

**ANNEXURE “E”**



**CHAPMAN’S BAY ESTATE  
HOME OWNERS’ ASSOCIATION JULY 2022**

**Transgressions and Penalties**

**Please Note:** \* Ruling Levy depicts Ruling HOA Levy at time of transgression.

<b>Clause</b>	<b>Description</b>	<b>Penalty</b>	<b>Additional Terms</b>
<b>1.</b>	<b>GENERAL</b>	<b>Per Incident</b>	
1.1	Landscaping plans: Plant List “A” to be strictly adhered to on verges, green corridors, green belts and perimeter commonage	20% of Ruling Levy* per site assessment	Plant removal
1.2	Landscaping plans: Plant List “B” to be adhered to which encompasses plant list A plus additional indigenous species as applied for by homeowners and approved for use by the estate management.	20% of Ruling Levy* per site assessment	Removal of exotics
1.3	Water Tanks: Screening required by way of timber enclosure	20% of the Ruling Levy*	Plan approval and completion required
1.4	Unapproved building works requiring review committee assessment and approval prior to construction: Fencing, decks, pergolas, structural changes	50% of the Ruling Levy* as initial fine plus 10% of Ruling Levy* weekly till approval and required alteration has been finalised	Plan submission, approval and alteration required Removal of the structures unless approval is obtained
1.5	Building time	1 x Ruling Levy* (year 4 after transfer from developer) <b>NB:</b> Penalty Levy over and above the regular levy.	2 x Ruling Levy* (year 5 after transfer from developer)
1.6	No Business or trade may be conducted on any erf within the estate		2 months’ notice and thereafter 2 x Ruling Levy* Per Month
1.7	No signs, notice boards or advertisements may be placed on the common area or around the erven	10% of Ruling Levy*	Requested removal of the boards

1.9	No firearm or other weapon may be used on or around the estate	2 x Ruling Levy*	
1.10	Littering in the common areas including cigarette stubs is strictly forbidden	10% of Ruling Levy*	
1.11	No fires of any kind on the estate except in an indoor fireplace or outside braai area	2 x Ruling Levy*	Cost of damage
1.12	No invasive alien vegetation is permitted anywhere on the estate. Owners are responsible for the removal of alien vegetation from their erven, whether built or vacant.		Removal at member's cost after 1 months' notice
1.13	All owners to maintain erven (Main house, garages, outbuildings, boundary walls, site walls, gardens) in good condition always		1 months' notice, thereafter 50% of Ruling Levy* per month
1.14	No fireworks of any kind may be used on the estate	2 x Ruling Levy*	
1.15	Burglar alarms with response capability must be linked to the in-house armed response service		1 months' notice, thereafter 25% of Ruling Levy * per month
1.16	No refuse (domestic or garden) may be left outside at anytime	10% of Ruling Levy*	
1.17	Refuse to be put in standard and appropriate refuse bags and/or council issued bins	20% of Ruling Levy*	
	No refuse to be stored or dumped on the estate	30% of Ruling Levy*	
	Recycling: To be brought to the front entrance storage area and not left on the verge	10% of Ruling Levy*	
1.18	Any damage within the estate by a vehicle shall be the responsibility of the resident of the erf to or from which the vehicle was travelling		Repair to be completed by the estate with costs to the Owner
1.19	No habitation of a mobile home or caravan will be permitted on the estate	2 x Ruling Levy*	
1.20	All washing lines, and any other temporary structures must be enclosed and not be visible from the common areas or from any other point or property in the development		1 months' notice, thereafter 50% of Ruling Levy* per month
2.	<b>MOTOR VEHICLE REGULATIONS</b>		
2.1	Speed limit is 30km/h	30-35km/h - warning 36-40km/h - fine R250 41-45km/h - fine R500 46-50km/h- fine R750.00 51 km/h or more – fine R1,500.00	Repeat offending residents/tenants may have biometrics revoked. Repeat offending visitor, employee or agent of any Member/resident will be denied access and could

