



Glen Erasmia Boulevard

Home Owners' Association NPC

Registration Number: 1998/01258/08

Estate Rules

**(In Terms of Memorandum of Incorporation
and Corresponding Sections of the
Companies Act 71 of 2008)**

Revised : **March 2020**

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1 GLEN ERASMIA BOULEVARD HOME OWNERS' ASSOCIATION (NPC)

1.1 Introduction

These rules have been established in terms of the Memorandum of Incorporation of the Glen Erasmia Boulevard Home Owners Association (GLEN ERASMIA BOARD OF DIRECTORS). The rules of the estate comprise of the following sections:

- Section A – General rules and regulations
- Section B – Architectural Guidelines
- Section C – Owner Builder and Building Contractor Rules
- Section D – Estate Agents rules
- Section E – Directors' rules
- Section F – Penalty Structure
- Section G – Memorandum of Incorporation (MOI)

The Estate Rules are binding on all occupants of the Estate, as is any decision taken by the Board of Directors in interpreting and exercising these rules.

Penalties are generally applied as per the Section F of the Penalty structure, however the Board can in its discretion override the verbal warning and apply the first penalty from the outset. Where a penalty had already previously been applied, the Board of Directors may in its discretion increase the penalty value by a maximum of 100% (one hundred percent) per repeat offence, considering the severity of the offence, the repeat frequency, or any other relevant factor in the circumstances.

The objective of the Glen Erasmia Board of Directors is the provision of secure and a high quality lifestyle for residents and the intention of the rules is for the protection of such.

The registered owners of properties within the estate are responsible for ensuring that members of their families, tenants, visitors, friends, contractors and employees abide by these rules at all times.

The rules strive to ensure a happy and harmonious community living is achieved when residents use and enjoy their private property as well as the public facilities / areas within the Estate in such a manner, which shows respect for the rights of other individuals lawfully on the property. Compliance with these Estate Rules and general consideration by residents for each other is essential in this regard.

The decision of the Directors is deemed final and binding in respect of the interpretation of these rules. These rules are subject to change, from time to time, by the Board of Directors and the owner / tenant agrees to strictly comply therewith.

**2 SECTION "A" - GLEN ERASMIA BOULEVARD HOME OWNERS ASSOCIATION GENERAL
RULES AND REGULATIONS**

2.1 The Streetscape

- 2.1.1 Each owner / tenant is responsible with regards to the maintenance of the area between the road curb and the boundary of his property in a neat and tidy condition. All services within this area are the responsibility of the owner, i.e. Water pipes, telephone cables and electric cables from the Municipal / Telkom connection point, excluding lamp and camera poles.
- 2.1.2 All buildings and walls shall be kept neat and tidy and aesthetically pleasing at all times. Owners who fail to comply with any of these obligations shall receive a notice in respect thereof and after ninety **(90)** days of non-compliance; a penalty shall be levied on the home owner.
- 2.1.3 All gardens shall be kept neat and tidy and aesthetically pleasing at all times. Owners who fail to comply with any of these obligations shall receive a notice in respect thereof and after fourteen **(14)** days of non-compliance, the Glen Erasmia Board of Directors shall be entitled to execute such obligations and claim the costs thereof, from the owner.
- 2.1.4 The owner is responsible for maintaining any plants or trees and ensuring that such do not interfere with the electric fence or boundary wall. Owners who fail to comply with any of these obligations shall receive a notice in respect thereof and after seven **(7)** days of non-compliance, the Glen Erasmia Board of Directors shall be entitled to execute such obligations and claim a fee of R300.00 (Three Hundred Rand) in respect thereof.
- 2.1.5 Caravans, boats, commercial vehicles above 1-tonne, equipment, tools, engine and vehicle parts as well as accommodation for pets shall be sited out of view and screened from neighbouring properties and the street behind closed gate/s. However, trailers will be allowed to be parked with partial view from street side behind a closed gate on the Resident's property .
- 2.1.6 Building material shall be neatly stored on the sidewalks during the construction period with the prior written approval of the Estate Manager.
- 2.1.7 All building rubble shall be removed on a weekly basis, by Friday each week.
- 2.1.8 Trees, plants, or sidewalk lawn may not be removed without the written permission of the Glen Erasmia Board of Directors. Planting of trees and shrubs shall not interfere with pedestrian traffic or obscure the vision of motorists.
- 2.1.9 Only one **(1)** estate agents "For Sale" sign board may be erected at each dwelling.
- 2.1.10 An Owner may be requested to trim or remove trees or plants as required by the Glen

Erasmia Board of Directors, if the affected plants impacts upon the security by obscuring the view of the cameras or interfering with the security system i.e. electric fence. Owner's, who fail to comply with the request, shall note that the affected plants may be trimmed or removed by the Glen Erasmia Board of Directors at a fee of R350.00 (Three Hundred and Fifty Rand). The Owner's shall allow the appointed service provider free access to the property to undertake this task

2.2 Architectural Standards

The following architectural standards shall apply to the Estate:

- 2.2.1 All building plans shall be finalised in accordance with the Architectural Guidelines (Section "B") applicable, and shall be approved by the Aesthetics Committee prior to submission for approval by the municipality. This includes any additions and alterations to existing structures, which include swimming pools, lapa's, boundary walls, and gates.
- 2.2.2 A fee of R400.00 (Four Hundred Rand) is payable with every new or alteration plan handed in for approval by the aesthetics committee. Failure, to apply for the requisite written permission from the Glen Erasmia Board of Trustees (via the Trustees / Aesthetics Committee) prior to the commencement of any alteration, addition or renovation as required in terms of the Rules shall result in an automatic penalty (see Penalty Summary) being levied against the respective owner.
- 2.2.3 All garden walls and fencing shall be approved by the Aesthetical Committee, with regards to type of material to be used, dimensions, and aesthetics.
- 2.2.4 All television aerials, satellite dishes and solar panels shall be aesthetically pleasing.
- 2.2.5 Lean-to's and carports visible from the street shall not be allowed. Permission to erect a lean-to or carports requires written authorisation from the Director's and neighbours. No permanent shade cloth structures of any nature shall be permitted, however all properties under construction shall be screened by means of a shade cloth structure, which shall be removed upon completion of the construction.
- 2.2.6 The Aesthetical Committee shall approve all roofing materials for patio's and outbuildings.
- 2.2.7 Permission be obtained from the Aesthetic Committee for the installation of solar heating / solar geysers, and a sketch shall be provided, which clearly indicates the exact position of the solar panels (see architectural guidelines for details).
- 2.2.8 Only SABS approved solar heating or solar geysers shall be permitted. Solar Geysers with an internal geyser are preferred especially where installations are street facing.
- 2.2.9 Any non-permanent structure which is visible to other properties shall not be permitted subject to affected property owner and aesthetic committee written approval. Non-permanent structures will not be used for any form of human occupation whatsoever.

2.2.10 Water Tank Installation- Above Ground Level

- 2.2.10.1 The water tanks must not be visible from the street front or it must be adequately enclosed, screened and concealed from the street.
- 2.2.10.2 The tank must not be exposed above the perimeter wall
- 2.2.10.3 Any gutters, downpipes and pump installations must be an aesthetically pleasing. Pump installations to be screened.
- 2.2.10.4 Written consent of the intention to install a water tank is required from adjoining neighbors prior to Aesthetics Committee approval. This will require a sketch/drawing of the installation indicating the position, size, material, screening and tank colour. The neighbour's (home owner) signature to be reflected on the document.

2.2.11 Water Tank Installation - Underground

- 2.2.11.1 Underground water tanks may not be installed between the boundary and building line of a property
- 2.2.11.2 The installation must comply with such national or local requirement that is applicable to water tanks.
- 2.2.11.3 A structurally sound and proper accessible underground chamber must be constructed where the tank will be placed
- 2.2.11.3 Any gutters, downpipes and pump installations must be an aesthetically pleasing. Pump installations to be screened.

2.2.12 Grey Water overflow must be drained in the existing drain system

2.3 Environmental Management

The following environmental management shall apply to the Estate:

- 2.3.1 Rubble or refuse may not be dumped or discarded in any public area, including the Boulevard, parks, streets, and common property utilities.
- 2.3.2 Residents shall leave common property areas they visit in a clean and tidy condition. Any pet faeces shall be removed by the pet owners.
- 2.3.3 Residents are encouraged to develop the habit of picking up and disposing of any litter encountered in the open spaces.
- 2.3.4 Picnicking shall be permitted on the Boulevard, providing that residents leave the picnic area in a clean and tidy condition and remove all garbage.
- 2.3.5 Flora may not be damaged or removed from any public area. Any person found contravening such rule shall be fined.
- 2.3.6 Fauna of any nature may not be chased or trapped in any public area, be it by people or

by dogs.

