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SPARREBOSCH HOMEOWNERS ASSOCIATION

PO Box 3343, Knysna, 6570
Tel: 27-(0)44-302 5305 Fax: 27- (0)86 669 6247
E – Mail: hoa@sparrebosch.com

Sparrebosch Estate Rules

1. Introduction:-

The purpose of these rules is set out how residents and visitors to the Estate should conduct themselves both within the confines of their own property and within the entire Estate to ensure harmonious and safe living for all in this beautiful environment.

The rules incorporate the conditions set out by Provincial and Municipal government when Sparrebosch was first given planning consent.

The rules are set by the Trustees of the Sparrebosch Home Owners' Association. The trustees have tried to achieve a balance of seeking reasonable behaviour from all concerned whilst not wanting to impose on the freedom of individuals living on or visiting the Estate.

In respect of the interpretation of these rules the decision of the Trustees is final and binding. The rules are subject to change from time to time, as, and when it may become necessary.

Should the rules be transgressed, the Trustees have the discretion to impose sanctions.

The rules should be read in conjunction with the following documents, and it is the responsibility of all property owners to ensure that they and members of their families, tenants, visitors and employees are aware of the contents of these documents and abide by these rules:

- Sparrebosch Home Owners' Articles of Association
- Sparrebosch Architectural Design Manual (for all building works)
- Sparrebosch Builders' Code of Conduct (for all building works)
- Sparrebosch approved plant list (for all garden plants)

Owners should seek copies of these documents from the Home Owners' Association. Copies are also available on the www.sparrebosch.com website (see Downloads and Notices).

2. Access, roads, vehicles and off road vehicles:-

- 2.1 There is controlled access to the Estate and procedures will be adapted by the Trustees from time to time. Owners and residents should comply with current procedures for themselves, their guests and their visitors, including domestic employees, contractors, and companies delivering to their properties.
- 2.2 The speed limit on the estate is 40 km/hour, and in the interest of safety, this should never be exceeded. Random traffic police checks are carried out.
- 2.3 Golf Carts – strictly speaking golf carts should not be driven on the roads on the estate, as they are all public roads. It is technically possible that the Traffic Police could penalise those transgressing this rule, so please be warned. Only licenced drivers should drive carts – children and younger teenagers must never drive. Anyone taking carts onto the golf course or cart tracks must comply with the Pezula policy on the use of golf carts. Other than when playing golf, it is forbidden to take carts onto the course or the cart tracks during golf course operating hours – Golf balls can kill!!
- 2.4 Other “off road” motorised recreational vehicles that are licenced for operation on South African roads, are not permitted to be used on the Estate’s roads or on the golf course or cart tracks.
- 2.5 Parking – vehicles parking overnight must be off road or in designated parking areas. This includes boat trailers, caravans, golf carts etc. Vehicles found violating this rule may be towed to a safe parking area and the responsible owner may be penalised.
- 2.6 Common areas – vehicles must not be driven or parked on common areas except on roads, vehicle access tracks specifically provided or car parks.

3. The Environment:-

- 3.1 Noise- any conduct which disturbs the peace on the Estate is not permitted. Excessive and unnecessary noise by vehicles, music systems, pets or individuals themselves constitutes a disturbance of the peace under these rules.
- 3.2 Domestic Pets:-
 - Owners or visitors are responsible for their pets and should control them at all times.
 - Pets should not make excessive noise; persistent barking of dogs, catcalling of cats or any other disturbance by pets is not allowed and must be controlled by the owner.
 - Pets should not be permitted to leave their owners property and run at large unsupervised.
 - Dogs must be restrained by a leash at all times when taken for a walk and all excrement should be immediately removed from public areas by the owner.
 - Pets are not allowed on the Sparrebosch Forest Trails. Owners must also comply with Pezula’s rules regarding access for pets on the golf course.

