



HOMEOWNERS ASSOCIATION

MEMBERS RULES



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DEFINITIONS

The words and expressions used in this document shall have the meanings hereby assigned to them:

Alienate	alienate any erf or part thereof as defined in the HOA Constitution.
Architects	such architects and approved technical draftsmen as appointed by the Trustees from time to time.
Association	the Kanonberg Home Owners Association which is bound by the Constitution.
Auditors	the auditors of the Association.
Chairman	the Chairman of the Trustees.
Common Area	shall mean all facilities to be established thereon for the benefit, use and enjoyment of all purchasers of properties in the Estate.
Constitution	the Constitution of the Kanonberg Home Owners Association.
Definitions	to be read in conjunction with the definitions in the Constitution.
Developer	Atterbury Property (Pty.) Ltd
Developer Trustee	a Trustee appointed by the Developer.
Estate	the development laid out on Erf no 11635 Bellville, called Kanonberg Lifestyle Estate.
Estate Manager	any person appointed by the Association to manage the Estate.
Erf	every erf in the Estate, including immovable property hereof.
Excom	Executive Committee consisting of Trustees.
Improvements	any structure of whatever nature constructed or erected on any erf.
Levy	the levy referred to in clause 12 of the Constitution.
Local Authority	the local authority having jurisdiction over the Estate.
Managing Agent	any person or body appointed by the Association as an independent contractor to undertake the functions of the Association; current appointed Management Agent being Labuschagne Management Services.
Member	every registered owner of an erf and member of the Association.
Member Trustee	a Trustee appointed by the Members.
OEMP	Operational Environmental Management Plan
Persons	being owner, tenant, visitor, family, friends or any person domiciled on an erf within the Estate.
Rules	such rules as the Association, represented by its Committee, may make from time to time for the proper management, control and maintenance of the common area and other relevant matters.
Trustees	the Developer Trustees and the member Trustees of the Association.



INTRODUCTION

1. The main objective of the Estate of Kanonberg is to provide a high quality lifestyle for residents, and the purpose of the Rules is to protect this lifestyle and subsequent future growth of investment.
2. The Rules have been established in terms of the Memorandum and Articles of Association of the Kanonberg Homeowners' Association (Kanonberg HOA). They are binding on all occupants of the Estate, as is any decision taken by the Trustees in the interpretation of these rules.
3. The registered owners of the properties are responsible for ensuring those members of their families, tenants, visitors, friends and their employees abide by these rules.
4. Harmonious community living is achieved when residents use and enjoy their private property as well as the common areas and amenities of the Estate, whilst being generally considerate to all occupants of the Estate.
5. In the event of annoyances or complaints, the parties involved should attempt to settle the matter between themselves, exercising tolerance and consideration. In instances where problems cannot be resolved, the matter should be brought to the attention of the Trustees for arbitration and settlement.
6. These Rules are subject to change from time to time.
7. The Estate manager as the appointed representative of the Trustees has the authority of the Trustees in applying these Rules. Any instructions issued by the Estate manager regarding the application of the Rules will carry the authority of the Trustees.
8. The Kanonberg Members Rules must be read in conjunction with the Kanonberg HOA Constitution and the Kanonberg Development Guidelines; the said documentation has all been approved and registered at the City of Cape Town.



1. CONDUCT RULES

1.1 USING THE STREETS

- 1.1.1 The streets of Kanonberg are for the movement of all residents, whether by foot bicycle, motorcycle, truck, delivery vehicle or motor car.
- 1.1.2 The speed limit is 40km per hour. Please always keep in mind that children are using the streets.
- 1.1.3 Besides the above, the Cape Road Traffic Ordinance is enforced.
- 1.1.4 Parents are responsible for ensuring the safety of their children when using the streets.
- 1.1.5 Engine-powered vehicles may not to be driven anywhere except in the streets of the Estate. All private open space is off-limits.
- 1.1.6 Parking on sidewalks and in the street opposite garage driveways are prohibited.
- 1.1.7 Residents must remember that pedestrians cross streets in the Estate, and motorists should drive with caution at all times.
- 1.1.8 The use of motorcycles, quad bikes or other vehicles with noisy exhaust systems, are prohibited. Security Personnel will report such incidents to Management.
- 1.1.9 Residents and their guests may not park their vehicles in the street(s) and/or leave their vehicles in the street(s) overnight.

