

WBHOA – WESTFORD BRIDGE HOME OWNERS ASSOCIATION (NPC)

HOUSE RULES

INTRODUCTION

These rules are the House Rules published by the board of directors to promote, advance and protect the communal interests of the members, pursuant to powers granted to them in terms of article 1 of the Memorandum of Incorporation

The rules relate to both the Westford Bridge Residential Estate (estate) and the Westford Bridge Private Nature Reserve (reserve).

DEFINITIONS AND INTERPRETATION

The interpretation, application and enforcement of these rules, will be subject to the rules of natural justice and will be appropriately limited by its purpose. As specifically provided for in the Memorandum of Incorporation, all rules must be reasonable and must apply equally to all owners of erven put to substantially the same use. In these rules words shall, unless the context otherwise indicates, have the meanings as assigned to them by the Company's Memorandum of Incorporation.

The purpose of these rules and the Westford Bridge Home Owners Association (WBHOA) and the Westford Bridge Private Nature Reserve Trust (WBPNRT) are to promote, advance and protect the communal interests of the members of the Westford Bridge Home Owners Association as defined in its Memorandum of Incorporation and Deed of Trust, respectively.

Members attention is drawn to the enforcement provisions contained in Part D of Schedule 1 to the Company's Memorandum of Incorporation which includes inter alia the power to impose penalties and fines. Any disputes arising from these rules will be adjudicated in terms of the Company's dispute resolution procedures set out in Schedule 5 to the Company's Memorandum of Incorporation.

SPECIAL CIRCUMSTANCES

Should circumstances arise requiring the relaxation of a rule, owners may apply to the WBHOA for a waiver, which will be decided on a case by case basis. Any waiver given shall apply specifically to the individual application and shall not constitute a general renunciation of the rule.

1. PETS

- 1.1 Each owner shall be allowed to keep a maximum of two dogs and two cats on their property. Should a new owner have more than the maximum number of pets they will require a waiver from the WBHOA for the right to keep them on the property, on condition that the additional pets so approved shall not be replaced.
- 1.1.1 All dogs and cats must be kept under control at all times and must not be judged to be dangerous or cause a nuisance to other residents or cause harm to the environment.
- 1.1.2 Dogs must be kept within a fenced area on the owner's property. Where dogs are taken out of such fenced area they are to be on a leash at all times whilst within the bounds of the estate and/or the reserve.
- 1.1.3 Any fouling by dogs must be immediately removed.
- 1.2 Cats shall be fitted with collars with a bell attached in order to warn bird life of their presence.

2. USAGE & MAINTENANCE

- 2.1 USE: The house rule regarding use of property attempts to draw a balance between an owner's legitimate right to derive an income and the rights of other owners to live in a secure and peaceful environment in keeping with nature.

Regarding rental of property:

Short term rentals, typically of a few days to a week's duration (such as a Bed and Breakfast and bookings through on-line agencies such as booking.com and AirBnB etc.) are not allowed.

Longer term leases are permitted, subject to the owner:

- Ensuring that the renter/lessee is made aware of the house rules of the estate and including a clause in lease agreements that stipulates that the lessee has read, understood and agrees to abide with the house rules of the estate.
- Notifying the Board's representative for communications of the period of the rental and provide a name and contact number of the renter/lessee, so WBHOA can contact them in case of emergency and include them in contact lists, news items and minutes.

Regarding **commercial use of property**

- Activities of a retail or industrial nature are not permitted
- Small, office-based businesses are permitted, providing that any clients and staff of the business do not visit on a frequent or regular basis

Owners involved in rental and commercial activities are advised to ensure that they comply with any applicable government regulation or by-law

In all cases, the home owner assumes ultimate responsibility for any house rule being transgressed by a renter, lessee, client or staff member

2.2 TIDINESS: Owners are obliged to keep their properties neat and tidy and in particular:

- Radio/TV aerials, outdoor radio systems or satellite TV dishes may not protrude above roof height and must be positioned as unobtrusively as possible. These must be painted in the same colour as the relevant roof or walls.
- Solar heating panels must be flush with the roof and not be visible from roads, parklands, nature areas or other properties.
- All outside geysers are to be concealed.
- All unsightly objects i.e. dust bins, refuse containers, wash lines and storage areas, pet accommodation / kennels must not be visible from roads, parklands, nature areas or other properties.