- Should any pet create a frequent or persistent disturbance or become a nuisance to any other member, the SHOA will request the owner of such pet to ensure that the noise and/or action cease. Failing to comply, the SHOA may at its discretion, impose a fine or request the owner to remove the pet. If this request is not complied with, SHOA reserves the right to have the pet impound and to have it removed from the estate by such means as they deem fit and recover any costs from the owner concerned.
- 3.3 Wild animals – these should never be fed anywhere on the estate and owners and visitors must take care with the secure storage of household refuse. Latch able enclosures, tightly sealed containers or wheelie bins are required – leaving rubbish outdoors in plastic bags is not permitted.
- 3.4 Domestic refuse is collected on Mondays and Wednesdays, and should only be left outside properties early mornings between the hours 08:00 and 12:00. There is a refuse compound near the maintenance offices for those needing to dispose of refuse anytime other than Mondays and Wednesdays. Leaving doors and windows open could encourage an unwelcome visit by baboons and this can be a dangerous and generally unpleasant experience.
- 3.5 Littering – everyone should refrain from leaving litter anywhere on the estate.
- 3.6 Fires – only purpose built braais within the Estate’s residential properties should be used. Every effort must be made to prevent bush fires caused by illegal fires or discarded cigarettes.
- 3.7 Water – homeowners are encouraged to install rainwater tanks approved by the Architectural Review Committee to collect rainwater. Boreholes are not allowed without the approval of the Architectural Review Committee.
- 3.8 Disposal of swimming salt or chlorine contaminated pool water must be done via the Municipality sewer system and not into the surrounding fynbos or storm water systems.
- 3.9 Solar heating panels are encouraged but installations must be approved by the Architectural Review Committee.
- 3.10 Homeowners should refer to the Architectural Design Manual for rules relating to landscaping, planting and fencing. Owners are encouraged to re-cover transplantable indigenous vegetation and topsoil from properties prior to commencement of building works. All new planting should comply with the Sparrebosch approved planting list. Fertilisers should not come into contact with natural vegetation. Garden refuse stored in sealed plastic bags will be collected on Mondays and Thursdays by the HOA.

4. Open Space:-

- 4.1 Camping and caravanning is not allowed anywhere on the Estate.
- 4.2 The use of firearms, air rifles, pistols, bow and arrows, slingshots, fireworks, or any potentially dangerous projectile within the Estate or the adjacent conservation areas, is strictly prohibited. Hunting and trapping is also strictly prohibited.
- 4.3 Walking and jogging on the golf course cart paths may only be used for these activities when the course is not being used for golf. Cycling on the paths is not allowed.
- 4.4 Residents are encouraged to develop the habit of picking up and disposing of any litter encountered in the open space.

- 4.5 Flora may not be damaged or removed from any public area.
- 4.6 The use of all the open space areas and common properties by residents, their guests and visitors is entirely at their own risk at all times.
- 4.7 The use of alcoholic beverages in the open spaces and parking lots is strictly forbidden.
- 4.8 Residents are cautioned that the water in the streams and catchment dams on the Estate and Golf Course Land is not safe for drinking or bathing.

5. Recreational Activities:-

The Tennis court, swimming pool and children's play area are used on own risk and use of these facilities will be strictly in compliance with SHOA rules, in particular regarding who is eligible to use these facilities, and regarding children under the age of 12, needing adult supervision at all times in the interest of safety and respecting other users peace and quiet.

6. Security:

In the interest of providing an effective security service and systems, security protocol must be adhered to at all times and residents are requested to always treat security personnel in a co-operative, courteous and patient manner.

- 6.1 Security protocol at the entrance gates must be adhered to at all times.
- 6.2 All residents are allowed two access cards per household. Additional cards can be issued at request on merit.
- 6.3 It will be considered a serious breach of security should a resident give their access cards to any other person for use by that person for whatever reason.
- 6.4 All residents, tenants and other persons who reside on the Estate must register with the HOA and complete the required data sheets.
- 6.5 Residents are to note that the entire perimeter electric fencing serve as deterrent and detection function and are not guaranteed to prevent a determined attempt at intrusion into the Estate.
- 6.6 The ID card system for permanent workers, temporary workers, and contractor's representatives must be conscientiously enforced by every owner with respect to people in their employ.
- 6.7 ID cards will be issued to all contractors and domestic workers.
- 6.8 Right of access and issuing of ID cards is reserved and is given at the sole discretion of the HOA.
- 6.9 All building contractors, sub-contractors, landscapers, maintenance contractors and domestic workers must comply with the registration and access procedures for contractors.
- 6.10 Every owner must ensure that contractors in their employ have signed the Contractors Code of Conduct and adhere to the stipulations of the contract.
- 6.11 All attempts at burglary or instances of fence jumping must be reported to the security and/or the Estate Manager immediately.

- 6.12 Security is an attitude, be aware that you need to enforce and apply security to make it work. Do not hesitate to report any suspicious person.
- 6.13 The security control centre should be advised in advance of pending arrival of visitors, deliveries or emergency services where possible, in particular the person's name and property to be visited should be provided.
- 6.14 Alternative to the above if a visitor, delivery or emergency service provider arrives unexpectedly/unannounced, the resident will be called via our speed dial system to confirm such a person.
- 6.15 Unannounced persons will be denied access if a member cannot be contacted via our speed dial system.
- 6.16 It is the resident's responsibility to ensure that their contact details are in fact listed at the security control centre.
- 6.17 Physical or verbal abuse of any security personnel will not be tolerated and in no way should they be prevented from doing their duty.
- 6.18 The taking of photos without the consent of the property owner is not permitted.