1.2 GOOD NEIGHBOURLINESS

- 1.2.1 No activity or hobby, which causes aggravation or nuisance to fellow residents, may be conducted. Auctions or jumble sales are prohibited.
- 1.2.2 The volume of music or electronic instruments, partying and the activities of employees should be kept at a generally accepted level.
- 1.2.3. Mechanical maintenance and the use of lawn mowers, should only be undertaken between the following hours:
Monday – Friday: 07H30 – 18H00
Saturday: 08H00-16H00
Sunday: No mechanical maintenance
- 1.2.4 Washing may only be hung on lines and out of direct sight from streets and preferably out of sight of neighbours.
- 1.2.5 Refuse, garden refuse and refuse bags may not be placed on the sidewalk, unless they are to be removed within a period of 24 hours.
- 1.2.6 No advertisements or publicity material may be exhibited or distributed without the consent of the Excom.



1.3 BUSINESSES IN KANONBERG

1.3.1 Permission to conduct business from Kanonberg Estate, must be obtained from Excom.

1.3.2 Business application process:

1.3.2.1 Residents who are currently, or wish to in future, conduct a business or trade from home who are employing personnel or receiving clients and visitors, must formally apply for approval from Excom.

1.3.3 Factors that will be taken in consideration:

1.3.3.1 Type of business.

1.3.3.2 Number of personnel employed.

1.3.3.3 Number of visitors/clients who visit the business daily.

1.3.3.4 Number of vehicles parked in the Estate.

1.3.3.5 Consent of neighbours.

1.3.3.6 Noise factors.

1.3.3.7 Possible security risks.

1.3.4 Excom reserves the right to revoke the approval, should the operations of the business become a disturbance in any way, pose a security risk and/or complaints are received.

1.3.5 Excom reserves the right to amend the criteria for approval of businesses at any time.

1.3.6 The approval of the application to conduct a business from home is to the discretion of Excom.

1.3.7 Excom may involve the City Council regarding a business conducted within Kanonberg, when deemed necessary.

1.3.8 Rules pertaining to conducting a business from home:

1.3.8.1 No vehicles will be allowed to park on the sidewalk or road on a permanent basis.

1.3.8.2 No more vehicles than the space provided on the driveway, will be allowed.

1.3.8.3 No branding or advertising of any kind will be allowed in Kanonberg.

1.3.8.4 No advertising or marketing material may be distributed in Kanonberg.

1.3.8.5 Any business or trade from home may only operate during the following hours:

Monday – Friday: 08H00-17H00

Saturday: 8H00-14H00

Sundays and Public Holidays: not permitted



1.4 ENSURING A PLEASING STREETScape

The collective pride of our Estate depends to a great extent on all owners contributing towards the creation and maintenance of a neat and pleasing streetscape.

- 1.4.1 Every owner has a responsibility to the Estate community and must maintain the area between the street kerb and the boundary of his/her property.
- 1.4.2 Garden fences, walls and outbuildings, which form part of the streetscape, or public open spaces, should be properly finished and maintained. Failure to comply will result in the repairs or maintenance being done at the owner's expense.
- 1.4.3 Caravans, trailers, boats, equipment, tools, engine and vehicle parts as well as accommodation for pets must be sited out of view of the street and screened from neighbouring properties.
- 1.4.4 Building materials may under no circumstances be dumped on the sidewalk.
- 1.4.5 No trees, plants or lawn may be removed from sidewalks and communal area without permission of the Kanonberg HOA. Trees on sidewalks may only be pruned by the City of Cape Town to be arranged by the Estate Manager, on request of the owner. Vegetation should not interfere with pedestrian traffic or obscure the vision of motorists.
- 1.4.6 Gardens situated next to open space must be kept neat and tidy at all times, failing which the Kanonberg HOA will maintain the garden at the owner's expense.

