



SAINT OLYMPUS HOMEOWNERS' ASSOCIATION

RULES AND REGULATIONS



MARCH 1, 2019

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INTRODUCTION

1. *The objective of the Saint Olympus Home Owners Association [Hereinafter referred to as "HOA"] is the provision of a high-quality lifestyle for the residents and the intention of these regulations are to cater for the protection of this envisaged lifestyle.*
2. *The regulations contained herein have been established in terms of the Memorandum of Incorporation of the Saint Olympus Home Owners Association, and they are binding upon all occupants and owners of stands (or "erven") per units, as defined in the Memorandum of Incorporation of the Company. Owners and occupants are also bound by any decision taken by the Board of Directors ("BOD") in interpreting and enforcing regulations.*
3. *The registered owners of properties and units are responsible for ensuring that members of their families' tenants, visitors, friends, guests, invitees and all the employees abide by these regulations, including contractors who work for them.*
4. *Happy and harmonious community living is achieved when residents use and enjoy their private property, as well as the communal areas of the Township with due consideration not only of their own rights, but also of the rights of all other residents.*
5. *In respect of the interpretation of these regulations, of the BOD is final and binding. In the interpretation of any regulation, words will bear their normal everyday meaning.*
6. *These regulations are subjected to change from time to time as contemplated in section 15(3) to (5) and clause 6 of the Companies Act: No 71 of 2008.*
7. *For purpose of these regulations "Estate Manager" shall mean a person tasked or appointed by the BOD of the HOA to render the services and to carry out the duties imposed on the Estate Manager in terms of this Management Regulations.*

1. Definitions:

In these, unless otherwise indicated or unless the contrary intention shall appear the following terms shall have the meaning assigned to them, namely:

- 1.1. **"Act"** means the Companies Act, No 71 of 2008, as amended, consolidated or re-enacted from time to time, and includes all schedules to such Act and the Regulations.
- 1.2. **"Association or company"** A non-profit company with members.
- 1.3. **"Auditors"** the auditors from time to time of the association.
- 1.4. **"Board"** the board of directors from time to time of the association.
- 1.5. **"Chairperson"** the chairperson from time to time of the board of directors.
- 1.6. **"Common property"** such part of the estate as may be designated as such in any manner or in terms of any law or condition or authority for use in common by members or the public and in the case of a sectional title development scheme, common property as defined in the Sectional Titles Act. (All streets, walkways and recreational areas are defined as common property).
- 1.7. **"Estate Manager"** shall mean a person appointed by the "board" to render the services and perform the duties imposed on the appointee in terms of the "Act".
- 1.8. **"HOA or Association"** means Saint Olympus Home Owners Association, a non-profit company in terms of the Act with registration no. 2007/017658/08.
- 1.9. **"Membership"** of the association shall be limited to any person who is, in terms of the Deeds Registries Act, reflecting in the records of the Pretoria Deeds Office concerned the register owner of any house and or unit or of an undivided share in a house or unit in the scheme.

- 1.10. **“Member”** a member of the Association.
- 1.11. **“Memorandum or Memorandum of incorporation”** means the document, as amended, from time to time that sets out rights, duties and responsibilities of the Members, director and others, within and in relation to a company, and other matters as contemplated in section 15 of the Act.
- 1.12. **“Mutatis Mutandis”** means, with necessary changes.
- 1.13. **“Owner”** any persons reflected in the records of the Deeds office
- 1.14. **“Resident”** any persons occupying the House/Unit
- 1.15. **“Words and expressions”** used shall bear the meaning assigned to them in the Act.

