

# CARIBBEAN

B E A C H C L U B

## Estate Rules

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## 1.1 INTRODUCTION

- 1.1.1 One of the main objectives of the development of the Caribbean Beach Club has been the provision of a high quality of lifestyle for Estate residents. The intention of the Trustees of the Caribbean Beach Club Homeowners Association (CBCHOA) in drafting these Estate Rules is that of protecting this lifestyle. The Estate Rules, which may change from time to time, have been established in terms of the Articles of Association of the CBCHOA. They are binding upon all residents in the Estate, as is any decision taken by the Directors in interpreting these rules. The registered owners of properties and all persons (without limiting the generality thereof) are responsible for ensuring that members of their families, tenants, visitors, friends, contractors, sub-contractors and delivery vehicles and all their employees abide by the rules.
- 1.1.2 Estate living does however call for certain restraints and owners and occupiers must at all time consider the rights and privileges of other owners and occupiers.
- 1.1.3 The Estate Rules are for the protection and reinforcement of this lifestyle and your capital investment.
- 1.1.4 Any problems or emergencies can be phoned through to the office on 012 244 3000. An after hours number is available on 012 244 1299. This number cannot be used to allow access for visitors to the Estate.

## 1.2 ACCESS, EGRESS AND USE OF THE STREET

- 1.2.1 All Boats, other Vessels, Trailers, Golf Carts, Motorbikes and Quads within the Estate must be registered by means of an Estate Registration sticker attached on the right hand side of the asset. If the above mentioned items have no registration sticker, they must be removed from the Estate/Boatyard.
- 1.2.2 Any of the items in 1.2.1 above entering the Estate with no registration will have to park on the inside of the Main Gate and first obtain a registration or permit from the office.
- 1.2.3 To remove any assets from the Estate by car, trailer, truck or other transport, a permit must be obtained from the office during office hours. After hours contact the number in 1.1.4 above.
- 1.2.4 The speed limit on the streets of the Caribbean Beach Club is 30km/hr., and the appropriate regulations of the North West Provincial Road Traffic Ordinance shall apply. A maximum load p.axle of 6 tons is permitted on Estate roads. Residents are requested to remember that pedestrians will frequently cross the street in the Estate and motorists should always drive with caution.
- 1.2.5 Owners Cars should generally be parked in their garages and visitor's cars should be confined to an owner's property and sidewalk, and should not obstruct traffic.

- 1.2.6 Revving of boat, bike, car or other engines should be restricted to an absolute minimum necessary and no repairs or reconditioning is permitted in the road or open spaces.
- 1.2.7 Except for regular arrival and departure, motorbikes, scooters, mopeds and similar are not permitted to drive around the Estate at any time.
- 1.2.8 Except for arrival and departure, bona-fide construction, Golf Course and Estate maintenance and launching boats/jetskis, no Quad bikes or similar are allowed on the Estate. They should be driven responsibly at all times with no joyriding.
- 1.2.9 Carts must be driven responsibly and in the control of a licensed driver at all times with no more occupants than designed for. Age group of 14-18 may use only when from the owners property via the Clubhouse to the Golf Course. Any claims that might arise in relation to the use of a privately owned golf cart on the Estate will be the sole responsibility of the licensed driver and the registered owner of the privately owned golf cart. All must have front and rear lights after dark.
- 1.2.10 Privately owned carts that are used to commute around the Estate are encouraged, provided they remain on the roads and are in the control of a licensed driver at all times with no more occupants than designed for. Normal traffic regulations and considerations are applied.
- 1.2.11 All carts and quad bikes must be registered with the CBCHOA, and a registration number (your stand number/sectional title unit number) must be displayed on the vehicle involved.
- 1.2.12 Unless being used for officially playing golf, no carts are permitted on the course at any time.

### **1.3 USE OF COMMON AREAS**

- 1.3.1 A particular appeal is made to residents to leave any common space they visit in a cleaner condition than that in which it was found. It would be wonderful if all residents developed the habit of picking up and disposing of any litter found in the common spaces. Litter bins will not be provided in any common areas specifically to encourage residents to take all their litter away when they leave. The use of motorcycles or other motorized vehicles is prohibited and no plants, trees or shrubs may be removed from the common spaces. The trapping of or shooting birds is not permitted. The resident's use of the common space area is entirely at their own risk at all times.