1.5 ADHERING TO ARCHITECTURAL STANDARDS

Building according to approved standards will make it unnecessary to make costly changes at a later stage in order to meet the Kanonberg HOA requirements.

- 1.5.1 Any architect of choice may be used, but the design must be in accordance with the building guidelines of Kanonberg and will be subject to the approval of the aesthetic committee of the Kanonberg HOA.
- 1.5.2 Building plans may not be changed without the consent of the aesthetic committee/EXCOM and municipality.
- 1.5.3 Members will be liable for penalties (to the discretion of EXCOM) when persisting with unauthorized building activities and will furthermore be requested to demolish such structure(s) at their own cost.
- 1.5.4 No clearance certificate will be issued by EXCOM on completion or sale of a house before all the deviations of approved plans and clearing of building site has been completed. The transfer of such property will therefore be delayed/prevented until such time that the occupation certificate has been issued.



1.6 ENVIRONMENTAL MANAGEMENT

- 1.6.1 Residents are responsible for maintaining trees, plants and shrubs planted on their sidewalks by the Local Authority or Kanonberg HOA. Pruning of trees on sidewalks may only be executed by the City of Cape Town.
- 1.6.2 Swimming-pool water may not be emptied onto parks, but must be channelled into the storm water system.
- 1.6.3 Vacant erven must be cleared on a regular basis to the satisfaction of the Kanonberg HOA. If not maintained, the Kanonberg HOA reserves the right to clear the erf at the owner's expense within 14 days after an unresponsive warning in writing.
- 1.6.4 Animals (dogs, cats) must be kept under strict control at all times. Refer clause 1.10.
- 1.6.5 No bicycles or skateboards are allowed on the walkways, ETZ- and public open areas.

1.6.6 Trees:

- 1.6.6.1 The existing trees in Kanonberg must be preserved at all time. In the event of a tree to be removed/moved for a specific reason, permission must be obtained from the estate management. Unauthorised removal of trees will lead to penalties.
- 1.6.6.2 A felled tree will be replaced by preferably two indigenous trees of at least two metres high.

1.6.7 ETZ (Environmental Transition Zones) i.e. servitudes on private erven where they exist:

- 1.6.7.1 Alien vegetation will be removed from all ETZ.
- 1.6.7.2 Removal or pruning of trees on an ETZ area is strictly forbidden.
- 1.6.7.3 Indigenous, and preferably locally indigenous plants and trees will be introduced on the ETZ areas.
- 1.6.7.4 No domestic or manicured gardens will be allowed in the ETZ.
- 1.6.7.5 No Kikuyu lawn planting will be allowed in the ETZ.
- 1.6.7.6 No brick structures or features may be constructed in the ETZ.
- 1.6.7.7 Wooden decks must meet the following 10 requirements:
 - i. The area of the deck will not exceed 25% of the ETZ.
 - ii. The deck may have 2 sides in cases where the ETZ borders the erf on 2 sides.
 - iii. The width will not exceed 3 metres.
 - iv. The height will be a maximum of 1 metre above ground level.
 - v. The deck should be without balustrades, but if used, a single wooden handrail of 0, 5 metre is permissible.
 - vi. No solid structure (cement/stone) will be used in the ETZ. Only wooden poles (embedded in cement) will be used to carry the deck.



- vii. Belau wood should preferably be used. No paint on wood is allowed.
- viii. Vegetation around and under the deck should be of the type prescribed and already used in the ETZ.
- ix. No pergolas, roofs or canvas is allowed over decks.
- x. Only one deck on ground floor level will be allowed in the case of a double storey house.

A proper plan of the deck must be submitted to EXCOM accompanied by an application letter stating the relevant details according to the 10-point guideline. The plan will only be approved once all the conditions are met. Thereafter the plan will be submitted by the member to the municipality for formal approval.

