



CALYPSO BEACH HOMEOWNERS ASSOCIATION

(" the Association")

ESTATE RULES

NOVEMBER 2017

INTRODUCTION

Calypso Beach has been designed to provide a peaceful and secure lifestyle for its residents.

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

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

1. Use of Common Property and Environmental Control

- 1.1 The Association shall have the right and duty to control the environment, which shall include but not be limited to vegetation on private erven and the common areas.
- 1.2 No person shall conduct himself in any area within the development in such a manner, which in the opinion of the Trustees may be detrimental to the interests or amenities of the Association.
- 1.3 No person shall discard any litter anywhere within the development other than in the receptacles provided for this purpose.
- 1.4 No person shall remove, collect or destroy any plants, shrubs or trees within the development, save with the consent of the Association.
- 1.5 No person shall be permitted to encroach into the area of the beachfront dune or to use the dune as an access route to and from the beach. Any transgression hereof will be punishable with a fine to be levied in the discretion of the Trustees.
- 1.6 No person shall be permitted to plant any vegetation or to place any landscaping or other objects of whatsoever kind in the areas owned or controlled by the Association without the prior written consent of the Association.
- 1.7 No person shall be permitted to light a fire within the development, except in any such places which are designated by the Association for this purpose or within a private fireplace or braai area.
- 1.8 Boardwalks, footpaths and staircases are for the exclusive use of pedestrians. The use of bicycles on the boardwalks, or any other mode of transport of whatsoever nature is prohibited except for use by security personnel or people in wheelchairs.
- 1.9 All members must comply with all municipal water restrictions at all times. If an owner or tenant is found to be in contravention of these municipal rules, they will be reported to the municipality and the Trustees shall enforce the association's penalty policy in terms of the constitution.
- 1.10 Owners must obtain approval from the board of Trustees for the use of drones within the estate, as well as written consent from all members within an area of 50m where the drone will be operated.

2. Firearms and Hunting

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

3. Private Property

- 3.1 Homeowners are required to maintain their properties in a neat and tidy condition at all times. Should the external appearance of a property be deemed to be unacceptable in the discretion of the Association or the vegetation thereon become overgrown or untidy, an immediate fine as determined by the Trustees will be levied against the owner of the offending property until such time the necessary maintenance has been effected.
- 3.2 All outside units, including air conditioners, geysers and other mechanical equipment as well as washing lines, must be sited out of public view and aesthetically screened from neighbouring properties. This shall also apply to wendy houses, tool sheds, engine and vehicle parts, tools and accommodation for pets.
- 3.3 Building materials should be removed from the premises upon completion of construction of a property or stored out of sight.
- 3.4 During the period of construction members should ensure that their building contractors keep their sites as well as neighbouring sites, clean. The Association reserves the right to deny access to contractors who do not comply herewith. Should a contractor not remove rubble as requested, the Association will employ a contractor to do so and charge the member accordingly.
- 3.5 No person shall cause any unacceptable disturbance, excessive or undue noise.
- 3.6 No owner or tenant may be allowed to carry out any maintenance on their property after the building times stipulated in the housekeeping rules for building contractors or during the builder's holidays which involves the following:
 - i) Building
 - ii) Brick Laying
 - iii) Plastering
 - iv) Cement Work
 - v) Tiling

Owners or tenants must get written approval from the board of trustees if they wish to employ a contractor to do any maintenance on their property during the builder's holidays.

4. Traffic Control

- 4.1 The speed limit on all the roads within the development is 40 kilometers per hour. No person shall drive any vehicle within the development in excess of the prescribed speed limit.
- 4.2 No person shall drive any vehicle within the development in a manner that would constitute an offence under the applicable road traffic ordinances. All traffic control and parking signs must be observed by road users.
- 4.3 The driving of quad bikes or any other off-road motorized vehicles is prohibited within the development.

