notice must be sent to the resident and, where applicable, the other person concerned, at least 7 (seven) days before the meeting is held informing him or them of the meeting and inviting him or them to attend: Provided that if the resident and, where applicable, the other person concerned, fails to attend the meeting, the Committee may proceed with the meeting and dispose of the appeal.

23.4 At the meeting the resident and, where applicable, the other person concerned, must be given the opportunity to present his or their case, but except insofar as they may be permitted by the chairperson, he or they may not participate in the affairs of, or voting at, the meeting.

23.5 After the resident and, where applicable, the other person concerned, has been given the opportunity to present his or their case, the Committee may by way of an ordinary majority solution, with a minimum of 3 (three) Trustees present and voting, resolve to –

23.5.1 confirm, vary or revoke the condition or instruction; and/or

23.5.2 confirm, reduce or revoke the fine

SCHEDULE OF CONDUCT RULES AND CURRENT FINE STRUCTURES FOR THE BREACH THEREOF

SW-A : Security

RULE	DESCRIPTION
SW-A1	All visitors, domestics, gardeners, contractors and suppliers must either follow the procedure by completing the visitors' register or have the necessary authority to enter the village.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-A1	Warning	Written warning	R 100	R 250	R 500

RULE	DESCRIPTION
SW-A2	All residents, visitors, domestics, gardeners, contractors and suppliers must conform to and obey the standing access and egress control procedures as set out in the security operating procedures manual, copies of which are available from the village office.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-A2	Warning	Written warning	R 100	R 250	R 500

Footnotes:

1. *The entrance area shall be monitored by security personnel for 24 hours per day. Controlled patrols of the entire village will be conducted throughout the day and night.*
2. *In the interest of providing an effective security system, the Association's security protocol must be adhered to at all times.*
3. *There are security stipulations in place which apply to permanent and/or temporary employees and contractors and their employees. These access arrangements are to be strictly applied by every resident.*
4. *All domestics and gardeners are to visibly display their access identification cards issued by the Village Manager when moving between the entranceway and their place of work*
5. *All residents and contractors, when applying for access permits, are to sign acceptance of the security protocols of the Association. The resident/owner, however, remains responsible for the conduct of the visitors to their property. Should a visitor/employee be in contravention of a rule in this regard, the Management Committee reserves itself the right to refuse access to such person. The security personnel have delegated authority to refuse entry to any person if in their discretion such refusal is in the interest of the resident/owner.*
6. *Residents are to note that all security systems, including the perimeter wall and electric security fence, serve as a deterrent and fulfil a detection function and are not guaranteed to prevent a determined attempt at intrusion into the village.*
7. *Residents are individually responsible for the security of their property and collectively responsible for the security of the village as a whole. Kindly report any security related concerns you may have to the Village Manager on telephone number (021)975 9985 or intercom number 2211 during working hours, or intercom number 2346 after office hours. The security personnel may also be contacted at intercom number 9 or 2528.*
8. *Residents are requested to always treat the security personnel in a courteous, co-operative and patient manner. They work under difficult circumstances and may be required to intrude on the privacy of, or inconvenience members of the public during the execution of their responsibilities.*

Kindly bear in mind that the security personnel always act in the interest of the residents.

9. *The Association shall not be liable for any injury, loss or damage to any person or property arising from any cause whatsoever including, without limitation thereto the negligence of the security personnel, the failure of any security measures or the intentional acts of any agents, employees and appointees.*
10. *In the interest of security and harmony in the village, no resident, vendor, hawker, solicitor of cash or charity, or other person who disturbs residents with approaches of a personal or private entrepreneurial nature are permitted in the village. Should such a person or persons be seen and requested by a resident to leave the village or cease their practice, compliance must be immediate. The occurrence should also be brought to the attention of the Village Manager without delay.*

SW-B : Trailers, boats, jet skis, caravans, canopies and derelict vehicles

RULE	DESCRIPTION
SW-B1	Parking/storing of any trailer, jet ski, caravan, canopy or derelict vehicle outside of the owners' property is not permitted. They must be parked/stored completely out of sight from the roadway.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-B1	Warning	Written warning	R 100	R 250	R 500

RULE	DESCRIPTION
SW-B2	Vehicles may not be parked on grassed pavements.

