

TWIN RIVERS HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS

1. Introduction:

The Objective of TWIN RIVERS is the provision of a high-quality lifestyle for residents, and the intention of these rules is for the protection of this lifestyle.

The rules have been established in terms of the Memorandum and Articles of the TWIN RIVERS Homeowners Association (HOA). They are binding upon all occupants of the Estate, as is any decision taken by the Directors interpreting these rules.

The registered owners of the properties are responsible for ensuring that members of their families, tenants, visitors, friends and all their employees abide by these rules.

Happy and harmonious community living is achieved when residents use and enjoy their private property as well as the public areas of the Estate.

In respect of the interpretation of these rules, the decision of the Directors is final and binding.

These rules are subject to change from time to time, as, and how, it may become necessary.

Members may propose changes for consideration by the Directors or submit such proposals at an Annual General Meeting of members.

The following documents are part of these Rules and Regulations and as such carry the same authority:

- Architectural Guidelines - Annexure A
- Environmental Guidelines - Annexure B
- Builders Code of Conduct - Annexure C
- Fines Structure for the Estate -Annexure D

2. Streets within the Estate:

The Streets of TWIN RIVERS ESTATE are for the movement of all occupants, whether by foot or mechanical means. Note that cars are considered to be part of the street environments, but not necessarily the dominating factor.

1. Speed limit is restricted to 30KM per hour.
2. Save for the above, the Gauteng Road Traffic Ordinance is still in force.
3. Parents are responsible for ensuring that their children use streets in a safe and cautious manner.
4. Dogs must be kept on a leash at all times.
5. Engine powered vehicles are not allowed to drive anywhere except in the streets of the Estate. Parks and pavements are off-limits.
6. Vehicles may not be parked indefinitely on open spaces or pavements.

7. Residents are requested to remember that pedestrians will frequently cross streets.
8. If considered appropriate the Directors may and can decide to impose fines for repeated violations as per Annexure D.
9. Bicycles are prohibited from walkways, nature trails, picnic areas and garden elements.

3. Good neighbourliness:

- 1 No business activity or hobby which would cause aggravation or nuisance to fellow occupants may be conducted, including auctions and jumble sales.
- 2 The volume of music or electronic instruments, partying and activities of any residents or guests should be tuned to a level so as not to be heard on adjoining properties. This noise level will be measured at source with an *integrating sound level meter* ("ISLM") that meets at least the accuracy requirements for a Class-2 instrument (given in IEC 61672-1 and SANS 61672-1) and is fitted with a windshield specified by the ISLM manufacturer. The designated Twin Rivers Estate security guards appointed at the time, will measure the volume and compile a report.
- 3 The mechanical maintenance, and the use of, power saws, lawn mowers and similar equipment, should only be indulged between the following hours:

May	-	August	07h30 - 18h00
September	-	April	07h00 - 19h00
Sundays only between			09h00 - 11h00

 Washing shall only be hung on lines screened from the street and neighbouring properties.
- 4 Refuse, garden refuse and refuse bags may not be placed on the pavements, except if it will be removed within a period of 12 hours.
- 5 Consider your neighbour when your dogs are barking continuously.

4. The Streetscape:

- 1 Every owner has a responsibility to the Estate community as a whole to maintain the area between the road kerb and the boundary of his property (pavement).
- 2 Garden fences/walls and outbuildings forming part of the streetscape should be maintained and painted where necessary, failing which the HOA will have the fence repaired or painted at the owners' expense.
- 3 Caravans, trailers, boats, "tool sheds", equipment tools, vehicles, engine, and vehicle parts as well as accommodation for pets shall be sited out of view and screened from neighbouring properties. (Read with Architectural Guidelines).
- 4 Building material may not under any circumstances be dumped on the sidewalks.
- 5 No trees, plants or sidewalk lawn may be removed without the permission of the HOA (Read with Environmental Guidelines). Planting should not interfere with pedestrian traffic or obscure the vision of motorists.
- 6 Wendy Houses, tool sheds or similar temporary buildings may be permitted but will need the specific authority and approvals from the directors of the HOA.

