

ATLANTIC SANDS & SHORES HOME OWNERS ASSOCIATION
("The Association")

ESTATE RULES

INTRODUCTION

Atlantic Sands & Shores has been designed to provide a peaceful lifestyle for its residents.

It is the intention of the Board of Trustees of the Atlantic Sands & Shores Home Owners Association ("the Association") in compiling these Rules to protect and enhance this lifestyle and to manage and control operations within the Estate for the benefit of all its stakeholders.

The Rules documented herein have been established by the Trustees in terms of the Constitution of the Association and are binding on all members of the Association as well as residents and other persons visiting the Estate. Members are responsible for ensuring that their tenants, guests and employees are aware of and abide by the Rules. In terms of the Constitution the Trustees have the right to modify or amend the Rules as they deem fit and to interpret and enforce them in their discretion.

DISCLAIMER

Any person wishing to enter the Estate and/or make use of the Private Open Spaces or Communal Facilities in the Estate, does so at her or his own risk. The Atlantic Sands & Shores Home Owners Association ("the Association") and the registered Owners, their agents, employees and appointees, 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 any of the above persons or the intentional acts of any agents, employees and appointees. Without in any manner derogating from the above, all entrants to the Estate make use of the streets thereon, whether public or private, at their own risk.

Whilst every effort is made to secure and monitor the Estate, the Association and registered Owners, all their agents, employees or appointees, shall not be deemed to have warranted the safety of any person or property (whether movable or immovable) on the Estate.

1. Use of Common Property and Environmental Control

- 1.1 The Association shall have the right and duty to control the environment, which shall include but not be limited to vegetation on private erven and the common areas.
- 1.2 No person shall conduct himself in any area within the Estate in such a manner, which in the opinion of the Trustees may be detrimental to the interests or amenities of the Association.
- 1.3 No person shall discard any litter anywhere within the Estate other than in the receptacles provided for this purpose.
- 1.4 No person shall remove, collect or destroy any plants, shrubs or trees within the Estate save with the consent of the Association.

- 1.5 No person shall be permitted to plant any vegetation or to place any landscaping or other objects of whatsoever kind in the areas owned or controlled by the Association without the prior written consent of the Association.
- 1.6 No person shall be permitted to light a fire within the Estate, except in any such places which are designated by the Association for this purpose or within a private fireplace or braai area.
- 1.7 No person shall be permitted to discharge fire works anywhere in the Estate.

2. Firearms and Hunting

- 2.1 The discharge of any firearm, air rifle, bow and arrow, slingshot, fireworks or other explosives within the Estate **is strictly prohibited. Strict penalties will be imposed in the event of any contravention of this rule.**
- 2.2 Hunting and the trapping or shooting of birds or any other animal is prohibited within the Estate.

3. Property

- 3.1 Homeowners are required to maintain their properties in a neat and tidy condition at all times. Should the external appearance of a property be deemed to be unacceptable at the discretion of the Association or the vegetation thereon become overgrown or untidy, immediate remedial action will be taken by the Association at the cost of the homeowner.
- 3.2 All outside units, including air conditioners, geysers and other mechanical equipment as well as washing lines, must be sited out of public view and aesthetically screened from neighbouring properties. This shall also apply to wendy houses, tool sheds, engine and vehicle parts, tools and accommodation for pets.
- 3.3 Building materials should be removed from the premises upon completion of construction of a property or stored out of sight. This also applies to any alteration following completion of the unit.
- 3.4 During the period of construction members should ensure that their building contractors keep their sites as well as neighbouring sites, clean. The Association reserves the right to deny access to contractors who do not comply herewith. Should a contractor not remove rubble as requested, the Association will employ a contractor to do so and charge the member accordingly.
- 3.5 No person shall cause any unacceptable disturbance, excessive or undue noise.
- 3.6 Aesthetical and environmental requirements as per the constitution must be adhered to and any alterations or additions to property has to be referred to the control architect for consideration and approval.