2. **Vehicles/roads/parking:**

- 2.1. Vehicles may not travel at speeds in excess of **10km/h** on any road within the Estate.
- 2.2. No **unlicensed** drivers are allowed to operate a road going mechanized vehicle on the roads within the Estate.
- 2.3. No **unlicensed** vehicle or **unroadworthy** vehicle is allowed on the roads within the Estate.
- 2.4. No **“Off-road”** motorcycles such as scramblers; quad bikes, three wheelers, etcetera will be allowed to use the roads or sidewalks if they would not be allowed on public roads.
- 2.5. Bicycles have preference over other vehicles on the Estate roads. Cyclist and children must however adhere to all road regulations as well as the regulations of the Estate regarding road use.
- 2.6. Pedestrians always have right of way.
- 2.7. The Road Traffic Act No 93 of 1996 (as amended), remains applicable and all residents are also subject to the provision thereof.
- 2.8. Owners/Residents must park their vehicles in their garages or on their driveways.
- 2.9. Parking on sidewalks, walkways and on roads is prohibited.
- 2.10. Only visitors to park on allocated visitor parking bays and no long-term parking (more than **48 hours**) allowed on visitor parking bays.
- 2.11. The **DIY** mechanical repairs of resident’s vehicles will be conducted out of sight from the Estate streets and may never cause disturbance and intrusion to neighbours and or Estate residents. Test-driving of serviced vehicles should be conducted outside of the boundaries of the Estate.

3. **Pets:**

- 3.1. Owners/Residents to keep track of pets and are obliged to register all your pets at the Estate Office.
- 3.2. The only pets allowed within the Estate, are dogs and cats. In the event of an owner wishing to keep any other pet, the written approval of the **“Board”** would be necessary and such approval may be granted or refused in the absolute discretion of the **“Board”** and if granted subject to such conditions as the **“Board”** may impose.
- 3.3. The number of cats and dogs shall not exceed **2(two) cats or 2(two) dogs or 1(one) cat and 1(one) dog** per home, all pets must be **sterilized**.
- 3.4. Owners/Residents must ensure that their cats and dogs do not cause a nuisance to their neighbours.
- 3.5. Owners/Residents will ensure that their pets do not deposit excrement in communal areas; immediate removal thereof will be the sole responsibility of the owner/resident.
- 3.6. Accommodations for pets must not exceed **1.20m** in height; kennels or other like accommodation for pets may be placed or erected on any place where it may **not** be

viewed from any common property or neighbours. If screening is used it must be to the satisfaction of the “Board”.

3.7. The owner of any animal that causes any injury, damage or inconvenience will be solely liable for such injury, damages or inconvenience.

3.8. Pets must be walked on a leash in common property areas. All streets and walkways are defined as common property areas.

3.9. Every pet must wear a collar with a tag indicating the name, cell/phone number and address of its owner. Stray pets without identification tags will be handed to the metro pound or SPCA.

3.10. Pets are not allowed to roam common property areas.

4. Refuse disposal:

4.1. Refuse bins must be maintained in a hygienic condition. Refuse to be placed in refuse bags. No refuse will be removed unless in bags.

4.2. Refuse bins will be emptied on Tuesdays, bins to be placed outside by 07h00.

*4.3. Refuse bins have to be removed from sight **the same day** after collection and emptying.*

4.4. General garden refuse may not be placed on the kerbside or sidewalks. Owners/residents must make sure garden refuse is disposed of immediately.

4.5. Refuse may not be disposed of by setting it on fire.

5. Laundry/washing:

5.1. Washing should only be hung on lines screened from the street and neighbouring properties.

5.2. Washing lines must be obscured from view and will only be allowed at the rear of the main house furthest outbuilding.

5.3. No washing maybe hung from windows, balconies and perimeter wales.

5.4. Owners/residents shall not hang any washing/laundry or items on any part of the house.

5.5. No washing/laundry may be left on washing lines over night.

6. Gardening:

6.1. Gardening and maintenance of Common Property shall be maintained to an acceptable standard and shall be carried out by persons/company appointed by the “Board”.

6.2. Garden tools and equipment must be kept in a place where they cannot be viewed from the streets or neighbouring properties.

6.3. Every Owners/Residents has a responsibility to the Estate community as a whole to maintain the sidewalk adjacent to his/her property. Failing to maintain such sidewalk to the satisfaction of the “Board”; will entitle the board to take such action deemed necessary for the maintenance of such sidewalk and charge the owner/resident concerned.

6.4. Owners/Residents adjacent to the electric fence must prevent plants overgrowing the electric fence, failing to prevent overgrowth shall entitle the “Board” to take such action as may be necessary to clear the overgrowth and charge the owner/resident concerned.

6.5. Owners/Residents are expected to maintain a high standard of garden frontage and kerbside maintenance. Lawns must be kept short and edges trimmed. Hedges must be suitably shaped and may not consist of poisons or pungent plants.

