

## **BIRD VALLEY ESTATE**

### **HOUSE RULES**

#### **INTRODUCTION TO HOUSE RULES**

The authority to make and enforce these house rules, which came into effect when the common property was transferred into the name of the Home Owners' Association in July 2009, arises from the Memorandum of Incorporation of the Homeowners' Association of the development ("HOA") which provide that the HOA and, in certain circumstances, the Skiing Rights Holders, shall be entitled to make rules and ensure compliance with those rules by way of a system of fines or other penalties and that the provisions of these rules are binding on all members and their guests, tenants and employees. [Note: Wherever the context requires it, reference to "HOA" or "B.V.E.H.O.A." shall mean the HOA as represented by its Board of Directors from time to time.]

#### **SECTION A**

##### **TRAFFIC**

1. No person shall drive any vehicle on any road within the development at a speed in excess of 30kph. This is for safety and dust limitation purposes.
2. No person shall drive any vehicle at any place within the development except on a road or onto an area designated by the HOA from time to time.
3. Pedestrians shall have the right of way at all times within the development.
4. Motor cycles and quads are discouraged and if they are brought onto the estate they must be adequately silenced. There should be no unnecessary riding about the estate and riding in the vicinity of the houses should be limited so as not to constitute a nuisance.
5. No vehicle shall enter the development unless admitted thereto by the guard on duty, if one is employed by the HOA, at the entrance gate, provided however that the HOA may issue to, or authorize the use by, its members a device or mechanism enabling such members to operate the entrance gate themselves. Members shall not be entitled to permit the use of such device by, or provide the relevant codes to, any other person

including contractors or staff, but save for his/her family, guests or lessees. Under no circumstances may the remote or gate code be given to any contractor or domestic staff. At the request of an owner the directors will be entitled to provide an alternative method of access to such other person, which they in their discretion consider appropriate and secure.

6. No person shall use any road within the development in such a manner as to constitute a danger or a nuisance to any other person within the development.
7. No caravans shall be brought into the development except with the prior written consent of and subject to such conditions as may be laid down by the HOA.
8. The access road from the tar road is by way of a servitude that passes through Sappi forests, on which commercial forestry operations occur. All road users are to exercise extreme care. In addition, the road is narrow with "passing bays". All vehicles proceeding uphill will have right of way – i.e. vehicles proceeding downhill **must** pull off into a "passing bay" so that the vehicles proceeding uphill do not have to stop. This is especially important when the dirt road is wet.
9. The area reserved for parking the boat trailers is between the slipway and the pump-house. This is a relatively small area and will not be able to accommodate the theoretical maximum of thirty three trailers made up of twenty five small boats and eight water-ski trailers. The following will therefore apply:
  - a. Members are encouraged wherever possible to launch and then to take the trailers back to their sites.
  - b. No trailers which do not belong to members will be allowed to be parked in this area.
  - c. No trailer can be parked in this area for a period exceeding 48 hours.
  - d. The trailers must be as far away from the slipway as possible so as not to hinder other members wishing to launch their boats.

This rule can only be relaxed with the consent of the directors.

## **SECTION B**

### **OPEN SPACE**

- 1 No person shall anywhere within the development, disturb, harm, destroy or permit to be disturbed, harmed or destroyed any wild animal, reptile or bird.
- 2 Except on such person's own property within the development, no person shall anywhere in the development, disturb, damage, destroy or collect any plant material, whether living or dead, save with the consent or on the instructions of the HOA. This does not apply to dead trees and logs floating on the dam, which may be removed and used for firewood.
- 3 Subject to the provisions of Rule 1.4, braais are only permitted within designated purpose made areas.
- 4 No camping or picnicking shall be permitted within the development except at a place, which has been specially designated for the purpose by the HOA.
- 5 No person shall discard any litter or any item of any nature whatsoever at any place within the development except in such receptacles and in such places as may be set aside for the purpose and designated as such by the HOA.
- 6 No person shall use any open space within the development in any manner, which may unreasonably interfere with the use and enjoyment thereof of other persons in the development.
- 7 No person shall use, or conduct himself upon any open space within the development in such manner as may, in the opinion of the HOA, detrimentally affect the open space or any of the amenities contained thereon.
- 8 The HOA shall be entitled to prohibit access to any part of the open space if it deems it desirable to do so for the preservation of the natural flora and fauna, or for any other reason whatsoever, and no person shall enter such area without the consent of the HOA.

