

2021/09/08

## EVERWOOD RESIDENTS

Dear Residents, it has come to our attention that certain people are not aware of the complex rules; this may not be due to any fault of their own, but we really do need to make certain things clear, so that we can all live as harmoniously as possible.

For this purpose, a copy of the rules is attached, should you not have one. Please read through & direct any questions that you may have to any of the trustees. Bear in mind that rules can only be changed by a majority vote, at the AGM.

There are some things, however that continue to come up repeatedly, and while loath to do so, we the trustees might have to levy fines for non-compliance.

1. There are green wheelie bins provided at the rear of the garages at the top of the complex. All household, perishable refuse is to be placed in these bins, *in a black bag only*. Please look for an empty or partially full bin, instead of placing bags on top. Only recycling bags may be placed on top. Black bags are not always supplied by the council, so you may have to buy your own.
2. There is a skip in the same area, which is intended for the occasional dumping of used appliances, old chairs, furniture, hardware items, etc. if you must put cardboard in there, then make sure that it is folded flat. We prefer that you take your cardboard over the road to the re-cycling receptacle at the shopping centre. When the bin is full, it's full. Keep your items until it has been cleared. We all pay for the clearing of the bin, which is for the use of everyone. Abuse of the bin will result in that person being charged extra for usage.
3. The willful destruction of property by children playing in the complex will not be tolerated & fines will be levied. This includes chopping down of plants, moving rocks, damaging flower beds or grass & climbing on roofs or other structures. While we realise that kids

will be kids, we have had a lot of damage result from the throwing of balls against signage, broken tiles, damaged flower beds, etc. this all costs money to rectify & therefore negatively affects the running of the complex.

Your continued co-operation in these matters will be appreciated, as we strive to run the complex in a way that enhances the values of the units & provides for a harmonious living environment.

SINCERELY,

TRUSTEES OF THE BC.

*(B. Telfer)*  
Unit 20

*Druel*  
Suzanne Steyn  
Unit 21

Jamice Stanbury  
Unit 24

Beverley Wells  
Unit 33

Collin Stevens  
Unit 7

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# Everwood Estate Body Corporate

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## Conduct Rules

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In terms of section 10(2)(b) of the sectional  
Titles Schemes Management Act, 2011),  
Annexure 2 DRAFTED 07/09/2018

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## 1. Animals, reptiles and birds

No member shall be permitted to keep pets on its premises, without the prior consent of the Management Committee, without doing a pet registration with the Body Corporate and subject to compliance with the provisions of this agreement. Pets must be confined in a fenced area and must not be allowed to roam freely all over the estate. Pets outside the property must be accompanied by owner and must be on a leash. Any dog mess/faeces must be cleaned by the owner of the pet.

No cats will be allowed into the Estate after November 2018. Existing cats brought into the Estate before this time will be allowed to remain until they pass on, or are relocated.

A maximum of 2 small to medium sized dogs per house hold will be permitted, with the exception of rule F. The board of trustees will, without prejudice and at their sole discretion, will have the right to decline any application.

Breed: Those pets viewed as aggressive in nature will not be permitted.

Any pet found to be a persistent nuisance within the estate may, by way of the instruction of the board of Trustees, have the animal removed from the estate.

The following is a list of offences and the protocol that is to be followed should these offences occur.

- a) Walking dog without a lead: When walking your dog within the estate, a lead is to be attached to the dog and this lead is at all times to be firmly held by the owner.
- b) Soiling of sidewalk and common property: It is the responsibility of the owners to remove any soiling/ dog mess immediately upon incident. Owners walking their pets should carry a packet of sorts in which to put the doggy doo.
- c) Barking dogs: As the living conditions within the estate is one of close proximity, should you hear your dogs barking, it is the owners responsibility to take the time to investigate why the dogs are barking and as such bring this to an end. The estate will not tolerate animals that bark persistently.
- d) Dogs roaming around the estate: All pets should be confined to their respective property. As this is a pet friendly estate, it is understood that pets will on occasion "get out". Should this be the case, please notify the owner of the animal. The owner is to immediately collect the animal and take it home. Pets roaming the estate aimlessly will not be permitted.
- e) Should you be experiencing a problem with any pet in the estate, please take the time to address the owner of the pet and explain the problem. More often than not, this will resolve the problem in friendly manner. Those reluctant to discuss the matter with the owner of the offending pet, are to officially lodge a complaint with the management company.
- f) Owners who wish to house any other kinds of pets besides those mentioned are to apply in writing on a pet permission form. The board of trustees will, without prejudice and at their sole discretion, have the right to decline any application.
- g) All pets must have their inoculations annually, and proof thereof sent to the managing agent.

