

SILVER CREEK GORGE

Body Corporate

Conduct Rules and Constitution

RULES ARE APPLICABLE TO OWNERS OR RESIDENTS OF SILVER CREEK GORGE AS PUBLISHED IN ANNEXURE 9 - SECTION 35 (2) - B OF THE SECTIONAL TITLE ACT OF 1986.

1. LEVIES:

Monthly levies, the amount to be determined at the AGM's meeting or at a special meeting, are payable on the **Seventh** day of each month.

Levies will be paid from the start of digging foundations.

An **"Entrance Fee" of R2000** is payable for every new unit entering the BC.

For the safety and saving of bank charges, **no payments in cash are allowed.** Payments can be made in the following manner only: Debit Order or Electronic transfers.

Your Unit number must be used as reference.

A person, who wishes to pay his/ her levy in cash, should personally pay it in at the bank and bear the relevant bank charges for the transaction.

**Account: ABSA Brits Branch – Silver Creek Gorge
Account No. Savings 9265544987 – Branch code - 632005.**

If the levy is not paid by the fourteenth day of each month, the Trustees will implement the following debt recovery program:

- On the 15th day of the *first month* in arrears, the defaulter receives a friendly, written reminder, for which he or she is charged an administrative fee of **R200.**
- On the 15th day of the *second month* in arrears, defaulters receive a less friendly, final reminder for which he or she is charged another **R50.**
 - Included in this letter is a warning that if the money is not paid, the matter will be handed to the Body Corporate attorney and that all recovery costs will be claimed from the defaulter.
- On the 7th day of the *third month*, the matter is handed to the attorney with an instruction to issue summons. And another **charge of R1000** will be added every month.

2. REFUSE DISPOSAL:

Domestic refuse must be placed in the drums at the roadside in front of the unit. This is removed each Tuesday and Friday. These rules apply to residents and owners.

If rubbish is found lying on a stand the trustees will inform the owners and request it's removal. If this is not done promptly the trustees will make their own arrangements and bill the owners for the labour and vehicle costs. Residents are reminded that this is a game farm and much domestic rubbish is harmful to animals and birds.

Garden refuse and building rubble must be disposed of, at the designated area below the school area.

3. FIRE HAZARDS

No fireworks or crackers are permitted whatsoever, as well as open un attended fires.

4. MAINTAINANCE

Each unit owner is responsible for his own maintenance. However if the unit is not well maintained the trustees have the authority to inform the owner in writing that maintenance will be done and all costs will be for the owners personal account.

Rubble, rubbish or unused material left over from any form of improvements is the owners responsibility. It may not be left lying around on the property. If after a reasonable time this is not removed the trustees will inform the owner and may arrange for it's removal at the owners expense.

With the purchase of a Unit, all maintenance responsibilities are automatically transferred to the owner.

5. DAMAGES AND ALTERATIONS:

Alterations, extensions, sunroofs and canopies - according to section 68 of the Sectional Title Law of 1986 - No structures or alterations whatsoever may be erected without first obtaining written consent from the Trustees. Approved Municipal building plans, if applicable, must be tabled with the application. All such alterations must abide by the architectural guidelines.

Any damages to your property must be reported within seven days of occurrence. We have limited time to submit claims to the insurance and it means that if we receive complaints too late, you are personally liable for the repair costs and not the Body Corporate.

○ SOLAR PANELS, WATER TANKS:

The Trustees may grant permission for the installation of solar panels. The application for water-tanks also requires prior approvals before installations may commence. Both requests must be in accordance with the architectural guidelines.

GAS STOVES:

Qualified personnel must do the coupling and installation of such equipment and a legal certificate must be obtained.

6. BUILDING INSURANCE:

The Body Corporate is responsible to ensure insurance for the estate. Every owner is responsible to pay their insurance via the body corporate account. Any owner may at his / her own discretion, through the Body Corporate, increase insurance values of his property. The increased insurance value costs must be borne by the requestor of the specific unit, through an increased levy.

Excess payments on insurance claims may be divided in the following three categories: Namely: Body Corporate, Owner or Owners.

- If damages are classified as a common usage right, then the excess Payment is for the Body Corporate account. IE: gate, road, fencing etc.
- When the claim is identified for personal usage at a specific Unit, then the owner is liable for the payment of the excess. IE: Warm water geyser, as well as the water damages as a result of the geyser. This will result in two excess payments.

An owner or occupier shall not store any material, or do or permit or allow to be done, any other dangerous act in the building or on the common property that will or may increase the rate of the premium payable by the Body Corporate on any insurance policy.

All claims must be reported to the Body Corporate Treasurer within 7 days. No person other than the “Insurance controlling agent” – The Body Corporate Treasury – will be allowed to formulate or submit claims without the consent from the Trustees.

7. DOMESTIC ANIMALS:

According to the current Sectional Title Law, pets may only be kept once the Trustees **grant prior approval.**

The rule goes on to say that the Trustees may impose **reasonable conditions** and may withdraw consent if the conditions are not met.

If the Trustees received no written request beforehand they may demand that the pet or pets be removed immediately from the property.

The Trustees has therefore agreed to impose the following reasonable conditions for keeping domestic animals at Silver Creek Gorge.

- **In total not more than four dogs and two cats are allowed. No farm animals may be kept on a unit.**
- It is advised to sterilize your pets.
- Under **NO** circumstances will dogs be allowed without a lead and accompanied by their owner on the Common property.
- Any stray cats will be traced to their respective owners. Such an owner will receive a written warning from the Trustees whereby 14 days are granted to rectify the situation. If the situation is not clarified, the Trustees will withdraw the previous approval granted, and request that the animal be removed from the complex property.
- Places where pets are kept must always be in a healthy and hygienic state.
- General conditions are that **pets must not be a nuisance to any owner / tenant.**
- By the misconduct of any of the above rules, the Trustees will withdraw the approval granted.
- Once a written complaint is received, the Trustees will inform the guilty party in writing and give him two weeks to rectify. Through non-compliance the granted approval will be withdrawn and the owner must remove the pets from the property.

