

CENTURION HOME OWNERS ASSOCIATION NPC

RULES AND REGULATIONS

INTRODUCTION

1. Living in our Estate means being part of a community of people who share a secure high-quality lifestyle. Conduct rules for the community provide a means of protecting this lifestyle. They comply with the normal municipal rules, but also take our own circumstances into account. They seek to ensure a safe environment and good order among residents and neighbours.
2. Every title deed for property on the Estate contains a clause that stipulates that the property owner automatically becomes and remains a member of the Centurion Homeowners Association NPC (CHOA) and is subject to its Constitution until he ceases to be an owner. It is a legally registered association without a share capital, i.e. a Section 21 company not for gain. One voting right is conferred with the purchase of any property (house, townhouse or duet) on the Estate. The Memorandum of Incorporation (Constitution) are available for viewing at the offices of CHOA or on the website and copies can be obtained at a nominal charge.
3. The rules and regulations were drawn up by the developers and the first Board of Directors. They have been and may again be amended or added to from time to time as necessary, in accordance with Clause 21 of the Memorandum of Incorporation. They regulate a host of matters, such as security procedures and access control, architectural design, preservation of the environment, the conduct of persons within the Estate, the use of amenities and facilities, the keeping of animals, etc.
4. The rules are binding on all home owners and are applicable to all persons living on the Estate. Home owners have an obligation to ensure that members of their families as well as their tenants, visitors and employees abide by them.
5. The Board of Directors has the right to impose fines on those home owners who fail to comply with the rules. Fines, if imposed on a home owner or any member of his/her household, may be added to the next monthly levy payable. Fingerprint access of habitual offenders, whether home owners or tenants, may be deactivated and will only be reactivated once the fine has been paid.

ADMINISTRATION

1. The affairs of the CHOA are run by appointed staff and overseen by an elected Board of Directors, and are financed by levies payable by all home owners.
2. Levies are due and payable in advance on the first day of each month.
3. Home owners are encouraged to effect payment of levies by way of debit orders. These can be signed at the CHOA office.
4. Interest will be charged on all accounts in arrears.
5. An additional penalty will be imposed on any account unpaid after 60 days. Overdue accounts, including interest and penalty, will be handed over to an attorney for collection and possible legal action. Any costs incurred by these proceedings and all additional interest up to the date of final settlement will be for the home owner's account.
6. Full convenient access by means of whatever available technology via all lanes and turnstiles at both top and main gates is a privilege available in all cases where the levy account is managed in a satisfactory manner.
7. Where arrears on a levy account exceed 60 days, such privileges may be downgraded to daily pre-booked access via the main gate only. Seven days' prior notice will be given in such cases.
8. In exceptional circumstances, where a home owner may have a singular problem regarding payment of levies, he may approach the Board of the CHOA with a request for special consideration and/ or temporary relaxation of the above rules.

SECURITY

1. To ensure a safe and secure environment for all residents, their visitors and staff, it is essential that all parties give their unqualified support and cooperation regarding the security procedures. For your own and all other residents' safety, these procedures will be strictly applied by the security personnel.
2. Residents enter and exit the Estate at the main and top gates by means of registered fingerprints or in exceptional cases with access discs. Fingerprint registrations can be done at the CHOA office. The main gate is open 24 hours per day, and the top gate (for residents only) is open during the day from 06:00 to 19:00. No access to the Estate will be allowed without registered fingerprints and/or access discs.
3. Pedestrians (school children, students, domestics, gardeners, Clubhouse employees) enter or exit the Estate via turnstiles at the gates. Residents and their