- 4.4 All vehicles must be parked within the confines of members' properties alternatively within the designated parking areas. The parking of vehicles in the roads or on the road verges is strictly prohibited. This also applies to commercial vehicles, boats, caravans and trailers.
- 4.5 All vehicles shall keep to the roads within the development. No vehicle may travel off-road other than a construction vehicle on a plot being developed.
- 4.6 Residents and members may only store one of the following items on their property:
 - Boat, Caravan or Trailer

The item must be stored on the property of the owner and not on the verge.

The boat, caravan, and trailer must also be maintained and kept neat and tidy in the opinion of the Trustees.

The Trustees reserved the right to have full discretion on the approval of storage of these items and have the right to reject their original approval.

5. Security

- 5.1 Security protocol and procedures must be adhered to at all times and residents and their guests should always treat the security personnel with courtesy and respect.
- 5.2 No vehicle shall enter or leave the development other than at the entrance gate.
- 5.3 The access control procedures as laid down by the Association from time to time shall be strictly adhered to by all persons entering or leaving the development.
- 5.4 Guests or visitors to the development will only be allowed access upon written or telephonic authorization being granted by the member or resident concerned.
- 5.5 All domestic employees, construction personnel and other workers must enter and leave the development through the main gate. Under no circumstances may these persons enter or leave the development via the beachfront or any other access point.
- 5.6 Residents will be issued with numbered access discs for the purpose of entering the development. Failure to display these access discs will result in residents being obliged to sign in the access register upon entering the development.
- 5.7 The security contractors do not accept liability for any loss or damage in respect of keys or valuables deposited with them and residents should accordingly refrain from this practice.

6. Control of Animals

- 6.1 Domestic animals within the development must be controlled and kept within the confines of the member's property. **Residents as well as their guests must ensure that their animals do not foul the common property nor create a disturbance nor become a nuisance within the development.**
- 6.2 Dogs are not permitted outside the confines of a member's property unless they are kept on a leash.
- 6.3 These regulations will be enforced by the Municipality of Saldanha Bay in terms of the By-laws for the control of dogs promulgated under Provincial Notice 228 dated 6 April 1979.
- 6.4 In terms of the By-laws any dog, which is found in the street and is not under the control of a person may be impounded by an official of the Municipality.
- Should the dog not be licensed or claimed within seven days of receipt of a Notice to the owner, it may be put down by the Municipality.
- 6.5 A maximum of 2 dogs and 2 cats is permitted per erven.
- 6.6 Owners or tenants are not allowed to have any farm animals on their property or as pets. This includes animals such as chickens, pigs, cows, sheep, goats, geese, ducks, turkeys, horses, ponies, etc.
- 6.7 Any transgression of these regulations should be reported directly to the Saldanha Bay Municipality.

7. Commercial Activity

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

8. Operation of Guest Houses

- 8.1 Members shall not be permitted to operate a guesthouse within the development without the prior authorization and approval of the local authority i.e. the Saldanha Bay Municipality. Members shall be required to submit such approval to the Association for its records.
- 8.2 Any member operating a guesthouse without the required authorization and approval shall be levied a fine of R 10 000 per month until this is obtained or the guest house ceases to operate.

9. Sale and Letting of Property

- 9.1 Only an estate agent accredited by the Association may be engaged in the sale or letting of any property within the development. An agent will only be accredited upon providing the Association with a written undertaking to

abide by the rules and procedures applicable to the sale and letting of properties within the development.

- 9.2 Estate Agents may operate on an appointment only basis. They may display one board at the entrance to the development indicating that a property for sale may be viewed by appointment with the agent. No "FOR SALE" or "SHOW HOUSE" or "SOLD" signage boards or any other boards may be placed on the erf or within the development.
- 9.3 Agents must personally accompany prospective purchasers on to the development for the purpose of viewing any property.
- 9.4 Every agreement for the lease of a property on the development must contain a clause in terms of which the lessee acknowledges that he or she agrees to be bound by the Constitution and the Rules applicable within the development.
- 9.5 A homeowner who is selling his property privately shall be permitted to put up one board on the property advertising the sale thereof. Such advertising board shall be in accordance with the specifications laid down by the Association from time to time.

10. Contravention of Rules

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

11. Review of Rules

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