4. Traffic Control

- 4.1 The speed limit on all the roads within the development is 30 kilometers per hour. No person shall drive any vehicle within the Estate in excess of the prescribed speed limit.
- 4.2 No person shall drive any vehicle within the Estate in a manner that would constitute an offence under the applicable road traffic ordinances. All traffic control and parking signs must be observed by road users.
- 4.3 The driving of quad bikes or any other off-road motorized vehicles is prohibited within the Estate.
- 4.4 All vehicles must be parked within the confines of members' properties alternatively within the designated parking areas. The parking of vehicles in the roads or on the road verges is strictly prohibited. This also applies to commercial vehicles, boats, caravans and trailers. No long term parking of cars, boats, trailers or caravans allowed on drive ways without prior written approval of the Association.
- 4.5 All vehicles shall keep to the roads within the Estate. No vehicle may travel off-road other than a construction vehicle on a plot being developed.

5. Control of Animals

- 5.1 Domestic animals within the Estate must be controlled and kept within the confines of the member's property. **Residents as well as their guests must ensure that their animals do not foul the common property nor create a disturbance nor become a nuisance within the development.**
- 5.2 Dogs are not permitted outside the confines of a member's property unless they are kept on a leash. Animal excreta should be picked up and removed from all and any common property in the Estate. Dogs must be confined within a fence/wall.
- 5.3 These regulations will be enforced by the Bergrivier Municipality in terms of the By-laws for the control of dogs promulgated under Provincial Notice 228 dated 6 April 1979.
- 5.4 In terms of the By-laws any dog, which is found in the Estate and is not under the control of a person may be impounded by an official of the Municipality.

Should the dog not be claimed within seven days of receipt of a Notice to the owner, it may be put down by the Municipality.
- 5.5 Any transgression of these regulations should be reported directly to the Bergrivier Municipality.

6. Commercial Activity

- 6.1 No commercial activity of whatsoever kind will be permitted within the Estate without the prior written approval of the Association and the local authority together with any other appropriate authority.
- 6.2 No advertising boards of whatsoever kind shall be permitted, either on individual erven or the common property within the Estate other than the standard architectural building board and without the prior written approval of the Association.

7. Operation of Guest Houses

- 7.1 Members shall not be permitted to operate a guesthouse within the Estate without the prior authorization and approval of the Association and the local authority i.e. the Bergrivier Municipality. Members shall be required to submit such approval to the Association for its records.
- 7.2 Any member operating a guesthouse shall subject their guests to the rules and regulations laid down by the Association.

8 Sale and Letting of Property

- 8.1 Every agreement for the lease of a property on the Estate must contain a clause in terms of which the lessee acknowledges that he or she agrees to be bound by the Constitution and the Estate Rules applicable within the development.
- 8.2 A homeowner who is selling his property privately shall be permitted to put up one board on the property advertising the sale thereof. Such advertising board shall be in accordance with the specifications laid down by the Association from time to time.

9. Contravention of Rules

- 9.1 Should the conduct of a homeowner or occupier of a property within the Estate or his or her guests constitute a contravention of these Rules, in the opinion of the Trustees, they shall issue the homeowner or occupier with a written notice of warning. The offender shall be warned that if he or she persists in such contravention then a fine will be imposed.
- 9.2 If the homeowner or occupier or his guests persist in the contravention of the particular Rule, the Trustees shall be authorized to impose a fine in their discretion.

10. General

- 10.1. No loud music, excessive noise inside or outside at any time. It is the responsibility of each owner to control the behavior of his/her guests **and the conduct of any owner's guests will be the owner's accountability.**

- 10.2 No washing may be hung over any balconies and balustrades, fences or perimeter fencing or walls.
- 10.3 No **“To Let, or Holiday Accommodation”** signs may be displayed in any window or against any building or anywhere on the site.
- 10.4 Always take other residents into consideration.

11 Levy Payments

- 11.1 Levies are payable in advance on the 1st day of the month and interest is payable on arrears. Levies may not be withheld for any reason whatsoever. Those who jointly own a property are liable jointly and severally.
- 11.2 In terms of the constitution members who are in default with levies have no voting rights or attendance at general meetings.

12. Review of Rules

The Trustees may subject to the provisions of the Constitution of the Association, delete, amend or add to these Rules at any time.