



ESTATE RULES

INCLUDING SCHEDULE OF FINES

**Made by the Trustee Committee of the Aan de Weber Home Owners' Association
under clause 20.5 of the Association's Constitution**

**Version 1 - February 2014
Version 2 – 3 October 2016**

AAN DE WEBER ESTATE DISCLAIMER

PERSONS ENTERING THE ESTATE ACCEPT THE RULES AND LEGAL TERMS EXCLUDING LIABILITY

- Whilst every effort is made to secure and monitor the Estate, entering the Estate and using any of the facilities is entirely at own risk to person or property; persons who enter the Estate accept this risk.
- Entry into the Estate and use of facilities are subject to the Rules of the Estate, which are available upon request at the Entrance Gate to the Estate.
- Persons, including parents or guardians on behalf of minors, agree that they / the minors will not claim from the Aan de Weber Home Owners' Association and its employees, agents or contractors for any harm. The exclusion of liability also applies to negligence by the Association.
- Parents or guardians of minors agree to indemnify the Association against any claim of a minor.



WARNING: DANGEROUS ELECTRIFIED FENCE

The Estate is surrounded by an electrified perimeter security fence, which is dangerous and, if touched, could cause death.



WARNING: THE ESTATE IS PATROLLED BY GUARD DOGS



PLEASE RESPECT THE SPEED LIMIT IN THE ESTATE

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AAN DE WEBER ESTATE RULES

PREAMBLE

The primary objects of the Aan de Weber Home Owners' Association are to protect and advance the interests of its members, to provide a superior quality lifestyle in the Estate, offering safe and harmonious community living, and to maintain the architectural and aesthetic standards designed for the Estate to enhance property values.

Achieving these objects and maintaining this lifestyle depends on the extent to which all residents contribute towards maintaining a pleasant and safe environment, enjoying their private property as well as the common facilities in the Estate in a considerate manner, maintaining a neat and attractive streetscape, and by complying with all security directives.

A Trustee Committee has been established under the Aan de Weber Constitution to assist the Association with achieving these objects and maintaining this lifestyle. To this end the Committee is invested with the power to make rules governing conduct in the Estate, and to maintain the architectural guidelines, which are binding on all residents.

1. Definitions

In the interpretation of these Rules, unless the context otherwise indicates –

- 1.1. "Association" means the Aan de Weber Home Owners' Association established in terms of section 29 of the *Land Use Planning Ordinance, 1985 [No 15 of 1985]*, as amended;
- 1.2. "common facility" means any street, sidewalk, facility, building or structure in the Estate that is the property of the Association and that may be used for the purposes, and on the conditions, from time to time determined by the Association or the Trustee Committee;
- 1.3. "erf" means any area of land in the Estate with its own number on the Surveyor-General's general plan and the title to which is registered separately in the Deeds Office in the name of a member;
- 1.4. "Estate" means the township area known as Aan de Weber Estate;
- 1.5. "instruction" means a written instruction in the form of a letter or notice from the managing agent and / or a member of the Trustee Committee sent by way of e-mail or given by hand to a member or person duly authorised to accept correspondence on his / her behalf;
- 1.6. "Managing Agent" means the service provider from time to time appointed by the Trustee Committee to assist it with the day-to-day management and administration of the Estate, its affairs, transactions and finances;
- 1.7. "member" means a person who is a member of the Association by virtue of his / her registered ownership of an erf in the Estate;
- 1.8. "Municipality" means the Stellenbosch Municipality;

- 1.9. "occupant" means any person who has the right to reside, or be present, in a dwelling in the Estate in terms of an arrangement granting rights of occupancy, whether for consideration or not;
- 1.10. "resident" means any person who resides in the Estate, irrespective of whether he / she is a member or a family member of such member, or an occupant or a family member of such occupant;
- 1.11. "Security Personnel" means the personnel of the security service provider appointed from time to time by the Trustee Committee to provide access and egress control and other security services in the Estate;
- 1.12. "signage" means any sign, notice, billboard or placard that is used to convey information;
- 1.13. "Trustee Committee" means the board of trustees elected and / or appointed in accordance with the provisions of the Constitution; and
- 1.14. "vehicle" means any mode of transport, including, but not limited to, a motorcar, motorcycle, motor tricycle, truck, caravan, trailer or boat.