5. Architectural Standards:

The provisions of the document, titled, Architectural Guidelines, Annexure A, will apply in its entirety.

6. Environmental Management:

The provisions of the document, titled, Environmental Guidelines, Annexure B, will apply in conjunction with these rules below:

- 1 No rubble or refuse should be dumped or discarded in any public area, including the parks, streets, public areas and river.
- 2 A particular appeal is made to residents to leave open spaces they visit in a cleaner condition that in which it was found. Residents are requested to develop the habit of picking up and disposing of any litter encountered in the open spaces.
- 3 Picnicking will only be allowed in designated areas.
- 4 Flora may not be damaged or removed from any public area.
- 5 Fauna of any nature may not be chased or trapped in any public area, be it by people or by dogs.
- 6 Residents are responsible for maintaining, trees, plants and shrubs planted on their pavements by the HOA.
- 7 Residents are expected to maintain a high standard of garden and pavement maintenance.
- 8 Residents must ensure that declared noxious flora are not planted or growing in their gardens.
- 9 Swimming pool water may not be emptied into streets.
- 10 Vacant stands must be kept clean on a regular basis to the satisfaction of the HOA, and if not maintained, the HOA reserves the right to clean the stand at the owner's expense.
- 11 The resident's use of the open space areas is entirely at their own risk at all times.
- 12 The use of fireworks is prohibited within the boundaries of the Estate.

7. Security:

- 1 Security guards may not be abused under any circumstances.
- 2 Security protocol at the gate must be adhered to at all times, by residents as well as their guests.
- 3 Owners must request their visitors to adhere to security protocol and residents and their guests are requested to treat security in a courteous and co-operative manner.
- 4 An identity verification system for permanent workers, temporary workers, contractor representatives is in use at the main entrance and needs to be used by all residents.
- 5 Owners must ensure that contractors in their employ adhere specifically to the security stipulations to the contractors Code of Conduct
- 6 All breaches of security must be reported to the Security Committee and the Security staff on duty
- 7 Security is an attitude, be aware that all residents are responsible to enforce security rules to make it work for all. Residents are free to question suspicious persons not displaying formal ID cards
- 8 The Estate is secured and will be patrolled on a random basis by security guards.

8. Tenants, Visitors, Contractors and Employees:

- 1 Should any owner let his property he shall in writing advise the HOA in advance of occupation of the name of the lessee and the period of the lease. The owners shall ensure that the lessee is aware of the rules of the estate and bind the lessee to adhere to them
- 2 The occupiers of any property of the estate is liable for their visitors, contractors and employees and must ensure that these parties adhere to the rules and regulations.

3 Owners must ensure that contractors in his employ has signed the contractors Code of Conduct and adhere to the stipulations of the contract

9. Animals:

1. Local national laws and bylaws relating to pets and animals will be strictly enforced.
2. No slaughtering or purposeful killing of animals for any reason is allowed on the Estate
3. Animals are to be kept behind fences and are not allowed to roam the streets or public areas unattended
4. Pets must be walked on a leash in common areas
5. Should any excrement be deposited in a public area the removal thereof shall be the sole responsibility of the owner of the pet
6. It is the responsibility of the owner to ensure that his/her animals do not cause nuisance to neighbours or other property owners, specific nuisance but not excluding others are odours, noise, flies, insects, vermin, unhygienic conditions and trespassing.
7. Pets must wear a collar with a tag indicating its name and telephone number of its owner. Stray pets without identification may be apprehended and handed to the SPCA
8. The HOA reserves the right to insist the owner to remove the animal/s should it be a nuisance to the estate.

The following number of animals may be kept on a property. Animals other than those mentioned may only be kept with written permission of the HOA: Numbers in excess of these mentioned below need to be approved by the HOA.

Large livestock (horses and cattle)	-	4
Small livestock (sheep, goats, pigs)	-	5
Poultry (chickens, ducks etc.)	-	20
Dogs	-	5
Cats	-	5

All structures to accommodate animals must be approved by Architectural Committee.