1.6.7.8 The ETZ will be marked off and protected during the construction phase of a house.

1.6.7.9 The approved **plant list** for Kanonberg consists of the following: (open spaces/ETZ)

Trees:

- Celtis africana (White Stinkwood/Witstinkhout)
- Combretum erythrophyllum River Bush Willow/Vaderlandswilg)
- Cunonia capensis (Red Alder/Rooiels)
- Erythrina lysistemon (Coral Tree/Koraalboom)
- Ekebergia capensis (Cape ash/Essenhout)
- Harpephyllum caffrum (Wild plum/Wilde pruim)
- Nuxia floribunda (Wild Elder/Vlierboom)
- Olea europaea subspecies africana (Wild olive/Olienhout)
- Plantanus acerifolia (London plane/Plataan)
- Podocarpus henkelii (Henkel's Yellowwood/Henkel-geelhout)
- Populus simonii (Chinese poplar/Chinese Populier)
- Syzygium cordatum (Water Berry/Waterbessie)

Shrubs, creepers and groundcovers:

- Agapanthus (Bloulelie)
- Anisodonteia scabrosa (Pink Mallow/Harige malva)
- Aristea major (Tall Aristea/Blousuurknol)
- Athanasia crithmifolia (Klaas-Louw Bush/Klaaslouwbossie)
- Barleria obtusa (Bush violet/Bosviooltjie)
- Carissa macrocarpa "green carpet" (Natal Plum/Noem-noem)
- Chasmanthe floribunda (Flames/Suurknol)
- Chondropetalum tectorum (Cape Thatching Reed/Kaapse Dekriet)
- Coleonema album (Confetti Bush)
- Dierama pendulum (Harebell/Grasklokkie)
- Diets bicolor (Yellow Wild Iris/Poublom) +grandiflora (Large white iris)
- Elegia capensis (Broom Reed)
- Eriocephalus africanus (Wild Rosemary/Kapokbossie)
- Euryops pectinatus (Grey-Leaved Euryops/Golden Daisy/Goue Margrietjie)



Euryops virgineus (Honey Euryops/Heuningmargriet)
Felicia amelloides (Blue Daisy/Bloumargriet)
Kniphofia praecox (Red-Hot Poker/Vuurpyl)
Gazania krebsiana (Gazania/Botterblom)
Helichrysum cymosum (Gold Carpet/Goue Tapyt)
Leonotis leonurus (Wild Dagga/Wilde Dagga)
Salvia africana (Beach Salvia/Strand Salie)
Scabiosa africana (Pincushion/Koringblom)
Watsonia pillansii (Watsonia)
Zantedeschia aethiopica (Arum Lily/Varklelie)

1.6.8 Dam:

- 1.6.8.1 Swimming is not allowed in the dam.
- 1.6.8.2 Fishing is only allowed on a catch and release basis.
- 1.6.8.3 Children visiting the dam must be under supervision of parents/adults. The responsibility for children's safety rests solely on the accompanying parent or adults.

1.6.9 Storm water:

Private landowners must ensure that storm water can exit their properties without causing damage and erosion: therefore it should link up with the greater municipal service or with the dam/north-south stream.

1.6.10 Fauna:

No fauna (wild animals) may be released or introduced into the Tygerberg Nature Reserve without permission of the Reserve Management.

1.6.11 Access to Tygerberg Nature Reserve:

No direct access from private erven to the Tygerberg Nature Reserve will be allowed.