2. Words and Expressions

2.1. Words importing a reference to –

- 2.1.1. the singular include the plural, and the converse also applies;
- 2.1.2. a gender include the other genders; and
- 2.1.3. natural persons include legal persons, and the converse also applies.

2.2. In these Rules words and expressions to which a meaning is assigned in the Constitution bear the meaning so assigned to them, and in the event of any conflict between the Constitution and these Rules, the Constitution will prevail, unless it is inconsistent with the context.

3. Calculation of Periods

When any number of days is prescribed in these Rules, same means calendar days which must be reckoned exclusively of the first and inclusively of the last day unless the last day falls on a Saturday, Sunday or proclaimed public holiday, in which event the last day will be the next succeeding day which is not a Saturday, Sunday or proclaimed public holiday.

4. Regulations and By-Laws

- 4.1. A resident and any other person who enters the Estate is bound by any applicable official regulation and by-law of the Municipality and any other competent authority as if such regulation and by-law were incorporated in these Rules.
- 4.2. The Trustee Committee may in addition to imposing the prescribed penalty for the contravention of an official regulation or by-law, in its sole discretion lay a charge against the alledged perpetrator.

5. Binding Nature of Rules

- 5.1. These Rules and any condition determined or instruction given hereunder are binding on any person who resides in, or enters, the Estate.
- 5.2. The Trustee Committee may at any time apply to a competent court for an order to compel a resident or any other person who enters the Estate to comply with these Rules and any condition determined or instruction given hereunder.

6. Member's Obligations

- 6.1. A member must ensure compliance with these Rules and any condition determined or instruction given hereunder, by –
 - 6.1.1. any of his / her family members who resides in his / her dwelling, and his / her visitor, guest, domestic worker and garden worker; and
 - 6.1.2. any occupant of his / her dwelling, and any of such occupant's family members who resides in such dwelling, and his / her visitor, guest, domestic worker and garden worker.
- 6.2. When concluding an agreement for the sale of his / her erf, or an agreement granting rights of occupancy to his / her dwelling whether for consideration or not, the member concerned must include a provision that the person concerned is obliged to comply with these Rules and any condition determined or instruction given hereunder, and furnish him / her with a copy hereof.
- 6.3. A member may not use, or permit to be used, his / her erf or any structure erected or placed thereon, in a manner or for a purpose that causes a nuisance or creates a disturbance, or that is injurious to the reputation and ambience of the Estate.

7. Member's Liability

- 7.1. The member concerned may be held liable for damages, fines, all legal costs (including costs between an attorney and client) and collection commission, expenses and charges incurred by the Trustee Committee in enforcing compliance by him / her, or any other person referred to in Rule 6.1, with these Rules and any condition determined or instruction given hereunder.
- 7.2. The cost of repairing damages, fines, all legal costs (including costs between an attorney and client) and collection commission, expenses and charges contemplated in Rule 7.1 are deemed to be a levy contemplated in the Constitution, and may, if it is not paid within fourteen (14) days after the member has been required to pay same, be added to the member's levy statement and will bear interest as a levy debt.

8. Business Activities

- 8.1. A person may not conduct a business or practice a trade on or from an erf in the Estate without the prior written permission of the Trustee Committee and the Municipality.
- 8.2. If the applicant is not the owner of the erf, the written permission of the owner of the erf for such application must accompany the application to the Trustee Committee and the Municipality.

