



HOME OWNERS ASSOCIATION

HOUSE RULES

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1. INTRODUCTION

- 1.1 Riverhill Estate has been designed to provide a secure lifestyle with mountain and coastline views, combined with tranquil living 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 Riverhill Estate.
- 1.3 The registered owners of the properties at Riverhill Estate are responsible for ensuring that members of their families, tenants, visitors, invitees, friends, employees and contractors, which include 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. All persons entering Riverhill Estate do so at their own risk.
- 1.4 The House Rules are subject to change from time to time at the discretion of the trustee(s) and/or officer(s) of the Home Owners Association. In the event of a dispute between residents, the parties involved should use their best endeavors to amicably settle the matter between them. Where the dispute cannot be resolved amicably, it should be referred to the trustee(s) or officer(s). The decision of the trustee(s) and/or officer(s) is/are final and binding in respect of the interpretation of the Rules.
- 1.5 The House Rules must be read in conjunction with the Home Owners Constitution of Riverhill Estate, as well as any other documents which have already been or shall in future be formally introduced by the Home Owners Association.

2. USE OF STREETS

- 2.1 Whilst children should be discouraged from playing in the streets within the Riverhill Estate, it is not forbidden for children to play in the streets subject to the following provisions:
 - 2.1.1 No activity shall be permissible which causes a nuisance to any of the residents. In particular, games like soccer, rugby, cricket and tennis or any other ball game are not allowed in Riverhill Estate;
 - 2.1.2 No skateboards, roller skates and/or any similar devices may be used within the Riverhill Estate. Any activity by children in Riverhill Estate shall be at the children's own risk and it is advisable that same should at all times be supervised by their parents;
 - 2.1.3 Owners and/or tenants are responsible for the management and 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 twelve (12) hours.

3. REFUSE

- 3.1 All household refuse must be put in black refuse bags and deposited at the designated refuse disposal area on the Estate on the refuse collection days.
- 3.2 No rubble or refuse should be dumped or discarded in any public areas, including the roads or 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 or 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, must erect a suitable enclosure on the erf 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 or the tenant onto any of the open spaces.
- 4.5 All domestic animals shall be tagged and display the Member's or tenant's name and telephone number.
- 4.6 In the event of any domestic animal being introduced onto Riverhill Estate 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 any other open space within the Estate, should dogs cause a mess or cause damage to the Association's property, the dog's owner shall forthwith remove the mess and/or repair the damage (as the case may be). Should the dog's owner fail to remove the mess or repair the damage so caused, the Association shall be entitled to have such mess 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 exit the Estate at or through any point except at or through the official main entrance gate, unless otherwise directed by the Association. If applicable, Non-Members are required to sign the register at the gate stating that they will abide by the House Rules, any regulations and Constitution of the Riverhill Estate.
- 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 tenants of that Member.
- 5.4 Commercial and construction deliveries are not permitted on Sundays or public holidays, nor before 07H00 AM and after 18H00 PM on weekdays, nor before 07H00 AM and after 15H00 PM on Saturdays without the prior consent of the Association.
- 5.5 Motorized 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 or his guests or members of his/her household, employees or invitees. The Association reserves the right to enact from time to time such traffic rules as it deems 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 or anywhere within 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 Association or any architectural review committee which the Association might employ. None of the aforesaid shall be left overnight on any road within the Estate.
- 5.11 No helicopters or any means of aerial conveyance may be landed at any place on the Estate without the prior written authority of the Association.