## 2. Refuse Disposal

An owner or occupier of a section shall:

1. maintain in an hygienic and dry condition, a receptacle for refuse within his section, his exclusive use area or on such part of the common property as may be authorised by the trustees in writing

2. ensure that refuse, which is to be placed in black bags is securely wrapped, and in the case of tins or other containers, completely drained;
3. refuse is to be placed into the green bins provided for this purpose, which are located near the main gate
4. orange bags are to be used only for clean paper and plastic for recycling

3. Vehicles

1. No owner or occupier shall park or stand any vehicle upon the common property, or permit or allow any vehicle to be parked or stood upon the common property, without the consent of the trustees in writing.
2. The trustees may cause to be removed or towed away, at the risk and expense of the owner of the vehicle, any vehicle parked, standing or abandoned on the common property without the trustees' consent.
3. Owners and occupiers of sections shall ensure that their vehicles, and the vehicles of their visitors and guests, do not drip oil or brake fluid on to the common property or in any other way deface the common property.
4. No owner or occupier shall be permitted to dismantle or effect major repairs to any vehicle on any portion of the common property, an exclusive use area or in a section.

4. Damage alterations or additions to the common property

1. An owner or occupier of a section shall not mark, paint, drive nails or screws or the like into, or otherwise damage, or alter, any part of the common property without first obtaining the written consent of the trustees.
2. Notwithstanding the above, an owner or person authorised by him may install any locking device, safety gate, burglar bars or other safety device for the protection of his section; or
3. any screen or other device to prevent the entry of animals or insects; Provided that the trustees have first approved in writing the nature and design of the device and the manner of its installation.

5. Appearance from outside

The owner or occupier of a section used for residential purposes shall not place or do anything on any part of the common property, including balconies, patios, and gardens which, in the discretion of the trustees, is aesthetically displeasing or undesirable when viewed from the outside of the section. Proposed alterations, erection of fences etc. must first be referred to the Body Corporate for consideration.

6. Signs and Notices

No owner or occupier of a section, used for residential purposes, shall place any sign, notice, billboard or advertisement of any kind whatsoever on any part of the common property or of a section, so as to be visible from outside the section, without the written consent of the trustees first having been obtained.

7. Littering

An owner or occupier of a section shall not deposit, throw, or permit or allow to be deposited or thrown, on the common property any rubbish, including dirt, cigarette butts, food scraps or any other litter whatsoever.

8. Laundry/Washing

Under NO circumstances whatsoever may washing or laundry or any other items be hung over fences, on any other part of the building or the common property. Domestic items must be advised accordingly. There are

no exceptions. This is unsightly and gives a poor impression of the complex. No other complexes permit this for obvious reasons.

9. Storage of inflammatory material and other dangerous acts

An owner or occupier shall not store any material, or do or permit or allow to be done, any other dangerous act in the building or on the common property which will or may increase the rate of the premium payable by the body corporate on any insurance policy.

10. Letting of units

All tenants of units and other persons granted rights of occupancy by any owner of the relevant unit are obliged to comply with these conduct rules, notwithstanding any provision to the contrary contained in any lease or any grant of rights of occupancy.

11. Eradication of pests

An owner shall keep his section free of white ants, borer and other wood destroying insects and to this end shall permit the trustees, the managing agent, and their duly authorized agents or employees, to enter upon his section from time to time for the purpose of inspecting the section and taking such action as may be reasonably necessary to eradicate any such pests. The costs of the inspection, eradicating any such pests as may be found within the section, replacement of any woodwork or other material forming part of such section which may be damaged by any such pests shall be borne by the owner of the section concerned.

12. Fencing

(a) The only fencing which will be permitted is as follows:

- \* pole and post fencing which is currently found throughout the estate
- \* picket fencing of no more than one metre high

(b) All fencing must be painted white.

(c) Under NO circumstances will pole and wire fencing or any type of wire fencing be permitted. Where this type of fencing is currently in place, it may remain so because of the cost involved in replacing fencing. However should any fencing be replaced at any stage, it will need to be done so with either of the two options as mentioned above. Non-adherence to the fencing rules will result in the fences being removed and the cost therefor will be for the owners account.