9. Security Measures

- 9.1. A resident and any other person who enters the Estate must at all times comply with the systems and procedures relating to access and egress control and other security related measures from time to time implemented by the Trustee Committee, and must comply with the security directives of the Security Personnel and treat them in a co-operative and courteous manner.
- 9.2. A resident and any other person who enters the Estate may not tamper with any of the security equipment and must immediately inform the Security Personnel at the Entrance Gate if he / she encounters any irregularities.
- 9.3. A member is under his / her signature issued with a maximum of six (6) magnetic access cards to allow entering into the Estate: Provided that if –
 - 9.3.1. a person ceases to be a member he / she must forthwith return the access card or cards to the Managing Agent;
 - 9.3.2. the member hands an access card or cards to the occupant of his / her dwelling, he / she must forthwith retrieve same when such person ceases to be such occupant.
- 9.4. The visitor or guest of a resident must upon arrival sign the access control register and dial the resident concerned, whereupon the resident may allow him / her access by entering the appropriate number into the electronic access control system.
- 9.5. A member must register with the Managing Agent a domestic worker and / or garden worker engaged on a regular basis in the Estate by him / her or the occupant of his / her dwelling, and may in the sole discretion of the Managing Agent be issued with a temporary access permit for such worker which is valid for the period from time to time prescribed: Provided that upon termination of the worker's engagement the member must forthwith retrieve the permit from the person concerned.
- 9.6. A resident who wishes to engage a domestic worker and / or garden worker in the Estate for a single engagement or a limited number of engagements, must accompany that person to and from the Entrance Gate and must complete the Access Control Register in respect of each such engagement: Provided that if the resident is unable to accompany such person, he / she must inform the Security Personnel of the intended engagement and provide them with sufficient information to enable them to recognise the person concerned.
- 9.7. An access card or access permit holder who arrives at the gate without such card or permit or whose card has been de-activated or permit has been cancelled, will be allowed access only after completion of the Access Control Register and on production of valid identification.
- 9.8. An access permit holder must at all times carry the permit on his / her person while in the Estate.
- 9.9. If an access card or access permit holder loses same, he / she must forthwith report the loss to the Managing Agent, whereupon a replacement card or permit will be issued upon payment of the applicable fee.
- 9.10. An access card or access permit holder may not for any reason whatsoever make his / her card or permit available to another person.

10. General Conduct

Note: As Security Personnel can only act as mediator regarding complaints of nuisance and / or disturbance, residents are encouraged to address such complaints to the person causing same, and if the person concerned does not respond positively, then to contact the SAPS.

10.1. A resident and any other person who enters the Estate must accord other residents and persons in the Estate courtesy.

10.2. No person may in in the Estate –

10.2.1. create a noise by singing or by operating any type of musical or noise-creating instrument, gramophone, radio, loudspeaker or similar device; or

10.2.2. indulge in unbecoming, riotous, violent or immoral conduct, that in the sole discretion of the Trustee Committee constitutes a nuisance or creates disturbance.

Note: Any noise above 6.5dB is regarded as constituting a nuisance / disturbance.

10.3. Social gatherings must be conducted with the minimum noise generation and no singing, music, noise or merrymaking may be heard outside the boundaries of the erf concerned between 23:00 and 07:00.

10.4. No person may discharge any fireworks in the Estate.

10.5. No person may discharge a firearm in the Estate for any purpose or reason other than self-defence or emergency.

10.6. No person may discharge an airgun, catapult, crossbow or other projectile propelling instrument in the Estate.

10.7. The maintenance of any vehicle, implement, machinery or equipment must be conducted out of sight from a common facility or another erf and may not be conducted in such a manner as to cause a nuisance or disturbance to other residents.

10.8. A serviced vehicle may not be test-driven in the Estate.

10.9. Power saws, lawnmowers, bush cutters, weed eaters and other noise producing equipment or tools may not be used at all on a Sunday, but may be used on Monday to Saturday during the following times:

– May – August	,	07:30 – 18:00
– September – April	,	07:00 – 19:00

Note: Residents are encouraged to use electrically powered equipment and tools rather than equipment powered by any type of internal combustion engine.

10.10. A person may not trap, shoot, harass or in any way harm the fauna in the Estate.

10.11. Trees, shrubs or plants may not be removed from or planted on a common facility without the prior written permission of the Trustee Committee.

