



## Home Owners Association

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### KLEIN BRON PARK HOME OWNERS ASSOCIATION ("HOA") HOUSE RULES

The Constitution of the Klein Bron Park Home Owners Association tasks the Trustees to manage the affairs of Klein Bron Park to the benefit of all members and their properties. To accomplish this, the Trustees rely on rules (known as House Rules) to regulate the behaviour of both owner and tenant residents to ensure that the Park is, and remains, a residential neighbourhood of choice.

The House Rules as set out below may be amended from time to time in order to better regulate behaviour that is to the benefit of all residents.

Die Grondwet van die Kleinbronpark Huiseienaarsvereniging vaardig die Trustees af om Kleinbronpark te bestuur in die beste belang van alle lede en hul eiendomme. Om die taak te vergemaklik maak die Trustees staat op 'n stel reëls (die Huisreëls) om die gedrag van beide lede en huurder inwoners te reguleer om te verseker dat die Park 'n gesogte woonbuurt is en bly.

Die Huisreëls wat hieronder uiteengesit word mag van tyd tot tyd gewysig word om gedrag tot voordeel van alle inwoners te reguleer.

#### 1. MEMBERSHIP

- Membership of the HOA is compulsory for a registered owner of a unit erf.
- A registered owner of a unit erf may not resign as a member of the HOA.
- Membership ceases when a registered owner of a unit erf transfers registered ownership of his unit erf to another member.
- Every member of the HOA shall observe all by-laws and regulations made by the HOA or the Trustee Committee.
- Every member shall be jointly liable with all the members for all expenditure incurred in good faith in connection with the HOA insofar as third parties are concerned.
- No member shall be entitled to any of the privileges of membership unless and until he shall have paid every subscription and other sum (if any) which shall be due and payable to the HOA in respect of his membership thereof.

- *Reference: Constitution of HOA.*

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#### 2. PAYMENT OF LEVIES

- **Is compulsory for all homeowners and payable in advance.**
- Payment by stop order, electronic transfer or direct deposits must state the erf number as reference.
- 10% interest will be added to all overdue accounts and handed to Attorneys for collection.
- Any bank charges related to cash deposits of levies, will in future be debited on the levy account of that specific owner. This will be effective 1 December 2015.
- Access to Klein Bron Park via the vehicle registration system is subject to the homeowner's levies remaining up to date.

- The activation of the vehicle registration numbers on the vehicle registration system is subject to the payment of levies that are more than 90 days in arrears, including special levies, except if special arrangements are agreed to by the KBHOA.

- Failure to make regular payment of levies will result in deactivation of the registered vehicle/s. Members who do not adhere to instalment agreements will also have their vehicle registration numbers deactivated. The resident and his/her visitors will then have to use the visitor entrance/exit. The vehicle registration numbers will only be reactivated when proof of payment has been provided.

- *Reference: Constitution of HOA; Newsletter Dec 2004; Trustee meeting 12 Feb 2008; Trustee meeting 12 October 2015; Trustee meeting 21 February 2022.*

### 3. GARDENS

- Each member has an obligation to attend to his own garden, driveways, and paved areas and to keep them in a neat, tidy, and acceptable condition.
- A Garden Service Provider has been appointed to mow the lawns of the homeowner every 14 days and to attend to the upkeep of the mutual areas.
- Residents are requested to ensure that there is at least 40 centimetres paving or gap around a porta pool or any other garden structure, to ensure that the employees of the Garden Service Provider can mow the lawn and cut the edges without causing damage to the porta pool or other garden structure. In the absence of such paving or a gap, the Garden Service Provider cannot be held responsible for damage to such property.
- Where the homeowner has laid crushed stone or other ornamental stone adjacent to lawns, the Garden Service Provider cannot be held liable for any damage resulting from such stone being in the grass, being cut and thrown up by their equipment and causing damage to any person or the property.
- Residents are requested to ensure that the lawn areas where the Garden Service Provider needs to perform their services on the scheduled days are clear of items that may hinder them in performing their services. These items include but are not limited to garden furniture, garden hoses/accessories, play equipment, etc. These areas must also be clear of dog excrement. The Garden Service Provider is not liable for property damage or their refusal to perform their services should residents fail to clear the applicable areas.
- Members will be given the option of participating in the garden services provided for residences. It needs to be kept in mind that these services for private properties will only be allowed to be performed by the centrally contracted garden service (as determined by the HOA Constitution).
  - The options for the grass cutting of private properties are as follows:
    - Option 1:** Receiving no service from the garden service contractor.
    - Option 2:** Mowing the lawn at the front OR the rear of the property.
    - Option 3:** Mowing the lawn both in front AND at the rear of the property.
  - Please be reminded that in the case of option 1, members will be responsible for keeping their property neat.
  - Members now have the opportunity to select their preferred option and to advise the Office of their preferred choice. Monthly levies will be adjusted accordingly with the commencement of the new garden services contact.
  - Should members not advise the office of their preferred choice, it will be assumed that the status quo will be maintained. Where properties are not maintained to the required standard based on members' chosen option, the Trustee Committee has the right to take steps to bring the property to the required standard, and to recover the cost from the owner.
  - The option selected by each owner will be applicable for the next 12 months, regardless of changes in circumstances during that time. Members will annually have the opportunity during the December/January period to adjust their options according to individual requirements.
  - **Reference: Constitution of HOA; trustee meeting 11 June 2013, trustee meeting 8 March 2021; Trustee notice 20 January 2022.**