7. Eradication of pests:

7.1. Owners/Residents shall keep their property free of ants, beetles, cockroaches, fleas, vermin, etc. and any other wood destroying insects and to this end shall permit the **"Board"**, Managing Agent, and/or their duly authorised agents and employees to enter the property from time to time for the purpose of inspecting the property and taking such action as may be reasonably necessary to eradicate such pests, costs incurred shall be borne by the owners/resident.

8. Firearms:

8.1. No owners/residents/visitors shall discharge or allow the discharging, of any firearm (as determined by the Act on Arms and Ammunition) including pellet, paintball and BB guns within the Estate, unless loss of his/her life may result from failure to do so. In such event, a detailed report is to be handed to the **"Board"** for evaluation.

8.2. No owners/residents/visitors shall carry a firearm on the common property in such a manner as to be visible to other people.

8.3. The Act on Arms and Ammunition, the Firearms Control Act (Act No, 60 of 2000), is to strictly adhere to at all times, any person within the Estate who contravenes or allows being contravened the above said Act, shall be criminally charged.

9. Noise:

9.1. Owners/Residents, who intend holding functions in their homes that may cause a disturbance to their neighbours, must reasonably in advance of such function, notify the next door neighbours of such planned function.

9.2. Partying has to be conducted with the minimum noise generation and no music; noise or merrymaking may be heard outside the boundaries of the applicable stand between **22:00 and 08:00** the next morning weekdays and **midnight and 08:00** the next morning weekends.

9.3. The mechanical maintenance, building and the use of power saws, lawn movers and the like, shall not be conducted before **08h00 and after 17:h00** on Monday to Friday. Saturday work will only be allowed between **09h00 to 16h00** with written request to the **"Board"**. Sundays are regarded as "private time" and such activities are restricted. Such work is permitted provided it is performed in moderation and does not unreasonably interfere with the use and or enjoyment by any occupant of his home or of the common property. If in the opinion of the **"Board"**, such is unreasonably interfering with the use and/or enjoyment by any occupant of his home or the common property, the **"Board"** may prohibit any person from performing such work.

9.4. Sirens or hooters may not be used anywhere on the property and/ or within the buildings except in the case of an emergency.

9.5. No hooting is allowed at the main gate of the Estate.

9.6. Radios, musical instruments, hi-fi's, associated equipment and television sets must be used in such a manner as not to cause undue inconvenience to any neighbour and exclusive use areas.

9.7. Owners/Residents, their children, visitors and or staff shall not cause any disturbances or nuisance anywhere in the estate.

9.8. Owners/Residents shall ensure that their guests shall not cause any disturbance or breach any of the provisions of these rules.

10. Domestic staff:

- 10.1. All domestic workers and gardeners are to be registered at the security check point Owners/Residents shall need to complete the prescribed application forms and provide the HOA with all relevant documentation required by the **"Board"**.
- 10.2. Occupants shall ensure that their employees comply with the conduct rules of the HOA.
- 10.3. Employees may not sell, be in possession of alcohol or be under the influence when on the property.
- 10.4. No hawkers are allowed on the common property.
- 10.5. Owners/Residents shall be liable jointly and severally with their domestic staff for any losses or damage caused within the Estate by any domestic staff.

11. Solar energy:

- 11.1. Approval for solar heating must be obtained from the **"Board"**, as well as the guide lines and approved materials to be used.

12. Building renovations:

- 12.1. All building plans must be drafted by a registered architect or a qualified draftsman and submitted for approval to the **'board'**.
- 12.2. **'Board'** approved plans can then be submitted to the local authorities.
- 12.3. Prior to construction the owner's responsibility is to ensure that all plans are submitted and approved by both authorities.
- 12.4. Garden walls and fencing alterations must be approved by the **"Board"** and local authorities if necessary.
- 12.5. Lean-to's and temporary carports will not be allowed.
- 12.6. Refer to the Architectural Design Guidelines.

