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KLEINBRON PARK HOME OWNERS ASSOSIATION ("HOA") HOUSE RULES

The Constitution of the Kleinbron Park Home Owners Association tasks the Trustees to manage the affairs of Kleinbron 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 Kleinbron Park Huiseienaarsvereniging vaardig die Trustees af om Kleinbron Park 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

1.1 Membership of the HOA is compulsory for a registered owner of a unit erf.
1.2 A registered owner of a unit erf may not resign as a member of the HOA.
1.3 Membership ceases when a registered owner of a unit erf transfers registered ownership of his unit erf to another member.
1.4 Every member of the HOA shall observe all by-laws and regulations made by the HOA or the Trustee Committee.
1.5 Every member shall be jointly liable with all the members for all expenditure incurred in good faith in connection with the HOA as far as third parties are concerned.
1.6 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

2.1 Timely payment of levies Is compulsory for all homeowners.
2.2 Payment by stop order, electronic transfer or direct deposits must state the applicable erf number as reference.
2.3 Any bank charges related to cash deposits of levies, will be debited to the applicable owner's levy account.
2.4 Levies are payable in advance on the **1st day** of each month.
2.5 Interest of 15% will be charged on levy accounts overdue by **30 days** or more. The interest percentage payable may be amended from time to time.
2.6 Access to Kleinbron Park via the UHF tag system is subject to the homeowner's levies remaining up to date. Specifically:
2.6.1 The activation of a vehicle tag on the UHF tag system is subject to the payment of all arrear levies, including special levies, except if payment arrangements are agreed with the KBHOA. Should the owner default on such payment arrangements, the vehicle tags will be deactivated.

2.6.2 If the homeowner's levy account is **90 days** overdue, the homeowner will be notified, and all their UHF tags will be deactivated. The homeowner will then have to use the visitor entrance/exit. The UHF tags will only be reactivated when a payment or a payment arrangement (of no more than 12 months) is agreed with the KBPHOA. If the homeowner defaults on the payment arrangement, the UHF tags will only be activated when the total levy account has been settled.

2.7 When an overdue levy account reaches **120 days**, it will be handed over to the attorneys for collection. The homeowner will be responsible for all costs associated with additional administrative and legal action, which will be debited to their levy account.

Reference: Constitution of HOA; Newsletter Dec 2004; Trustee meeting 12 Feb 2008; Trustee meeting 12 October 2015; Trustee meeting 21 February 2022; 10 March 2025; 14 April 2025; 14 September 2026.

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3. GARDENS

3.1 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.

3.2 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.

3.3 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.

3.4 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.

3.5 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.

3.6 Members will be given the option of using the garden services provided for residences. Garden services for private properties may only be performed by the centrally contracted garden service (as determined by the HOA Constitution).

3.6.1 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 back of the property.
Option 3: Mowing the lawn both in front AND at the back of the property.

3.6.2 Please be reminded that in the case of option 1, members will be responsible for keeping their property neat. Where properties are not maintained to the required standard, 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.

3.6.3 Members have the opportunity to select their preferred option annually (during December/January) and to advise the Office of their preferred choice. Monthly levies will be adjusted accordingly with the commencement of the new garden services contract.

3.6.4 Should members not advise the office of their preferred choice timeously; it will be assumed that the status quo will be maintained.

3.6.5 The option selected by each owner will be applicable for the next 12 months, regardless of changes in circumstances during that time.

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

4.1 Dog owners must keep their dogs within the boundaries of their own properties.
4.2 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.
4.3 When dogs are taken for walks, they 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

5.1 The roads in the Park are governed by the ordinary road usage act.
5.2 Driving of vehicles, motorbikes and four wheelers by children without a driver's license is strictly prohibited.
5.3 A speed limit of 35km per hour is applicable in the Park.
5.4 No trailers, trucks, boats, caravans, and taxi minibuses are allowed on sidewalks, open spaces or parked in front of property on a permanent basis.
5.5 No vehicles are allowed to park on the grass in front of property on a permanent basis.
5.6 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

6.1 Building Plans
- 6.1.1 Notwithstanding the amendment to the City of Cape Town's Zoning Regulations effective from 1 March 2013, the Kleinbron 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.
- 6.1.2 All plans to be scrutinised by the appointed Park Architect, Oscar Schmidt – fees to be paid directly to the architect.
- 6.1.3 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

7.1 Buildings constructed entirely of wood or fibre cement or more than 10% fibre cement.
7.2 Prefabricated buildings.
7.3 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

8.1 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 (24 hours).

Reference: trustee meeting 24 Jan 2005; trustee meeting 14 November 2016.

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9. DUMPING

9.1 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

10.1 **Damage to the Kleinbron Park security booms:**

10.1.1 Any person who damages the security boom(s) will be held liable for the replacement cost and any other related costs.

10.2 **Resident access – UHF tags (available at the Kleinbron Park admin office):**

10.2.1 Motor vehicle tags are to be affixed to the inside of the resident's vehicle, preferably in the top corner of the windshield on the driver's side of the vehicle. Motorbike tags are to be affixed to the headlight of the motorbike.