- 2.3.7 Residents are responsible for maintaining trees, plants and shrubs planted on their pavements by the Glen Erasmia Board of Directors.
- 2.3.8 Residents are expected to maintain a high standard of garden, Boulevard frontage and pavement maintenance.
- 2.3.9 Residents shall ensure that declared noxious flora is not planted or growing in their gardens.
- 2.3.10 Swimming pool / fish pond / water feature water may not be emptied into the streets, Boulevard, or the neighbouring properties but shall be channelled into the property's drainage system (gully). This is in accordance with Council Regulation P3 (4).
- 2.3.11 All fish ponds and swimming pools shall be covered with a net in accordance with the municipal bylaws.
- 2.3.12 Rainwater may not be channelled into the drainage system.
- 2.3.13 Vacant stands shall be kept clean on a regular basis to the satisfaction of the Glen Erasmia Board of Directors, and if not maintained, the Glen Erasmia Board of Directors reserves the right to clean the stand at the owner's expense.
- 2.3.14 The use of the open space areas and the Boulevard is entirely at the residents' own risk at all times.

2.3.15 The Boulevard common area:

The function shall be booked by the resident at the estate office three working days in advance by completing/signing the form and payment of the deposit.

2.3.15.1 Private Functions/Gatherings

When any resident plans to hold a private function, the following must be considered;

2.3.15.2 At place of residence:

Sound level and duration of high levels of sound especially after 22:00 which could result in neighbour complaints. In this case the affected neighbours and/or estate office should be notified in advance.

When the function requires special logistical arrangements as result of the number of visitors that will enter the estate and type of function, assistance by the estate office should be requested. The Estate Manager may reserve the right to limit the amount of visitors due to parking/security reasons. No request will be unreasonably denied.

In addition to above, for any religious/cultural functions or gatherings, it is the responsibility of the resident to ensure that there is compliance of all prescribed Ekurhuleni municipal by-laws.

- 2.3.16 Backup generators must be installed as far as possible from any neighbour and shall beadequately muffled so as not to disturb any resident. The Generator shall not be opposite any neighbour's bedroom for noise or exhaust gasses.
- 2.3.16 Residents shall not use fertilisers or garden products that produce an unpleasant odour e.g. Guano

2.4 Use of the Boulevard by Residents

The following shall apply to the use of the Boulevard:

Behaviour in the common area (with the focus on the boulevard) of the estate that contribute to a hostile, humiliating or intimidating environment, including the use of abusive language should not be practiced or tolerated.

Any resident (also representing his/her family/friends) who believes he/she was subjected to such unacceptable behaviour, should first attempt to resolve the issue first with the affected party. The affected resident may also request assistance from the GEHOA by reporting all relevant details of the incident as soon as possible to the Reaction Officer (RO) and/or/Estate Manager. Also if any unacceptable behaviour was witnessed, it can be reported by Keystone (as seen on the cameras) or the RO.

The Estate Manager will provide support by reviewing all the reports and other evidence with urgency. Each case will be treated on merit and depending on the seriousness, present the case to the Legal committee/BOD before a penalty is applied. It will not be expected for the Estate Manager to get involved in any personal dispute between two parties. Feedback to be given to the affected member.

- 2.4.1 No children under the age of eighteen (**18**) are allowed on the Boulevard unaccompanied by an adult **RESIDENT** of the Estate after 21H00, furthermore, the said adult resident shall be fully accountable for all minors in his / her care, with any transgressions carried out by the minors being the full responsibility of the accompanying adult.
- 2.4.2 Shall the transgressors **NOT** identify themselves as residents, or as visitors of residents, they shall be requested to leave the Estate immediately and may be charged with trespassing through the involvement of the South African Police Service (SAPS).
- 2.4.3 Excessive noise, including the playing of vuvuzelas in the Boulevard or other public areas, shall not be permitted.
- 2.4.4 Residents and children shall have a right of access to the Boulevard, for the purpose of walking, jogging, picnicking, trading (with the consent of the Glen Erasmia Board of Directors), and playing.
- 2.4.5 Children shall at all times have the first priority with regards to the use the walkways / pathways.
- 2.4.6 The playing of games or sports with hard cricket or golf balls, which may cause injury or damage to adjoining properties, shall not be permitted on the Boulevard. Such, balls shall be confiscated.
- 2.4.7 Owners and residents are responsible for their own safety when walking or jogging, or otherwise using any public area, and no liability for the consequences of any injury sustained during the performing of such activities, shall be that of the Glen Erasmia Board of Directors.
- 2.4.8 The use of drugs, alcohol, or smoking near the trampolines, or smoking of hubbly bubbly shall not be permitted.
- 2.4.9 Malicious or negligent damage to Estate / Private Property, including the deliberate

breaking of glassware, shall not be acceptable and a fine of R5000 shall be imposed and the resident or parent shall be liable for any repairs to such property.

2.5 Security

The following security measures shall apply to the Estate:

- 2.5.1 All residents shall obtain an access card for the Estate. The security access points shall be manned 24-hours a day. Proof of residence shall be required when purchasing an access tag. If a resident is not in possession of an access tag he / she shall be required to be announced upon entering the Estate.
- 2.5.2 Residents leaving or entering the estate shall use their own access card. This includes anyone on foot or bicycle.
- 2.5.3 Residents who do not have their access cards with them shall be treated as a visitor. The resident code **(RES)** code for the name or address shall be phoned for confirmation/announcement.
- 2.5.4 Should a Resident use his or her spouse's access card and it does not open the boom he / she shall be treated as a visitor and the **(RES)** code for the name or address shall be phoned for confirmation and entrance.
- 2.5.5 Should, a child use a parent's access card, he / she shall be treated as visitor and the parents shall be contacted prior to letting the child in. The child shall then be announced and announcements done of the number of persons accompanying him / her. The parents shall also be informed that visitors are accompanying the child. If the parents cannot be reached only the child shall be allowed into the estate.
- 2.5.6 Should it be found that a domestic worker or gardener is using a resident's access card, the card shall be confiscated and access shall not be granted. They shall then be allowed to exit the property / Estate.
- 2.5.7 Should a friend of a resident enter by using a resident's card the same procedure shall apply as per section 2.5.6 above.
- 2.5.8 When minors exit the estate, the parents shall be contacted for authorisation so as to allow them to exit.
- 2.5.9 The security guards or any employees of the Glen Erasmia Board of Directors may not be hindered in the performing of their duties or abused under any circumstances.
- 2.5.10 All security rules as published at the gate and elsewhere shall be adhered to at all times.
- 2.5.11 The personalised access tag system for permanent workers, temporary workers and contractors and maintenance contractors shall be conscientiously enforced by every owner with respect to people in his / her employ. All tags shall have a photograph on the tag.
- 2.5.12 All permanent workers, temporary workers, contractors and maintenance contractors shall provide proof of identification when applying for an access tag. Only an original ID

document, valid passports, valid work permits, valid asylum seeker permits or South African driver's licenses shall be accepted.

2.5.13 All the service provider supervisors, working on multiple sites, are required to have an access tag.

2.6 Non-negotiable Rules

The following rules are considered to be non-negotiable and no exceptions shall be made.

- 2.6.1 A contractor may not leave the site where they have been off-loaded unless transported by the contracting company or resident in person.
- 2.6.2 Each owner shall ensure that visitors and contractors adhere to security rules and residents are obliged to always treat the security personnel and all other employees of the Glen Erasmia Board of Director's in a co-operative and courteous manner.
- 2.6.3 Every owner shall ensure that contractors in his employ adhere strictly to the security stipulations of the Building Contract Activity as stipulated in Section "C".
- 2.6.4 All attempts at burglary or instances of fence jumping shall be reported to a member of the security staff and the Estate Manager immediately.
- 2.6.5 Security is an attitude, be aware that you need to enforce and apply security to make it work. Do not hesitate to contact Security Manager / Estate Manager, shall you observe a suspicious person or activity.
- 2.6.6 The necessary provision will be made for visitors according to the provision made through ClickOn system.
- 2.6.7 Alternatively, the resident shall be notified by means of announcement, of a visitor, and they shall be required to approve access for the visitor. If the resident cannot be reached, and entry therefore not allowed, the visitor shall not be allowed entry to the estate.
- 2.6.8 The Estate property shall be patrolled on a random basis by security guards and the Reporting Officer (RO).
- 2.6.9 Entrance gates to the Estate shall be closed or locked during the following hours:
 - Top gate
 - Weekdays and Weekends – Locked between 22h00 – 05h00, the top Gate shall not be opened during these hours.
 - Bottom gate
 - Weekdays locked between – 22h00 - 05h00
 - Weekends locked between – 00h00 – 05h00

Note: The bottom gates shall be opened by the security staff on duty, for residents and visitors upon arrival or exiting. The same procedure for visitors will be followed.