Footnote:

1. *No trailers, boats or caravans are permitted to be parked and/or stored in the driveway, in any demarcated parking area or in public view or where they can detract from the surroundings or the aesthetic appeal of the village.*

SW-C : Dogs and other animals

RULE	DESCRIPTION
SW-C1	Residents may not keep more than two dogs and cats per property.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-C1	Spot fine R 500				

RULE	DESCRIPTION
SW-C2	Residents may not keep dogs that attack, harass or scare any person or animal.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-C2	Spot fine R 500				

RULE	DESCRIPTION
SW-C3	Residents may not keep dogs that frequently or excessively bark.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-C3	Warning	Written warning	R 250	R500	

RULE	DESCRIPTION
SW-C4	Dogs are not allowed to roam freely outside of owners' property

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-C4	Warning	Written warning	R 100		

RULE	DESCRIPTION
SW-C5	Dogs must be kept on a leash at all times when outside of residents' own property.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-C5	Spot fine R 100				

RULE	DESCRIPTION
SW-C6	The owner must have a container, plastic bag or poop scoop at hand when walking with dog/s.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-C6	Spot fine R 100				

Footnotes:

1. All residents shall ensure that their dogs, cats, birds and/or other animals are not the cause of disturbance to their neighbours or any other person in the village. Uncontrolled and incessant barking of dogs is not permissible and all residents must ensure that the peace and tranquillity of the village is respected and maintained.
2. All dogs must be walked on a leash. All residents walking an animal in the village shall be responsible for ensuring the immediate removal and proper disposal of any faeces or other spoiling performed by such animal.

SW-D : Refuse bins

RULE	DESCRIPTION
SW-D1	Refuse bins (black/green lid) may not be left in view other than on the day of waste removal (Wednesday/Thursday) and must be returned inside to the inside of the property and out of sight not later than Thursday evening.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-D1	Warning	Written warning	R 50		

Footnotes:

1. All refuse bins are to be stored inside the property and out of sight. These may be taken out the evening prior to the refuse collection days (Wednesday – black lid and Thursday – green lid) and, to assist those residents who make use of a bin cleaning service, they must be returned to their place of storage by Thursday evening.
2. Any refuse bin found to have been left outside the residents' property on the Friday morning will be impounded at the village office by the Village Manager during the course of that morning.

SW-E : Gardens

RULE	DESCRIPTION
SW-E1	Residents' lawns and gardens must be maintained in a neat and tidy condition, be weed-free and be sufficiently watered - inside the property as well as on the roadway verges adjacent to the property.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-E1	Warning	Written warning	R 100	R 250	R 500

RULE	DESCRIPTION
SW-E2	Residents' lawn edges must be kept in a neat and tidy condition - inside the property as well as on the roadway verges adjacent to the property.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-E2	Warning	Written warning	R 50	R 150	R 250

RULE	DESCRIPTION
SW-E3	Residents' flowerbeds must be kept in a neat and tidy condition, be weed-free and be sufficiently watered - inside the property as well as on the roadway verges adjacent to the property.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-E3	Warning	Written warning	R 50	R 150	R 250

Footnotes:

1. All owners and residents are to ensure that the area between the road kerb and their property boundary is maintained.
2. All street and shade trees on the common areas within the village are the property of the Municipality and as such fall within the ambit of the City's Tree Policy. Generally trees are only to be pruned for sound arboricultural reasons. Pruning will, however, be considered where trees cause damage to structures, or obstruct pedestrian or vehicular access, or impede traffic sight lines. No trees will be cut down without the knowledge of the Village Manager and the approval of the City.
3. Should owners and residents be desirous of undertaking a make-over of the garden area between the road kerb and their residence, it is a requirement that at least 50% of the planted area is to be retained in order that the appearance in the village of spacious manicured roadside verges which extend up to the property boundary walls is upheld. The Village Manager can be consulted herein.
4. When planting on sidewalks care is to be taken to ensure that any such plants do not interfere with pedestrian traffic, obscure vision of motorists or obscure the view of neighbouring residents.