1.7 FIRE MANAGEMENT

1.7.1 Fire Prevention:

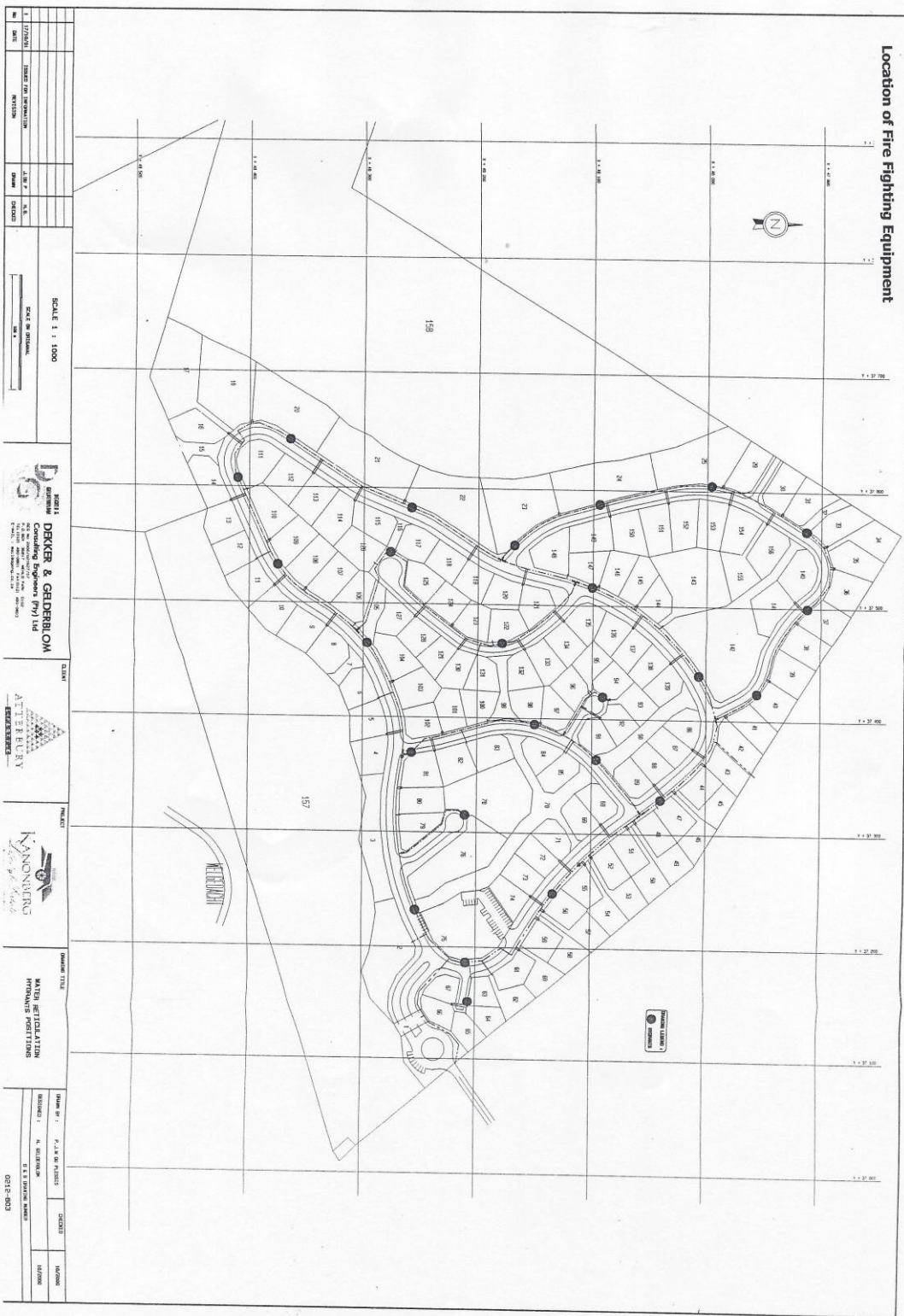
- 1.7.1.1 No materials may be burned anywhere in Kanonberg Estate.
- 1.7.1.2 Dead and waste plant material must be removed from the site to reduce fuel load.
- 1.7.1.3 Erven should be kept clean from dry, overgrown grass and weeds.
- 1.7.1.4 No fireworks will be allowed on Kanonberg Estate.
- 1.7.1.5 Structured fireplaces must be separated from ETZ areas by lawn or open ground of at least 5 metres.