			be banned from the estate permanently.
2.2	Builders/sub-contractors transgressing the 30km/h speed limit	30-35km/h - warning 36-40km/h - fine R250 41-45km/h - fine R500 46-50km/h- fine R750.00 51 km/h or more – fine R1,500.00	Repeat offenders will be denied access and could be banned from the estate permanently
2.3	Visitor/employee of resident habitually breaking the code of conduct	2 x Ruling Levy*	Ban from the estate
2.4	Use of vehicles making excessive noise is not permitted	10% of Ruling Levy*	
2.5	All vehicles to keep to designated roads	10% of Ruling Levy*	
2.6	No parking in undesignated parts of the common area	10% of Ruling Levy*	
2.7	No caravan, trailer or boat may be parked in the common area for storage purposes	20% of Ruling Levy*	
2.8	No vehicle may be parked in a manner that protrudes over or onto the road reserve of the common area presenting a danger to other road users	10% of Ruling Levy*	
2.9	No vehicles may be parked or abandoned in the common area unless permission is obtained	10% of Ruling Levy* per day	Removal at the risk and expense of owner
2.10	No driving of a motorized vehicle in the estate unless licensed to do so	2 x Ruling Levy*	
2.11	No motorized vehicle not requiring a license to drive may be used on the estate e.g. Quadbike, all terrain RV's	50% of the Ruling Levy*	With the exception of security and estate management
2.12	Vehicles should not drip oil or deface the common areas, roads or driveways	10% of Ruling Levy*	Repair to be completed by the Estate with costs to the owner
3.	<b>CONTROL OF PETS</b>		
3.1	No more than 3 in or at semi-detached. No more than 4 in or at single residential.	1 months' notice to remove, thereafter 50% of the Ruling Levy* per month.	Removal in month 3 at the discretion of the Estate Manager.
3.2	Dogs may not roam in the common area	10% of Ruling Levy*	
3.3	Dogs must be on a leash and under control when walking in the common area	10% of Ruling Levy*	
	Excrement to be removed immediately from the common area	10% of Ruling Levy*	

	Dog and cats must have ID tags with owner's telephone number and cats are to be fitted with collars and bells	10% of Ruling Levy*	
	Pets are not to cause a disturbance in common areas or in the vicinity of other erven	10% of Ruling Levy*	
3.4	No caged wild birds, wild animal's poultry or farm animals shall be permitted on the estate.	1 months' notice to remove, thereafter 50% of the Ruling Levy* per month, thereafter removal in month 3.	
4.	<b>COMMON AREAS/ROAD VERGES</b>		
4.1	No resident/visitor or employee may damage, collect or remove anything from the common areas, including: Wood, stones, flora, fauna, animal, reptile or bird	50% of the Ruling Levy*	
4.2	No member shall remove or prune any plant, tree or vine in the common area without the express consent of the Estate Management	50% of the Ruling Levy*	
4.3	All members shall plant and maintain the road verge in a neat state at all times	1 months' notice to remove any rubble/alien plants, thereafter 50% of the Ruling Levy*	
4.4	Waste skips are strictly prohibited.	50% of the Ruling Levy*	This will apply post building or renovating
5.	<b>ACCESS CONTROL</b>		
5.1	Unauthorized access and non-compliance by visitors of the Code of Conduct	10% to 2 x the Ruling Levy*	At the discretion of Security Officers and/or the Estate Manager
5.2	Owners must notify HOA of sales and arrange visits/show days with security	50% of the Ruling Levy*	
6.	<b>NUISANCE, DISTURBANCE, NOISE AND LIGHT POLLUTION</b>		
6.1	Residents and their guests may not engage in any activity, occupation or hobby that causes nuisance to other residents	Warning, then 50% of the Ruling Levy* for 1st offence, 100% of the Ruling Levy* for 2 <sup>nd</sup> offence	
6.2	Residents and employees may not operate noisy machinery including: Lawnmowers, chainsaws, lathes, wood-working machinery & generators	10% of the Ruling Levy*	
6.3	After 16h00 on Saturdays	10% of the Ruling Levy*	

	Before 09h00 or after 12h00 on Sundays or public holidays	10% of the Ruling Levy*	Warning, then 50% of the Ruling Levy* for 1st offence, 100% of the
	Before 07h00 and after 20h00 on other days	10% of the Ruling Levy*	
6.4	No exterior speakers are permitted and the level of any music played shall not cause disturbance to other residents		Ruling Levy* for 2 <sup>nd</sup> offence
6.5	No outside lights shall be permitted which shine directly into a neighboring erf or are intrusive to another resident		1 months' notice to remove at the owner's cost, thereafter 50% of the Ruling Levy* per month
7.	<b>LETTING</b>		
7.1	Breach of the Code of Conduct by tenant	As applicable above	Penalties will be added to the owners account
7.2	Notification to Estate Management of a tenant	1 months' notice, thereafter 50% of the Ruling Levy* per month	
7.3	Leases shorter than 6 months	50% of the Ruling Levy* per month	
7.4	Properties let as a commune and/or double residency		2 x Ruling Levy* and 1 months' notice to evict. Thereafter 2 x Ruling Levy* per month.