2.7 Tenants, Visitors, Contractors and Employees

The following shall apply to tenants, visitors, contractors and employees:

- 2.7.1 Should any owner let his / her property; he / she shall advise the Glen Erasmia Board of Directors in writing in advance of occupation, the notification shall include the name of the Lessee, and the duration of such lease. The owner shall inform the Lessee of all Estate Rules and other rules, and the Lessee shall be bound to adhere to such rules. The Estate rules shall be included as an annexure to the lease agreement.
- 2.7.2 The residents of any property within the Estate are liable for the conduct of their visitors, contractors and employees, and shall ensure that such parties adhere to the Glen Erasmia Board of Directors Rules at all times.
- 2.7.3 Contractors, visitors and employees may only enter the Estate if they are in possession of a valid access card or pincode or they have followed the contractor's procedure of announcement or pre-clearance sms announcement. All visitors must be in possession of a valid ID, drivers licence or passport. Such persons **may not** be transported in by a resident in order to bypass the system, attempting to do so shall result in a penalty.

2.8 Registration of Permanent Domestic Workers and Garden Employees.

The following shall apply to the registration of permanent domestic workers and garden employees:

- 2.8.1 The resident shall register his / her permanent employees with the Estate Manager's Office on the day that the employee commences employment.
- 2.8.2 The employee shall be registered on computer the first day prior to entering the Estate, and they shall be issued with an access tag at the cost as determined by the Board of Directors and is to be paid by the resident. Thereafter, these employees shall gain access by means of the access tag.
- 2.8.3 The requirements for registration are as follows:
 - An original Green Bar-coded South African Identity Document (ID book)
 - Or
 - An original temporary ID document, as issued by the Department of Home Affairs,
 - shall be accepted and valid for a period of three **(3)** months. This form shall be accompanied by additional proof of identification for the first time registration, such as birth certificate or passport.
 - Or
 - Passport – **ONLY** valid passports, containing a valid work permit shall be accepted
 - No photo copies of the ID documents or work permits shall be accepted unless

such a photo copy has been certified by the SAPS within the previous six **(6)** months, if the six **(6)** month period has expired a new certified copy will be required.

- 2.8.4 The following shall not be accepted as proof of identity:
- ID cards issued by their employers or any other estate or company
 - Letters from employers or any organisation including the SAPS.
- 2.8.5 Only original documents or documents certified by the SAPS within six **(6)** months shall be accepted.
- 2.8.6 The Right of Admission is Reserved and at the sole discretion of the Board of Directors or the appointed representative, and subject to the rules and regulations of the Glen Erasmia Home Owners Association.
- 2.8.7 Non-resident domestic employee access will only be validated for the specific days they are working for the resident. Each resident must register his or her domestic employees regardless of whether they are employed by more than one resident.
- 2.8.8 Announcement of casual workers - Casual workers shall be escorted by the owner and recorded in and out at the gate each day through announcement and pincode. Owners shall be responsible to ensure their employees/workers comply with all security requirements as well as estate rules. The worker will receive a pincode upon announcement which allows one entry and one exit per 24 hours.

2.9 Letting and Sale of Property

The following shall apply to letting and sale of property:

- 2.9.1 The owner/rental agent shall ensure that any person to whom he sells or leases his / her property is aware of, and bound to all the Estate rules and the regulations, including the Architectural guidelines (Section "B").
- 2.9.2 It is the owner's responsibility to ensure that the lessee complies with the Consumer Protection Act.

Revised Rule.

2.9 Letting and Sale of Property

The following shall apply to letting and sale of property:

- 2.9.1 The owner/rental agent shall ensure that any person to whom he sells or leases his / her property is aware of, and bound to all the Estate rules and the regulations, including the Architectural guidelines (Section "B").
- 2.9.1.1 Rental period: - The owner/rental agent is prohibited renting out his/her property for a period that is less than six (6) months in length.
- 2.9.1.1.1 The owner/rental agent shall not enter into any lease agreement wherein he/she leases his/her property for a period that is less than 6 months with the same lessee.

2.9.1.1.2 The above mentioned 6 month period may be shorted provided the owner/rental agent obtains written approval from the Homeowners Association Board to enter into a lease agreement for a period less than 6 months.

2.9.2 Sub-Rental: - Sub leasing of any property is strictly prohibited.

2.9.2.1 The owner/rental agent shall not enter into any lease agreement which allows for the sub leasing of the property or any part of the property.

2.10 Pets

The following shall apply regarding pets:

2.10.1 The local municipal authority bylaws relating to pets shall be strictly enforced.

2.10.2 A maximum of two dogs and two cats may be kept on the property.

2.10.3 Poultry, wild animals or livestock shall not be allowed to be kept as pets within the boundaries of the Estate property.

2.10.4 Pets shall be on a leash and accompanied by the owner when in the streets, on the Boulevard or any other public area at all times.

2.10.5 Should any excrement be deposited in a public area; the immediate removal thereof shall be the sole responsibility of the pet owner.

2.10.6 Any dog excrement deposited in the private garden areas shall be cleaned up on a regular basis.

2.10.7 Every pet shall wear a collar with a tag indicating the name, telephone number and address of its owner. Stray pets; without identification tags, shall be apprehended and handed to the S.P.C.A. at the cost of the owner should the owner's identity be established.

2.10.8 The Glen Erasmia Board of Directors reserves the right to prohibit, restrict, or control the keeping of any animal, which they regard as dangerous, or a nuisance in accordance with the Mol Rules of the Glen Erasmia Boulevard Home Owners Association.

2.11 Administration

The following shall apply to the administration:

2.11.1 All new residents shall be required to sign a debit order for levies.

2.11.2 All levies as determined by the Directors and verified at an AGM or special residents meeting, shall be due and payable on or before the seventh (7th) of each and every

calendar month.

- 2.11.3 Owners in arrears at the seventh (**7th**) of the following month shall be liable to pay interest, (at 3% above the current ABSA Bank prime overdraft rate) and such interest shall be applied to the full amount overdue, from the first (**1st**) of the month up until the date of payment and an administration fee for non-payment of R200.00 (Two Hundred Rand) per month shall be levied on the owner's account.
- 2.11.4 Owners in arrears after thirty (**30**) days shall immediately pay on being billed the full amount overdue / in arrears, plus the next levy due, plus interest (calculated at 3% above the current ABSA Bank prime overdraft rate) on the full overdue amount up until the date of payment and any outstanding penalties.
- 2.11.5 Owners in arrears after thirty-three (**33**) days shall have their overdue account, and the full interest thereon, handed over for collection and possible legal action. Any costs incurred by such proceedings (including legal fees of an attorney and own client basis) and all additional interest up to and including the date of final settlement of the account shall be for the Owner's account.
- 2.11.6 Any interest incurred on, or collection fees for overdue levies, shall be considered to be part of the levy and treated as such, and it shall be for the owners account.
- 2.11.7 In exceptional circumstances, where an Owner may have a singular problem regarding payment of dues, he may approach the Association in writing through the Estate Manager, with a request for a special consideration and / or temporary relaxation of the above rules, which consideration and any resulting decision shall be entirely at the discretion of the Board of Directors.
- 2.11.8 Owners in arrears after thirty-three (**33**) days shall have their access cards cancelled and shall be required to use the normal procedure for visitors in entering and exiting the Estate.
- 2.11.9 Levy amounts may not be reduced to offset against real, perceived, partial or non-provision of services or for any other reason unless previously discussed with and sanctioned by the Association.
- 2.11.10 Owners who are "away" at month-end shall make the prior arrangements to ensure the Levies are paid by due date. (Being "on "holiday", "away overseas" or "away on business" and like excuses are not deemed as acceptable reasons for late payment of Levies).
- 2.11.11 Members are encouraged to effect payment by way of debit orders, which can be signed at the offices of the Association.
- 2.11.12 Each and every owner hereby chooses and appoints the immovable property of which he, she or it is the registered owner in the Home Owners Estate as its *Domicilium Citandi Et Executandi* for purposes of service of any notices and legal process.
- 2.11.13 Special levies may be raised from time to time to improve the Estate. Such levies shall be communicated via a special general meeting of the home owner's association / residents.