1.7.2 Fire response:

- 1.7.2.1 Each owner must familiarise himself/herself with the position of the fire hydrants/extinguishers in the Estate as well as in the Lifestyle Centre. A list indicating the position of this equipment is available on the notice board in the Lifestyle Centre. A map indicating the location of fire hydrants in the Estate is included in this document.
- 1.7.2.2 In the case of a fire occurring on site or in the Nature Reserve, the following actions are to be taken immediately:
- Contact the Estate Manager at 913 7834/ 076 984 3844 or the security control room 021 913 0160.
 - Contact the Bellville Fire Department 021 444 8279.
 - Warn neighbours of potential danger.

Location of Fire Fighting Equipment



NO.	DATE	REVISION	BY	CHKD
1	17/07/2011	ISSUE FOR INFORMATION	A.S.B.F.	N.S.
<p>SCALE 1 : 1000</p> <p>SCALE IN METERS</p> <p>0 10 20</p>				
<p>DRINKER & GARDNER CONSULTING ENGINEERS (Pty) Ltd 101/102/103/104/105/106/107/108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000</p>				
<p>PROJECT: MATRIS DEVELOPMENT</p> <p>CLIENT: MATRIS DEVELOPMENT</p> <p>DATE: 17/07/2011</p> <p>DESIGNED BY: A.S.B.F.</p> <p>CHECKED BY: N.S.</p> <p>SCALE: 1:1000</p>				



1.8 SECURITY

“Every time you break security protocol and regulations, you are making it easier for criminals to do the same”.

- 1.8.1 The Estate is manned 24 hours a day. All residents, visitors and contractors are required to adhere to the access control procedures. The security guards have a difficult job to perform. Residents are requested to treat security personnel with cooperation and courtesy.
- 1.8.2 Permanent workers may be registered on the biometric system, at the office of the Estate Manager. A valid identification document is required. Should a resident prefer not to register employees on the biometric system, they should be registered at the Security Manager for access control purposes.
- 1.8.3 The property owner remains responsible for the conduct of visitors to his/her property. An express condition of admittance to the Estate is that should a visitor/employee be found to be in contravention of the Rules of the Estate, the Trustees reserve the right to refuse access to such a person.
- 1.8.4 Every resident must ensure that contractors in their employ adhere in all respects to the security stipulations of the Contractors Code of Conduct.
- 1.8.5 All attempts at burglary or security breaches must be reported to a member of the security staff and/or Estate Manager.
- 1.8.6 **SECURITY IS AN ATTITUDE:** be aware that you need to enforce and apply security to make it work.
- 1.8.7 Should residents purchase burglar alarms linked to an armed response service, they are requested to advise the service to inform Kanonberg Security Personnel in an event of an alarm.
- 1.8.8 In all cases visitor’s vehicle registration discs, the driver’s license of the driver of the vehicle, the property to be visited, a contact telephone number and the time of entry will be recorded at the security entrance. Upon exit the vehicle registration disc will be recorded.
- 1.8.9 Visitors will only be granted access after telephonic confirmation by the resident.
- 1.8.10 If possible the security control room at the entrance should be advised in advance of the pending arrival of visitors, especially if large numbers of guests are expected. Security Control room telephone number: 021 913 0160.
- 1.8.11 The use of the facilities of the Estate is reserved for the exclusive use of residents and their families living with them. Guests may make use of the facilities from time to time only when accompanied by the resident at all times.



1.9 TENANTS, VISITORS, CONTRACTORS AND EMPLOYEES

In the final analysis, the responsibility for enforcing the rules, rests with the owner.

- 1.9.1 Should any owner let his property, he must advise the Estate Manager of the occupation, the name of the Lessee and the period of such lease. The owner must inform the Lessee of all Rules and bind the Lessee to adhere to such Rules.
- 1.9.2 The occupiers of any property within the Estate are liable for the conduct of their visitors, contractors and employees, and must ensure that such parties abide by all rules.
- 1.9.3 Every owner must ensure that contractors in their employ have signed the Contractors' Code of conduct and adhere to the stipulations of the contract which is available at the Estate manager's office.