8. ERADICATION OF PESTS:

The owners shall keep his section free from concentrations of pests such as rats and bee swarms.

The Body Corporate is responsible for pest control on common areas.

9. FRONT GATE AND SECURITY:

REMEMBER SAFETY FIRST.

All owners or occupiers must be security conscious and wait for the gate to close on leaving or after entering the complex.

During a power failure the following procedure will be in effect:

ALTHOUGH OUR GATE SYSTEM IS INSTALLED WITH A BATTERY BACK-UP IT DOES NOT MEAN THAT YOU WILL NEVER HAVE A PROBLEM TO ENTER OR EXIT FROM THE COMPLEX. IF THE POWER IS OFF RESIDENTS SHOULD USE THE SERVICE GATE TO AVOID THE SITUATION WHERE THE GATE RUNS OUT OF POWER AND STAYS OPEN.

WASHING:

Washing must not be visible from the public areas.

10. NOISE:

Radios, Musical Instruments, TV Units, Emergency Power Generators or any device capable of high noise levels must be used in such a way that it is not a disturbance to any of the adjacent complex units.

Noise levels must be lowered between 22h00 till 07h00. No circuit and bumps on the airstrip are permitted between 12h00 and 16h00 on Sunday afternoon. Airplane owners are required to be considerate about taxing or idling their airplanes on a Sunday.

Quad bikes, scramblers and other motorized vehicles can be a major noise issue. **Persistent and deliberate revving, racing, continuous driving up and down the tar roads, and damage to the tracks on the farm or body corporate ground will be regarded as abuse.** It is to be remembered that most residents are in the country to avoid traffic annoyance and that excessive noise will not be tolerated. We do not live on a Quad bike track.

The Trustees reserve the right to levy fines or the withdrawal of the right to use these vehicles for a period, if abuse continues after due warning. Residents are to be reminded that abuse by their visitors or guests are their responsibility.

11. ESTATE APPEARANCE:

The houses, gardens, courtyards, garages etc must be kept clean for sanitary reasons and to uphold a high complex standard. **No wendy houses or odd outbuildings are permitted as per architectural guidelines**

An owner or occupier of a section shall not deposit, throw, or permit or allow, to be deposited or thrown, on the common property any rubbish, including dirt, cigarette butts, food scraps or any other litter whatsoever.

12. SPECIFIC RESTRICTIONS:

Business is permitted inside the owners building provided it does not disturb the other residents by noise, dirt, traffic, or visitors.

The living of a single domestic worker in domestic quarters is allowed. No visitors or sleep over family/friends are allowed.

Driving of domestic vehicles on common property must not exceed the 30 KM per hour speed limit. Excessive speed, noise, dust, damage to roads, dangerous or reckless driving will not be tolerated. Persistent offenders will be fined R500 after a written warning by the trustees.

No delivery or removal trucks over 10 tons are permitted on the community property. (Tar road) They are to be directed to the service gate. Damages and repair costs to driveways and community property paving as a result of ignoring the above rule will be fully recovered from the owner or tenant.

13. POLICY ON FIREARMS AND OTHER WEAPONS:

While the Body Corporate fully supports the right to bear arms we insist on safety and the following rules must be obeyed.

There can be no shooting anywhere on the farm without the developer's permission. This includes the development itself and the new school excavation. An sms is permissible and the residents shall be informed.

If it is necessary to eradicate pests or to hunt in the development itself great caution must be used. The trustee and developer's permission must be obtained.

Under no circumstances will reckless, drunken or careless abuse of firearms be tolerated. This includes their discharge, display or pointing. Offenders can be named and shamed. The trustees reserve the right to involve the SAPS as the situation merits it, being fully aware of the legal sanctions this may open an offender to.

Children under 16 unsupervised by an adult may not wander around with air rifles, airsoft guns, paintball guns, slingshots or bows of any kind. Such weapons may only be used under adult supervision. The adult must be an owner or accountable to an owner. Care must be taken that houses and roads are well out of range, and no pedestrians are in the line of fire. An adequate backstop is strongly recommended. Any paintball or airsoft games must be played with the farm owners permission at the paintball range off the development with full protective kit used.

14. BODY CORPORATE INDEMNITY:

Any injuries, serious or minor, to any person, servant, visitor or children during their stay on part of the Body Corporate, hereby indemnify the Body Corporate on the cost implications and or claims to the Body Corporate.

It is therefore imperative to parents with children to ensure that the use of skateboards, bicycles, belly boards are restricted on the community property. Parents of children, who do so, hereby indemnify the Body Corporate and the responsibility remains with the parents for the implications of any injuries.

15. GENERAL:

All tenants of Units and other persons granted rights of occupancy by an owner of the relevant unit are obliged to comply with the Silver Creek Gorge Conduct Rules, notwithstanding any provision to the contrary contained in any lease or grant any right of occupancy.

Owners must inform the Trustees to whom Units are rented. A full set of Conduct Rules must be added as an addendum to every lease contract.

Should there be any suggestions, complaints or problems, owners or tenants are welcome to refer the matter in writing or attend any of the Trustees meetings. The Trustees will strive to resolve the matter.

Only complaints submitted in writing will be attended to.

The Architectural guidelines are included as annexure1 to the constitution.

The End