2.2.1 ALIEN VEGETATION: Furthermore properties are to be kept free of alien vegetation, in a condition that avoids being a fire risk, whether or not they have built a dwelling. For the purposes of ensuring compliance owners may not unreasonably refuse access to their properties for officials of the WBHOA, or their nominated representatives. The WBHOA shall provide at least 48 hours' notice of its intention to obtain access to individual owners' properties.

2.3 VACANT ERVEN: With regard to undeveloped properties, the WBHOA will undertake a periodic survey of all vacant erven and owners of erven that require clearing of vegetation, or any other maintenance, will be notified in writing as to the extent of such clearing/maintenance to be effected.

Clearing/maintenance will include, but not be limited to:

- removal of all dead or dying vegetation.
- removal of any alien vegetation and/or treatment of same with herbicides to destroy it, as appropriate.
- the trimming of any highly flammable species of indigenous vegetation, or eradication of same should it be close to a neighbouring property.

Owners will be obliged to execute such clearing/maintenance within 21 days of notification or WBHOA will arrange such and charge the owner.

- 2.4 SWIMMING POOLS: Swimming pools and ponds are deemed to be potentially dangerous therefore it is the responsibility of owners to provide adequate safety protection with regard to such pools and/or ponds that are on their property.
- 2.4.1 Back-wash and over-flow water may not be dispensed into the sewage system or on to neighbouring properties. Such water must be dispensed into storm-water channels exclusively.
- 2.4.2 Before filling a pool the WBHOA should be advised in order to ensure that there is sufficient water in storage at the time so as not to adversely affect residents' normal supply.
- 2.4.3 When filling a pool for the first time and when refilling a pool after a major repair, an owner may apply to WBHOA for a special dispensation whereby the owner is charged for the filling at the 10kl rate. This dispensation is subject to prior approval and the owner recording the readings of the water meter before and after the filling. This dispensation does not apply to normal topping up of a pool, for which the owner is encouraged to use rainwater gutters/pipes/tanks.

3. VEHICLES & PARKING

- 3.1 MOTOR VEHICLES: Off-road motor cycles, scramblers, quad-bikes, and similar non-standard vehicles are not permitted to be driven around the estate, other than between the entrance/exit gate and an owner's property, and then only in order to exit or re-enter the estate.
- 3.2 SPEED: A general speed limit of 20 (twenty) Kilometres per hour applies on all internal roads within the Estate.
- 3.3 DELIVERY VEHICLES: Large delivery vehicles are not permitted access to the estate due to the narrowness of the roads and the lack of turning areas. Owners must make arrangements with suppliers to unload large delivery vehicles outside of the estate and use a smaller 4 wheel vehicle to ferry deliveries to their properties.
- 3.4 PARKING: Motor vehicles may be parked on the estate's common areas on a temporary basis only, for a maximum period of 24 hours, provided they do not impede the movement of other traffic.

- 3.4.1 The parking of boats, trailers and caravans is only permitted in the area allocated for this specific purpose, identified as the "boatyard" (See Section 12 of the Procedures Guide - Maps). No boats, trailers or caravans of any nature shall be parked or stored where visible elsewhere within the estate. Accommodation in the boatyard is limited due to the size of this area and is allocated on a first-come first-served basis, with a maximum of one bay per any one property.

4. CONDUCT

- 4.1 **PRIVACY:** The privacy of all members must be respected at all times, given the open nature of the development.
- 4.2 **FIREARMS:** Firearms may not be used anywhere within the estate or reserve, unless in self-defence when under attack and then only in full compliance with the laws that govern the use of fire arms.
- 4.3 **FIRES:** No fires are permitted on either the owners' individual erf or on the communal land, other than barbeques which are to be contained in properly constructed structures or appliances made for such purposes provided they are properly attended and subsequently extinguished. Owners are bound by the provisions of the National Veld and Forest Fire Act 101 of 1998, as amended, as it applies to the prevention of fires on their property.
- 4.4 **WATER:** As water is a scarce commodity it is necessary that residents apply responsible water conservation measures at all times. When conditions dictate, the WBHOA will impose restrictions on water usage according to prevailing circumstances. Water-intensive media, such as automatic irrigation systems are not recommended. Under normal conditions a maximum usage of 20 kl per household is recommended.
- 4.5 **VERGES:** Road verges abutting owners' properties are the property of the WBHOA, some of which contain "Services" infrastructure, such as pipes or cables. Owners wishing to landscape or garden such road verges are required to make prior application to the WBHOA for such landscaping or gardening, submitting clear and comprehensive plans for same. The WBHOA shall at all times retain the right of access to its services either on or under the surface of such verges and shall therefore not be responsible for damage caused to such landscaping and gardening, which owners understand is done at their own risk.