- 9 No person shall anywhere within the development discharge any fireworks or firearm, air rifle, or any dangerous weapon except in self defence, or where specifically approved by the HOA.
- 10 No person shall be permitted to smoke or make any fire in the veld or forest areas of the development. This includes the access road from the tar road through the forest.
- 11 Mountain biking, walking, jogging and riding motor cycles and quads shall only be permitted along routes approved by the HOA and along forestry roads on the neighbouring property over which traversing rights have been registered. **PERSONS MAY NOT TRESPASS ON SAPPI PROPERTY.**
- 12 The HOA shall, in carrying out its duties as the custodian of the open space, without notice to owners of properties within the development be entitled and obliged to conduct such veld burning operations as are required in the opinion of the HOA to maintain the environmental integrity of the grasslands within the open space and to comply with fire break requirements.
- 13 For purpose of this Section B, "open space" shall mean any area within the development which does not fall within a specific property registered in the name of an owner or any building thereon.

### **SECTION C**

#### **THE USE OF THE DAM**

The registered owners of certain properties within the Development, known as the Skiing Rights Holders, are vested with right to ski and rights to impose and alter Rules relating to the use of the dam. These rights and the manner in which they can be changed are set out in Clause 2.7 of Article 2 of the Memorandum of Incorporation of the Company.

- 1 Certain properties extend below the high water mark, which means :
- a) Such properties have riparian rights.
  - b) Access to the water may not be gained from such properties, other than by the owner and its guests.

2 All owners shall be entitled to the use of the water, subject to the strict adherence by all users to the Rules set out below. The right of any person to use the water in terms of Rule C2 and C3 may be suspended on Resolution of the Directors (See C4) that the rules are not being adhered to by the member or any family member, guest, tenant or employee of such member. Suspension will apply not only to the person who fails to adhere to the Rules, but to the member in question and all persons who gain the right to use the water through such member. Enforcement of the Rules shall take place as follows:

- a) Upon the first transgression, an informal warning shall be issued and the transgressor will be invited to comment.
- b) Upon the second transgression, a formal warning will be issued.
- c) Upon the third transgression, a suspension of the right to use the water will be issued for 1 month where any Rule under Section C was transgressed, and for 1 week where any other Rule has been transgressed.
- d) Upon the fourth transgression, a suspension of the right to use the water will be issued for 2 months where any Rule under Section C was transgressed, and for 2 weeks where any other Rule has been transgressed.
- e) Upon subsequent transgressions, a suspension of 1 month or 1 week, as the case may be, more than the previous suspension will be imposed.
- f) Once a first and/or second transgression has been made, such transgression shall remain noted against the name of the transgressor for so long as he remains an owner. Any further transgressions as provided for below will therefore automatically result in the appropriate suspensions without the need for a further informal or formal warning. However, any third or subsequent transgression will be removed from the records of the owner in question 12 months after such transgression was made. By way of example, should an owner have received and served a one month suspension as a result of a third transgression, and should he commit a fourth transgression within 12 months of having committed the third transgression, he shall receive a two-month suspension notwithstanding that the one month suspension has already been

served. However, should the fourth transgression take place more than 12 months after the third transgression, he shall receive a one-month suspension.

