



HOMEOWNERS ASSOCIATION

CONDUCT RULES

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TITLE: Conduct Rules

Date:	06 June 2022
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1. Introduction

1.1. The Conduct Rules should be read with the Capricorn Beach Homeowners Association Constitution and Regulation.

1.2 The intention of these rules is to preserve and enhance the security and the aesthetics of the environment. To promote a comfortable and secure lifestyle environment for residents. General consideration for all residents will assist in ensuring harmonious relations.

1.3 These conduct rules are binding upon all homeowners. All tenants of units, family members and other persons granted rights of occupancy by an owner are also obliged to comply with the rules, notwithstanding any provision to the contrary which may be contained in any lease or grant of occupancy. Contractors and employees of homeowners must comply with the rules.

1.4 The registered owners of properties are responsible for the actions of their tenants in regard to compliance of the rules. Homeowners are required to provide copies of the Conduct Rules, Regulations and any other provision to their tenants. Whilst the trustees will ensure responsible policy and procedures are formulated, a successful environment can only be achieved through the co-operation of everyone.

2. Pets

2.1 The City of Cape Town by-law relating to pets will be strictly enforced.

2.2 An owner or occupier of a unit shall not, without the written consent of the trustees (which consent may not be unreasonably withheld), keep any animal in a unit or on the common property except in relation to the provisions of clause 2.4 below.

2.3 When granting approval, the trustees may prescribe any reasonable conditions.

2.4 Notwithstanding the provisions of clause 2.2, residents are permitted to keep up to two dogs and two cats on their property without the written permission of the trustees.

2.5 The owner or occupier of a unit shall ensure that any animal is kept within secure borders of a unit and shall be under the strict control of the owner or resident at all times. The pet(s) should not infringe in any way on the other owners or residents in the complex. Dogs must be kept on a leash when outside the unit.

2.6 Dogs must wear a collar with a tag indicating the name, telephone number and address of its owner. Stray pets without identification tags will be caught and handed to the SPCA.

2.7 The owner or keeper of the animal shall be responsible for cleaning up any excrement or other mess in any area caused by their animal(s).

2.8 The trustees may request the owner to remove from Capricorn Beach Estate his/her pet in the event of any breach of any condition prescribed in these rules.

3. Noise levels

3.1 The City of Cape Town by laws in regard to noise levels will be strictly enforced.

3.2 The volume of music, instruments and partying must be kept at a level which is not disturbing to residents of adjoining properties.

3.3 The use of power tools and other loud work may only take place during the following hours:

Monday to Friday 08H00 to 18H00

Saturday 08H00 to 14H00

Sunday and public holidays. Such use of tools or noisy repairs only to take place if it is to prevent imminent damage.



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4. Refuse Disposal

The City of Cape Town by-law in regard to refuse and disposal of refuse material shall be strictly enforced.

4.1 Before refuse is placed in a bin in the bin rooms, the refuse shall be securely wrapped or in the case of containers and tins, completely drained.

4.2 All refuse bins are the property of the HOA except where owners or residents have applied directly to the local authority for their own refuse bin.

4.3 Refuse bins located on private properties must not be placed on the common areas and measures must be taken to ensure the bin is not visible from the common area. In the event the resident has no other option but to place the bin where it is visible, it must be kept in a neat and orderly condition.

4.4. Trustees may request the relocation of refuse bins which are visible from the common area, within reason and where necessary.

5 Vehicles and use of the Roads

51. The speed limit within the Capricorn Beach Estate is 15kmh

5.2 No owner or resident shall park or stand any vehicle on the common property or permit or allow any vehicle to be parked or stood on the common property. Vehicles may only be parked in designated bays or garages.

5.3 A resident may park one vehicle per unit/household in a designated visitor parking bay, preferably close to the unit in which the vehicle owner resides. Such vehicle must be roadworthy and licensed at all times and must be driven on a daily basis. Such vehicle shall not be left standing on a visitor bay.

5.4 The trustees may cause to be removed, at the risk and expense of the vehicle owner, any vehicle abandoned, standing or parked on the common property.

5.5 Residents shall ensure their vehicles and those of their visitors do not drip oil or brake fluid on to the common property (which includes the visitor parking bays) or in any other way deface the common property.

5.6 Residents shall not be permitted to dismantle or affect major repairs to any vehicle on any portion of the common area or on a private unit.

6 Use of common area swimming pools

6.1 The common area swimming pools are for the use by residents only. Residents may have up to two guests at any one time accompanying them at a pool.