10.2.2 Every registered vehicle must have its own tag, properly affixed in the appropriate position. Under no circumstances are tags to be swapped between vehicles. Similarly, tags are not to be carried around in handbags/wallets and the like.

10.2.3 It is the responsibility of the homeowner/appointed letting agent of the property, to without delay inform the Kleinbron Park Admin office in writing:

10.2.3.1 Of any change in ownership should the property be sold.

10.2.3.2 If the property is let, the inception and termination dates of the lease agreement with the tenant occupying the property and any changes to tenant details or lease termination dates.

10.2.3.3 If the property is let, whether the lease agreement has been renewed or whether new tenants will occupy the property.

10.2.3.4 Of changes to the homeowner, letting agent, or resident contact information, vehicle registration details or persons employed as domestic/garden workers.

10.2.4 Should the homeowner/appointed letting agent neglect to confirm the extenuation of a lease agreement or refrain from informing the KBP admin office of changes to residency, access to Kleinbron Park for the tenants occupying the Lessor's property will be terminated. Access to Kleinbron Park will be re-activated on receipt of written confirmation from the Lessor.

10.3 **Visitor access:**

10.3.1 Visitors entering the estate are photographed and conversations between visitors and security guards are recorded.

10.3.2 Visitors need to provide both the address and surname of the resident they wish to visit. The visitor's driver's licence and vehicle licence will be scanned by the security officer.

10.3.3 If visitors arrive after 22:00 they are to be collected at the gate and signed in by the relevant homeowner being visited.

10.4 **Domestic/Garden worker/Pedestrian access:**

10.4.1 It is the resident's responsibility to ensure that friends, family, and domestic/garden workers who are granted access to Kleinbron Park by the person/s residing at the property, are fully informed of the proper use of the access control procedures and systems and that the resident remains responsible for their actions.

10.4.2 All pedestrians accessing the estate on foot/bicycle must be registered on the wave reader system. Pedestrians include residents (on foot and bicycle), domestic and garden workers, and contractors.

10.4.3 Registrations will be done at the guard house by the Security Senior, from Mondays to Fridays from 07h00-17h00.

10.4.4 The pedestrian registration form must be completed by the Park resident and forwarded to the admin office before the arrival of the pedestrian.

10.4.5 Unregistered pedestrians will only be granted access to Kleinbron Park if they show some form of identification.

10.4.6 Unregistered pedestrians without identification cards/documents must wait outside the entrance until the resident collects them at the entrance.

10.4.7 Unregistered pedestrians brought into Kleinbron Park by a resident in their vehicle must be escorted to the exit by the resident when the pedestrian wishes to leave. Unregistered pedestrians unaccompanied by a resident will not be allowed to leave the Park. Instead, the pedestrian will be escorted to the resident's home, who must accompany the pedestrian to the exit.

10.5 **Contractor access:**

10.5.1 Contractors accessing Kleinbron Park on foot/bicycle will also need to be registered for the period of time that they are working. The resident will need to complete the pedestrian registration form for this registration. The registration form can be obtained from the Kleinbron Park admin office.

10.5.2 No contractors are allowed on SUNDAYS.

10.5.3 No Kleinbron Park UHF tags to be handed to contractors.

10.5.2 The code of conduct applicable to contractors is dealt with in clause 3.3 of the architectural manual.

10.6 **Estate/letting agents' access and registration:**

10.6.1 Estate/letting agents access will be treated the same as visitors' access to Kleinbron Park.

10.6.2 Estate/letting agents must register at the Kleinbron Park administration office and confirm in writing their acceptance of the code of conduct applicable.

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; Trustee meeting 13 Nov 2023; Trustee meeting 12 Feb 2024.

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11. HOME BUSINESSES

11.1 The Trustee Committee must approve the operation of home businesses.

11.2 Resident estate agent boards are strictly prohibited.

Reference: Trustee meeting 24 Jan 2005.

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

12.1 No advertising- or sale of any product or service will be allowed without the prior written consent of the Trustee Committee.

12.2 Advertisement flyers will not be distributed through the administration office as of 25 May 2010. Distribution of flyers must be arranged with the local Post Office.

12.3 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

13.1 Wildlife must be protected at the retention dam.

13.2 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).

13.3 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.

14. REFUSE REMOVAL

14.1 The City of Cape Town will remove both refuse (refuse other than recyclable materials) and recycling from residents' households on Thursdays.

14.2 Members may not put their refuse & recycling bins in the street before Wednesday evening. Similarly, it is expected that members remove their refuse bins from the street by Friday morning.

14.3 Refuse bins must be out of sight (from the street) from Friday morning until Wednesday afternoon.

Reference: trustee meeting 13 September 2011; newsletter Oct 2011; Trustee meeting 9 February 2026.

15. GENERATORS

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

15.1.1 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.

15.1.2 The generator must be of a silent type and may not exceed a noise output level of 60db.

15.1.3 The generator must be installed in a sound dampening enclosure in an area not visible from the street.

15.1.4 Please consider your neighbour if you install a generator.

Reference: trustee meeting 8 April 2019.

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 Kleinbron 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. Kleinbron Park se goeie reputasie as 'n voorkeur woongebied is afhanklik van die samewerking van alle inwoners.