

CHESTNUT RIDGE HOME OWNERS' ASSOCIATION
CONDUCT RULES
Revision – 10/09/2015

AIM: TO ASSIST BOTH NEW & EXISTING RESIDENTS TO APPRECIATE AND ENJOY THE LIFE STYLE THAT THE PRECINCT OFFERS AND TO ENCOURAGE EVERYONE TO RESPECT THE INTEREST AND WELFARE OF ALL WHO LIVE HERE.

INTENTION OF THE CONDUCT RULES

To ensure that all residents have a basic understanding of those sections of the Constitution that will lead to a harmonious co- existence with one another. To ensure that high standards of security, safety and housekeeping are achieved which will preserve and enhance the value of our properties.

It is trusted that the information provided by the appointed committee of trustees herein will assist all owners/occupiers to appreciate and enjoy all that the precinct has to offer and to encourage everyone to respect the interests and welfare of all who live here.

Note: None of the rules contained in this document may override or be in conflict with the original Deed of sale, Annexure 1, Constitution, Chestnut Ridge Home Owners Association document signed by all Chestnut Ridge Home Owners. In all disputes, the rules contained in the deed of sale will apply. We encourage all Home Owners to familiarize themselves with the contents of the deed of sale, annexure 1.

1. BUILDING, ARCHITECTURAL AND DESIGN REQUIREMENTS

The following is aimed at preventing deviations from the overall design manual and to maintain the precinct. [**Refer Annexure hereto for efficient handing of plans.**]

1.1. No owner/occupier may without the prior written approval of the Trustees:

1.1.1 Construct, build or in any way erect any new building or structures of any form and nature whatsoever (including swimming pools), before submitting properly drafted professional plans and a written motivation for approval by the trustees;

Further to ensure uniformity of appearance the following items need written approval from the Trustees prior to installation:

Any safety gates, burglar bars or safety devices for the protection of a unit must be in the colour black to match the unit window frames and the burglar bars must be affixed on the inside of the windows of the units.

A canopy/ canopies on a unit.

Any structural, decorative or other alteration or addition to a unit internally to the extent that it can be seen externally.

1.1.2 Make any changes to the external colour scheme of the unit. The following paint colours are specified:

External wall, above plaster band

- Make: Plascon (Polvin)
- Paint colour: Bamboo Beige
- Paint code: 4 - 10M

External wall, plaster band:

- Make: Plascon (Polvin)
- Paint colour: Canton Cotton
- Paint code: 513 - 2 (lightened by 50%)

Note: the internal walls were originally painted using the following paint Specification:

- Make: Plascon (Polvin)
- Paint colour: Birch White Light
- Paint code: 47 -8P

- 1.2. It is recognized that the Trustees of the Home Owners' Association may:
- 1.2.1 Enforce any condition in order to harmonise that architectural stile and design criteria of and the materials and colours to be used on all building or structures erected;
- 1.2.2 Appoint such advisor's as may be necessary to scrutinize any proposed plans;
- 1.2.3 Impose a scrutiny fee, payable by the owner/occupier, to cover the costs of the services mentioned in paragraph 1.2.2 herein above.
- 1.3 In the event that the landscaped and/ or common area have been damaged as result of the aforementioned building work, the owner/occupier shall have fifteen [15] days from date of notice by the Trustees to remedy the damage.

Should the owner/occupier fail to remedy the damage to the satisfaction of the Trustees, the Trustees shall be entitled to call upon an independent contractor to repair such damage at the costs of the owner/occupier.

Providing the afore-going shall not be interpreted as detracting from the sole and final responsibility of the Council to approve or reject building plans.

2. LEVIES

- 2.1 Levies are due in advance, payable on the first day of each month and within 7 days after which interest at rate to be determined by the Trustees, will be payable thereon.

Accounts in arrears of three [3] months will be handed over to a firm of attorneys for collection. All Levy account queries should be placed in writing to the Management Services appointed by the Association. Methods of payment could be either in the form of cheque, debit order or telephonic/ electronic transfer.