- children may also enter or exit the gates on foot by means of their registered fingerprints.
4. Residents must register their employees (domestics, gardeners etc.) at the Main Gate in order to obtain access for them. When an employee leaves a resident's service, it is the employer's responsibility to inform the CHOA office to cancel their fingerprints/access cards for access.
 5. A lost disc or card must immediately be reported to the CHOA office, so that it can be deactivated.
 6. If visitors, contractors, service providers, etc. are expected by residents, they will only be allowed into the Estate with a valid visitor's code provided by the resident concerned in advance (see next paragraph) and in possession of a valid driver's license or ID book. Only the main entrance may be used by such visitors.
 7. Procedure for booking in visitors, contractors, service providers, deliveries, etc.: Residents can request an access code from their cell phone by sending a code via SMS to 42778. The system will reply with a code for the visitor. The visitor can then use the same code to gain access to the estate. The same code will be valid for leaving the premises.
 8. Golfers or visitors to the driving range, who are not residents, must obtain a visitor code from the driving range personnel.
 9. The names of conference delegates, persons attending functions or who have restaurant reservations, will appear on a 'conference attendance list', a 'function attendance list' or a 'restaurant booking list'. Should a person arrive whose name is not on the list, permission to enter will be denied until that person's name is confirmed by the function organizers or Clubhouse management.
 10. Finally, all residents are requested to treat Security personnel in a cooperative and courteous manner – they are there to ensure *your* safety – and to report all security-related incidents and suspicious-looking persons or actions to the Security office.
 11. Clubhouse property – 15 minutes before closure of the Clubhouse at night, the Nightshift Manager or responsible person on duty will contact the security control room and notify them that the Clubhouse will be closed at an expected time. Once the Clubhouse has been closed, no persons will be allowed in any clubhouse property, which includes the clubhouse parking area, clubhouse patio, laps or watering points.

USE OF ROADS

1. The roads on the Estate are public roads and the South African traffic legislation is applicable.

2. Operating any vehicle in such a manner as to constitute a danger or a nuisance to any other person or property in the Estate is prohibited.
3. Where there are no walkways, the streets are for the use of vehicles, bicycles and pedestrians. Please be especially careful, as the streets are quite narrow.
4. The speed limit is 30 km/h.
5. A vehicle approaching a mini-circle must yield to other vehicles already in the circle.
6. Parking in streets and on paved walkways is not allowed.
7. Parents are responsible for teaching their children the rudiments of safe road usage. Children that are too young to know and adhere to the rules of the road are prohibited from riding bicycles, quad bikes and scooters on any of the streets in the Estate. The minimum required age for driving golf carts on the Estate is 16 years.
8. The use of car hooters is only allowed as a warning signal to other road users, not to attract the attention of family members, school learners or employees inside a dwelling.

GOLF CARTS

1. The rules regarding the use of golf carts on the golf course as well as the streets on the Estate were drawn up to ensure the safety of drivers, the avoidance of unnecessary wear and tear to the golf course and the minimization of inconvenience caused to golfers playing during normal playing hours.
2. All golf cart owners must apply at the CHOA office for a number for their golf cart for identification purposes. Only golf carts clearly displaying such a number may be driven on the streets of the Estate.
3. In terms of traffic legislation, golf carts which are not licensed like any other motorized vehicles may not be driven on public roads. The CHOA will, however, not take action against drivers who drive their golf carts on the streets of the Estate in a disciplined manner. Likewise, in terms of traffic legislation no drivers without valid driver's licenses may drive golf carts on any streets. The CHOA and the golf club will, however, also not take action if children 16 years of age drive golf carts on the Estate, provided they do this in a disciplined way and strictly adhere to all traffic rules. This concession to children 16 years of age should not be construed as permission granted by the CHOA or the golf club to drive golf carts. This is a decision that their parents or caregivers must take. The conduct of children in this age group driving golf carts, whether with or without the permission and knowledge of their parents or caregivers, remains the sole responsibility of their parents or

- caregivers and/or the owners of such golf carts, who will be held liable for any damage or injury caused by such children.
4. Under no circumstances are children under the age of 16 allowed to drive golf carts anywhere on the Estate or the golf course, even when accompanied by an older person.
 5. The use of golf carts will be limited to not more than 3 persons for a single seated golf cart and not more than 6 persons for a double seated golf cart.
 6. During playing hours, only golfers are allowed to drive on the golf course.
 7. Golf carts without lights may not be driven on the streets at night.
 8. After 21h00 no golf carts will be permitted on the golf course pathways, with the exception of security. After 23h00 no minors will be allowed on any Country Club property which includes the golf course and facilities excluding official functions at the Clubhouse.

GOOD NEIGHBORLINESS

- 1.1 Happy and harmonious community living is achieved when members, residents and/or occupants use and enjoy their private property as well as the public areas of the Estate, in such a manner that they show respect for the rights of other owners and/or persons lawfully in the Estate to also use and enjoy our estate and its amenities and facilities. Compliance with these Rules and general consideration of all residents of each other, assists in achieving a happy community.
- 1.2 In the event of annoyances or complaints, the involved parties should attempt to settle the matter between themselves, exercising tolerance and consideration. In instances where problems cannot be resolved, the matter should be brought in writing to the attention of the Directors or General Manager in the prescribed manner.
2. No business activity or hobby that could cause aggravation or be a nuisance to fellow residents may be conducted.
3. Music, parties, television and conversations should be kept to an acceptable noise level for adjoining properties. Please lower decibels even further after 13:00 on Sunday, 23:00 on Saturday and 22:00 on all other days.
4. The use of lawn mowers is restricted to the following hours: Weekdays and Saturdays: 07:00 - 17:00; Sundays 08:00 - 13:00.
5. The use of power tools is restricted to weekdays between 07:00 and 17:00.