2.11.14 The Directors may amend or add to the Estate Rules from time to time, as may be deemed necessary to ensure the happy and orderly co-existence of the residents. Any such amendments shall be communicated at the next annual general meeting.

2.11.15 The Directors have the right to fine transgressors where any of the rules as stipulated by the Glen Erasmia Board of Directors have been broken. Such penalties shall form part of the levy and be due and payable on due date of payment of the levies.

2.12 Appeal Process

The appeal process for a resident shall be as follows:

2.12.1 The appeal process shall be lodged with the Estate Manager within seventy-two (72) hours of having received the penalty.

2.12.2 A detailed appeal clearly indicating the mitigating circumstances to be considered as part of the appeal shall be submitted with the application for appeal.

2.12.3 The Glen Erasmia Board of Directors (Specific portfolio to which the infringement has occurred) will consider the appeal.

2.12.4 Once the appeal has been reviewed by the Glen Erasmia Board of Directors the affected party will be notified of a meeting set date (suitable for all affected parties)

2.12.5 The outcome of the appeal will be discussed with the affected party and where a ruling is made this will be recorded on the affected parties resident file

2.12.6 In the event of a similar infringement occurring which has been withdrawn by the Glen Erasmia Board of Directors in the past the previous infringement will be applied.

2.13 Building Contractor Activity

For the detailed building and contractor activity refer to Section "C" for the complete Building Rules

2.14 Streets and Traffic Rules

The streets of Glen Erasmia Boulevard are for the movement of all occupants, whether by foot, or mechanical means.

2.14.1 The speed limit within the Estate is restricted to **20 kilometres per hour (20k/hr.)**.

2.14.2 Save for the above, the Gauteng Road Traffic Ordinance shall remain in force within the Estate and the traffic police may police the roads within the Estate.

2.14.3 Any transgression of the rules of the road may incur a penalty including non-compliance in respect of the following:

- Not stopping at a stop street
- Speaking on a cell phone

- Unlicensed drivers
- Not wearing a crash helmet
- No license plates or licence disks
- The use of off-road vehicles (Quad motorcycles / scramblers / go carts) is strictly forbidden.

2.14.4 The use of any motorised vehicle (battery or petrol) or motorbikes or peddle toy cars is strictly forbidden.

2.14.5 Motorised bikes or any vehicles driven without a licence or by a minor shall not be permitted.

2.14.6 Reckless and negligent driving is strictly forbidden (including speeding)

2.14.7 Parents are responsible for ensuring that their children play in the dedicated areas within the Boulevard and do not play in the streets.

Quads (4-wheelers), off-road motorbikes, go-carts or any motorised type leisure vehicles shall **NOT** be permitted to make use of the streets, Boulevard or vacant sites within the Estate. **Only licensed vehicles with registration plates shall be allowed. Penalties shall be levied shall this rule not be adhered to.**

2.14.8 Parking on sidewalks and in the street opposite or within traffic islands is not permitted. The blocking of access to properties shall not be permitted, where possible both sides of the roadways shall be kept free of stationary vehicles.

2.14.9 Residents are reminded that pedestrians shall frequently cross streets at designated Boulevard crossings in the Estate, and motorists shall always approach such crossings with caution.

2.14.10 Vehicles are not permitted to park in the boundaries of the boulevard.

2.15 Good Neighbourliness

2.15.1 The volume of music or musical / electronic instruments, partying and the activities of domestic help shall be tuned to an acceptable level.

2.15.2 The mechanical maintenance, and the use of power tools, lawnmowers, weed-eaters and the like (electric mowers are preferred), shall only be utilised between the following hours:

Monday – Friday between	07:00 – 19:00
Saturday	07:00 – 18:00
Sundays between	09:00 – 13:00.

2.15.2 Washing may only be hung on lines screened from the street and neighbouring properties.

2.15.3 Refuse, garden refuse, and refuse bags may only be placed on the pavement on the morning of collection. Collection dates shall be placed on the notice boards at the entrances / exits to the Estate.

2.15.5 **Issues between neighbours should be handled between the two parties. These**

issues may include: annoyance, unreasonable disturbance (which includes barking of dogs), being a nuisance and any other private matters. The Estate Manager, or any Director, will not get involved in resolving these type of issues. However, the resident can report in writing, if non-compliance of an estate rule has been observed.

2.15.6 Non-disruptive work (like painting), is allowed on completed properties which requires the services of external service providers or casual workers on Saturdays only until 18:00. Refer to Section "C" for building hours for contract workers.

2.15.7 Contractors Delivering a Regular Service as per a Contract

2.15.7.1 Any service provider that has entered into a contract with an owner/resident to deliver a regular service (garden services, pool maintenance etc.) shall deliver the service between the following hours.

Monday to Friday

07:00 – 18:00

Saturday, Sunday and Public Holidays Owner/resident to obtain special permission from the estate office to perform ad-hoc work.

2.16 General Rules

2.16.1 Should any resident wish to run a business from home, a written application shall be handed to the Board of Directors for approval prior to inception, however the municipal by-laws shall be complied with at all times. Written response shall be given to the resident and approval, and it shall not be unreasonably withheld. The parking of customer vehicles shall be within the rules of the Estate.

Revised Rule

2.16 General Rules

2.16.1 Should any resident wish to run a business from home, a written application shall be submitted to the HOA Board of Directors for approval prior to inception of said business; the Boards' decision shall not supersede any municipal by-law that may be applicable to the business request, and same shall be complied with at all times. Written response shall be given to the resident, where approval shall not be unreasonably withheld. The parking of business customer vehicles shall conform to the rules of the Estate.

2.16.2. The following types of businesses are not permitted within the Estate:

- A. Any business where the owner's property is let out for holiday or short-term accommodation
- B. Any business that contravenes the terms of the HOA 'good neighbourliness' rule (i.e. noise);
- C. Any business that poses a security risk to the Estate.

- 2.16.2 Children are not permitted to play on building sites or houses, which are not occupied. If a child is caught on a building site, the parent shall be fined. The Glen Erasmia Board of Directors shall **NOT** be responsible for any injury, death or damage caused to the site due to children playing on these sites.
- 2.16.3 Fireworks of any kind are not permitted / allowed to be set off within the Estate.
- 2.16.4 Any industrial activity outside the boundaries of the Estate, excluding the service road, is not the responsibility of the Glen Erasmia Board of Trustees.
- 2.16.5 Trucks with abnormal loads, horse and three **(3)** axle trailers or interlinks with trailers with furniture are not allowed to enter the Estate. Vehicles with trailers shall park outside and the trailer detached and taken in separately.

2.17 Queries/Suggestions/Complaints

The Estate Manager or any board member is always willing to assist with reasonable requests/enquiries. In the first instance, all complaints (not personal between residents), problems and suggestions should be directed in writing to the Estate Manager. The Estate Manager has the responsibility to investigate and take appropriate action as required. Requests will be dealt with expeditiously as possible and feedback to resident will be provided. The resident may request in special circumstances a special meeting with the Estate Manager or Chairperson of the board.

3 SECTION "B" - GLEN ERASMIA BOULEVARD HOME OWNERS ASSOCIATION ARCHITECTURAL GUIDELINES

3.1 Architectural Standards

All building plans shall be finalised in accordance with the Architectural Guidelines, and they shall be approved by the Aesthetical Committee. This applies to new dwellings as well as alterations to existing structures, which includes swimming pools, lapa's, boundary walls and gates.

- 3.1.1 An aesthetical fee of R400.00 (Four Hundred Rand) is payable with every new or alteration plan submitted for approval.
- 3.1.2 All garden walls and fencing shall be approved by the Aesthetical Committee prior to erection with regards to the type of material, dimensions and aesthetics.

3.2 Building Plans

The following shall be applicable to building plans:

Plans, including the site plan, shall be submitted to the Aesthetical Committee for consideration of the conceptual design principles, improvements, alterations proposed.

- 3.2.1 A copy **(1)** of the original plan shall be submitted with any request for alteration.
- 3.2.2 Working drawings in compliance with the approved sketch plans, together with a fee of R400.00 (Four Hundred Rand), are to be submitted to the Aesthetical Committee for approval, prior to being submitted to the local authority for approval. Once these plans have been approved by both the Aesthetical Committee and the local authority, the owner shall register for building activity at the Estate Manager's office before any building activities may commence.
- 3.2.3 All plans shall satisfy the requirements contained in the National Building Regulations and Glen Erasmia Architectural Guidelines (Section C).
- 3.2.4 The design of the dwelling and the entire stand shall show sensitivity to the existing natural features, flora and topography. Newly planted trees may not be removed.
- 3.2.5 Surrounding structures shall be taken into account when designing the dwelling.