- 2.2 Changes to contact / address details are to be timeously advised to the Management Services and/ or Trustees.
- 2.3 No change to ownerships in a levy statement will be undertaken until the owner selling his/her unit has obtained a levy clearance to affect transfer to new owner.

3. USE OF COMPLEX AND COMMON PROPERTY

- 3.1 No owner/occupier of a unit may, without the prior consent of the Trustees Committee, use the precinct/unit for any purpose other than residential purposes.
- 3.2 Place or display any object, sign, notice, billboard, sticker/label (excluding security company signage) or advertisement on the common property or unit so as to be visible from inside or outside the precinct.
- 3.3 Remove any shrub, tree or plant on or in the common property.
- 3.4 Erect his/her own washing lines nor hang any washing or items on any part of any unit or driveway, or the common property so as to be visible from inside or outside the boundaries of the unit or from any other unit and/ or common property.
- 3.5 An owner/occupier may not deposit or throw any litter or rubbish onto the common property.
- 3.6 An owner/occupier may not mark or otherwise damage or alter any part of the common property.
 - 3.6.1 An owner/ occupier may not convert or use any garage for any other purpose than parking a vehicle.

4. SECURITY

- 4.1 Anybody found tampering with any of the below- mentioned security devices, will be totally responsible for the cost of any damage incurred:
 - 4.1.1 Electric fence: the electric fence fixed to the perimeter walls is live at all times and monitored on a 24- hour basis. Do not touch the wiring as this will cause a call-out from the monitoring security company.
 - 4.1.2 Entrance/ exit gates: be vigilant of any unauthorised persons/vehicles around the gates and ensure that the gates close after entry/exit.
 - 4.1.3 Remote Controls [2 issued per unit]: Under no circumstances are owners/occupiers of units to hand these to anyone who does not live in the precinct, e.g. garden services, repair or building persons, or domestic workers [refer item 11]
 - 4.1.4 Street Lighting within the precinct is strategically placed and should not be tampered with.
 - 4.1.5 Responsibility of owners/occupiers; notwithstanding the presence of any above- mentioned security apparatus, individual owners/occupiers are solely responsible for the security of the individual units.
 - 4.1.6 Mircom System - each unit is linked to the Mircom system, if a cellphone number is linked to the Mircom system in place of a land line telephone, a monthly premium will be levied and recovered via the owners monthly statement.

4.1.7 Domestic workers: all domestic workers are to be registered with the Managing Agents and a copy of the worker's ID lodged with them.

4.2 Visitors / Strangers Access (on foot or by car):

In the interests of communal security, visitors/strangers should not be given access to the precinct other than by making use of the Mircom telephone system, a monthly premium will be levied and recovered via the monthly statements.

4.3 Hawkers/Beggars/Job Seekers:

The above are not to be permitted entry into the precinct.

4.4 When a property is sold, the original owner (seller) may not retain any access token that would allow him/her access to Chestnut Ridge.

5. DISTURBANCE, NOISE, GAMES, etc

5.1 No owner/occupier shall permit anything to be done in a unit or on common property which constitutes a nuisance or an unreasonable invasion of the privacy of other occupiers or units or permit or make any disturbance or noise which in the opinion of the Trustees, in their sole and absolute discretion, would constitute an invasion of the Right of Privacy of the other owners/occupiers.

5.2 Children must be warned to observe road rules and undue invasion of the privacy of other occupiers or homes at all times.

5.3 Should an owner/occupier be planning an acceptable disturbance, in the spirit of good neighbourliness, immediate neighbours should be advised in advanced.

6. PETS

Noisy pets or the wandering of pets on the common areas is not permitted. Dogs shall be leashed at all times whilst on the common area. Should a pet foul the common property or any exclusive use area, the owner of the pet concerned is required to remove the excrement and dispose of it in an hygienic manner.

All pets are to be registered with the managing agents prior to any pets being permitted in the complex.

All pets are to be registered with the City of Cape Town as per the City-by-laws and proof of this registration is to be sent to the managing agents when the registration of pets is done. The City's website address is:

<https://www.capetown.gov.za/en/PetRegistration/> and click on the link "register".

All dogs and cats are to have identity discs fixed to their collars giving the name of the owner, contact number and unit number. Any unidentified strays found within the precinct will be removed by the SPCA.