13. Toilets

The complex operates on a septic tank system and therefor only toilet paper can be used. No foreign materials may be flushed down the toilet. Please inform your servants and visitors of this. Clearing of blockages due to foreign material will be for your cost.

14. Ball Games and Other Games

Not permitted in driveways or parking areas. Games are to be restricted to grassed areas and ONLY soft balls may be used.

15. Gates and Remotes

Remotes are for your own cost. For security purposes remotes should not be handed to domestics. There is an electronic digipad near the gate for the purposes of exiting. Also limit or don't supply friends and relatives with spare remotes.

16. Use of Complex

- \* The maximum number of persons residing in a section at any one time is restricted to two persons per bedroom. This rule is to be strictly adhered to at all times.

- Cutting or defacing trees on the common property is strictly prohibited.
- Residents and guests are to conduct themselves in a manner that will not cause inconvenience to other residents.

#### 17. Sale or Tenancy of Units

An owner must advise the Trustees in writing if the tenancy alters. Prior to signing a lease agreement the owner must arrange an introductory meeting with the Chairman and one or more Trustee(s).

An owner must inform the Body Corporate in writing if they are selling a unit giving details of the firm handling the sale. Prior permission must be placed from the Body Corporate to place signs on the verge. Furthermore the BC must be advised of the date and time when a show house is to be held. Clients are not permitted to wander around the complex unless unaccompanied by the agent.

#### 18. Skateboards, Rollers Skates, Scooters and Bicycles

Children may not ride bicycles/scooters in the common area for safety reasons. Skateboards and roller skates are strictly prohibited except for purposes of entering and exiting the complex.

#### 19. Driving within the Estate

Care must be taken when driving in the complex.

#### 20. Gardens

Owners and tenants may not give instructions to the complex gardener. The gardener is not permitted to undertake any private work in the exclusive use areas unless it is during his lunch break.

#### 21. Noise and Nuisance

No occupant may cause or permit noise of any nature upon the premises whether inside or outside any section causing a disturbance to other owners/tenants. The use of radios and television sets to the extent where it becomes a nuisance is not permitted, particularly between 10pm and 6am.

Furthermore owners/tenants must be mindful of the fact to keep noise levels within units to a minimum as all units are divided by a single wall only and noise is easily transferred on to the neighbouring unit. The decision of what constitutes a noise or nuisance shall be entirely at the discretion of the trustees.

#### 22. Slaughtering of Animals

No slaughtering of any animals or birds may be permitted under any circumstances, unless all municipal by laws have been complied with. This includes, but is not limited to:

- Notification (date, time and place) to be furnished to the trustees & Managing Agent at least 1 week ahead of the event.
- The requisite municipal / SPCA permit granted to carry out the act, and a copy to be furnished to the trustees & Managing Agent at least 1 week ahead of the event.
- An SPCA inspector being onsite before, during and after the event.
- Failure to comply with any one of the above-mentioned requirements will result in an automatic R5000.00 fine being charged to the unit owner's account.

#### 23. Enforcement of Conduct Rules

Any Owner who contravenes, breaches or fails to comply with any provisions of these Rules, conditions imposed there under or directions given in terms thereof will, Inter alia, and without limitation of the BODY CORPORATE's rights in respect of such conduct, be subject to any penalty, fine or charge imposed by the BODY CORPORATE from time to time.

The Owner concerned shall be liable for the payments of any fines imposed as a consequence of any breach by members of the Owners or Resident's household, employees, invitees, guests and/or tenants.

The fines imposed for any first offence shall be:

1. For the first breach of failure adjudicated upon, an amount not exceeding R250.
2. For the second breach of failure adjudicated upon, an amount not exceeding R500.
3. For the third and any subsequent breach of failure adjudicated upon, an amount not exceeding R1000.
4. For any traffic/driving/"use of streets" violations – R500.
5. For any security violation – R1000.
6. For any pet violation – R250.
7. For cleaning of property - a minimum of R250 and if costs to BODY CORPORATE exceeds this, resident will be billed R250, plus the additional costs and a admin fee of R50.

The decision of the Trustees shall be communicated to the occupant and shall be binding upon the occupant, and such penalty or fine so imposed or levied shall constitute a debt due to the BODY CORPORATE and shall be recoverable by the Association from such occupant.

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CERTIFIED BY CSOS IN TERMS OF SECTION 10(5)(c) ON 30<sup>TH</sup> NOVEMBER 2018