10. Letting and reselling Property:

- 1 The appointment of accredited Estate Agents to manage the sale or lease of properties is encouraged.
- 2 The agent must ensure that the buyer/lessee is informed about and receives a copy of these Rules and Regulations and any other administrative regulations applicable at the time.
- 3 A clearance certificate must be obtained from the HOA prior to any transfer.
- 4 The seller or lessor of a property in the estate shall ensure that the sale / lease agreement contains the following clauses:

A. Sale:

1. Homeowners Association: The Purchaser acknowledges that he / she is required upon registration of the property into his / her name, to become a member of the TWIN RIVERS HOA and agrees to do so subject to the Memorandum and Articles of Association of such association.

2. Conditions of Title : The Seller or lessor shall be entitled to procure that, in addition to all other conditions of title be inserted in the Deed of Transfer, in terms of which the Purchaser takes title to the property: "Every owner of the erf, or any subdivision thereof, or any interest therein, or any unit

thereon, as defined in the Sectional Titles Act, shall become and shall remain a Member of the Homeowners Association and be subject to its constitution, until he ceases to be an owner as aforesaid. Neither the erf, nor any person who has not bound himself to the satisfaction of such Association to become a Member of the Homeowners Association."

"The owner of the erf, or any subdivision thereof, or any interest therein, or any unit thereon as defined in the Sectional Title Act, shall not be entitled to transfer the erf or any subdivision thereof, or interest therein, or any unit thereon, without a Clearance Certificate from the Homeowners Association that the provisions of the Articles of Association of the Homeowners Association have been complied with."

The terms "Homeowners Association" in the aforesaid conditions of Title Deed shall mean the TWIN RIVERS HOMEOWNERS ASSOCIATION (incorporated Association not for gain). In the event of the Registrar of Deeds requiring the amendment of such conditions, in any manner in order to effect registration of same, the purchaser of same hereby agrees to such amendment.

3. The seller must personally ensure that the buyer is informed about and receives a copy of the Rules and Regulations and any other administrative regulations applicable at the time.

B. Lease:

1. The Purchaser acknowledges upon occupation of his premises, he and his family, his visitors and servants shall adhere to these Rules and Regulations.

2. Agents may only operate on a "By Appointment" basis and must personally accompany a prospective buyer or lessee and are not allowed to erect any "For Sale" or "To Let" signage boards.

3. The lessor must personally ensure that the lessee receives a copy of the Rules and Regulations and any other administrative regulations applicable at the time and binds his lessee to the same.

Note: Accredited Estate Agents

1. An estate agent is accredited after signing an agreement with the HOA, that such agent will abide by the stipulated procedures applicable to the sale and/ or lease of the property in the Estate, and after having been inducted with respect to the concepts, rules and conditions under which a buyer and/or lessee purchases and/or leases the property in the TWIN RIVERS Estate.
2. Accreditation of Estate Agents may be reviewed by the HOA from time to time.
3. The accreditation policy for estate agents may be reviewed by the HOA from time to time.

11. Administration:

1. All levies are due and payable in advance on the first day of each and every month.
2. Interest will be raised on all accounts in arrears.
3. A further penalty, is detailed in Annexure D for unpaid levies.
4. The Directors may amend or add to the Rules and Regulations from time to time may be deemed necessary to ensure the happy and orderly co-existence of occupants.
5. The Directors have the right to fine transgressors where any of the rules as stipulated by the HOA from time to time have been broken. Such fines will form part of the levy and be due and payable on due date of payment of the levy. The fines' structure is laid out in Annexure D.

12. Business Activity:

Any member of the HOA, or resident, wishing to conduct any business on his/her property must apply in writing to the HOA to conduct such business. The HOA will consider the application on merit, after taking into consideration the following:

- a. The compliance with Municipal by-laws.
- b. Increased traffic.
- c. Parking: employees and customers
- d. Signage.
- e. Disturbance to other residents and community as a whole.
- f. Number of employees etc.
- g. Hours of business.
- h. Access and Security.

The decision of the HOA and its Directors will be final and binding.