6. Fireworks may not be set off within the Estate.

PETS

1. The local authority bylaws relating to pets apply in the Estate.
2. A maximum of two dogs and/or two cats may be kept on any one premise. Dogs must wear a collar with an identification disk giving the name and telephone number or address of the owner. Stray pets without identification tags may be taken to the SPCA or municipal pound.
3. Pets are not allowed to roam the streets, communal property or golf course. Dogs found making a nuisance of themselves may be taken to the SPCA or the municipal pound.
4. When going for a walk with your dog, the dog must at all times be on a leash. Any faeces deposited by the dog must immediately be picked up by the dog owner using a plastic bag or poop scoop taken along for that purpose.
5. Owners must ensure that their dogs do not howl or bark incessantly, especially in their absence.
6. An owner whose pet becomes a nuisance to fellow residents will be requested to remove his/her pet from the Estate.
7. No poultry, wild animals or livestock may be kept on the Estate.
8. The building of pigeon lofts and aviaries must be approved by the CHOA. Plans, accompanied by the written consent of the neighbours, must be submitted.

STREETSCAPE

1. The sidewalks remain the property of the City of Tshwane, but every resident is responsible for the maintenance of the area between the road kerb and the boundary of his property. No trees, plants, rocks or built structures may interfere with pedestrian traffic or obscure the vision of motorists.
2. Garden fences or walls forming part of the streetscape must be maintained and painted when necessary. Failing this, the CHOA will have the right to have the necessary maintenance done and charge the cost to the owner.
3. Gardens abutting on the golf course must be kept neat at all times. Failing this, the Sport Committee will have the right to have the garden tidied at the cost of the owner. No garden may overflow onto golf course property without written permission from the President of the Sport and Social Club.
4. Washing should only be hung on lines screened from the street and golf course.

5. No signage advertising any business may be displayed anywhere on the Estate other than a small copper or similar plaque on the dwelling itself.
6. Refuse trolleys may not be placed on pavements unless they will be emptied within 18 hours. Trolleys may not be parked on pedestrian walkways on refuse removal days, and should be kept out of sight from the golf course, street and neighbouring properties on all other days.
7. All caravans, boats, trailers, tools, toolsheds, engine and vehicle parts, etc., as well as accommodation for pets must be sited out of view and must also be screened from neighbouring properties.
8. Wendy houses visible from the street are only allowed as temporary sheds for building materials. In all other cases permission to have one must be obtained from the Board of the CHOA and they must be sited out of view.
9. Building material or rubble may not be dumped on sidewalks under any circumstance.

ARCHITECTURAL GUIDELINES

1. All building plans, exterior paint colours and roofing materials of homes must be in accordance with the Architectural Standards applicable to the Estate. This also applies to any additions and alterations to existing structures. Approval by a designated Director of the CHOA or, in uncontroversial cases, by the General Manager, must be obtained prior to the commencement of building activities. Exterior paint colours that differ markedly from previously approved colours must also be approved prior to repainting.
2. In order to maintain the green and tree-rich image of our Estate, building lines must be strictly observed and encroachments will only be considered in exceptional circumstances. Local authority regulations regarding building lines along all boundaries are as follows: a minimum of 2 m from all boundary walls, a minimum of 3 m on the side facing the street if the garage is not facing the street, and a minimum of 5 m if the garage is facing the street.
3. Approval must be obtained for all garden walls and fencing with regard to material and dimensions. High walls screening the entire street frontage of properties are discouraged. The maximum height of walls abutting on the golf course is 600 mm.
4. All satellite dishes and TV aerials must as far as possible be concealed.
5. Permission from the Board of the CHOA must be obtained for the installation of solar panels on roofs for heating of geysers or swimming pools. Neighbours must be approached for any objections prior to installation and the pipes/cables must not be visible or unsightly.

6. Prior to erection, nets to screen homes from golf balls must be approved by the Board of the CHOA as well as the Sport Club management. The permission of neighbours must also be sought. A copy of the specifications for the erection of nets is available at the CHOA office.