### **1.4 WALKING, JOGGING, CYCLING ETC**

- 1.4.1 Walking and jogging are obviously encouraged throughout the Estate, but in respect of the golf course, they do so at their own risk and on the understanding that golfers have the right of way.
- 1.4.2 As long as on a leash, dogs may be walked in the Estate.

1.4.3 Cycling shall be on the roads, parklands and designated link cart paths, but not on the golf course at any time. They should have front and rear lights after dark and safety equipment e.g. helmets are advised.

1.4.3.1 Roller blading, skate boarding and similar activities shall be confined to the roads and so as not to endanger traffic or pedestrians.

## **1.5 MAINTENANCE OF SIDEWALKS/PROPERTY/APPEARANCE**

The planning concept for CBCHOA is one of openness and visual transparency. Garden areas of any house are therefore open to viewing, and should be kept clean and uncluttered.

Residents have a responsibility to:-

1.5.1 Maintain the grassed verges between the road curb and their property boundary.

1.5.2 Maintain and paint, where necessary, property boundary fencing.

1.5.3 Ensure that all caravans, trailers, Wendy houses, tool sheds, wash lines, mechanical equipment or parts thereof and pets accommodation are sited out of public view and screened from neighbouring properties.

1.5.4 Ensure that all boats are stored in the Boat Park. No boats are permitted to be stored in the individual properties unless stored in an enclosed garage.

No trees, plants or sidewalk lawn may be removed without the permission of the CBCHOA. Planting should not interfere with pedestrian traffic or obscure the vision of motorists. No trees or other flora may be planted which will obstruct the view of other members.

## **1.6 NEIGHBOUR RELATIONS**

1.6.1 The reduction of noise, especially in this country environment is an important criteria for all residents.

1.6.2 The volume of TV, music, radios, partying, and power tools etc. must be moderated in consideration of other owners. It must also be understood that the CBCHOA and its Directors the Developer, and their agents are not responsible for "instant policing" of such problems. It is suggested that neighbours and security is notified of imminent parties, or social activities and that all owners conform to moderate restraints.

1.6.3 No Business activity or even hobby which causes aggravation or nuisance to other owners may be conducted on the Estate. Excepting for domestic workers, no staff may be employed by residential homeowners that require daily access to the Estate.

1.6.4 No activities are permitted in the open areas if they cause unreasonable nuisance to other owners.

- 1.6.5 Owners are reminded that their conduct at all times is governed in any event by Madibeng Local Council By-laws which include the following:-  
“21(1) No person shall disturb the public peace in a street or public place, or on private premises by making noises or causing them to be made by shouting, quarrelling, fighting, singing or playing any type of musical or noise creating instrument or gramophone, or by means of radio, loud speaker or similar device or by riotous, violent or immoral behaviour”
- 1.6.6 No fireworks of any kind are permitted on the Estate, unless an approved display by CBCHOA.

## **1.7 DOGS AND OTHER ANIMALS**

Pets are permitted at the discretion of the CBCHOA, and such permission may be withdrawn at any time, without reason, justification or liability. Any pets or dogs which cause a nuisance, or are not controlled on a leash, may be removed from the Estate by the CBCHOA, without further notice.

It should be ensured that:-

- 1.7.1 Other dogs are not interfered with.
- 1.7.2 Joggers and Walkers are not harassed.
- 1.7.3 They do not cause traffic accidents.
- 1.7.4 Are not the cause of unclear fouling of sidewalks and green belt areas.
- 1.7.5 No Visitors dogs are allowed on the Estate at any time.

## **1.8 SECURITY**

A separate set of rules regarding security of the Estate are available, but the following are a selection of the most important. In the interest of providing an effective security system, security protocol must be adhered to at all times, and residents are requested always to treat the security personnel in a co-operative manner.

Estate Security is designed to function as follows:-

- 1.8.1 It will be manned 24 hours per day.
- 1.8.2 Residents will be issued with a CBC sticker for attachment to motor vehicle windscreens - the security guards will allow vehicles with such stickers relatively unimpeded access to the Estate. No boats will be allowed onto the Estate without registration with the CBCHOA.
- 1.8.3 Contractors having business on the Estate together with their permanent or temporary workers will be issued with an identification tag.
- 1.8.4 The security center at the gate should be advised in advance of the pending arrival of visitors, and particulars relating to vehicle registration numbers and property to be visited.