4.6 GATE ACCESS: Access to Westford Bridge is strictly controlled to maintain maximum security at all times. It is incumbent on all members to familiarise themselves with the four sets of instructions, annexed hereto as "Security at Westford Bridge" which deal with:

- Access for Residents
- Pedestrian Access
- Vehicle Access and Exit
- Access for Builders and Tradesmen

5. CONSTRUCTION & MAINTENANCE

5.1 ALTERATIONS & ADDITIONS: Any alteration or addition to the exterior of a house, or areas of a property that are visible from the road, another property, or the common areas, must be undertaken in the manner as prescribed in the Architectural Design Manual (manual), specifically sections 14,15, 16 & 18 which includes, but is not limited to, the re-painting of exterior walls, installation of alternate energy systems, alterations or additions to the house, retaining walls, fences, garden walls, swimming pools etc. Where so stated in the manual a waiver may be required from the WBHOA prior to construction or maintenance.

5.2 SIGNAGE: Temporary signage, such as "For Sale" and "Sold" boards, contractors boards, etc., are prohibited on individual properties, road verges and common land, whether inside or outside of the access gates and security fence.

6. FLORA AND FAUNA

6.1 COMPLIANCE: Westford Bridge is a private nature reserve and owners are legally bound to comply with the provisions of the National Veld and Forest Fire Act, the National Forest Act and the Conservation of Agricultural Resources Act.

6.2 FLORA: Members may only plant approved species of indigenous plants, shrubs and trees on their properties, as set out in Section 5.1 of the Procedures Guide. Non-invasive exotic plants may be planted but they are to be contained within the building platform exclusively.

6.2.1 The removal of indigenous trees is subject to the conditions contained within the various acts referred to in 6.1 above, with particular reference to "natural forests", and may require special permission from the department of Agriculture, Forestry & Fisheries (DAFF). Details on how to contact the relevant authority are obtainable from the WBHOA. Owners should not remove indigenous trees without first consulting the WBHOA.

- 6.3 FAUNA: Snakes are to be protected and returned to the reserve, unless they present an imminent danger to either humans and/or domestic pets. Monkeys, Baboons, Genets and other wild animals are not to be fed as familiarity with humans can lead to their destruction.
- 6.4 AUDIT SURVEY: Annual environmental audit surveys of the 137 Ha area of Westford Bridge are required by the authorities. Owners are obliged to provide access to their garden areas for the inspectors undertaking such surveys – as detailed in 2.2 above.

7 METERS

The supply of water and electricity to properties is subject to the installation by the owner of compliant meters on their properties.

8. LEVIES & CHARGES (Which include annual levies, penalty levies, recoveries in respect of electricity and water consumption and/or any other recoveries or levies).

- 8.1 ANNUAL LEVIES: Annual levies are determined by the WBHOA board for presentation at the Annual General Meeting (AGM) at the end of each financial year. Such levies are effective on the first day of the month succeeding the AGM. Levies are billed monthly in advance and are included in the monthly statement, which is payable on presentation.
- 8.2 WATER & ELECTRICITY CONSUMPTION: Owners are required to read their own water and electricity meters monthly and to submit their readings to the WBHOA as directed. Should owners not provide such readings, the WBHOA make reasonable assumptions of consumption volumes. If the owner is absent they should arrange for someone else to read the meters on their behalf. Owners absent for long periods may choose to shut off their supplies and notify WBHOA. The costs incurred in supplying electricity and water will be recovered according to individual metered consumption, as well as an equal share of the costs of electricity used by the services infrastructure. Such recoveries will be included in the monthly statement, which is payable on presentation. Owners are encouraged to conserve water and ensure that all taps and connections are watertight and leak free. Owners should also monitor their monthly consumption thereby enabling them to detect any sudden, unforeseen water leakages.
- 8.3 ARREARS: Arrears on levies (annual or otherwise) will attract interest at 2% above the prime lending rate applied by First National Bank from time to time.
- 8.4 PAYMENT: All payments should be made in favour of:

THE WESTFORD BRIDGE HOME OWNERS ASSOCIATION (WBHOA)