- g) Any suspensions that are imposed on an owner at a time when such owner already has one or more current suspensions, shall be cumulative and shall not run concurrently.
  - h) The suspensions provided for in this rule are peremptory and the directors shall not have a discretion regarding the imposition thereof.
3. The rights applicable to all members shall be as follows:
- a) All boats using the water must comply with current and future legislation pertaining to the utilization of small craft on inland water in the Republic of South Africa. The HOA intends licensing the recreational use of the dam with the Department of Water Affairs and Forestry (DWAF). Users of the dam will also have to comply with any conditions DWAF may impose. Every boat must have one life jacket for each person on board. Each property is limited to having 1 motorised boat on the water at any given time. A boat includes canoes, rafts, windsurfers, etc.
  - b) By launching from either the bank or the concrete slipway all persons and their guests indemnify and hold harmless the HOA and any individual against any injury or loss which may result to the person, whether such injury or loss is occasioned by negligence on the part of the HOA or any individual.
  - c) Swimming is allowed in the demarcated area. Swimming in other areas is only allowed if the person stays out of the skiing area (i.e. close to the shore) AND tows a yellow torpedo buoy for visibility.
  - d) All boats to stay out of the skiing area as the ski boats are on a fixed path travelling at high speed. The skiing area is defined as the Slalom course which is 23m wide plus 25m on either side of the slalom course (total 73m wide) running the full length of the slalom course and its approaches. Boats other than those currently skiing on the slalom course are to proceed at a dead idle (i.e. in and out of gear) to avoid making wakes which could cause serious injury to the skiers. Motors can be electric or petrol and, with the exception of ski-boats, will

be limited to 5 hp or equivalent. Petrol powered boats must have a 2kg fire extinguisher.

- e) Fishing is allowed with a daily limit of 3 fish, each of which must be longer than 30 cm.
  - f) The top section of the dam and the river channel is a "Quiet Zone" which means no radios, loud voices and non electric powered boats may only use this section at an idle. The start of the quiet zone will be marked by a sign.
4. In addition to 3 above, the Skiing Rights Holders and, through them, the Nominee Skiers, shall have the right to ski on the dam and shall have the right to use a ski boat and a general boat simultaneously. These rights can be suspended if the rules in 3 above and as set out below are not adhered to.
- a) No skiing activity will be allowed earlier than 30 minutes before sunrise or later than 21h00.
  - b) Each of the Skiing Rights Holders will be allocated 12 week-end days and/or public holidays per annum on which days they will have exclusive use of the 2<sup>nd</sup> skiing area (i.e. from the power lines to the dam wall) between 11h00 and 15h00.
  - c) Maintenance and homologation of the water ski facilities will have preference over the use of the facilities by the Skiing Rights Holders. However, should a Skiing Rights Holder be able to use the facilities without interfering with the maintenance or homologation which is taking place, he shall be entitled to so use the facilities.
  - d) The HOA will be entitled to close the dam (i.e. the surface of the water) for 12 days per calendar year for the purpose of holding competitions or training sessions.
    - i) Competitions and training sessions shall include any activity that takes place on the water and shall include but is not limited to:
      - waterskiing in all of its forms
      - fishing

- swimming
  - canoeing
  - birding
- ii) The Skiing Rights Holders shall be entitled to apply for a minimum of 6 (SIX) of the 12 (TWELVE) available days.
- iii) Written permission of the Board of Directors shall be obtained prior to the inclusion of any competitions or training sessions in any sporting calendar.
- iv) The land around the ablution block and the club grounds may on application to the Board of directors also be closed for the same period and for the same purposes. The consent of the Board will not be withheld unreasonably.
- v) The dam may be closed for a full day, or for a half day if used up until 12h00 or from 12h00. If only one section of the dam (being either north or south of the electric power lines) is to be used, a full day's use of such section will be deemed to be a half day closure, and a half day's use of such section shall be deemed to be a quarter day's closure.
- e) The Nominee Skiers must ensure that the following is adhered to:
- i) Individuals shall at all times conduct themselves in a civil manner and shall have regard for the rights and safety of other users of the water and facilities.
  - ii) Boats not using the water for skiing purposes either by way of using the slalom course or jump ramp or otherwise shall at all times proceed at a dead idle so as not to create wakes.
  - iii) No boat or skier shall interfere with the individual who is currently utilizing the ski area.
  - iv) In the event of more than one individual wishing to use the water, each individual shall be allocated fifteen minutes time on the water whereupon

he shall return to the back of the queue. If there are more than 1 skier in a boat, the second skier's time commences immediately the first skier stops; any unused time by the first skier is lost and does not carry over to the next skier.