- 1.8.5 When visitors arrive unannounced, the security guards will contact the relevant resident, where possible, in order to verify that access can be granted.
- 1.8.6 The Estate will be patrolled on a random basis by security guards.
- 1.8.7 Residents are to note that the perimeter fence serves as a deterrent and detection function and is not guaranteed to prevent a determined attempt at intrusion onto the Estate.
- 1.8.8 No asset, i.e. Boat, cart, etc may be taken from the Estate without the authorization of either the owner or the office in writing.

## **1.9 THE HARBOUR AND ON THE DAM**

It should be noted that no person under the age of 16 is allowed legally to ride a jetski or control a boat either in the Harbour or on the dam.

## **1.10 LETTING AND RESELLING PROPERTY**

In order to ensure that the rules particular to Caribbean Beach Club, and that regulate ownership and residency of the Estate are made known to new residents, the following rules shall apply to the reselling of property:-

- 1.10.1 Should an owner wish to sell his property in the Estate by employing an Estate Agent, an Estate Agent from a list of Accredited Agents should be selected to manage the sale.
- 1.10.2 Such Agents should operate on a “by appointment” basis, whereby the Agent meets prospective buyers at the main gate and personally accompanies them to and from the gate as well as around the Estate. They are not allowed to erect any “For Sale” or “Show House” or Sold” signage boards. Except under 1.10.3 below.
- 1.10.3 If properties are to be on show over weekends, agents must advise the CBCHOA of the details by 12h00 on the Thursday preceding the weekend. On weekend show days agents will be permitted to erect 1 board on the sidewalk of the property concerned and 4 pointer boards, but no banners, flags or balloons.
- 1.10.4 Should any owner let his property, he shall notify the CBCHOA in writing in advance of occupation, the name of the lessee, and the period of such lease. The owner shall inform the lessee of these rules.
- 1.10.5 The lessee acknowledges that, upon occupation of the lease premises, he and his family, his visitors and servants shall adhere to all rules and regulations as contained in this document.
- 1.10.6 Where tenants continuously breach the Rules of the Estate, the owners can be requested to terminate the lease agreement and or be held liable for the maximum fine allowed under the CBCHOA rules. This clause must be written into the lease agreement.

## **1.11 ACCREDITATION OF ESTATE AGENTS**

An Agent is accredited only after signing an agreement with the CBCHOA that such agent will abide by stipulated procedures applicable to the sale of property in the

Estate, and after having been inducted with respect to concepts, rules and conditions under which a buyer purchases property at Caribbean Beach Club. Such agent may be required to provide the CBCHOA with a copy of the mandate for the property concerned. The accreditation policy for Estate Agents may be reviewed by the CBCHOA from time to time.

#### **1.12 General Matters**

- 1.12.1 The Trustees reserve the right to take any action they deem fit in the instance of a continued contravention of a rule, after expiry of a written notice, or should the Directors deem fit without notice, detailing the contravention. Such action can include rectification by the CBCHOA, the cost of which will be charged to the transgressor, possible imposition of a fine and subsequent legal action, or in extreme circumstances removal of the defaulting owner from and barring his access to the Estate or certain of its facilities.
- 1.12.2 In order to preserve and enhance the residential amenity and lifestyle within the Estate, all owners shall at all times behave and conduct themselves in a considerate, reasonable and civilized manner, and shall in particular avoid causing inconvenience or nuisance to other owners.
- 1.12.3 This document may be amended from time to time to cater for conditions that may not have been foreseen at the time of writing. The Directors reserve the right to make such amendments as they deem fit and which shall be binding upon all residents in the Estate. Levies are payable from date of registration of transfer of ownership or date of occupation, whichever is the earliest.
- 1.12.4 All levies are due and payable in advance on the first day of each and every month.
- 1.12.5 Interest will be raised on all accounts in arrears.

#### **1.13 DISCLAIMER**

Neither the CBCHOA, its Directors, officers, employees or contractors nor their respective agents shall be liable for any loss of life, personal injury or damage to property suffered by any person whilst in or on the Estate or any part thereof and from whatsoever cause arising.