6. OPEN SPACE AND COMMON FACILITIES

- 6.1 No person shall do anything that detrimentally affects the amenities and/or unreasonably interfere with the use and enjoyment of the Common Area within the Estate by others. Members using the common area or open space in the Estate do so at their own risk.
- 6.3 No camping shall be permitted anywhere in the Estate. Picnicking shall only be allowed at such places set aside for that purpose by the Association. All places must at all times be kept clean and free from any refuse and litter.
- 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 properly constructed fireplace or barbecue pit.
- 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 motorized vehicles in the Common Area or open space is confined to roads and driveways. Only maintenance vehicles may be driven on the Common Area or open space.
- 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 thereof. If the Member fails to comply with the Association's 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 strictly 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 any property or erf in the Estate:
 - 7.1.1 The minimum age of any and all occupants of any property in the Riverhill Estate, be it as registered owner or as tenant, is 50 (Fifty) years of age and no younger;
 - 7.1.2 All estate agents are welcome to market, sell and let any property at Riverhill Estate, provided estate agents are informed by the Association;
 - 7.1.3 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 with the Association. 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 a copy of the Constitution and the House Rules.
- 7.3 When a Member personally sells or lets his property, the provisions of 7.1.1, 7.1.2, and 7.2 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 their arrival, and to sign a declaration that they are acquainted with the House Rules and Constitution and accept being bound thereto.
- 7.5 Prior to the transfer of any erf to a successor in title, a Member shall obtain:
 - 7.5.1 the written consent to transfer from the Association; and
 - 7.5.2 a certificate from the Association confirming that:
 - 7.5.2.1 No levies, fines and/or penalties are due to the Association by such Member; and
 - 7.5.2.2 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.
- 7.6 With regard to clause 7.5 above, the Association may in its sole discretion refuse to issue the consent to transfer and certificate stipulated in clause 7.5.2 above in the event of the Member selling his property being in arrears in levies, fines and/or penalties due to the Association in respect of any such other property that such Member may own in the Riverhill Estate until such Member has also settled or sufficiently arranged settlement of all such other outstanding levies, fines and/or penalties with the Association.

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 Pool water may not be backwashed onto public areas, including but not limited to roads and the Private Open Areas. The drainage of backwash water shall be pumped into and contained in a vortex settlement tank for filtering and reuse.

- 8.3 No unauthorized persons are allowed onto building sites underconstruction.
- 8.4 No person shall make or cause to make any unacceptable disturbance or excessive or undue noise which constitutes a nuisance to any other persons in the Estate. In particular:
- 8.4.1 All vehicles, but particularly motorcycles, must be efficiently silenced;
 - 8.4.2 The mowing and/or edging of lawns, the use of leaf blowers, or the operation of any other noisy machinery after normal working hours which may disturb neighbours are strongly discouraged, unless there are exceptional circumstances. These activities are, however, strictly 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;
 - 8.4.3 Any and all undue noise must cease between 22H00 PM and 06H30 AM, except for the occasional party, when such noise shall cease at 24H00 PM. Residents are encouraged to beforehand inform their direct neighbours if they are going to have a party where music will be playing;
 - 8.4.4 Loud music out of motor vehicles is not allowed in the Estate.
- 8.5 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.
- 8.6 Whenever the Association receives a written complaint from any 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.
- 8.7 Clause 8.5 above must not be interpreted as limiting the Association 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 Riverhill Estate. 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 Home Owners Association mailing list for commercial purposes is strictly prohibited and Members are prohibited from providing non-members with the aforesaid 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 such penalties imposed by the Association having regard to the nature of the breach and 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/or tenants, and/or the members of the tenant's household and/or the tenant's employees, invitees and guests, the Member shall ultimately be liable for the payment of any fines so 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, also in its sole discretion elect to 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 (Seven) 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 and/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 operated gate with an appropriate calling and opening operating system to be implemented at the gate. For obvious reasons no security gate was erected and therefore all residence must ensure that the management of the operating system to be done in such a manner that it does not infringe on the security of the other residence
- 11.2 Security protocol at the gate must be adhered to at all times.
- 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.
- 11.5 All owners must ensure that contractors in their employ adhere specifically to the security stipulations.
- 11.6 All attempts at burglary or instances of fence jumping must immediately be reported to a member of the Home owners association.
- 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.
- 11.10 Remote control may not be utilized by anyone other than the Home Owner and registered user, nor may they be loaned to other persons.

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 immediate criminal charges.

14. OTHER REGULATIONS

A breach of any other Regulations made by the Association or in terms of the Association's 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.