3.3 Architectural Requirements

- 3.3.1 The main dwelling, including garages, shall be no less than 200 square meters **(200m²)**.
- 3.3.2 Elevation treatment of all buildings shall conform to good architecture, so as not to interfere with or detract from the general appearance of the neighbourhood. The

integrity of the architectural style used shall be considered. It is therefore advised to make use of architects for the design of houses.

- 3.3.3 Timber constructed houses shall not be allowed e.g. log cabins, split poles and timber structures of any nature.
- 3.3.4 Attention shall be given to the design of parapets, fascia's, coping eaves, roof trim, guttering, roofing finishes and general construction details. No reflective / galvanised material, normal corrugated iron sheeting may be used and this includes roofing material, gutters and lightning masts etc.
- 3.3.5 Exterior finishes and colours shall be indicated on all colour drawings. Pastel colours are preferred.
- 3.3.6 Awnings and tower items, which do not form part of the basic structure shall be clearly indicated and annotated on all drawings.
- 3.3.7 Where solar heating is proposed / required, the Aesthetics committee shall be notified of the type and position so as to minimise an unsightly installation. Where possible, solar panels shall not be street facing. Only South African Bureau of Standards (**SABS**) panels shall be installed. Where possible solar panels which include an internal and not external geysers shall be installed. Heat Pumps are encouraged but care shall be taken so as not to place the Pump where the neighbours may be disturbed.
- 3.3.8 Written consent shall be obtained from the neighbours prior to the submission of the request to install a solar panel / geyser.
- 3.3.9 Outbuildings and additions, including swimming pools, lapa's and boundary walls, shall match original design and style of the main dwelling, both in elevation consideration, as well as materials, etc. New plans shall be submitted to the Aesthetical Committee for approval, where after plans shall be submitted to the local municipal authority in the normal way for approval and then registered at the Estate Manager's office after approval, if added at a later date. These plans shall be accompanied by a fee of R400.00 (Four Hundred Rand).
- 3.3.10 Staff accommodation and kitchens are required to open onto a screened yard or patio.
- 3.3.11 Perimeter and screen walls shall match the basic materials of the unit. No pre-cast concrete panels, palisades or picket fences are permitted. Should the owner wish to erect a gate in the front of the property, the Aesthetical Committee shall approve this as well as roofing materials for patio's and outbuildings.

Dwellings abutting directly onto the Boulevard are permitted to have direct access onto the Boulevard.
- 3.3.12 The aesthetics of the interface between the residential stands and the Boulevard are considered to be extremely important. In order to preclude an unsightly series of solid walls being erected on the edge of the Boulevard, only the wall or fencing authorised in writing by the Aesthetical Committee shall be permitted.
- 3.3.13 The stands are designed to link freely with the Boulevard and may encourage arts and

crafts or other interesting activities to create an art or flea market atmosphere within the Boulevard.

- 3.3.14 The Home Owners can also use their homes for exhibitions / retail or other activities as approved by the Glen Erasmia Board of Directors. This shall encourage activity and interest along the Boulevard axis and interaction with pedestrians at the time and to the extent that the Home Owners prefer. Specific rules in this regard shall be drawn up by the Glen Erasmia Board of Directors.
- 3.3.15 The height of the dwelling shall not exceed 9.5m from the natural ground level to the highest point of the roof ridge. Thatch roofs may not exceed 11m to highest point of the roof ridge.
- 3.3.16 All exposed plumbing shall be adequately screened in ducting and enclosed from sight of neighbours and the street.
- 3.3.17 Steel frame windows shall not be permitted; only aluminium or timber shall be permitted. Garage doors may be from either Glass Fibre Reinforced Resin, Wood grain Textured Steel or Timber. Roller doors shall not be permitted.
- 3.3.18 Soil conditions shall be taken into account when designing the dwelling and an Engineer's certificate obtained.
- 3.3.19 A minimum of a five **(5)** meter building line along street boundary shall be observed / adhered too and a two **(2)** meter building line along all other boundaries shall be observed / adhered too.
- 3.3.20 Despite having received permission from adjoining neighbours and the local municipal authority for the relaxation of the building lines, building lines may not extended more than two **(2)** meters along the street boundary and one **(1)** meter along all other boundaries.

3.4 Approval

- 3.4.1 Notwithstanding the fact that the building plans may comply with all the above, the approval or rejection of such plans shall be at the sole discretion of the Aesthetical Committee, which approval shall not be unreasonably withheld.
- 3.4.2 The architectural style of the house shall be considered in relation to that of other houses in the area, as well as aesthetic appearance and the proposed setting of the building, and such other factors as the Aesthetical Committee in its entire discretion may deem suitable.
- 3.4.3 Nothing in the above shall be construed as permitting the contravention of the Conditions of Title to any erf or any by-laws or regulations of the local municipal authority.
- 3.4.4 Every effort shall be made to ensure that these standards are observed by all stand purchasers. However, the right of final approval of the building plans ultimately vests in the Local Municipal Authority and no assurance can be given to individual purchases

that the above standards shall be adopted throughout the Estate.

3.5 Telephones

Home Owners are required to provide the following for a telephone service.

- 3.5.1 A 32mm diameter conduit from the dwelling to the Telkom connection on the boundary of the erf. (Conduit shall comply with Telkom specifications) and it shall be supplied by the owner / resident.
- 3.5.2 A 100 × 100 × 50mm waterproof box to be installed on the outside of the house.
- 3.5.3 A 25mm diameter conduit shall be from the waterproof box to the point within the dwelling where telephone points are required.
- 3.5.4 **NOTE:** No bend in the conduit may have a radius of less than 600mm.

3.6 Boreholes

- 3.6.1 Boreholes are not permitted within the Estate other than the Boulevard.

3.7 Late Building Penalty - Construction

- 3.7.1 A two (2) year construction period from registration of first owner who purchased a stand is granted. Should the property be sold within the two years, only the remaining period will apply to the subsequent owner(s). Thereafter a penalty of R1, 500-00 (One Thousand Five Hundred Rand), as per the penalty structure, will become payable monthly with the normal levy until the construction process has commenced.
- 3.7.2 Once construction has commenced, an increased monthly late building penalty of R4, 500-00 (Four thousand five hundred rand) will be applied after a twelve (12) month period, if the construction has not been completed. Completion is considered when a copy of the Certificate of Occupancy has been submitted to the estate office.

3.8 "Late Building Penalty – Additions/Alterations

- 3.8.1 *A time limit of six (6) months shall be allowed for any addition or alteration to be completed, thereafter a late building penalty of R1,500-00 (One Thousand Five Hundred rand) per month, as per the penalty structure, shall be imposed. The limit will commence with the payment of the building deposit.*
- 3.8.2 *If the addition or alteration has not been completed after twelve (12) months, an increased monthly late building penalty of R4, 500-00 (Four thousand five hundred rand) will be applied until a completion site inspection is requested by the home owner."*

3.9 A copy of the Ekurhuleni Metropolitan Municipality Certificate of Occupancy is required to be handed to the Estate Manager's office before occupation takes place.

**4 SECTION "C" - GLEN ERASMIA BOULEVARD HOME OWNERS ASSOCIATION OWNER
BUILDER AND BUILDING CONTRACTORS RULES**

4.1 Introduction

Certain rules relating to building contractor activity on the Estate have been adopted by the Glen Erasmia Boulevard Home Owners Association (Glen Erasmia Board of Directors), the legal representative of residents and property owners at Glen Erasmia Boulevard.

The primary intention of these rules is to ensure that all building activity at Glen Erasmia Boulevard is conducted with the minimum of inconvenience and disruption to residents. In the event of any queries in this respect, stand owners and / or their contractors are most welcome to contact the Estate Manager's Office

4.2 Legal Status

The following shall apply with regards to the legal status:

- 4.2.1 The rules and regulations governing building activity as set out in this document are binding on all residents, stand owners, including NHBRC building contractors and sub-contractors.
- 4.2.2 Furthermore, all residents and stand owners shall be obliged to ensure that their building contractors and sub-contractors are made aware of these rules and that they are strictly complied with.
- 4.2.3 Residents are accordingly required to include these rules in their entirety in any building contracts concluded in respect of any property on the Estate.
- 4.2.4 The Glen Erasmia Board of Directors has the right to suspend any building activity deemed to be in contravention of any of the conditions (as set out in this document or amendments made) and shall not be held responsible for any losses sustained by a resident, stand owner, contractor or sub-contractor as a result thereof, or shall accept any claims for damages.
- 4.2.5 All stand owners and their NHBRC Builders shall register with the Estate Manager's Office, to sign the contractor's rules prior to any building activity commencing.
- 4.2.6 Any contravention of any of the rules and regulations in this Section may / shall result in legal action being taken against those parties involved as well as the NHBRC registered builder and the stand owner.
- 4.2.7 All employees of Glen Erasmia Boulevard Home Owners Association and Staff employed by the Glen Erasmia Board of Directors shall be treated in a courteous and co-operative manner and they shall not be abused or assaulted under any circumstances.