SW-F : Properties: General maintenance and marketing

RULE	DESCRIPTION
SW-F1	Paint work on dwellings and boundary walls must be kept in a good and clean condition and be repainted when necessary.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-F1	Given 3 months to paint	If not done - R 500 fine			

RULE	DESCRIPTION
SW-F2	Colour schemes must be adhered to. These are available from the Village Office.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-F2	Given 3 months to repaint	If not done - R 250 fine			

RULE	DESCRIPTION
SW-F3	Fascias and metalwork gates and palisade fences must be kept in a good condition and be repainted when necessary.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-F3	Given 3 months to repaint	If not done - R 250 fine			

RULE	DESCRIPTION
SW-F4	Letterboxes to be kept in a good condition and be repainted when necessary.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-F4	Given 2 months to replace	If not done - R 250 fine			

RULE	DESCRIPTION
SW-F5	Driveways to be kept in a good and clean condition and also be weed-free.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-F5	Given 1 month to tidy up	If not done - R 500 fine			

RULE	DESCRIPTION
SW-F6	All swimming pool, jacuzzi and other outlet pipes are to be connected directly into a sewer gully, to the satisfaction of the Local Authority and the Association, and may not discharge onto the street, the sidewalk or any other area.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-F6	Given 1 month to comply	If not done - R 250 fine			

RULE	DESCRIPTION
SW-F7	No seepage, leakage or discharge of any nature, including water, is to be discharged onto pavement or road surfaces or onto any area outside or adjoining an erf.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-F7	Given 1 month to comply	If not done - R 250 fine			

RULE	DESCRIPTION
SW-F8	Washing-lines, kitchen and yard spaces, open storage, refuse enclosures and accommodation for pets and other visible items are to be sited out of public view and be fully screened from the street, neighbouring properties and public open spaces.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-F8	Given 1 month to comply	If not done - R 250 fine			

RULE	DESCRIPTION
SW-F9	Only 1 family permitted to occupy a single dwelling.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-F9	Given 3 months to comply	R 250	R 500		

RULE	DESCRIPTION
SW-F10	Garages and wendy-houses may not be used as living quarters.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-F10	Given 3 months to comply	R 250	R 500		

RULE	DESCRIPTION
SW-F10	No home industry or business may be run from any property without the prior written permission from the Management Committee.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-F10	Warning	R 250	R 500		

Footnotes:

1. *Properties may not be marketed before a preliminary clearance certificate has been issued by the Management Committee.*
2. *During the marketing of property in the village the Management Committee shall be entitled in its entire discretion to restrict or limit the entry to and/or activities of estate agents over a particular show day for the sake of harmony and peace of the residents. It is not the intention of the Management Committee to prescribe to Members which estate agent to appoint when selling or letting their property, but the Committee shall be entitled to point out to Members whether a particular agent has over time not complied with the stipulations prescribed in regard to the marketing or letting of property in the village. Members are therefore encouraged to discuss their intended choice of agents with the Committee at an early stage in order to avoid possible prejudice or embarrassment.*
3. *Show houses may only be held on Sundays and Public Holidays from 14:00 to 17:00. Sale boards drawing attention to property for sale may not be displayed in the village. However, a "show house" board may be erected on the sidewalk immediately in front of the property for sale only on the afternoon on which it is being showed.*
4. *No other publicly visible signage, notice- or bill-boards, or advertising of any kind is permitted in the village without the prior written approval of the Management Committee. The only notice which owners will be permitted to display is one which announces that a given residence is secured by a particular security service provider.*
5. *Every Member shall, within 14 (fourteen) days of entering into a lease agreement over a property in the village, notify the Village Manager in writing of the name and contact details of the Member and lessee concerned. It is essential that each lease agreement shall refer to and have annexed thereto a copy of these Conduct Rules. Members are ultimately liable for compliance with these Rules, notwithstanding occupation of their dwelling by a lessee.*

SW-G : Properties: Building alterations and improvements

RULE	DESCRIPTION
SW-G1	Double-storey additions to buildings within the Development are not permitted.

RULE	DESCRIPTION
SW-G2	No building additions are permitted to extend beyond the building lines and up to the roadway frontage property boundary lines of erven in the Development.

RULE	DESCRIPTION
SW-G3	No building plan will be approved should the Member have any monthly levy or other charges outstanding.

