

**MEMBERS’ CODE OF CONDUCT**

**VERSION 1.1**

**ZANDFONTEIN FARM HOMEOWNERS’ ASSOCIATION NPC**

**(“the Association”)**

**Version: 01 (August 2022)**

**1. INTRODUCTION**

- 1.1. This Code of Conduct has been developed to give effect to the vision and underpin the objectives of the Association and with the purpose of advancing the interests of all Members of the Association.
- 1.2. Conduct rules for the community provide a means of protecting each member through an acceptable code by which Members may live together in harmony to the benefit of all without interfering with other’s enjoyment.
- 1.3. All owners of property in the boomed-off suburb of Rocklands are bound by this Code of Conduct and are responsible for ensuring that all persons who occupy, are employed by, or visit their properties will abide by them.
- 1.4. Behaviour outside the scope of this Code of Conduct will not be in the interest of Members and will not be tolerated.
- 1.5. This Code of Conduct must be read in conjunction with the Memorandum of Incorporation of the Association (“MOI”).
- 1.6. In the event of there being any conflict between the provisions of this Code of Conduct and the MOI, then the MOI shall apply.

**2. MEMBERS’ BENEFITS**

- 2.1. By virtue of their membership of the Association, Members enjoy the following benefits:
  - 2.1.1 Controlled access to the boomed-off suburb and security protocols that support the protection of property and the safety of persons.
  - 2.1.2 A diligent Homeowners’ Association that applies prudent controls and industry best practice for the community.
  - 2.1.3 Fair, equitable and reasonable enforcement of rules that govern day to day community living with the emphasis on individuals taking responsibility for their own property, family, staff, visitors, and animals.

**3. PAYMENT OF LEVIES**

- 3.1. Members are required to pay their levies in full and on time each and every month.

- 3.2. Any Member in arrears with their levy account shall not be entitled to vote at any meeting of the Association until such time as the levies have been paid in full.
- 3.3. Any Member with arrears on their levy account exceeding may not serve on the Board of Directors.

#### **4. GOOD NEIGHBOURLINESS**

- 4.1. No person shall in any manner whatsoever disturb or interfere with Members in the enjoyment of their rights use and occupation.
- 4.2. Respect and general consideration by all members for all other members and all users of the boomed-off area shall be exercised at all times.
- 4.3. Members shall at all times conduct themselves in a considerate, reasonable, and civilised manner and avoid behaviour or activity which would cause aggravation or nuisance to fellow Members.
- 4.4. Members are reminded that their conduct is at all times governed also by municipal by-laws and other applicable legislation.

#### **5. SAFETY AND SECURITY**

- 5.1. All security protocol must be strictly adhered to at all times by all persons upon access and egress of the boomed-off suburb.
- 5.2. Security is a shared responsibility. Members must report to security any suspicious or unlawful occurrence immediately to the security service provider and security officers of the Association upon becoming aware thereof.
- 5.3. Each person be fully responsible for its proper use of the gates and booms and other security infrastructure.
- 5.4. Tailgating (proceeding through the booms when they are operated by the vehicle in front) is prohibited.
- 5.5. There will be no tolerance of abuse (verbal or physical) of security providers. Members must respect the security provider's role and shall not obstruct officers from performing their functions.
- 5.6. The parking of vehicles that in any way hinders access into or exiting the boomed-off suburb is prohibited and may be towed away at the owner's risk.
- 5.7. The access control system, perimeter wall, gates and cameras serve as a deterrent and detection function but are not guaranteed to prevent a determined attempt at intrusion into the boomed-off suburb.
- 5.8. The Association shall not be liable for any loss of life, property, injury suffered by any person in the boomed-off suburb.
- 5.9. It is the responsibility of Members to clear any foliage and vegetation from the perimeter of the boomed-off suburb is clear thus ensuring a clear line of sight for security cameras on the boundary.
- 5.10. Whichever security provider is contracted to undertake the access control and security of the boomed-off suburb is the contracted provider of the Association not of individual Members. No Member may issue an instruction to security staff.
- 5.11. The Association cannot be held responsible for the poor performance of independent alarm systems and security operators separately contracted by any Member.
- 5.12. Access to property must be provided to effect maintenance servicing of the security infrastructure.
- 5.13. No fireworks of any description may be used anywhere in the boomed-off suburb.
- 5.14. No fires of any kind are permitted anywhere in the boomed-off suburb except at an indoor fireplace or outside braai area.

- 5.15. The discharge of any firearm, air rifle, bow and arrow, paintball gun, cross bow, slingshot, or any other potentially hazardous projectile is strictly prohibited.
- 5.16. Flying of drones are prohibited within the boomed-off suburb.
- 5.17. Vandalism or malicious damage to any property in the boomed-off suburb is viewed in a very serious light and is subject to legal action.

## **6. USE OF COMMON AREAS AND OPEN SPACES**

- 6.1. All rules of the road, including all stipulations of the Road Traffic Ordinance, and municipal by-laws shall apply.
- 6.2. Roads in the boomed-off suburb are used by everyone and extreme care must be taken by drivers to ensure the safety of all other users and pedestrians.
- 6.3. All members must maintain the road verge in a neat and tidy state at all times so as not to devalue their properties or those around them.
- 6.4. Littering of any kind in the common areas and open spaces, is not permitted.
- 6.5. No activities may be conducted in the open areas if they cause a nuisance to residents.
- 6.6. Flora may not be damaged, destroyed or removed from any common area.
- 6.7. Fauna may not be chased, trapped, or injured in any way, be it by people, dogs, or other domestic animals.
- 6.8. No person shall pollute or permit the pollution of any water body within the boomed-off suburb.
- 6.9. Persons making use of the common areas does so entirely at their own risk.
- 6.10. Pets are not permitted to wander around in the boomed-off suburb unattended. Municipal by-laws relating to the keeping of pets are to be strictly adhered to. Members are responsible for any personal injury or property damage caused by their pets.

## **7. DISCLAIMER OF LIABILITY**

- 7.1. All persons entering the boomed-off suburb do so entirely at their own risk.
- 7.2. Neither the Association nor any of its representatives may or will accept liability for any damage, loss or injury incurred by any party living in or visiting the boomed-off suburb.
- 7.3. Any claims, whether personal or consequential, that may arise in relation to the use of any equipment or vehicle in the boomed-off suburb will be the sole responsibility of the user of the equipment.
- 7.4. Any damage incurred the security infrastructure and equipment, will be for the account of the Member.
- 7.5. The Members are responsible for the actions, behaviour and all acts committed by their guests, visitors, contractors, occupants, and tenants.
- 7.6. A Member shall not, under any circumstances have any claim or right of action against the Association for damages, loss or otherwise.

## **8. INFRINGEMENTS**

- 8.1. The Association may, if deemed necessary, take legal action against any person who violates any of the rules contained herein including reporting them to law enforcement agencies.