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### 4. DOGS & CATS

- Dog owners are responsible to contain their dogs to their own properties.
- The number of dogs and cats allowed is as per municipal ordinance April 2012. All dogs must be registered at the City of Cape Town as per municipal ordinance April 2012.
- When dogs are taken for walks, it should be leashed, and dog owners must remove their dogs' mess from pavements, open areas, and gardens.
  - **Reference: Trustee meeting 24 Jan 2005; Trustee meeting 17 July 2007; Trustee meeting 14 November 2016.**

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### 5. ROADS

- The driving of vehicles, motorbikes and four wheelers by children without a driver's license is strictly prohibited. The roads of the estate are governed by the ordinary road usage act.
- A speed limit of 35km per hour is applicable in the estate.
- No trailers, trucks, boats, caravans, and taxi minibuses are allowed on sidewalks, open spaces or parked in front of property on a permanent basis.
- No vehicles are allowed to park on the grass in front of property on a permanent basis.
- No skating on roller skates/skateboards/or similar devices are allowed on public roads- ref By-law GN 6469 Dated 28/09/2007 Prohibition upon skating, roller-skating and dangerous Acts- Sect. 15(a)- code 94245.
  - **Reference: Newsletter Dec 2004; trustee meeting 24 Jan 2004; trustee meeting 14 July 2009; trustee meeting 14 Aug 2012; trustee meeting 8 Apr 2014.**

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## 6. HOME OWNERS SHOULD COMPLY WITH THE ARCHITECTURAL GUIDELINES

### Building Plans

- Notwithstanding the amendment to the City of Cape Town's Zoning Regulations effective from 1 March 2013, the Klein Bron Park Homeowners Association, will in terms of these regulations still require the member wishing to erect a structure that encroaches on the normal building lines, to submit a signed letter of consent from all effected neighbouring Property Owners to the Trustees, prior to them considering granting approval or not. Draft forms are available at the Administration Office.
- All plans to be scrutinised by the appointed Park Architect, Oscar Schmidt – fees to be paid directly to the architect.
- A colour chart must accompany the plans for plaster and painted houses.
  - **Reference: Constitution of HOA; As per Developer; trustee meeting 24 Jan 2005; trustee meeting 11 June 2013; trustee meeting 8 April 2014; trustee meeting 11 July 2022.**

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## 7. SPECIFIC EXCLUSIONS

- Buildings constructed entirely of wood or fibre cement or more than 10% fibre cement.
- Prefabricated buildings.
- The erection of Wendy houses and any structure of a non-permanent nature are not permitted.
  - **Reference: Architectural manual; trustee meeting 24 Jan 2005.**

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## 8. COMPLAINTS

- Complaints, of any nature, about dogs and neighbours should be directed, by the complainant, to the Municipal law Enforcement office - Tel nr 021 444 9973 (office hours) / 021 596 1999 (24hour).
  - **Reference: trustee meeting 24 Jan 2005; trustee meeting 14 November 2016.**

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## 9. No dumping is allowed in vacant plots and public open spaces.