13. Sundry provisions:

- 13.1. Cigarette ends and other objects may not be thrown onto common property.
- 13.2. No **"paintball"** guns, **"BB"** guns, catapults, etc. may be used within the Estate.
- 13.3. Should any damage be caused to the common property by any owner, his family, staff, tenants, invitees or visitors, the owners/residents shall be liable for the cost of repairing such damage.
- 13.4. No fireworks of any description/nature may be set off within the Estate.
- 13.5. Setting off fireworks has been prohibited by law; criminal charges will be brought against any perpetrator.
- 13.6. Any complaints must be addressed to the **"Board"** in writing.
- 13.7. No hobbies or other activities may be conducted on the common property if it would cause a nuisance/ disturbance to any other occupants.
- 13.8. No stones or solid objects may be thrown on and around the Estate.
- 13.9. No tampering with Fire Hydrants is allowed. Fire Hydrants are not to be used for washing of motor vehicles.
- 13.10. A maximum of 2 persons are allowed to inhabit any bedroom of a home on a permanent basis i.e. 2 bedrooms=4 people/3 bedrooms=6 people etc.
- 13.11. Kennels, caravans, trailers, boats and similar vehicles should be sited out of view and screened to the satisfaction of the **"Board"** from neighbouring properties.
- 13.12. No **Wendy houses, Zozo huts** or similar structure shall be allowed. Outbuildings (tool sheds, garden sheds, trailer stores, boat stores etc.) must complement the style of the main dwelling. Approval must be obtained from the **"Board"**.

14. Enforcement of amount payable:

14.1. Any amount payable by owners/residents to the HOA in terms of these Rules shall be deemed an **additional levy** in respect of such owners/residents home.

15. Payment of levy:

15.1. The appointed agent will collect levies on behalf of the HOA. All levies are due and payable on the **1(FIRST)** day of each and every calendar month.

15.2. Any unpaid account, outstanding for a period of **30 day** will receive a written warning.

15.3. Any unpaid account, outstanding for a period exceeding **60 days** will be handed to the attorneys of the HOA for collection.

15.4. Interest shall be charged at an approved rate per month on any arrear account from the date that it is handed over for collection until the debt is satisfied in full, including all legal costs.

15.5. The "**Board**" may impose a fine for late payment of a levy and will form part of the next monthly levy due by the owners/residents and will be payable on the due dates.

15.6. **Non-receipt of levy statements does not excuse non-payment of levy and other amounts which are due.**

16. Laws, by laws and regulations:

16.1. Owners/residents shall comply with all laws and regulations including, but not limited to, all the applicable terms of the relevant town planning legislation and the conditions of title under which sections and the land held.

16.2. Without in any way the generality of these Conduct Rules, no auctions or jumble sales may be conducted from homes in the Estate.

16.3. No advertising or publicity may be exhibited on the Homes, exclusive use areas or on Common property.

17. General:

17.1. Owners/Residents may not:

17.2. Use their property/sections in any manner or for any purpose which is injurious to the good reputation of the Estate or the HOA;

17.3. Permit their Homes to be occupied by more than one family save for occasional visitors;

17.4. Continue in breach of any provision of these conduct rules after written notice has been communicated from the "**Board**".

17.5. All complaints, reporting of violation of these rules or any other cause of concern must be in a written form, addressed to the "**Board**" care of the Managing agent Estate Manager and Managing Agent, depending on the case.

17.6. The liability rests with owners, tenants, staff, occupiers and guests in respect of any breach of these rules and any losses, costs or damages arising there from shall be recovered from the owners of the home in breach.

18. Children:

18.1. Owners and occupiers must supervise their children and the children of visitors so that no damage or nuisance is caused to the common property or the property of the owners or residents. In particular, children may not interfere with, plants, trees, exterior lights, gates, electrical boards, decorations signs, nameplates, fire equipment or any installations or equipment or the like on the common property and shall not enter an unoccupied property or climb any perimeter wall within the Estate.

19. Board decision final:

19.1. In respect of the interpretation of these rules and all decisions needed to enforce these rules, the **"Board"** decision shall be final and binding.

20. Contravention of conduct rules:

20.1. Any owners/residents of a home who contravenes or allows to be contravened any conduct rule, shall be issued with a written warning by the **"Board"**.

20.2. Any owners/residents of a home who further contravenes any conduct rule, shall be liable to a fine for the amount determined by the **"Board"** (see schedule of transgressions and penalties for amounts) and shall be debited to the levy account of the owners of the home. The issue and payment of a fine shall not prejudice any other rights available to the **'Board'** in law and in particular their right to apply to court for an interdict against the offending owners/residents.