- 4.2.8 Any individual / contractor / sub-contractor who behave in an unacceptable manner shall be liable for a fine, and may be expelled from the Estate, and may have legal action taken against them. A resident shall be liable for a fine which shall be determined by the Board of Directors, based on the nature of the offence.
- 4.2.9 The resident shall remain responsible for the behaviour of the contractor and shall be held liable for the payment of any fines.

4.3 Site Preparation

Work may **NOT** commence on a stand until the following requirements have been fully adhered to:

- 4.3.1 Original plans approved by the Aesthetical committee and the Local Municipal Authority, and approved plan shall be presented to the Estate Manager's Office for perusal / confirmation of such approval.
- 4.3.2 Any building alterations, swimming pools and lapa's added after the original construction of the home, shall still be approved by the Aesthetical committee as well as the local Municipal Authority and also be presented to the Estate Manager's Office for perusal / confirmation of such approval.
- 4.3.3 A copy of the NHBRC builder's registration certificate, including any sub-contractors, and the enrolment certificate shall be lodged with the Estate Managers Office at time of registration of the building contractor.
- 4.3.4 The R1, 500.00 (One Thousand Five Hundred Rand) building deposit shall be paid to Estate's Managing Agents. This deposit shall only be refunded on total completion of the house and is subjected to a site inspection by the Estate Manager / Aesthetics Committee.
- 4.3.5 A copy of the Occupancy Certificate issued by the Ekurhuleni council is also required. Any damage caused to road kerbs, plants, manholes, telephone boxes and / or irrigation systems shall be repaired by the estate and the costs thereof recovered from the deposit.
- 4.3.6 The water connection, water meter and tap shall be installed on site prior to the commencement of any construction.
- 4.3.7 A construction toilet connected to the main sewerage system shall be installed on each stand prior to construction, and it shall be screened from the street as well as the neighbouring properties.
- 4.3.8 All levies shall be paid in full and up to date prior to any construction commencing.
- 4.3.9 Building Notice Board
- Only the registered NHBRC builder may display his building notice board on site, and it shall clearly display the stand number, name of the resident of the site under construction

- Such notice boards shall be erected on the actual stand and not on the sidewalks; all notice boards shall be removed upon completion of construction
- No sub-contractor's notice boards or information shall be permitted.

4.4 Registration of Employees

- 4.4.1 The owner / builder or the NHBRC registered builder shall register all his workers and every new sub-contractor and his workers with the Estate Manager's Office prior to the commencement of any building activity / work being undertaken on the stand.
- 4.4.2 The workers shall be registered on the Estate computer and access control system on the first day, and they shall be issued with an individual access tag at the cost as determined by the Board of Trustees, payable by the contractor or sub-contractor. Thereafter each worker shall gain access by means of the individual access tag, which shall be renewed every two **(2)** months at no additional cost to the contractor / sub-contractor.
- 4.4.3 The following requirements for registration shall be adhered to:
- An original green South African ID book
- Or
- Only original temporary ID documents issued by the Department of Home Affairs shall be accepted for a period of three **(3)** months. This form shall be accompanied by additional proof of identification for the first time registration, such as birth certificate or passport
- Or
- Passport: **ONLY** a valid passport, which contains a valid work permits shall be accepted
 - No photo copies of ID documents or work permits shall be accepted
 - A valid driver's license shall be accepted as proof of identity.
- 4.4.4 The following shall not be accepted as proof of identity:
- ID cards issued by companies to their employers or any other estate or company means of identification
 - Letters from employers or any organisation including the SAPS.

Note: Only original documents shall be accepted or South African Police Services (SAPS) certified copies which, have been certified within the last six (6) months, certified documents exceeding the six (6) month period shall be re-certified prior to presentation of the document.

- 4.4.5 The **Right of Admission to the Estate is reserved**, and it shall be at the sole discretion of the Glen Erasmia Board of Directors, or their nominated representative, and it shall

be subjected to the rules and regulations of the Glen Erasmia Home Owners Association.

Note: No valid form of identification as indicated / listed above shall result in No Entry into the Estate.

Note: Should any contractor / sub-contractor or their employees be caught using another individuals access tag, the tag shall be confiscated and the contractor / sub-contractor or their employee shall be denied access until a fine has been paid.

Any abuse albeit verbal or otherwise shall result in the contractor being refused entry to the estate or in the case of a resident, a penalty shall be imposed, such a penalty shall be payable prior to any further work commencing.

4.5 Procedure for Access and Egress at the Contractors Entrance

All day to day contractors and sub-contractors who do not have valid access cards shall be required to enter according to the current access control system. Upon leaving the estate the access pincode will be utilised.

- 4.5.1 For long term contractors, a Personalised Access Tag System can be obtained in the office to gain access to Glen Erasmia Boulevard. These tags are available at a fee as determined by the Board of Directors and all the tags shall be reactivated every two **(2)** months at no additional cost.
- 4.5.2 The following documentation is required to register a construction company, sub-contractors and all their employees:
 - Copy of the construction company's NHBRC Certificate
 - Copy of the dwelling's NHBRC Enrolment Certificate
 - Only original green bar-coded South African identification documents shall be accepted to register contractors, sub-contractors and their employees.
- 4.5.3 When registering for a contractor, sub-contractor and employees the first time, only the owner of the construction company shall be permitted to register the company and or any of their employees. Thereafter, only the owner or foreman shall be permitted to register any additional employees.
- 4.5.4 All employees shall be present during the registration process. Each individual shall be called, and their identification document checked, the information captured on the system, a photograph shall then be taken and an access tag printed.
- 4.5.5 Once all tags have been printed a VAT Invoice shall be issued to the owner of the company, and payment is to be made by electronic fund transfer or cash. All tags shall then be handed to the owner company registered.
- 4.5.6 Only the drivers of vehicles shall be permitted to make use of the visitor's boom entrance

(no employees, including the co-driver shall remain in the vehicle). All passengers shall exit the vehicle and enter the Estate via the turnstile, according to access procedures with a pincode.

- 4.5.7 **Note:** An anti-pass back feature is programmed on the access tag, therefore, no tag can be used to enter or exit the Estate more than once in the same direction.
- 4.5.8 The access tags are non-refundable and should any tag be lost a new tag shall be purchased from the Estate office.
- 4.5.9 Should any of the employees registered under your employment on the Personalised Access Tag System no longer be in your service, the office shall be notified immediately in order to de-activate the access card issued of the said employee.
- 4.5.10 Please note that the access tags are not transferable in any way whatsoever.

Note: Should any individual be found to giving his / her individual access tag to another individual, both individuals will be banned from entering the Estate and they will be blacklisted on the access system.

4.6 Building Hours

- 4.6.1 Building activity is limited to the following times:
- Monday – Friday 07h00 – 18:00
 - **Saturday** work will only be permitted with special permission from the estate office and work must cease by 13:00.

NOTE: No building activity is permitted on any stand or any house under construction on Saturdays (without approval), Sundays, or Public Holidays and no personnel shall be allowed to remain on site after the permitted building hours.

All sites shall be cleared of workers / personnel by no later than 17H45, failing to adhere to this may result in a fine.

4.7 Conditions Regarding Owner Builder and Contractor Activity

The following conditions regarding the owner builder and contractor activity shall apply:

- 4.7.1 The contractor shall provide suitable facilities for rubbish disposal and they shall ensure that the workers use the facility provided. Rubbish e.g. cardboard, plastic, cement bags and paper shall be removed and disposed of on a daily basis.
- 4.7.2 Rubble shall be removed weekly (by no later than the Friday of the week worked, prior to leaving site for the weekend) and under no circumstances may any rubbish / rubble be burnt or disposed of within the Estate. Rubble or building material may not be stored on any other stand within the Estate.