In terms of the municipal by law, two dogs per dwelling house are permitted. Owners/occupiers are reminded that all dogs are to be on leads when on common property, whether within the precinct or on public open space in Royal Ascot.

As per the City-by-law's: No person shall keep any dog which barks, yelps, howls or

whines for more than six accumulated minutes in an hour or more than three accumulated minutes in a half hour.

7. MAINTANCE

7.1 An owner/occupier shall be obliged to maintain all existing building work, woodwork, gates and approved alternations, additions and/or decorations in a state of good order and take all reasonable step to keep it clean, hygienic, neat and attractive condition. Should the Trustees feel that an owners UNIT needs attention in respect of maintenance/painting, this may be somewhat enforced and a fine will be liable for those who do not adhere to the request.

7.2 Maintenance of front lawns:

A garden and landscape company has been employed to cut, trim and maintain the communal garden and external perimeter areas.

7.3 In order to maintain the aesthetics of the precinct - without exception all units are to be painted every 5 years (starting from 2010 when last painted).

8. HEALTH ASPECTS

8.1 Household and Garden Refuse:

61 Council bins are provided and stored in the bin rooms adjacent to the main entrance gate. All owners/occupiers to ensure that household and small items of garden refuse are placed in black bags inside the bins, and are placed inside the bin rooms [between Friday and Sunday of each week].

Household and garden rubbish or similar litter may not be dropped or left at the entrance to bin rooms or on the common areas or disposed of down the storm water drains.

At present Council Collection is on Monday mornings. The bins are cleaned and sanitised each Monday and will be returned to each unit late the afternoon.

Each refuse bin should have the owner's unit number displayed on the front.

At all other times the bins are to be stored out of sight within the boundaries of the respective units.

8.2 The storing of dangerous and inflammable materials in bulk quantity is strictly prohibited. The storage of such material could invalidate building insurance and could result in substantial loss to the precinct for which the responsible owner/occupier shall be liable.

8.3 Ritual slaughter: no ritual slaughter of any animal is permitted within the precinct.

8.4 Hoofed animals: no hoofed animals are permitted within the precinct at any time.

9. TRAFFIC AND PARKING

9.1 Road Vehicles:

Road signs shall at all times be strictly observed by motorists, pedestrians and cyclists. All owners/occupiers shall ensure that their vehicles, and that of their visitors, do not drip oil or brake fluid on the common property or in any other way

deface the common property. If dripping occurs, its removal will be for the account of the owner/occupier concerned.

Note that all residents at Chestnut Ridge are expected to obey any water restrictions imposed by the City council; especially as far as the washing cars are concerned.

9.2 Speed of all Vehicles:

The speed limit within the precinct is maximum 15kms and vehicles should be driven in a safe manner and with due regard to other road users/pedestrians and owners/occupiers of units.

9.3 Parking Areas:

Parking of vehicles by owners/occupiers should be as arranged for in the precinct house designs. Owners/occupiers should not park in a manner that obstructs the flow of traffic, i.e. roadways, obstructing entry/exit of other owners/occupiers, nor park on grass verges or in front of fire hydrants.

If sufficient parking space is not available in designated areas at units, or visitors' bays, suggest visitor's park outside the precinct in parade Ring Rd.

9.4 The designated visitor's bays on either side of the park are solely for the short-term use of bona fide visitors any may not be used by residents for parking or storage of vehicle/boat/trailers or other items.

9.5 Repairs to vehicles: no major repairs to any vehicle on any portion of common property will be allowed.

9.6 Visitor's parking: the designated visitor's bays are solely for the use of short-term use of bona fide visitors and may not be used by residents for parking or storage of vehicles/boats/trailers or other items. Owners/occupiers must make use of their own driveways. If sufficient parking space is not available in the designated areas, visitors must be requested to park outside the precinct in Parade Ring road. Only vehicles owned by owners/occupiers may be washed on common property.

9.7 Removal vans: no articulated, pantechnicon removal vans are permitted on the precinct. Any loading or unloading of these vehicles is to be undertaken in Parade Ring Road. The precinct's employee has strict instructions to deny these vehicles entry to the precinct and to immediately report their presence in the event they gain illegal entry.