- **Reference: trustee meeting 24 Jan 2005.**

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## 10. SECURITY AND ACCESS CONTROL

- Owners must include the Klein Bron Park remote with the keys of the property when the property is sold/let to new owners/tenants.
- Visitors entering the estate are photographed and conversations between visitors and security guards are recorded.
- If visitors arrive after 22:00 they are to be collected at the gate and signed in by the relevant homeowner being visited.
- No Klein Bron Park remotes to be handed to Building contractors.
- Domestic workers & garden workers have to register at the Klein Bron Park Administration Office on the fingerprint system.
- When an **unregistered** worker was brought into Klein Bron Park by a resident in his/her vehicle, the worker may not exit the Park unaccompanied. When an unaccompanied, **unregistered** worker, reaches the gate, the worker's exit will be refused. Instead, the worker will be accompanied to the resident's home who employed the unauthorised person in order to rectify the matter.
- The code of conduct applicable to contractors is dealt with in clause 3.3 of the architectural manual.
- NO contractors are allowed on SUNDAYS.
- Estate/letting agents must register at the Klein Bron Park Administration Office and confirm in writing their acceptance of the code of conduct applicable.
- Any person who damages the security boom(s) will be held liable for the replacement cost and any other related costs.
  - **Reference: Newsletter Dec 2004; Newsletter July 2004; trustee meeting 16 Oct 2007; Arch Guidelines; Trustee meeting 24 Jan 2005; trustee meeting 17 May 2011; Trustee meeting 12 October 2015; 10 October 2016.**

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## 11. HOME BUSINESS

- The Trustee Committee must approve the operation of home business.
- Resident estate agent boards are strictly prohibited.
  - **Reference: Trustee meeting 24 Jan 2005.**

## 12. DOOR-TO-DOOR SALES / FLYERS / NOTICES

- No advertising- or sales of any product or service will be allowed without the prior written consent of the Trustee Committee.
  - Flyers from advertisers: no more flyers will be distributed through the Administration Office as of 25 May 2010. Distribution of flyers must be arranged with the local Post Office.
  - No pamphlets, flyers, advertisements, or lost/found notices may be displayed on the booms or guardhouse windows. Lost/found notices may be distributed by residents, **only** by prior arrangement with the Administration Office.
- **Reference: Trustee meeting 24 Jan 2005; trustee meeting May 2010; trustee meeting 14 June 2011.**
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## 13. PARKS

- Wildlife must be protected at the retention dam.
  - The dam is the property of the City of Cape Town, and they have prohibited fishing in the dam. Fishing is only allowed with the necessary approval of the City of Cape Town. Complaints about fishing are to be submitted directly to the appropriate department of the City of Cape Town (tel: 086 010 3089).
  - No swimming or camping is allowed in and around the dam area – refer to the sign at the dam detailing prohibited activities.
- **Reference: trustee meeting 12 April 2005; trustee meeting 21 Feb 2012.**
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## 14. REFUSE REMOVAL

- The City of Cape Town will remove refuse from members' households on Thursdays (refuse other than recyclable materials) and Fridays (recyclable materials).
  - Members may not put their refuse bins in the street before Wednesday evening. Similarly, it is expected that members remove their refuse bins from the street by Saturday morning.
  - Refuse bins must be out of sight (from the street) from Saturday morning until Wednesday afternoon.
- **Reference: trustee meeting 13 September 2011; newsletter Oct 2011.**
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## 15. GENERATORS:

The use of a generator is permitted provided that the following stipulations are adhered to:

- The generator may only be used for short periods of time should normal (municipal) electrical supply be interrupted, and such interruption is beyond the control of the resident.
  - The generator must be of a silent type and may not exceed a noise output level of 60db.
  - The generator must be installed in a sound dampening enclosure in an area not visible from the street.
  - Please consider your neighbour if you install a generator.
- **Reference: trustee meeting 8 April 2019.**
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**The purpose of the House Rules is to ensure a harmonious living environment for all Park residents. It is necessary, from to time, to remind residents of these rules to maintain this harmony. Only with the cooperation of all residents can Klein Bron Park retain its reputation as a residential neighbourhood of choice.**

**Hierdie Huisreëls help om harmonie tussen die inwoners in die Park te vestig. Dit is van tyd tot tyd nodig om inwoners te herinner aan hierdie huisreëls, om te verseker dat die harmonie behoue bly. Kleinbronpark se goeie reputasie as 'n voorkeur woongebied is afhanklik van die samewerking van alle inwoners.**