6.2 Any resident or guest under the age of 12 years must be accompanied by a resident over the age of 18 years.

6.3 Appropriate apparel must be worn at all times.

6.4. Smoking and the drinking of alcohol is not permitted in the swimming pool areas. Glass is similarly not permitted. Ball games are not permitted within the gated area of the swimming pools.

6.5 Residents must undertake to ensure the pool gates are left closed at all times.



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7 Littering, damage, alterations or additions to the Common Area

7.1 A resident shall not mark, paint, drive nails or screws into, or otherwise damage or alter any part of the common property.

7.2 Pool equipment and access gates must not be tampered with.

7.3 Parents of the children who climb on fences or gates or tamper with pool pumps will be liable for any damage caused due to the actions of their children. Parents should inform their children of this rule.

7.4 A resident shall not deposit, or permit to be deposited on the common property any rubbish, including dirt, building rubble, food scraps, cigarette ends or any other litter.

8 Alterations or additions to private units

8.1 An owner or resident of a unit shall not alter any part of the exterior of the unit without first obtaining the written consent of the trustees. Such consent shall not be unreasonably withheld and will be produced in writing without undue delay.

8.2 An owner or resident of a unit is to be considered to have the consent of the trustees for the installations listed below. The installations should be soundly built and are consistent with designs, colours and styles within the CBHOA Architectural Guidelines and other applicable documentation. Locking devices, safety gates, burglar bars or other safety devices for the protection of the property. Screens or other devices to prevent the entry of animals or insects.

Any device such as screens, shutters, doors and windows to insulate a property against heat, cold or noise; or to prevent water ingress or any other damage due to weather extremes.

8.3 The provisions of the local authority by laws on building and those of The Constitution of the CBHOA apply to all building and alterations.

9 Appearance of units from Common areas

9.1 Homeowners or residents shall not place upon or do anything on any part of the private unit, including balconies, patios, steps and gardens which, at the discretion of the trustees, is aesthetically displeasing or undesirable when viewed from outside of the unit.

9.2 Homeowners or residents of a private unit shall not hang washing or laundry, or any other items on any part of the building so as to be visible from the outside the unit without the written consent of the trustees.

10 Maintenance of private units and the gardens

10.1 Homeowners shall ensure his or her unit is maintained in all aspects.

10.2 Homeowners shall be responsible for the maintenance of their private gardens as demarcated by the rear and side fences or physical borders and the site plan. Animal excrement in gardens must be removed as this will cause a health hazard.

10.3 Alien plants may not be planted in the private unit gardens.



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11. Storage of Inflammatory Material

Homeowners and residents of a private unit shall not store any material, or do or allow to be done any dangerous act in the unit.

12. Eradication of Pests

12.1 Homeowners shall ensure his/her unit is kept free of white ants, borer and other wood destroying insects. To this end, the homeowner shall permit the trustees, the managing agent, their duly authorised agents or employees, to enter upon the unit, from time to time, for the purpose of inspecting the unit and taking such action as may be reasonably necessary to eradicate such pests.

13 Commercial activities

13.1 No commercial activity of any nature will be permitted within the Capricorn Beach Estate without the written approval of the trustees.

13.2 Door-to-door canvassing of any nature, selling door- to-door is not permitted.

14 Signs and Notices

14.1 A homeowner or resident shall not place any sign, notice, billboard or advertisement of any kind whatsoever on any part of the common property or on a private unit, so as to be visible from outside the unit.

14.2 Exceptions to this rule are:

Alarm or armed response signage not exceeding 50cmx40cm

For sale signs. Such signs must be positioned in such a way so as to not detract from the overall appearance of the complex, not damage any property and in the case of a show house, be removed at the end of the day.

14.3 All signage must be professional in appearance and design.

15 Fines and Penalties

15.1 The trustees have the power to impose a monetary fine on any member who, in the opinion of the trustees, has disregarded any provision of these conduct rules.

15.2 Any fine imposed by the trustees in accordance with the provisions of this paragraph, will be due and payable on due date of the next payment of the levy contribution after the on which the fine was issued. This will constitute a debt due by the member to The Association.

The maximum amount of any fine, in respect of any one transgression of these rules and imposed on a member in accordance with the provisions of this paragraph, will be equal to the monthly levy contribution due by the member, multiplied by a factor of five.

15.3 In the event of a breach by members of the homeowners' tenants, household, guests or employees; a tenants' household, guests or employees, the homeowner shall be liable for the payment of any fines in accordance with the provisions of this paragraph.

APPROVED AT 06 JUNE 2022 AGM:

	NAME	SIGNATURE	DATE
EDITED:	John White (Chairperson)		1/12/2022.
	Alan Mills (Trustee)		1/12/2022