10. INSURANCE

The Home Owners' Association have no responsibility whatsoever for the Insurance of the contents or structure of any particular unit, which is the sole responsibility of the owner/occupier.

11. STORAGE

The owner/occupier shall not place on any part of the common areas any storage items that in the discretion of the Trustees, is aesthetically displeasing. No visible storage of any item of an unsightly nature will be permitted on garage access paving or elsewhere.

12. LETTING OF UNITS (OBLIGATION OF TENANTS)

12.1 All tenants of units and other persons granted rights of occupancy by any owner of the relevant unit are obliged to comply with all the relevant Rules and the Constitution of the Chestnut Ridge Home Owners Association.

12.2 Condition of Lease:

Should any owner let his/her unit then he/she shall make it a condition of the lease that any tenant and/or sub-tenant will be bound to comply with all the provisions of the Rules.

Copy of the rules:

It is a requirements that the owner or his/her agent must furnish the tenant [and subsequent tenant(s)] with a copy of the Rules to form an integral of the lease to be entered into.

13. ERADICATION OF PESTS

An owner/resident shall keep his/her unit free of white ants, borer and other wood destroying insects.

14. DOMESTIC WORKERS

Owner/occupiers must take full responsibility of the entrance/exit of their domestic workers/gardeners.

15. USE OF UNITS

Except with the express written permission of the Trustees, no owner shall use or permit their section to be used for any purpose other than residential.

Owners/occupiers are encouraged to park inside garages to alleviate undue parking of vehicles in roadways.

16. DISCLAIMER

Neither the CRPOA, its trustees, officers, employees or contractors nor their respective agents shall be liable for any loss of life, personal injury or damage to property suffered by any person whilst in or at chestnut Ridge or any part thereof and from whatsoever cause arising.

17. GENERAL APPERANCE

Street facing curtains, blinds, burglar bars, etc should not be in conflict with the external colour scheme and architectural design of Chestnut Ridge.

18. IMPOSING OF FINES

18.1 If the conduct of an owner or an occupier or his visitors or guests constitutes a nuisance in the opinion of the trustees of the home owners association, or if an owner, occupier or visitor contravenes, breaches, disobeys or disregards a Conduct Rule, the trustees of the home owners association may furnish the owner and/or occupier with a written notice which may in the discretion of the trustees of the home owners association be delivered by hand, registered post or by email. Provided that where the notice is sent by e-mail the notice shall be deemed to be delivered upon the date upon which the owner and/or occupier acknowledges receipt thereof. In the notice the particular conduct, which constitutes a nuisance, must be adequately described or the Rule that has allegedly been contravened must be clearly indicated, and the offender must be warned that if he or she persists in such conduct or contravention, a fine will be imposed on the owner of the section.

- 18.2 If the owner or occupier nevertheless persists in that particular conduct or in the contravention of that particular Rule, the trustees of the home owners association may convene a meeting of trustees to discuss the matter and to impose a fine.
- 18.3 A written notice by which the alleged offender (whether owner or occupier), is informed of the purpose of the meeting and invited to attend, must be sent to the owner and occupier at least 14 (fourteen) days before the meeting is held. At the meeting the owner and/or occupier must be given the opportunity to:-
- (a) Present his or her own case;
 - (b) Present any evidence, including calling of witnesses, to substantiate his or her case;
 - (c) Cross-examine any witness called on behalf of the home owners association;
 - (d) View any relevant documents.
- 18.4 After the owner or occupier has been given the opportunity to present his/her case, the trustees of the home owners association may by way of an ordinary majority vote, impose an initial fine for the first offence and a subsequent fine for every similar offence thereafter.
- 18.5 Should the owner or occupier not attend the meeting without providing a reasonable request for postponement, the trustees of the home owners association, in their sole discretion, may continue with the meeting and impose a fine in the owner and/or occupier's absence.
- 18.6 Any fine imposed will be added to the levy account of the registered owner and the said owner will have to be refunded by his/her tenant.
- 18.7 The trustees of the home owners association may determine the amounts of the initial and subsequent fines at the same meeting that this rule is adopted. Notwithstanding the aforementioned the trustees may, at any general meeting, from time to time, determine the amount of the initial and subsequent fines.
- 18.8 The initial fine will be two hundred and fifty rand (R250) and subsequent fines will be doubled.