11. Maintenance of Properties and Streetscape

- 11.1. A member must at all times maintain the external appearance of his / her property, including the buildings, outbuildings, boundary walls, retaining walls, fences, paving and any other improvements on the erf forming part of the streetscape or that can be seen from a common facility or another erf in a state of good repair to the satisfaction of the Trustee Committee.
- 11.2. A member must at all times keep his / her garden and the area between the street boundary of his / her erf and the kerb in a neat and tidy state, free of building rubble, garden or household refuse, litter, or unwanted articles and other material to the satisfaction of the Trustee Committee.
- 11.3. A member must regularly, and when the Trustee Committee in a particular instance so instructs, prune back trees, shrubs or plants in his / her garden or in the area between the street boundary of his / her erf and the kerb so that they will not impede vehicular or pedestrian traffic or pose a safety hazard.
- 11.4. A member may not without the prior written permission of the Trustee Committee expose, install, place or erect any structure or item on or at an erf which, in the opinion of the Trustee Committee, is unsightly, aesthetically displeasing or undesirable or detrimental to the general appearance of the Estate when viewed from a common facility or another erf.
- 11.5. A member may not place or erect a garden / tool shed, wendy house or temporary structure on an erf.
- 11.6. A member may not place, store or dump building rubble, garden or household refuse, litter, or unwanted articles or material on an erf so that it is visible from a common facility or another erf.
- 11.7. A member may not erect a washing line, or hang washing out, in such a way that it is visible from a common facility or another erf.

12. Signage and Advertisements

A person may not without the prior written permission of the Trustee Committee, and on such conditions as the Committee determines, display, erect or place any signage on any part of an erf so that it is visible from a common facility or another erf, or distribute any advertisement or information pamphlet, letter or note whatsoever in the Estate.

13. Maintenance of Undeveloped Erf

- 13.1. A member must at all times maintain his / her undeveloped erf in a neat and tidy state to the satisfaction of the Trustee Committee.
- 13.2. Building rubble, garden or household refuse, litter, unwanted articles or other material may not be deposited, thrown, placed, stored or dumped, or permitted, or allowed, to be deposited, thrown, placed, stored or dumped, on an undeveloped erf.

14. Refuse Collection

- 14.1. Refuse containers must be kept on an erf in such a manner as to prevent foraging as far as possible and so that it is not visible from a common facility or another erf.

- 14.2. Refuse containers must be placed on the sidewalk only in the morning of the day for which refuse collection is scheduled.
- 14.3. If refuse is not collected on the scheduled day, the resident concerned must remove his / her refuse container to the area on his / her erf where same is normally kept.
- 15. Keeping of Pets**
- 15.1. A resident may not keep more than two (2) dogs and two (2) cats on any one erf without the prior written permission of the Trustee Committee.
- 15.2. A resident may not keep –
- 15.2.1. any poisonous, exotic or other undomesticated pet; or
- 15.2.2. poultry, pigeons, aviaries, apiaries or livestock,
on an erf or in any structure erected or placed thereon.
- 15.3. A resident may in a special case, in the sole discretion of the Trustee Committee and on such conditions as the Committee may determine, be permitted to keep a pet that would otherwise not be allowed.
- 15.4. A pet must be neutered, spayed or similar and must be regularly inoculated.
- 15.5. A pet must wear a collar fitted with a tag indicating the contact details of its owner.
- 15.6. A pet may not roam the Estate and may not be allowed to create a nuisance or cause a disturbance to residents.
- 15.7. A dog must at all times be tended and on leash when it is not on the erf on which it is kept: Provided that a dog that is commonly regarded as ferocious must, in addition, be muzzled when it is not on the erf on which it is kept.
- 15.8. The excrement of a pet deposited inside the erf on which it is kept must be removed at least once a day, and must be removed immediately when it is deposited anywhere outside such erf.
- 15.9. A pet may not be neglected by, for example, leaving it to fend for itself or failing to provide it with sufficient shelter, nutrition or veterinary attention.
- 15.10. No person may inflict physical cruelty on a pet or subject it to violence in the Estate.
- 16. Use of Common Facility**
- 16.1. A person who makes use of a common facility in the Estate must at all times be considerate and exercise proper care.
- 16.2. Open fires or braais are not permitted in or on a common facility without the prior written permission of the Trustee Committee.
- 16.3. A person may not bring any intoxicating substance into or onto a common facility without the prior written permission of the Trustee Committee.
- 16.4. A person may not swim or bath in any of the dams in the Estate.