1.10 LETTING AND RESELLING PROPERTY

The Kanonberg HOA imposes certain rules to be followed by Estate agents. In order to ensure that the Rules of Kanonberg are made known to new residents, the following rules relating to the re-selling or letting of properties apply:

- 1.10.1 Should an owner want to sell or lease his property, only an accredited Estate Agent may be appointed.
- 1.10.2 In the event of an owner selling/leasing his property without an Estate agent, the same rules and obligations apply.
- 1.10.3 The accredited agent/owner must ensure that the buyer/tenant (a) is informed about and receives a copy of the Members Rules and any other administrative regulations applicable at the time and (b) is bound by the Rules in a contract.
- 1.10.4 A clearance certificate must be obtained from the Kanonberg HOA prior to any transfer. The cost of this certificate will be for the account of the purchaser. The clearance certificate will only be issued to a member whose levy is fully paid, and not in breach of any Rules of the Kanonberg HOA.
- 1.10.5 Any concession granted to a seller (in case of a resale) or lessor prior to the time of sale or lease must be communicated to the buyer or lessee at the time of sale or lease.
- 1.10.6 The seller or lessor of a property in the Estate must ensure that the sale/lease agreement contains the following clause: -

"As required by clause 7-5-22 of the Constitution of the Kanonberg Homeowners Association, the purchaser irrevocably binds himself/herself/itself, on registration of



transfer of the Property into his/her/its name, ipso facto to become a member of the Association and to observe the Constitution for the duration of his/her/its ownership of the Property. The Purchaser further acknowledges that he/she/it has been

provided with a copy of the Constitution (together with all its annexures, Members Rules, Development Guidelines) and that he/she/it has perused same and familiarized himself/herself/itself with all the aspects of the Constitution."

1.11 ACCREDITATION OF ESTATE AGENTS

- 1.11.1 An Estate Agent is accredited after (a) signing an agreement with the Kanonberg HOA which binds such agent to comply with the stipulated procedures applicable to the sale and/or lease of a property in the Estate, and (b) after having been instructed with respect to the concepts, rules and conditions under which a buyer and/or lessee purchases and/or leases a property in Kanonberg Estate. Any Estate agent wishing to be accredited may be required to provide written proof of their registration and good standing with the relevant authority.
- 1.11.2 Agents may operate on a "by appointment" basis only and must personally accompany a prospective buyer. Owners may allow one "For Sale" sign to be erected per property within the Estate. No "Sold" or directional boards are permitted within the Estate.
- 1.11.3 The Kanonberg HOA may review accreditation of Estate agents from time to time.
- 1.11.4 The Kanonberg HOA may review the accreditation policy for Estate agents from time to time.

1.12 PETS

"Let your pet not be a bone of contention between you and your neighbours".

- 1.12.1 The local authority by-laws relating to pets will be strictly enforced.
- 1.12.2 No persons may keep more than two pets (dogs or cats) on their property/erf.
- 1.12.3 No poultry, pigeons, aviaries, wild animals or livestock may be kept on the Estate.
- 1.12.4 No pets (cats or dogs) are permitted to roam the streets.
- 1.12.5 Pets are only allowed outside the erf perimeter under direct supervision and must be walked on a leash at all times.
- 1.12.6 Should any excrement be deposited on any private open space area, the immediate removal thereof is the sole responsibility of the owner of the pet.
- 1.12.7 Every pet must wear a collar with a tag indicating the name, telephone number and address of its owner. Stray pets without identification tags will be caught and handed to the authorities or SPCA.
- 1.12.8 The Kanonberg HOA reserves the right to request an owner to remove his/her pet should it become a nuisance within the Estate, or impose a fine on the owner in terms



of its powers as laid down in the Constitution.

- 1.12.9 In order to prevent cats from depleting the bird population, all cats must be fitted with a collar that contains a bell.
- 1.12.10 Complaints regarding pets may be reported to the Law Enforcement Department of the City Council at 021 9514390.