UPKEEP AND MAINTENANCE

1. The exterior of dwellings together with its fences, driveways, gardens, roofs, but not limited to, must be maintained in a clean, tidy and, where applicable, repaired and painted condition.

EXTERNAL ADDITIONS

1. Approval by the Board of the CHOA must be obtained for additions such as swimming pools, Jacuzzi's, awnings, gazebo's, bird aviaries, doll's houses and similar, prior to construction or building thereof.
2. In cases where such additions will have an aesthetic or other impact on neighbours, their written consent must be obtained prior to submitting a request for approval to the Board of the CHOA.

ENVIRONMENTAL MANAGEMENT

1. Residents use public areas at their own risk.
2. No building rubble, garden refuse or other litter may be dumped or discarded in any public area. Picking up and disposing of any litter found along the walking trail will be much appreciated.
3. Flora should not be damaged or removed from public areas.
4. No birds or other wildlife may be chased or trapped in any public area, be it by people, dogs or cats.
5. Residents must ensure that declared noxious plants are not planted or growing in their gardens.
6. Bicycles, scooters, quadbikes and skateboards are not allowed on the walking trail.
7. Swimming pool water may not be emptied onto the golf course but must be channelled into the storm water system.

BUSINESS ACTIVITY

1. Residents who wish to conduct any business or profession on the Estate, must obtain the written permission of the CHOA.

2. The CHOA has a policy in this regard which regulates the application for and conduct of business. A copy of this policy may be obtained at the CHOA office.

DOMESTIC WORKERS/GARDENERS

1. Residents who wish to employ domestic workers or gardeners, whether such workers live 'in' or 'out', must register them at the Main Gate and workers must be in possession of a valid ID book/passport or workpermit.
2. The domestic worker / gardener will be fingerprint enrolled at the Main Gate. The domestic worker / gardener will enter or exit the Estate via the turnstiles at the main and top gates.
3. If any clothing, equipment, appliances or such are given to a domestic worker or gardener to take home, he/she must also be given a note with the resident's name, address, phone number and signature in which the employee is given permission to remove the item concerned.
4. Living-out domestic workers / gardeners will not be allowed to receive any visitors from outside the Estate. Living-in domestic workers or gardeners will only be allowed to have visitors from outside the Estate if such visitors is booked in by the resident.
5. When an employee leaves the services of a resident, the resident must cancel the employee's fingerprints at the CHOA office.
6. Residents who wish to make use of garden service providers can obtain the names of registered firms from the CHOA office. Residents who wish to use non-registered firms should enquire at the CHOA office to ascertain what procedure must be followed so that the workers of that firm can obtain entry into the Estate.

ESTATE AGENTS

1. A number of estate agencies have been registered to market properties in the Estate. The names of these agencies and their agents may be obtained from the CHOA office.
2. Residents are, however, free to use any other agencies should they so wish. A copy of the procedure to follow in such a case is available from the CHOA office.

GOLF COURSE

1. Our golf course is regarded as one of the best in the country, and these rules aim to keep it that way.
2. Walkers, joggers, playing children and other non-golfers use the golf course at their own risk.
3. Residents and their children or guests may only walk, jog or play on the golf course after official playing times.
4. Picnicking is not permitted on the golf course.
5. Ball games may be played on the fairways and out-of-bounds areas after official golf hours, provided the golf course is not damaged in any way. Tees, greens and bunkers are off limits for non-golfers at all times.
6. Dogs are allowed on the golf course only when on a leash and provided any faeces deposited by the dog is immediately picked up by the dog-walker using a plastic bag or poop scoop taken along for that purpose. Dog-walkers found contravening this rule may be permanently banned from walking their dogs on the golf course.
7. The golf course is off limits to all engine-powered vehicles, excluding golf carts.
8. Bicycles, scooters, skateboards, etc. are not allowed on any grassed areas of the golf course at any time, and especially so after good rains.
9. An after-hours course marshal will patrol the golf course. The marshal will be empowered to enforce these rules and trespassers may be reported to the Club or the CHOA for further action against them.

CLUBHOUSE FACILITIES

1. All residents are social members of the Sport and Social Club. Enquiries relating to the use of the squash or tennis courts may be made at the Clubhouse Reception or the ProShop. Membership of the Golf Club is not tied to ownership of a residential property in the Estate. Enquiries about the various grades of membership and annual subscription fees of the Golf Club can also be made at the Clubhouse Reception or the ProShop.
2. The Clubhouse facilities and restaurant may be used by all residents. Clubhouse rules and dressing code drawn up by the Golf Club must be adhered to.