17. Damage to Common Facility

- 17.1. A person may not in any way damage or deface a common facility or any item placed or installed, or structure erected, by the Association in or on a common facility.
- 17.2. A resident whose erf borders on the security fence and structures must take particular care not to damage or tamper with such fence and structures, and may not do anything that may prevent the proper functioning of the security system.
- 17.3. Trees, shrubs or plants that in the sole discretion of the Trustee Committee are likely to interfere with the proper functioning of, or damage, the common civil services structures and / or the security system in the Estate may not be planted in the close proximity of such structures or the perimeter security fence and structures.
- 17.4. Building rubble, refuse, litter or unwanted articles or material may not be deposited, thrown, placed, stored or dumped, or allowed to be deposited, thrown, placed, stored or dumped, in or on a common facility.
- 17.5. An item, fluid or material that may cause a blockage may not be disposed into the sewerage or storm-water system, provided that in the event of a blockage that is shown to be the result of such disposal, the resident concerned must clear the sewerage or storm-water system within twenty-four (24) hours after the occurrence of the blockage, failing which the Trustee Committee may have the system cleared at the risk and for the account of the member who is the owner of the erf concerned.
- 17.6. If a vehicle has dripped or spilled lubricant or other fluid onto a common facility or in any other way has damaged or defaced a common facility, the person responsible for it must forthwith clean or repair the area concerned, failing which the Trustee Committee may have the area repaired or cleaned for the account of the person concerned.

18. Maintenance of Common Civil Services Structures and Security Fence

- 18.1. After having received reasonable notice from the Managing Agent, a resident must allow a person authorised thereto by the Trustee Committee to enter his / her erf to –
 - 18.1.1. to carry out inspections, repairs or maintenance of any pipes, wires, cables and ducts being used or capable of being used in connection with any common civil service and / or of the perimeter security fence and structures;
 - 18.1.2. prune trees, shrubs and plants which in the discretion of the Trustee Committee are likely to interfere with the proper functioning of, or damage, the common civil services structures, and / or the perimeter security fence and structures.
- 18.2. A person may not without the prior written permission of the Trustee Committee, and on such conditions as the Trustee Committee determines, display, erect or place any signage on, against or on top of any common facility or the perimeter security fence and structures.
- 18.3. If a person is obstructed or hindered in performing any work contemplated in this Rule, the owner of the erf concerned may be held liable for any additional costs incurred by the Trustee Committee in the performing out thereof.

19. Traffic Control

Note: Speed humps constructed on streets as a traffic calming measure must be negotiated with utmost care to prevent damage to vehicles.

- 19.1. Unless specifically stated otherwise in these Rules, the normal statutory traffic regulations apply in the Estate.
- 19.2. A resident and any other person who enters the Estate must comply strictly with the normal statutory traffic regulations and the control measures from time to time issued or implemented by the Trustee Committee to regulate traffic in the Estate.
- 19.3. A speed limit of 30 km/h applies in the Estate.
- 19.4. A vehicle may not be operated on a street by a person who is not in possession of a valid driver's license.
- 19.5. A vehicle must at all times be operated with the utmost care and may not be operated anywhere other than on a street.
- 19.6. The operator of a vehicle may not take a short cut over a common facility or an undeveloped erf.
- 19.7. A vehicle that is not licensed, not roadworthy, produces excessive noise or smoke, or drips or spills lubricant or other fluid, or that in any other way may damage or deface a common facility, may not be operated in or on a common facility.