7. Tenants, Visitors, Contractors and Employees:-

- 7.1 Should any owner let his property, he shall in writing advise the HOA that the property is to be leased and shall provide a copy of the signed lease and a copy of the signed Estate rules to the HOA at least seven (7) days prior to the intended occupation date. The Rules and regulations of the estate should form part of the lease pack and the Lessor shall bind the Lessee to adhere to such rules.
- 7.2 Residents and/or occupiers of any property within the Estate are liable for the conduct of their visitors, contractor's employees and tenants, and must ensure that such parties adhere to the Rules and regulations.
- 7.3 Residents, owners, occupiers and contractors are not permitted to give access or bring onto the Estate any employee or individual who is an illegal alien. Casual labourers brought onto the Estate (e.g. gardeners, domestic workers etc.) must be registered at the specific gate/boom entrance on entry by the Resident and signed out upon exiting.
- 7.4 Should any owner wish to sell or lease their property, the Home Owner must ensure that the buyer/lessee is informed about, accepts and signs for a copy of the Articles of Association, the Estate Rules and regulations, the Architectural Guide Line, and any other administrative regulations applicable at the time and commits to be bound thereto. A full pack of rules should also be left in the leased property for the lessee's ease of reference.
- 7.5 It is the responsibility of the owner to ensure that the Estate Agent dealing with the sale or lease adheres to the Code of Conduct for Estate Agents as laid down by the HOA from time to time and is fully aware of the HOA requirements.

- 7.6 Every agreement for the lease of property on the Estate shall contain the following clause:-
“The lessee shall take cognisance of the fact that there are a number of important documents relating to the administration and control of Sparrebosch Clifftop Estate, the Home Owners’ Association and Architectural Rules. These documents include the following:
- The Articles of Association
 - The Rules and Regulations of Sparrebosch
 - The Architectural Guide Lines
- The lessee acknowledges that he/she is acquainted with the content of such documents and agrees to be bound thereby.”

8. The Golf Course:-

- 8.1 The golf course as demarcated shall be used for the playing of golf. Residents and/or their guests shall refrain from using the golf course for any other activity and shall ensure that their children and those of their guests do not play games or engage in any other activity on the golf course.
- 8.2 All players must report to the pro-shop before play/practice commences. Casual play/practice is not allowed at any time on the course.
- 8.3 The Golf Course itself, its greens, bunkers and designated practice area, inclusive of putting greens etc. is exclusively reserved for the use of bona fide golfers.
- 8.4 Residents, their staff, tenants or contractors may not use the above areas to walk, walk dogs or allow their children to enter upon the playing area, the greens or bunkers or use the golf course as a short cut to access other areas of the Estate.
- 8.5 Residents (excluding domestic workers) may use the golf paths for strolling between the hours of 18:30 and 06:00.
- 8.6 Dogs are prohibited from any part of the golf course.
- 8.7 No bicycles or any type of bike or vehicle will be allowed on the Golf Course, except those official vehicles engaged in maintenance or green keeping.
- 8.8 Tampering with signage or other equipment is strictly forbidden.
- 8.9 Take care and be alert when using designated walkways adjacent to the Golf Course – a golf ball can cause severe injury.
- 8.10 Only licenced drivers are permitted to drive a golf cart on the course.

9. Architectural:-

- 9.1 The Architectural Rules/Design Manual is obtainable from the SHOA's offices and is also available on the website at: under Down Loads and shall form part of these rules and homeowners and residents on the Estate shall be obliged to abide by such requirements.
- 9.2 Building contractors working on the Estate will be required to sign a Code of Conduct thereby ensuring adherence to the rules and regulations of the HOA as may be amended from time to time.
- 9.3 Building and related activities are only allowed on the Estate on week days between the hours of 07:30 and 17:30. Contractors will not be allowed on the Estate on Saturdays, Sundays and Public Holidays without the prior consent of the Association.

10. Design, Construction and Sale of houses and stands on the Estate:-

- 10.1 The design of all new homes and subsequent external alterations, including re-painting and Wendy homes should comply with the Architectural Design Manual.
- 10.2 The Estate Manager should be notified prior to the commencement of any building work and owners must ensure that their builder/s and all sub-contractors are registered with SHOA and comply with the Sparrebosch Builders Code of Conduct. In particular, the rules on access, working hours, environmental protection, erosion control measures and the control of building activities and materials storage must be complied with.
- 10.3 "For Sale" boards are not allowed on the Estate.
- 10.4 Applications for show houses must be applied for and approved in writing by the Estate Manager at least three working days prior to such open days. Direction boards can only be erected on the show house open day. Large "Show House" banners or balloons are not permitted.

11. Updates:-

The Trustees may, subject always to the requirements of the Association's Articles and Memorandum of Agreement, delete, amend or add to the Estate Rules at any time. Any amendments will be updated on the web site documents. All HOA documentation can be viewed on the Sparrebosch website www.sparrebosch.com click on the Download tab. Any changes will be effected to the website documents.