DISPUTE PROCESS

1. Any party or other person(s) materially affected, hereinafter referred to as “the complainant” may lodge a dispute with the CHOA, and shall lodge the dispute in writing with the CHOA offices in person or by e-mail at aos@choa.co.za. No party or other persons are allowed to have legal representation during such dispute process, unless specifically agreed to between all parties involved.
2. The dispute so filed must:
 - 2.1 Be in writing, detailing the dispute;
 - 2.2 Detailing the relief sought;
 - 2.3 Providing the name and address of each other person the complainant considers to be affected materially by the dispute.
3. On receipt of the dispute, the CHOA will acknowledge receipt thereof, and refer the received dispute documents within two ordinary business days to the director specifically nominated by the board of directors to attend and investigate the dispute so received.
4. The Director may, on receipt of the document, within seven ordinary business days from the acknowledgement of receipt of the dispute by the CHOA, and during the investigation, request the following to be submitted within ten ordinary business days from date of the request:
 - 4.1 Require from the complainant to submit further information and/or documentation in regard to the dispute so filed; and/or
 - 4.2 Require from the complainant to verify information so supplied; and/or
 - 4.3 Require from any party to give information in the form of an affidavit or statement; and/or
 - 4.4 Request a written response from another party, including a director, employee, resident, visitor or owner and/or
 - 4.5 invite any member, owner, resident or other persons, whom the director considers able to assist in the resolution of issues raised in the complaint and/or other written submissions received, to make written submissions to the director within a specified time; and/or
5. Subject to reasonable notice being given of the time and place, to come to the office of the CHOA for an interview with any party involved, materially or otherwise, for a discussion to clarify and/or further the information so received from the complainant and/or the other written submissions received.

6. If no additional information is required, or once all the additional information has been received, the Director has three ordinary business days to consider the dispute.
7. The nominated Director will thereafter revert to the complainant in writing requesting confirmation that the complainant wish to proceed with the dispute. The complainant will be afforded three ordinary business days to respond to this request. Failure to respond will be considered as a tacit and/or implied withdrawal of the dispute. The decision of the board of directors will then not be made known.
8. On receipt of written confirmation that the complainant wish to proceed with the dispute, the nominated director may, depending on the dispute arrange a round table meeting between the parties so involved, including the complainant, to amicably, in good neighbourliness and *bona fide* attempt to resolve the dispute, which meeting is to be held within ten ordinary business days after the nominated director has considered the matter, although such meeting is to the discretion of the nominated director.
9. The nominated director may, after the investigation and consideration of all information so available, make a recommendation to the board of directors, including but not limited to:
 - 9.1 Dismiss the dispute on grounds of:
 - 9.1.1 being frivolous, vexatious, misconceived or without substance; and/or
 - 9.1.2 the complainants' failure to provide further information as per clause 4 herein above; and/or
 - 9.1.3 the cost of the dispute process, if any, to be recovered from the complainant or the other party, in terms of the Rules and MOI, but not more than the maximum prescribed as per the ombudsman legislation and in considering the costs, must have regard to any previous disputes filed by the complainant and/or against the other party.
 - 9.2 Make a recommendation, to be proposed to the board of directors for consideration, including a statement of the reasons for the order, but not limited to:
 - 9.2.1 granting or refusing each part of the relief sought by the complainant; and/or
 - 9.2.2 drawing attention in the prescribed form to the right of appeal.
 - 9.2.3 A recommendation may require a person to act, or refrain from acting, in a specified way; and/or

- 9.2.4 The recommendations may contain such ancillary and ensuing provisions as the nominated director considers necessary or appropriate; and/or
 - 9.2.5 The recommendation must set the time and date:
 - 9.2.5.1 when the recommendation should take effect; or
 - 9.2.5.2 within which the recommendation must be complied with; and/or
 - 9.2.6 action to be taken by the CHOA, including but not limited to a written request for adherence to the rules; and/or
 - 9.2.7 penalties/fines to be instituted in terms of the rules of the CHOA.
10. Once the board of directors, majority decision, has accepted the recommendation, the decision is final. Any party whom is dissatisfied with the resolution are obliged to approach the Community Services Ombudsman, a legislative institution by any party materially involved therein, on application.
11. The acceptance of the recommendation, being a resolution of the board of directors, must be delivered to the complainant and all materially involved parties or affected persons by e-mail, using the nominated e-mail address on record for such party at the CHOA.