20. Parking or Standing of Vehicles

- 20.1. Parking or standing of a vehicle in or on a common facility is subject to the express condition that such vehicle is parked or stood at its owner's risk and responsibility and that no liability will attach to the Association, its employees, agents or contractors for any loss or damage of whatsoever nature which the vehicle's owner, or any person claiming through or under him / her, may suffer in consequence of the vehicle having been so parked or stood.
- 20.2. A vehicle that is not licensed, not roadworthy, produces excessive noise or smoke, or drips or spills lubricant or other fluid, or that in any other way may damage or deface common facility, may not be parked or stood in or on a common facility.
- 20.3. A vehicle may not be parked or left unattended in or on a common facility in such a manner that it may cause an obstruction to other street users or impede the flow of traffic, or occupies more than one demarcated parking bay.
- 20.4. A vehicle may not be abandoned in or on a common facility and may not without the prior written permission of the Managing Agent be parked in or on such facility other than in a street or a demarcated parking area.
- 20.5. A caravan, boat and trailer, and any vehicle that may not be operated on a public road, may not be parked in or on a common facility or on another erf with the explicit permission of the owner of that erf.

21. Removal of Vehicles

The Trustee Committee may cause to be removed for the account of the owner or the person in control thereof a vehicle that in its sole discretion has been abandoned in the Estate or that is parked or stood in contravention of these Rules.

22. Use of Fuel-powered Generators Prohibited

No person may use a fuel-powered generator as a back-up electricity source in the Estate.

23. Installation and Use of Inverter Equipment

23.1. A resident who wishes to install or use battery-powered inverter equipment as a back-up electricity source must place the equipment, including any accompanying components, in such a location that it will not be visible from a common facility or appear unsightly when viewed from another erf.

23.2. If the inverter equipment used is synchronised with or connected to the Local Authority's electrical network, the member concerned must submit to the Trustee Committee a certificate by a suitably qualified person that the work was carried out in compliance with the applicable Local Authority regulations and that the equipment is in all respects compliant with such regulations.

23.3. A resident must ensure that inverter equipment used on his / her erf is at all times maintained in a proper state of repair and compliant with the applicable Local Authority regulations, and to this end must have the equipment regularly tested.

23.4. The Trustee Committee may from time to time require proof of testing of the equipment concerned.

23.5. A resident who uses an inverter must at all times ensure that it does not interfere with the proper functioning of the electrified perimeter security fence.

23.6. The Trustee Committee may –

23.6.1. require the use of any equipment that does not comply with this Rule to be discontinued; and / or

23.6.2. require any equipment located or installed in contravention this Rule to be removed.

24. Breach of Rules

24.1. If in the discretion of the Trustee Committee the operator of a vehicle contravenes, or a vehicle does not comply with, a provision of Rule 19 or 20, it may –

24.1.1. instruct the operator to comply with such provision; or

24.1.2. refuse such vehicle entry into the Estate; or

24.1.3. instruct the operator to remove the vehicle from the Estate; or

24.1.4. impose the prescribed fine; or

24.1.5. apply more than one of the options contemplated in Rule 24.1.1 – 4.

- 24.2. If a person is in breach of any of these Rules, other than Rule 19 or 20, or any condition determined or instruction given hereunder, the Trustee Committee may –
- 24.2.1. instruct such person to remedy such breach within the indicated period; or
 - 24.2.2. instruct such person forthwith to desist from such conduct; or
 - 24.2.3. impose the prescribed fine; or
 - 24.2.4. apply more than one of the options contemplated in Rule 24.2.1 – 3.

25. Failure to Comply with Instruction and / or to Pay Fine

If an instruction is not complied with, and / or a fine is not paid, within the indicated period, the member concerned will be issued with a written notice giving an adequate description of the instruction and intimating that –

- 25.1. the instruction must be complied with within the indicated period, and that if it is not so complied with, the Trustee Committee may remedy the breach in question for his / her account;
- 25.2. the fine imposed, if not paid within the indicated period, may be added to his / her levy statement and collected as if it were a levy;
- 25.3. a competent court may be approached for an order to compel him / her to comply with the instruction and / or pay the fine.

26. Interest on Cost of Remedying Breach / Fine

The cost of remedying a breach and / or a fine that is not paid by the due date, will bear interest from the date of delinquency at the publicly quoted prime rate of interest charged by the Association's bankers from time to time plus three percent (3%), calculated from the due date for payment until the actual date of payment of such amount.