1.13 CLUB HOUSE AND GYMNASIUM FACILITIES

- 1.13.1 The facilities of Kanonberg are open to all members and their direct families who reside in Kanonberg.
- 1.13.2 Children under 14 years of age must be accompanied by a parent (mother or father) when using the gym facilities.
- 1.13.3 Visitors may occasionally use the gym facilities during non-peak hours and only when accompanied by a member. Regular usage of the gym by visitors is not allowed, whatever the circumstances.
- 1.13.4 Tenants of properties gain the right of using the gym unless otherwise stipulated in writing by the home owner. Tenant and owner may not both use the gym free of charge. In such cases one or the other must pay a subscription fee. Tenants renting smaller units/garden flats on properties, must pay membership fees.
- 1.13.5 Children are not allowed to have gatherings on their own in the Lifestyle Centre and parents must oversee that children do not gain unlawful access, especially at night time. Remember that the biometric system and cameras will keep record of entrance/departure and parents will be held responsible in the event of damages.
- 1.13.6 The Lifestyle Centre may be used by members or tenants of houses for functions at a fee, which will be determined by EXCOM from time to time. Booking with the Estate Manager is essential. Acknowledgement of receipt of Function Venue Rules is a condition for confirmation of a venue booking. Damages incurred will be deducted from the deposit. Should damages exceed the deposit, it is for the account of the member(s) who made the booking. Members may still use the gym and swimming pool during such functions, but are urged to do so considerately by not causing a noise disturbance to the function, for example by playing squash. Refer to function venue rules, available at the Estate Manager.
- 1.13.7 No parking of vehicles is allowed at the Lifestyle Centre by any person not utilising the facilities. The parking area is a wheel clamping zone and a release fee is payable.
- 1.13.8 Children using the pool must be accompanied by a parent or adult at all times. The safety of children remains the responsibility of parents.
- 1.13.9 Members may under no circumstances enter the Lifestyle Centre and/or use the lounge facilities with wet clothes or bathing suites.
- 1.13.10 The Gymnasium Manager will enforce the House Rules pertaining to the gym facilities, whereby he is directly responsible to EXCOM. As such he has the authority



to ask anyone using the gym, to adhere to these rules. In cases of non-compliance, he may ask the person(s) to leave the facility and report the incident to EXCOM, who can impose a penalty on such a person.

1.13.11 Detailed Gymnasium Rules are available from the Estate- and Gymnasium Managers.

1.14 ADMINISTRATION

1.14.1 All levies are due and payable in advance on the first day of each month. Levies are only considered paid on the date that such amounts reflect in the bank account of the Kanonberg HOA.

1.14.2 Interest as determined by the Trustees will be raised on all levies not paid by the 10th of the month due, calculated from the 1st of the month due up to the date when payment has been received.

1.14.3 Any account 60 days overdue will automatically be handed over for legal process. Homeowners may under no circumstances withhold payment of levies due to a dispute or issue with the Kanonberg HOA.

1.14.4 The Trustees may amend or add to the Conduct Rules from time to time, as may be deemed necessary to ensure the happy and orderly co-existence of residents.

1.14.5 The Trustees have the right to fine transgressors where any of the Rules as stipulated by the Kanonberg HOA from time to time have been broken. Such fines will be debited to the levy account and be payable immediately.

14.5.6 The Trustees have the right to fine transgressors where any of the Rules as stipulated by the Kanonberg HOA from time to time have been broken. Such fines will be debited to the levy account and be payable immediately.

1.15 FIBRE NETWORK

A Telkom "fiber to home" network is available in Kanonberg. Any Internet Service Provider of choice may be used. The following designated number can be used for all Telkom enquiries 0800 111 250. You will be requested to provide a PIN number: 76130. Should internet problems occur, a trouble shooting guide can be requested from the Estate Manager.

2. DESIGN GUIDELINES AND CONDUCT RULES FOR CONSTRUCTION ACTIVITIES

2.1 Details of the above are available at the Estate Manager or on the Internet at the following address: www.kanonberg.co.za.