- 4.7.3 The contracted site shall be kept clean and tidy at all times, failure to do so may result in the contractor being prohibited from entering the Estate until such time that the site is properly cleaned. Any cost incurred by the Estate in cleaning the stand shall be for the owner's account.
- 4.7.4 Materials off-loaded by a supplier, which encroach onto the sidewalk or roadway, shall be moved onto the site by the contractor on the day of delivery.
- 4.7.5 Material and / or rubble shall not be allowed to remain on the roadway or sidewalk and it is the contractors and owner's responsibility to clear and clean the roadway of all such materials. The same applies to sand or rubble washed or moved onto the roadway or sidewalk during building operations, which shall be cleared and cleaned on a daily basis by the contractor. Failure to do so may result in the contractor being prohibited from entering the Estate until such time that the site is properly cleaned. Any cost incurred by the Estate in cleaning the stand shall be for the owner's account.
- 4.7.6 If filling material is required to be dumped or permission is granted to the property owner to dump on a vacant stand, a builder's deposit shall be paid prior to dumping of the material. The Estate Manager's Office shall be informed prior to any material being dumped. The filling shall only be allowed to be stored for a period of one **(1)** month prior to filling.
- 4.7.7 Failure to use this filling within the allotted time shall result in a fine to be determined by the Glen Erasmia Board of Director's portfolio committee.
- 4.7.8 All arrivals shall be announced at the contractors' entrance or the Estate Manager's Office.
- 4.7.9 No access shall be granted to any deliveries, contractors or sub-contractors, without verification from the owner or the registered NHBRC builder / contractor.
- 4.7.10 No contractor or sub-contractor, or it's employees, will be allowed to leave the building site on foot during the duration of the building activity.

4.8 Deliveries

All deliveries shall adhere to the following:

- 4.8.1 Deliveries from suppliers shall be scheduled between the following times:
- Mondays – Fridays 07h00 – 16h30.
- 4.8.2 An invoice of the goods to be delivered shall be produced prior to the delivery vehicle being allowed access to the Estate.
- 4.8.3 Ready Mix bookings shall be made for Monday – Friday no later than 14h30 in order for completion by 17h15. All Ready-Mix pump operators shall follow the proper procedure to gain access to the Estate. Any spillage caused during pumping shall be cleaned prior to the contractor leaving site.

4.9 Rules, Regulations and Penalties - (Refer to Section F)

The following rules, regulations and fines shall apply:

- 4.9.1 The owner and the contractor shall be responsible for damage caused to road kerbs, plants and / or irrigation on the sidewalks and / or damage to private and / or Estate property.
- 4.9.2 Should the Glen Erasmia Board of Directors have any reservations with regard to the conduct of the contractor / sub-contractor or their employees, the Glen Erasmia Board of Directors reserves the right to suspend all building activity until such conduct is rectified, which it may do at any time and without prior notice, and free of any recourse from the owners / contractors / sub-contractors or their employees.
- 4.9.3 The owner and / or the registered NHBRC contractor shall be responsible for the conduct and behaviour or their sub-contractor and their employees. All owner builders and NHBRC Builders shall make everyone in their employ fully aware of the following rules and consequences of non compliance.
- 4.9.4 Ignorance shall not be accepted as a mitigating factor in the enforcement of these Rules and Regulations.
- 4.9.5 The speed limit within Glen Erasmia Boulevard is **20km/h** and all stop signs and yield signs and rules of the road shall be strictly adhered to.
- 4.9.6 This document shall be fully understood and accepted by the owner / registered NHBRC contractor / sub-contractor and their employees, and they shall undertake to comply with these rules at all times, and including any additional rules and regulations, which may be introduced by the Glen Erasmia Board of Directors from time to time.

**5 SECTION "D" - GLEN ERASMIA BOULEVARD HOME OWNERS ASSOCIATION ESTATE
AGENTS RULES**

The Glen Erasmia Boulevard Homeowners Association (Glen Erasmia Board of Directors) acknowledges the fact that each member of the association or an entity owning a property within the Estate has the right to sell and market the property, or appoint an estate agent to do so on their behalf.

It is not the function of the (Glen Erasmia Board of Directors) or its appointed agent to act as arbitrator between estate agencies or to ensure that agents conform to the Estate Agency Affairs Board Code of Conduct.

The function of the (Glen Erasmia Board of Directors) is to provide a set of rules so as to regulate the operation of agents within the secure boundaries of the estate. These rules are designed to protect the interest of all property owners within the development. The following rules will apply in Glen Erasmia Boulevard with immediate effect and the Board reserves the rights to change or amend these rules at any time.

The (Glen Erasmia Board of Directors) has formulated a policy to guide the relationship between homeowners and Estate Agents; the (Glen Erasmia Board of Directors) now records such policy as follows:

5.1 Registration of Estate Agents

The Board of Directors has determined this policy, in furtherance hereof and will require the signature of a registration agreement by all registering estate agents.

All estate agents shall be required to register at the Estate offices with the Estate Manager.

Agents shall be registered with the Estate Agency Affairs Board and proof shall be provided upon the agent's registration, at the Estate Offices.

5.2 Obligations of Registered Estate Agents

Registered Agents shall observe the following basic rules of the Estate:

5.2.1 A single **(1)** "For sale" sign board measuring a maximum of 620mm x 420mm may be used to indicate a house or vacant land, which is for sale. Prior to erecting a "For sale" sign board, proof of the mandate shall be submitted to the Estate Office / Estate Manager (see attached annexure). No "For sale" sign board shall be permitted to be displayed on balconies or in a window/s.

5.2.2 No **open hours** shall be permitted within the Estate without prior arrangement with the

Estate Manager and written request by the owner. Such arrangement must be made at least five **(5)** working days to the **open hour** date

- 5.2.3 Any Estate agent shall have a specific appointment with or have the permission from the owners of the property visited
- 5.2.4 Any prospective buyer / tenant has to be escorted by a registered Estate Agent or owner while entering the Estate. **NO INDIVIDUAL** shall be allowed access to view properties for sale on his / her own, and without the approved announcement procedure being followed.
- 5.2.5 No direct and / or house-to-house canvassing will be permitted under no circumstances.
- 5.2.6 No For sale / To let signs are to be placed outside the Estate.
- 5.2.7 No flyers or promotional material may be distributed at / or outside the gates of the Estate.
- 5.2.8 All registered agents shall forward the Resident / Owners Details Form fully completed to the Glen Erasmia Board of Directors for any sale transaction / rental within the Estate.
- 5.2.9 A penalty of R500.00 will be imposed on the member shall the agent not comply with the rules. The fine will be debited to the levy account holder.
- 5.2.10 When an agent sells a property within Glen Erasmia Boulevard the agent is responsible for ensuring that the Estate Rules and Regulations are presented to the new owner / purchaser as part of all formal documentation.
- 5.2.11 Sold boards to be displayed for a maximum period of three months after the suspences conditions have been fulfilled.

5.3 Cancellation / Withdrawal of an Estate Agents Registration

The Glen Erasmia Board of Directors may summarily cancel and withdraw an Agent's registration, *inter alia*, in the event of the following:

- 5.3.1 Any transgression of Glen Erasmia Board of Directors Rules and the policy.
- 5.3.2 Any conduct which, in the opinion of the Glen Erasmia Board of Directors is in breach with the interests of the Glen Erasmia Board of Directors or its membership.
- 5.3.3 Any failure to observe the Glen Erasmia Board of Directors Rules and or any direction or instruction of the Glen Erasmia Board of Trustees Board of Directors provided that the Glen Erasmia Board of Directors has given the Agent concerned notice in terms of the written agreement between the said Agent and the Glen Erasmia Board of Directors.
- 5.3.4 Personal information clearance certificate will not be issued if any arrears are not paid-up to date.

5.4 Documentation

All sale agreements and all lease agreements in respect of any property within Glen Erasmia Boulevard shall

include herein the standard Glen Erasmia Boulevard documentation as annexures

5.4.1 All registered agents shall ensure that they verify independently through the Glen Erasmia Board of Directors Estate Office, the status of all properties marketed by them, prior to marketing with regards to build by dates, penalty levies and / or other relevant information, which shall be made known to a purchaser of such property.

5.5 Private and Other Sales

The provisions of this policy shall apply to all private and other sales.

THE TRUSTEES GLEN ERASMIA BOULEVARD HOMEOWNERS ASSOCIATION

The rules were issued on _____

I acknowledge receipt of the Rules and Regulations of Glen Erasmia Boulevard Home Owners Association Annexure A, B, C, D and E.

Signed at Glen Erasmia Boulevard on this the _____ day of _____

Name of Agent: _____

Name of Company: _____

Fidelity Fund number: _____

Signed: _____

6 SECTION "E" - GLEN ERASMIA BOULEVARD HOME OWNERS ASSOCIATION DIRECTOR'S CODE OF CONDUCT

The Director's of Glen Erasmia Boulevard are Directors of Glen Erasmia Boulevard None Profit Company (Section 21 Company) and as such carry the responsibilities and liabilities as specified in the Companies Act 71 of 2008.