FIRST NATIONAL BANK, KNYSNA

BRANCH CODE: **210214**

ACCOUNT NO: **52701054167**

9. REFUSE

- 9.1 **HOUSEHOLD REFUSE:** All household refuse, in suitable durable “black” plastic refuse bags, is to be placed on the verge of the property by 08:30 on the nominated day of collection (currently Wednesday). Late placement may result in missing collection when it is the responsibility of the home owner to deliver the refuse to the refuse store situated near the boat park. Refuse is to be placed inside the refuse store, not left outside. Owners are requested not to leave refuse bags on the verge overnight to avoid having litter strewn over the road by animals. Separating recyclable refuse is encouraged (see 9.3 below)
- 9.2 **GARDEN REFUSE:** It is the responsibility of home owners to remove garden refuse. Currently the municipality will collect garden refuse from the central refuse store on a weekly basis. Only **blue** bags may be used for garden refuse which must be placed on the verge, for collection, along with household refuse, as per 9.1 above. A limit of 2 blue bags per household is allowed per Wednesday collection.
- 9.3 **RECYCLABLE REFUSE:** Recyclable materials are to be placed in clear bags.
- 9.4 **OTHER REFUSE:** Westford Bridge will not collect builders rubble, damaged garden tools, furniture or any such other refuse, as Knysna Municipality who collect our refuse will not remove such items
- 9.5 **MAXIMUM NO. OF REFUSE BAGS:** A maximum of 4 refuse bags (in total) per household is permitted per week

10. NOISE

- 10.1 **BEHAVIOUR:** In the interests of all residents household noise should be kept to a reasonable level. This includes:
- Barking and howling dogs
 - Playing of loud music
 - Revving of engines (vehicle or boat maintenance etc.)
 - Shouting, including children and servants/labourers employed by the household
 - Thunder flashes, fireworks, flares etc. are not to be used.
- 10.2 **TOOLS & APPLIANCES:** The use of noisy power tools (outdoors) and noisy garden equipment, such as lawn mowers, is not permitted before 08:00 in the morning and after 17:30 in the evening, Monday to Saturday and no use of such equipment on Sunday's and public holidays.
- 10.3 **POWER GENERATORS:** Electricity generators may only be installed and operated provided that they are strictly contained so as not to be visible or heard from abutting properties or common areas and similarly that any potential pollution, such as fumes or smoke, is totally eliminated through appropriate screening or filtering.
- 10.4 **POOL PUMPS/MOTORS.** If the pool pump/motor is located in a position where the noise may disturb a neighbour, the pump should be insulated with a soundproof cover.

11. ELECTRICITY

To avoid 'light pollution' all external lighting on properties should be minimised. Wherever possible exterior lighting should use low voltage bulbs, subtly illuminating pathways, driveway or stairs, with a maximum intensity of 100 watts. Exterior lights should not shine outwards onto roadways or neighbours, nor should they be visible from across the river valley. Security lighting should be on a separate circuit which is activated only in emergency.

- 11.2 With the increased emphasis on conservation, owners are encouraged to fit or retro-fit solar panels. Such panels should be installed parallel to the roof line and be in the same charcoal colour as the roof. Such installations require a waiver from the architectural committee.

12. WESTFORD BRIDGE PRIVATE NATURE RESERVE TRUST (Reserve):

The Reserve is an area accessible to owners of the WBHOA and their guests, at their own risk. The following rules have been laid down by the Trustees of the Reserve for the conduct of owners and as such are included in the House Rules and will be administered by the WBHOA:

- 12.1 Walkers are required to stay on the roads and trails provided, as shown on the "Trails Map" (see website: www.westfordbridge.co.za, Nature Reserve, Walking Trails, Trails Map) and signposted on the ground. Fire-breaks abutting private properties are out of bounds, except in emergency.
- 12.2 No fires of any kind are permitted within the Reserve. Smoking is deemed a fire risk and is not permitted in the reserve.
- 12.3 Dumping of any type of material is prohibited within the Reserve
- 12.4 Removal of plant material (trees, shrubs and plants) is prohibited within the Reserve
- 12.5 There shall be no littering in the Reserve.
- 12.6 Dogs are only permitted within the Reserve if on a leash.
- 12.7 No motorised vehicles are permitted in the reserve other than on reserve business, such as inspection, maintenance etc. Special concession will be given for the ferrying of owners or their guests where such persons are physically handicapped and are not able to access the reserve on foot. Vehicles used under such concession are restricted to normal passenger carrying vehicles capable of traversing rough terrain and shall be at the drivers own risk. Motor cycles, scramblers, quad bike or similar non-standard vehicles are specifically not permitted in the reserve.