RULE	DESCRIPTION
SW-G4	No alterations or additions to the property may be done without prior written permission from the Management Committee and with plans approved by the Committee and the Local Authority.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-G4	Given 1 month to remove together with a spot fine of R 500				

RULE	DESCRIPTION
SW-G5	No alterations or additions to the boundary walls may be done without the prior written permission from the Management Committee and with plans approved by the Committee and the Local Authority.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-G5	Given 1 month to remove together with a spot fine of R 500				

RULE	DESCRIPTION
SW-G6	No solar heaters may be installed without the prior written permission from the Management Committee regarding the style and the placement thereof.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-G6	Given 1 month to remove together with spot fine of R 500				

RULE	DESCRIPTION
SW-G7	Satellite dishes and TV aerials are not to be visible from any roadway and are to be below the apex of the dwelling's roof.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-G7	Given 1 month to reposition	If not done - R 500 fine			

Footnotes:

1. The prior consent in writing shall be required from the Management Committee for the following alterations, additions, demolitions, decorations or reconstructions:
 - 1.1 The erection of wendy-houses, gazebos or lapas, whether prefabricated or built in-situ;
 - 1.2 the erection of flat roof structures, car-ports and shades or pergolas;
 - 1.3 the erection of granny-flats, garden walls and fences or any structures housing animals or birds;
 - 1.4 any deviation from the external colour scheme and materials used on the property, including when affecting repairs or maintenance; and

- 1.5 any change in the design, architectural treatment, materials and finishes used in any alteration, addition, decoration or reconstruction.
2. The Home Owners' Association, the legally constituted representative of Members of the Association, has adopted these Conduct Rules and imposed certain contractual processes relating to the activities of building and other contractors in the village. The primary intention of these Rules and processes is to ensure that all building activity in the village occurs with the least disruption to residents. In the event of uncertainty, residents and/or contractors shall contact the Village Manager for assistance and advice. The Architectural and Building Design Manual governing construction, which comprises these Rules, together with the Builders' Code of Conduct Agreement are therefore binding on all Members. All Members shall include these Rules in their entirety in any building contract concluded in respect of property in the village and to ensure their building contractor complies with them. All Members shall ensure that their building contractor signs the Association's Builders' Code of Conduct Agreement prior to the commencement of construction. The Home Owners' Association has, and reserves the right to suspend any building activity in contravention of any of these Rules or the Builders' Code of Conduct Agreement and the Association accepts no liability whatsoever for any losses, including consequential losses.
3. The approval of any plans for proposed alterations, additions, demolitions or reconstructions shall be at the sole discretion of the Management Committee. Similarly, compliance with restrictions imposed by the Committee shall under no circumstances absolve the Member from the need to comply with restrictions imposed by third parties or the Municipality, nor shall the Committee's approval be construed as permitting any contravention or restrictions imposed by any authority having jurisdiction. Conversely, the approval of the Municipality does not constitute the approval of the Management Committee in respect of any plans for any proposed alterations, additions, demolitions, decorations or reconstructions to buildings within the village.
4. Residents are to discuss the possibility of satellite dishes and/or TV aerials being visible from a roadway with the Management Committee should it appear to be the case.

SW-H : Acts of vandalism and damage to Public Open Space

RULE	DESCRIPTION				
SW-H1	No person shall by way of accident or through an act of vandalism cause damage to Public Open Space in the village.				
RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-H1	The cost of replacement or repair of the damaged property plus an administrative charge of R 500				

Footnote:

1. Residents are encouraged to report any such incident of vandalism to the Village Manager on telephone number (021)975 9985 during office hours or intercom number 2346 after office hours. Alternatively reports can be lodged with the security personnel on intercom number.

SW-I : Aviaries, wendy-houses, tool-sheds and store-rooms

RULE	DESCRIPTION
SW-I1	No aviary, wendy-house, tool-shed or store-room may be erected or installed without the prior written permission from the Management Committee.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-I1	Given 1 month to remove together with a spot fine of R 500				

Footnote:

1. The application for permission to erect or install any of the afore-mentioned structures is to be accompanied by the written permission of all concerned neighbours.