ANNEXURE TO BUILDING, ARCHITECTURAL & DESIGN REQUIREMENTS [Items1]

Building ETC

Plans drawn to scale are required for additions to main house and structures in gardens, i.e. Veranda's etc

- 4 detailed drawings are required for submission to the Council, and
- 2 copies of above for the Trustees Committee (1 copy to be kept by the HOA and 1 copy to be kept by RAMPOA)
 - * A short letter of motivation
 - * Materials to be used to be clearly stated
 - * Scrutiny fees may be applicable in the form of a deposit [to be advised]

RAMPOA Procedures

In terms of the RAMPOA constitution and the Chestnut Ridge HOA constitution, all building plans must be approved by both the Trustees Committee of the Chestnut Ridge HOA and

by the RAMPOA Trustees Committee BEFORE being submitted to the City Council for approval (where such approval is required). For alterations where Council approval is not required, the Chestnut Ridge HOA trustees and RAMPOA must still approve the plans.

The procedures are as follows:

A plan of the proposed extension or alteration must be submitted to the Chestnut Ridge HOA Trustees Committee. This includes any extension or alteration to your house including garden walls, closing in of balconies or stoeps, etc. You can submit your application to the Managing Agent for the Chestnut Ridge HOA precinct who will present it to the Trustees. Council requires 4 copies of the set of plans - any additions or alterations must be clearly indicated in colour on these plans. All four copies must be submitted to RAMPOA, if approved all plans must be stamped.

If the Chestnut Ridge HOA Trustee Committee approves the plan, it must be signed off by the chairperson and then submitted to RAMPOA Trustees Committee (via the Portfolio Manager at Rabie Property Administrators).

The RAMPOA Executive Committee has delegated authority to approve such plans to the Executive Committee who meet once a month. If the plans are approved they will be stamped with the RAMPOA approval stamp, and signed off by the Chairperson of RAMPOA.

The approved plan will be returned to your managing agent who will return them to you. If RAMPOA do not approve the plans, they will inform your managing agent of the reasons.

Plans must then be submitted to the City Council for final approval. Your architect or builder will know the correct procedure for this step. (if you are unsure, please refer to the below CoCT council requirements.

Important Note:

Please take into account that these procedures take time - the various trustees committees meet at intervals, and the RAMPOA executive committee meet once a month. Submission to Council also takes some time as plans have to be scrutinised to ensure that they meet all planning and zoning requirements.

You can assist by ensuring that your application is as comprehensive and complete as possible - having to send applications back because of incomplete information only extends the period before approval is granted.

(if you are unsure, please refer to the below CoCT council requirements.

Requirements

There are various requirements that you must comply with if you want to make extensions or alterations to your home. If you do not comply with these, your application will not succeed.

The most important requirements are the following:

All building extensions or alterations must comply with the architectural guidelines for Royal Ascot as well as the Chestnut Ridge HOA

- Roofing - material and finishes.
- External colours and finishes.

- Boundary walls & fences - style, finishes, colours and height.

For major alterations and extensions detailed architectural drawings must be submitted.

For minor work (which need not be approved by Council) a drawing with detailed specifications must accompany the application.

For major alterations and extensions you need your neighbours' comments in writing. If there is an objection, you must address this objection in your application - the City Council will not approve plans unless all objections are addressed.

Minor alterations and extensions that do not need City Council approval (e.g. internal precinct garden walls), must also have the neighbours' comments if it affects them - alterations to a boundary wall between properties need the approval of both property owners.

All extensions and alterations must comply with the architectural style of the specific precinct.

BEFORE planning your extension or alteration, please make sure whether there are any additional requirements specifically for your precinct.

CITY OF CAPE TOWN Council Requirements

Building Plans

The City's Building Development Management Branch is responsible for checking and approving all building plans, as well as inspecting building work during construction to ensure compliance with the approved plans and related regulations.