20.3. If as a result of a breach of any of these conduct rules by any owners/residents, and the **"Board"** has to instruct an attorney the defaulting owners/residents shall be liable for all costs and charges of whatever nature on an attorney client scale incurred by the **'board'** as a result thereof.

21. Written permission:

21.1. Written permission by the **"Board"** shall only be valid if signed by the chairperson and appointed **"Board"** member at that time.

22. Security access control:

22.1. Residents/Visitors must comply with the access control protocol implemented by the **"Board"** from time to time.

22.2. Residents/Visitors are requested to treat all security officers in a courteous and co-operative and patient manner, no **outburst** or any form of **verbal** abuse towards security officers will be tolerated.

22.3. Security will not allow access to any visitor under the influence of alcohol, drugs or under any other suspicious circumstances.

23. Letting and selling:

23.1. Agents may only operate on a **by appointment** basis and must personally accompany a prospective buyer or lessee and are not allowed to erect any **for sale** or **to let** signage boards.

23.2. Should any owner want to sell or rent his property, only an accredited estate agent may be selected to manage a sale or rental which accreditation shall however not unreasonably be withheld. In the event of private sales, the resident/owner will comply *mutatis mutandis*.

23.3. The owner/lessee must personally ensure that his tenant receives a copy of the Management Regulations and Conduct rules and any other regulations applicable at time of concluding the contract and he must bind the lessee to the Management Regulations and Conduct rules in the lease agreement.

23.4. The Lessee hereby acknowledges upon occupation of the leased property that he, his family, his visitors, and servants shall adhere to these Management Regulations and Conduct rules.

23.5. Estate agents must be approved and accredited by the **"Board"**. No other estate agents will be allowed to show properties as **show houses** within the Estate and no other estate agents will be allowed to display **for sale** signs within the Estate.

23.6. Owners who wish to lease their property are to furnish the Estate Manager and the Managing Agent with the name and contact details of the tenant as well as the relevant letting agent and furnish the "Board" with a copy of the said lease.

24. Business rights:

24.1. No business, activity or hobby which would cause excessive noise, aggravation or nuisance to fellow occupants, may be conducted.

24.2. No business may be conducted from the private properties within the Estate without prior written permission from the "Board", and also subject to the provisions of the Pretoria (Tshwane) Town Planning Scheme as amended from time to time.

24.3. All applications to conduct business from stands or units within the Estate must be submitted in writing to the "Board", which will place the application on the agenda for the next "Board" meeting. The resolution will be available within 24 hours from date of the "Board" meeting. The "Board" decision is final and no appeal is possible. Re-application will be entertained in the event of new or additional information becoming available.

25. Environmental Management

25.1. Residents are required to leave open spaces which they visit in a neater and tidier condition in which they found it. Residents are requested to develop the habit of picking up and disposing of any litter found in open spaces.

25.2. Flora may not be damaged or removed from any communal area.

25.3. Fauna of any nature may not be trapped in any communal area, be it by people or dogs, unless they pose a danger to life.

25.4. Residents are responsible for maintaining trees, plants and shrubs planted on their kerb sides by the HOA. In the event of damage to same, all the demise thereof, the resident is requested to notify the Estate Manager in order to have it replaced or treated.

25.5. Residents are expected to maintain a high standard of garden frontage and kerb side maintenance. Lawns must be kept short and edges trimmed. Hedges must be suitable shaped and may not consist of poisonous or pungent plants.

25.6. Residents must ensure that declared, noxious flora is not planted or growing in their gardens, as well as to adhere to the Indigenous Plants and Protection act, Number 185 of 2000.

25.7. Swimming pool water may not be entered onto the green areas but must be channelled into the storm water system. Permanent ducting has to be installed by residents who installed pools on their premises.

25.8. Owners/residents living on property adjacent to the Estate boundary must ensure that the inside of the brick wall be kept clean from flora which may interfere with the working of the boundary fence security system.

25.9. No resident may refuse access to his property when any form of maintenance (preventive or ongoing) is to be carried out to the boundary wall and / or security related equipment.