SW-J : Quad bikes, unlicensed motor cycles and unroadworthy vehicles

RULE	DESCRIPTION
SW-J1	No quad bike or unregistered motor cycle may be ridden in the village.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-J1	Spot fine R 500				

RULE	DESCRIPTION
SW-J2	No vehicle with a defective or modified noisy exhaust system may be driven or ridden in the village.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-J2	Spot fine R 500				

RULE	DESCRIPTION
SW-J3	No unroadworthy vehicle may be driven in the village.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-J3	Spot fine R 500				

Footnotes:

1. All roads in the village are public roads and are therefore out of bounds for any type of quad bike. Anyone seen operating one of these will be summarily fined and will also be reported to the Traffic authorities for possible prosecution.
2. The Management Committee shall contemplate taking the necessary action against the owner of an exceptionally noisy motor vehicle or cycle should a complaint from a resident and supporting affidavits from two other residents be received in this regard

SW-K : Good neighbourliness, neighbour nuisance and respectful behaviour toward Association officials

RULE	DESCRIPTION
SW-K1	Owners and tenants are to ensure that their behaviour and that of their visitors and employees is conducted with due decorum and consideration for the rights, privacy and personal feelings of other residents at all times. To this end, they will not cause or permit any disorderly conduct, perform any action, or create any noise in the village which may reasonably be perceived as constituting a nuisance or inconvenience to any other resident in the village.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-K1	Written warning	R 500	R 1 000		

RULE	DESCRIPTION
SW-K2	The officials of the Association have, amongst others, been tasked to ensure compliance with these Conduct Rules and guidelines and shall have all such powers which are necessary for the enforcement of these Rules, subject to the provision of these Rules. In the performance of their duties in this regard it is anticipated that they will be treated by the Members/residents with the necessary human decency and respect.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-K2	Fine of R 500 and the offering of an apology following upon an audience with the Management Committee.				

Footnotes:

1. No lawnmower or other mechanised equipment may be used in the village on Sundays.
2. Vehicle hooters should be used sparingly and headlights should be dimmed at night.
3. Burglar alarms which have been activated are to be reset as soon as possible in order to prevent an incessant nuisance being created by the noise of the alarm.
4. It is not the intent of these Conduct Rules to labour the Trustees and staff of the Association with the obligation to interfere, mediate or resolve personal disputes between Members and/or residents. In the event of annoyance, aggravation or complaints occurring between residents, an attempt should be made by the parties concerned to settle this matter between themselves. This should be done with consideration and tolerance. If the dispute cannot be resolved between themselves, it should be brought to the attention of the Management Committee, in writing, if an interpretation of these Rules is required. Such decision of the Committee shall be final and binding on the residents concerned. There is no obligation on the Association to arbitrate or otherwise become involved in any disputes between its Members, save in the event that an interpretation of these Rules is requested, when such interpretation will be made within a reasonable time.
5. The Village Manager and security personnel do not deal with matters in isolation of the Management Committee. The duties, actions and decisions of the staff are taken with the knowledge of and in full agreement with the wishes and prescriptions of the Committee.

SW-L : Banned toys

RULE	DESCRIPTION
SW-L1	Toy or other paintball kits may not be used inside the village.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-L1	Spot fine R 500				

SW-M : Payment of levies

RULE	DESCRIPTION
SW-M1	All levies and other charges are payable in advance on or before the 1st day of each month for that particular month.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-M1	Late payment penalty of 10%				

Footnotes:

1. Whilst levies are to be paid on the 1st day of a particular month, the Members are granted a period of grace until the 7th after which the late payment penalty of 10% is raised.
2. Long overdue levy accounts will be handed over to the Association's attorney for collection of the outstanding amount. All expenses and legal costs in this regard shall be for the account of and be recovered from the Member on the scale as between attorney and own client.

SW-N : Repeated breach of Conduct Rules

RULE	DESCRIPTION
SW-N1	Any Rule breached 3 (three) or more times over a 12-month period.

RULE	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE	4TH OFFENCE	5TH OFFENCE
SW-N1	Fine of R 1 500				

Footnotes:

1. Any breach of any of the afore-going Conduct Rules will be subject to a sanction as specified in the fines column of this document.
2. The Management Committee reserves the right to take any action it deems fit, be it the imposition of a fine as may be determined by the Committee in the instance of the contravention of a Rule. Alternatively the Management Committee may deem it necessary to appoint an attorney to resolve the issue, the costs of which will be to the account of and be recovered from the Member/resident responsible for the breach of the Rule.