27. Appeal Lodged with Trustee Committee

- 27.1. A member who is aggrieved by any condition, instruction or action by the Trustee Committee or the Managing Agent under these Rules, may in writing lodge an appeal with the Committee: Provided that if the grievance concerns an instruction to desist from certain conduct, such lodgement shall not absolve the person concerned from complying with the instruction.
- 27.2. The appeal must give a full explanation of the circumstances of the matter and clearly indicate the relief sought.
- 27.3. The Trustee Committee, or a Subcommittee of its members designated by it and consisting of at least two (2) members, must without undue delay convene a meeting to consider the appeal.
- 27.4. A written notice must be sent to the member and, where applicable, the other person concerned, at least seven (7) days before the meeting is held informing him / her / them of the meeting and inviting him / her / them to attend: Provided that if the member and, where applicable, the other person concerned, fails to attend the meeting, the Trustee Committee or the Subcommittee, as the case may be, may proceed with the meeting and dispose of the appeal.

- 27.5. At the meeting the member and, where applicable, the other person concerned, may present his / her / their case, but except in so far as may be permitted by the chairperson, he / she / they may not participate in the business of, or voting at, the meeting.
- 27.6. After the member and, where applicable, the other person concerned, presented his / her / their case, the Trustee Committee or the Subcommittee, as the case may be, may with a minimum of two (2) Trustee Committee or Subcommittee members, as the case may be, present and voting, resolve to –
- 27.6.1. confirm, vary or revoke the condition or instruction; and / or
- 27.6.2. confirm, reduce or revoke the fine.

28. Complaints

- 28.1. The Trustee Committee must investigate in such manner as it deems fit a written complaint received from a member relating to the behaviour and / or conduct of a resident and / or other person in the Estate, and may take such steps with regard thereto as it deems fit.
- 28.2. The Trustee Committee may on its own initiative, and irrespective of whether a complaint has been received, investigate in such manner as it deems fit the behaviour and / or conduct of a resident and / or other person in the Estate, and may take such steps with regard thereto as it in its sole discretion deems fit.

AAN de WEBER ESTATE RULES
SCHEDULE OF FINES

Approved by Trustee Committee on 3 October 2016

Rule	Description of Breach	Fine
8.1	Conducting business or practice trade without prior written permission	R500 p/m until compliant
9.1	Refusing to comply with security directives Not treating Security Personnel in co-operative and courteous manner	R500
9.2	Tampering with security equipment	R1000
9.5	Not registering domestic / garden worker engaged on regular basis Not retrieving access permit upon termination of engagement	R250 per worker
9.6	Not accompanying domestic / garden worker engaged for single engagement or limited number of engagements Non-completion of Access Control Register in respect of each engagement	R250 per worker
9.8	Not carrying access permit on person	R250
9.9	Not reporting lost access card / access permit	R250
9.10	Making access card / access permit available to another person	R500
10.2.1	Creating nuisance / disturbance	R1000
10.2.2	Indulging in unbecoming / riotous / violent / immoral conduct	R1000
10.3	Merrymaking outside boundaries of erf between 23:00 – 07:00	R500
10.4	Discharging fireworks	R1000
10.5	Discharging firearm other than for self-defence / emergency	R10000
10.6	Discharging airgun / catapult / crossbow / other projectile propelling instrument	R1000
10.7	Maintenance of vehicle / implement / machinery / equipment in view from common facility or other erf or in such manner as to cause nuisance or disturbance	R1000
10.9	Operating noise producing equipment / tools on Sunday, or outside following times on Monday – Saturday: ▫ May – Aug , 07:30 – 18:00 ▫ Sept – April , 07:00 – 19:00	R1000
10.10	Trapping / shooting / harassing / harming of fauna	R1000