For Rules and Regulations incorporated in the Companies Act, which are not included in the rules and regulations as well as the code of conduct for Directors, the Companies Act shall take preference.

Board of Directors – Code of Conduct

6.1 The Directors must exercise the powers and perform the functions of directors in the best interests of the company. The following are the main duties :

- To act in good faith and for a proper purpose;
- To act in the best interests of the Company;
- To avoid using their position as Director or using company information for their own advantage, or to knowingly cause harm to the Company;
- To convey to the Company information that may be of importance to the company;
- To exercise reasonable care, skill and diligence in the performance of their duties;
- Ensure that a health and safety system is in place for employees and service providers used by the Estate.

6.2 Complimentary duties and responsibilities with reference to the Memorandum of Incorporation and Associated Schedules.

6.2.1 All directors shall be required to provide a certified copy of their identification document **(ID)** and sign as a Director of Glen Erasmia Boulevard.

6.2.2 Resign in writing when they vacate the post of a Director.

6.2.3 Sign a non-disclosure agreement on being appointed as a Director.

6.2.4 May not stand as a director if in arrears with levies or any other outstanding sums.

Directors

Where a husband and a wife are nominated as Directors, they shall only be entitled to a single vote per residence, where a husband and wife are owners of multiple properties; they shall only be entitled to a single vote based on their primary residence.

6.2.5 A director may claim reasonable expenses, provided that the expenditure has been approved by the Chairman or financial portfolio prior to the expenditure having taken place, and they may not receive remuneration in any manner whatsoever for services rendered on behalf of the Estate.

- 6.2.6 No director shall be allowed to review resident information without the written approval of the Chairman, subject to the requirements for the review being submitted in writing.
- 6.2.7 The directors shall call an Annual General Meeting (AGM) no more than ninety **(90)** days after the end of each ensuing financial year. Twenty-one **(21)** days' prior written notice shall be given to all residents / stakeholders of such a meeting being held.
- 6.2.8 The directors within Fourteen **(14)** days of after each Annual General Meeting appoint a Chairman, Vice Chairman and Financial Officer.
- 6.2.9 The directors shall appoint sub-committees as they may deem necessary and they shall have the authority to delegate such of their powers as they may deem fit
- 6.2.10 The directors shall appoint an architectural review committee, and each Aesthetical / architectural plan reviewed shall be authorised / approved by no less than two directors.
- 6.2.11 A quorum necessary for holding of any meeting by Directors shall be at least 33 percentages, of the director's present in person.
- 6.5.8 Directors are authorised to call an extraordinary / special general meeting as required.
- 6.5.9 The directors shall have the authority to appoint Managing Agents and Auditors to administer the financial affairs of the Estate.
- 6.5.10 The directors shall not appoint the same Chairperson for longer than two consecutive years.
- 6.5.11 An individual, which is not a Member of the Association, may be co-opted as director if there is a need for specialised skills/knowledge and approval of the board was provided. The co-opted board member, who is not a registered owner, will not have voting rights.

6.3 Administration

The following administration rules shall apply:

- 6.3.1 The financial year end of the estate shall be the last day of February.
- 6.3.2 The directors shall be responsible for ensuring that the Managing Agents and Auditors administering the affairs of the Estate perform in accordance with the service level agreements agreed upon.

Managing Agents

The managing agents shall, with the approval of the Board of Directors determine interest rates and any procedures required to recover outstanding debit amounts.

- 6.3.3 All expenditure shall be administered by means of an approved expenditure procedure, with authorisation of the expenditure being undertaken by the Chairman of the Financial Committee and the financial portfolio committee prior to such expenditure taking place.
- 6.3.4 All expenditure exceeding R10, 000.00, shall be supported by a minimum of at least three **(3)** quotations, and supported by a detailed recommendation, approved by the Chairman and the financial portfolio committee.
- 6.3.5 All petty cash shall be reconciled on a weekly basis by the Estate Manager and the financial portfolio committee.

SECTION F - The penalty structure applicable is as follows:

7. Penalty Summary

Item	Description	Penalty *	Application
1	Visible tool sheds, Gazebos and Wendy houses	R 100.00 *	per day
2	Draining of pool water into streets	R 1000.00 *	per offence
3	Malicious Damage to Estate Property	R 5000.00	Including the cost of damage imparted – No Warning
4	Dogs in streets without leash or owner	R 150.00 *	per dog
5	Caravans, commercial vehicles, boats, trailers parked on sidewalks or not screened from street.	R 300.00 *	per week
6	Resident seen not removing his/hers dog's excrement deposited in public area	R 150.00 *	per offence
7	Commercial vehicle above 1-tonne parked in open area/drive way.	R 300.00 *	per week
8	Unauthorised dumping on private or public property	R 5000.00 *	per offence
9	Failure to apply for the requisite written permission regarding alterations, additions, or renovations	R 5000.00 *	Per offence
10	Reckless and negligent driving	R 500.00 *	per offence
11	Contravention of traffic rules or failure to adhere to road signs and speeding	R 500.00 *	per offence
12	Garbage bags on sidewalks outside stipulated times	R 100.00 *	per offence
13	Contractors and Sub-contractors caught off site within the Estate	R 200.00 *	per worker
14	Contractors and Sub-contractors on site after stipulated agreed hours	R 200.00 *	per person
15	Construction site left untidy, roadway and/or sidewalk obstructed	R 500.00 *	per day
16	Building material stored on a stand or sidewalk outside construction period and building rubble not removed by Friday	R 1000.00 *	per offence
17	Plants obscuring vision of motorists	R300.00 *	per week
18	Children under 18, unaccompanied by adult Residents in Boulevard after 21h00	R500.00 *	per Child
19	Visitors, domestic or gardener using resident's access card	R1000.00	per offence – no warning
20	Unlicensed driver or unlicensed vehicle on Estate roads	R500.00 *	per offence
21	Driving any vehicle or bike on the boulevard lawns (common area) (except during approved functions which may require parking on the lawn)	R500.00 *	per offence
22	Fireworks	R1000.00 *	per offence
23	Excessive noise as result of: - music, electronic instruments, or partying or private work at any time as reported by residents (AGM, 15 May 2008).		
			Warning
		R 300.00	per offence
		R 750.00	per offence
		R1500.00	per offence
		R3000.00	per offence
24	Failing to maintain buildings and walls in a neat, tidy and aesthetically pleasing manner after imposed written deadline.	R1000.00	per month after deadline
25	Unauthorised dumping on any stands / boulevard or on private or public property area.	R5000.00 *	Per offence
26	Workers walking around off site in the Estate	R200.00 *	Per worker
27	Workers on site after stipulated / agreed hours	R200.00 *	Per worker

28	Filling material left for longer than one (1) month	R500.00*	Per week
29	Unauthorised building activity on a stand	R1000.00*	Per day
30	Abuse or assault on guards or any other official or Director of the Estate.	R5,000-00	Per offence – no warning. (Subject to committee approval).
31	Access into the Estate without following access procedures	R1000.00	Per offence – no warning
32	No toilet during construction	R100.00*	Per day
33	Building without following the correct procedures	R2000.00*	Per day
34	Burning of grass and papers	R500-00*	Per offence
35	Negligent damage to Estate property	As per quotation	Per offence including any associated replacement costs
36	Contractor using someone else's access tag	R500.00	Per offence – no warning
37	Unauthorised use of any motorised vehicle (battery or petrol) or motorbikes on Boulevard common grounds.	R250-00*	Per offence
38	Late Building Penalty (warning not applicable)	R1,500-00 or R4500-00	As per rule

* **NOTE: First Offence: Warning will be issued.**

8. SECTION “G” – GLEN ERASMIA BOULEVARD HOME OWNERS ASSOCIATION

(Referred to as “The Company”)

Memorandum of Incorporation (Moi)

8.1 Introduction

- 8.1.1 The governance documentation of the company is now termed a Memorandum of Incorporation (Moi) to which various schedules are annexed in order to comply with the requirements of the companies Act 71 of 2008.
- 8.1.2 The structure and format of the Moi is thus that reference is made to standard provisions of the act for the various governance provisions, unless such provisions are altered, in which case reference is made to the schedules annexed to the Moi.
- 8.1.3 The standard governance provisions of the companies act which have not been altered or amended are included in the main body of the Moi.
- 8.1.4 The company will be known as a non-profit company (NPC).

The complete MOI can be viewed on the Glen Erasmia Website and the GLOvent Portal under Documents.