RAMPOA will only consider plans that are compliant - the most important requirements are mentioned here, but there may be other requirements for specific applications. Please consult the local planning office.

Building plan requirements

Plans for alterations must comply with the following requirements:

Any person intending to erect a building (this includes altering or adding to a building) must submit the following together with the prescribed application form:

- Site plan.
- Layout drawings.
- Drainage installation drawing (where necessary).
- Full constructional specifications applicable to the application.
- Appointment Form : Architect/Draughts person.

These may be on one or more single sheets not smaller than:

- A4 size (210 x 297mm).
- Not larger than A0 size (841 x 1189mm).
- For Minor Works not larger than: A3 size (297 x 420mm).

Plans must be in sets of six (6). All sets to be white paper prints.

Plans must be drawn to a suitable scale selected from the following:

- Site Plan - 1:100 or 1:200 or 1:500 or 1:1000
- Layout Drawings - 1:100 or 1:500 or 1:20 elevations may be 1:200
- Drainage Installation drawings - 1:200 or 1:100 or 1:50
- General structural arrangement drawings and structural details - 1:100 or 1:50 or 1:20 or 1:10 or 1.5 or 1.2 or 1.1
- The scale(s) must be clearly stated on the plans.

Structural Design:

- In addition, where any structural design, (for instance reinforced concrete, structural steelwork or structural timber) is involved plans showing the structural arrangement and details together with a certificate of appointment must be submitted with the plans.

Artificial Ventilation:

- Where artificial ventilation or lighting is involved the necessary details together with a certificate of appointment must be submitted with the plans.

Alterations and additions to existing buildings:

- All copies to be coloured as per detail in the table below

Signing requirements:

- The owner to sign the application forms as well as the plans in black ink.
- Any alterations must be similarly signed and dated.

COLOURING IN OF PLANS

Materials in plan or section

- New masonry - Red
- New concrete - Green
- New iron or steel - Blue
- New wood - Yellow
- New glass - Black
- Existing materials (all materials) - Grey
- All other new materials, **to be clearly indicated other than in colours above.**

Site Plans

- Proposed work - Red
- Existing work - Uncoloured
- Work to be demolished, draw in black dotted lines.

Drainage installation drawings

- Drains & soil pipes (fittings) - Brown
- Waste pipes - Green
- Soil & combined vents - Red
- Waste vents (fittings) - Blue
- Existing drains - Black
- Stormwater drains - Not coloured

Materials in elevation (optional)

- New masonry - Yellow
- New timber - Brown

SWIMMING POOLS

- 3 detailed drawings for submission to Council, and
- 2 copies of above for the Trustees Committee
 - Pool edge to be 1 metre from boundary wall
 - Placing of pump to be shown on plan
 - Back wash :Outlet to be either in own garden or linked to nearest sewerage outlet within the unit. Not storm water outlet or roadways leading into common areas or outside roadways [Council requirements]

Note: The City Council will reject plans that do not bear the signatures of both the Chestnut Ridge Home Owners Association and the Royal Ascot Master Home Owners' Association (RAMPOA).

GUIDELINES: UNITS FOR SALE, LEASE OR ON SHOW

1. The management Company and/or Trustees Committee to be informed in writing of dates/times, before the event, of units to be placed "on show"
2. All signs erected, to be placed in estate agents stands and placed on grass verge of relevant unit and removed at end of day of "show houses".
3. Owner and relevant agent to manage the entry and exit of potential buyers. It is suggested that potential buyers park outside the main gates and taken to the relevant unit by the agent/owner. These persons to be taken to the main gate to exit.
4. The sale or lease of units by the owner: The request to place signs at front door entrances to units, to be in writing to the Management company and/or Trustees. Details of type of notice and placements to be set out.
5. Notice boards placed on common areas of the precinct or building will not be permitted.
6. *Agents showing properties must make adequate arrangements in their advertisements giving instructions for access to the precinct. Any estate agent or agency found disarming or interfering with the security entrance gates in any manner will be disbarred from holding subsequent show houses in the precinct.*