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10.11	Removing / planting of trees / shrubs / plants from or on common facility	R1000
11.1	Not maintaining external appearance of property	R1000 p/m until compliant
11.2	Garden / area between street boundary of erf and kerb not kept neat and tidy	R500
11.3	Trees / shrubs / plants in garden or area between street boundary of erf and kerb impeding vehicular / pedestrian traffic or posing safety hazard	R500
11.4	Structure / item on erf unsightly / aesthetically displeasing / undesirable / detrimental to general appearance of Estate	R500 p/m until compliant
11.5	Placing or erecting garden shed / tool shed / wendy house / temporary structure on erf	R500 p/m until compliant
11.6	Building rubble / garden refuse / household refuse / litter / unwanted articles / material visible from common facility or another erf	R500
11.7	Washing visible from common facility or another erf	R500
12	Signage visible from common facility or another erf Distributing advertisement / information pamphlet / letter / note	R500
13	Undeveloped erf not maintained neat and tidy	R500
14.1	Refuse container visible from common facility or another erf	R500
14.3	Refuse container not removed to area where normally kept	R500
15.1	Keeping more than 2 dogs and 2 cats	R1000
15.2.1	Keeping poisonous / exotic / other undomesticated pet	R1000
15.2.2	Keeping poultry / pigeons / aviaries / apiaries / livestock	R1000
15.4	Pet not neutered / spayed / similar / regularly inoculated	R1000
15.5	Pet not wearing collar fitted with tag indicating contact details	R500
15.6	Pet roaming / creating nuisance / causing disturbance	R500
15.7	Dog not on leash Dog commonly regarded as ferocious not muzzled	R1000
15.8	Pet excrement deposited – <ul style="list-style-type: none"> ▫ inside erf not removed once a day ▫ outside erf not removed immediately 	R500
16.2	Open fire / braai in or on common facility	R500

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16.3	Intoxicating substance brought into or onto common facility	R500
16.4	Swimming / bathing in any of dams in Estate	R500
17.1	Damaging / defacing common facility or item placed / installed / structure erected on common facility	R1000
17.2	Damaging / tampering with security fence and structures Preventing proper functioning of security system	R1000
17.3	Trees / shrubs / plants located too close to security fence and structures	R500
17.4	Building rubble / garden refuse / household refuse / litter / unwanted articles / unwanted material deposited / thrown / placed / stored / dumped in or on common facility	R1000
17.5	Item / fluid / material that may cause blockage disposed into sewerage / storm-water system Blockage not cleared within 24 hours	R1000
17.6	Not cleaning / repairing of damaged / defaced common facility	R1000
18.2	Displaying / erecting / placing of item on / against / on top of common facility / security fence and structures	R500
18.3	Obstructing / hindering performance of inspections / repairs / maintenance	R1000
19.1 – 2	Transgressing statutory traffic regulations not dealt with in Estate Rules	Fine prescribed in W Cape Traffic Law Offence Code Book
19.3	Exceeding 30 km/h speed limit: 31 km/h ' 39 km/h 40 km/h ' 44 km/h 45 km/h ' 49 km/h 50 km/h ' 55 km/h 56 km/h ' >	Reprieve R200 R400 R600 R800
19.4	Operating vehicle while not in possession of driver's licence	R500
19.5 – 6	Operating vehicle anywhere other than on street	R500
19.7 20.1	Operating / parking / standing of vehicle that – <ul style="list-style-type: none"> ▫ is not licensed / roadworthy ▫ produces excessive noise / smoke ▫ drips / spills lubricant / other fluid ▫ may damage / deface common facility 	R1000

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20.3 – 4	Parking / leaving unattended of vehicle – <ul style="list-style-type: none"> ▫ so as to cause obstruction / impede flow of traffic ▫ so that more than one demarcated parking bay is occupied ▫ on common facility other than street or demarcated parking area 	R1000
20.5	Parking caravan / boat / trailer / vehicle that may not be operated on public road on common facility or another erf	R500
22	Using fuel-powered generator as a back-up electricity source	R500
23.2, 4 and 6	Not submitting required certificates iro inverter equipment Not submitting required proof of testing of inverter equipment Not discontinuing use of / removing irregular inverter equipment	R500 p/m until compliant
Note: <ol style="list-style-type: none"> (1) The Trustee Committee may in its sole discretion increase the prescribed fine by 50% for repeated breaches and ongoing non-compliance by the person in breach. (2) The person in breach will also be held responsible for the full cost to the Trustee Committee of remedying a breach plus a 50% administration fee in the event of such person's ongoing failure to respond to a formal notice to attend to same. (3) If the person in breach is not an owner, the owner concerned will be liable for paying the fine imposed / cost incurred. 		