25.10. Repairs and maintenance times will be co-ordinated with the Estate Manager. Residents must be co-operative regarding any fence/wall related issues, as this poses a major security risk and impact on all residents within the estate.

SCHEDULE OF TRANSGRESSIONS AND PENALTIES

This schedule is a guideline, amended from time to time, with additions and deletions as deemed necessary by the 'Board'.

In all instance's penalties may be applied to both the transgressor and the responsible homeowner or tenant who takes the responsibility for the act ivies of his/her spouse/partner, children, guests, visitors, employees, workers and/or contractors.

If a transgression that is not included in this schedule occurs, a suitable penalty may be imposed by the 'Board'.

Persistent transgressions may result in higher penalties and/or legal action.

Use of the streets

Description	1st Offence	2nd Offence	3rd Offence
Speeding, reckless and negligent driving, drunken driving.	R 1,000	R 2,000	R 3,000
Skipping stop signs and the disobeying of the Road Traffic Ordinance.	R 1,000	R 2,000	R 3,000
Driving without a license: any engine powered vehicle (cars, two and four-wheel motor cycles)	R 1,000	R 2,000	R 3,000

Noise

Description	1st Offence	2nd Offence	3rd Offence
Creating a public nuisance. Noise generated by music, electronic instruments, mechanical and/or electrical equipment, partying and the activities of residents and their employees.	R 500	R 1,000	R 1,500
Noisy vehicles. Use of vehicles with noisy exhaust systems.	R 500	R 1,000	R 1,500
Use of generators after 22:00.	R 500	R 1,000	R 1,500

Pets

Description	1st Offence	2nd Offence	3rd Offence
Constant barking & howling of dogs. Pets becoming a nuisance in the Estate.	R 500	R 1,000	R 1,500
Pets roaming the streets.	R 500	R 1,000	R 1,500
Dogs not on a leash.	R 500	R 1,000	R 1,500
Keeping more than two dogs or two cats without written approval from the Board or any pet contrary to the rules.	R 500	R 1,000	R 1,500
Not removing dog excrement.	R 500	R 1,000	R 1,500

Security

Description	1st Offence	2nd Offence	3rd Offence
Unauthorised use of access tags by any person.	R 750	R 1,500	R 2,000
Unauthorised entry into the Estate by any person.	R 750	R 1,500	R 2,000
Treating the security personnel in an abusive manner.	R 750	R 1,500	R 2,000
Residents illegally bringing any form of labour into the Estate without following the correct procedures.	R 750	R 1,500	R 2,000
Tailgating - gaining unauthorised access into the Estate by slipping under the boom which was raised to allow access to previous person.	R 750	R 1,500	R 2,000
Loitering in the Estate.	R 750	R 1,500	R 2,000

Environment

Description	1st Offence	2nd Offence	3rd Offence
Illegal dumping by residents and contractors. No rubble, refuse or building material shall be dumped or discarded anywhere in the Estate.	R 1,000	R 2,000	R 3,000
Littering (By any person in the Estate)	R 1,000	R 2,000	R 3,000
Burning of rubbish in the Estate.	R 5,000	R 10,000	R 15,000
Lighting of fires anywhere in the Estate for any purposes whatsoever except by owners/residents who have taken occupation of the property with the specific provision for such amenities.	R 5,000	R 10,000	R 15,000
Neglected gardens and/or sidewalks.	R 500	R 1,000	R 1,500

Building Work

Description	1st Offence	2nd Offence	3rd Offence
Exceeding building times limits (per month)	R 1,000	R 2,000	R 3,000
Noncompliance with building and architectural rules & guidelines (per month)	R 2,000	R 3,000	R 4,000
Building without approved plans (per month)	R 5,000	R 5,000	R 5,000
Illegal structures, i.e. Wendy houses, carports, shade net not approved by the Board (per month)	R 2,000	R 3,000	R 4,000

General

Description	1st Offence	2nd Offence	3rd Offence
Consumption of alcohol and smoking of illegal substances in communal areas.	R 1,000	R 2,000	R 3,000
Use of fireworks anywhere in the Estate.	R 1,000	R 2,000	R 3,000
Vandalism of any private and/or public property.	R 5,000	R 10,000	R 15,000