- v) All boats waiting to ski are to queue under the power lines between the two ski areas. Whichever ski area becomes available next will be allocated to the next boat in the queue. If that skier wishes to use the other ski area, then he must give up one place in the queue.
- vi) A Nominee Skier's rights to the water are strictly not transferable to any person whatsoever (other than as provided for in Clause 7.4 of Article 7 of the Memorandum of Incorporation of the Company).
- vii) Individuals wishing to utilize the water shall queue at a point demarcated by the HOA which may from time to time be changed. The fifteen minutes per individual shall be allocated on a first come – first serve basis. In the event of the water being over-utilised, a roster system shall be introduced. The Annual General meeting held on 9<sup>th</sup> October 2010 demarcated the area under the power lines as the skier queuing point i.e. the same area as described in C4(d)(v) above.
- viii) Peak periods are defined as any long week end. Only when both skiing areas are in use it is recommended (but not compulsory) that the skiers interleave their skiing sessions. Interleaving means that, the boat with the current skier gives up one place in the queue and allows a skier from the waiting boat to ski. This is purely at the discretion of the boat currently skiing. Should they elect not to interleave their attention is drawn to the fact that the second skier's 15 minutes starts immediately the first skier stops i.e. this means that all time spent finding ropes, handles, putting on life jackets etc comes out of the second skier's time..
- ix) Persons other than the 32 Nominee Skiers may ski **BUT MUST** stop immediately when one of the Nominee Skiers is ready to ski.

- x) Ski-boat drivers should be 16 years or older. Persons under 16 who can demonstrate their ability may at the Skiing Rights Holders' discretion and on prior written consent be allowed to be drivers.
  
- xi) Each of the two ski areas may only have 1 skier at a time utilising the water.
  
- xii) Due to the small size of the dam, and for safety considerations, the following shall be prohibited :
  - ❖ Parasailing
  
  - ❖ Trailing ropes behind boats
  
  - ❖ Jet skiing
  
  - ❖ Any other activity which the HOA considers to be dangerous or likely to damage the equipment, infrastructure or part thereof.
  
- f) A maximum of 34 motorised boats will be allowed on the water at any given time, made up as follows:
  - i) 8 ski boats as defined in C4g
  
  - ii) 25 general boats as defined in C3 a as read with C3d
  
  - iii) 1 community pontoon boat
  
- g) To the exclusion of other owners each Skiing Rights Holder will, as provided for in C4f, be allowed 1 water ski boat with unlimited horsepower. For the purposes of rules C3a, 4 and 4f, a boat will not be considered on the water where it is not in use and where it is secured to a mooring or beached at the relevant owner's property.
  
- h) Each Skiing Rights Holder will be levied monthly an amount sufficient to cover the costs of maintaining the water ski infrastructure and water weed control.

- 5 The dam is occasionally used by helicopters and fire bombers to scoop up water for fire fighting purposes. All water users are to immediately move to the waters edge/jetties in the event of aircraft needing to fill up with water. It is specifically recorded that aircraft have the right of way in these circumstances and that no boating or other recreational use of the water surface may be carried out at such times.
- 6 When refueling boats care must be taken to avoid any fuel spills.
- 7 It is specifically recorded that the directors have the powers to allow floating or anchored structures to be on the water's surface. The directors will also have the power, without having to give any reasons, to request that such structures are removed. Should the structures not be removed within 14 days from the date of a written request to do so the directors will suspend the rights of the person who owns or installed the floating or anchored structure or who allowed the floating or anchored structure to be installed, to use the water until such time as the structure has been removed from the Estate.

## **SECTION D**

### **DOMESTIC REFUSE**

- 1 The removal of domestic and other refuse shall be under the control of the HOA who may, in exercising its function in this regard from time to time, by notice in writing to all persons concerned:
  - a) lay down the type and sizes of refuse containers to be obtained or used;
  - b) give directions in regard to the placing of such refuse containers for collection of refuse;
  - c) require the payment of a reasonable charge for the provision of such containers.
- 2 It shall be the duty of every owner or occupier of a property in the development to ensure that such directions given by the HOA are fully observed and implemented.
- 3 No person shall keep any refuse, compostable material or kitchen waste within or outside his property except in the containers aforesaid. This restriction shall not apply

to garden refuse, compostable material or kitchen waste which is in an approved compost heap.

- 4 Containers shall not be kept in any place outside the property except at such places as may be specifically set aside therefore by the HOA from time to time.
- 5 Where in the opinion of the HOA any item of refuse is of such a size or nature that it cannot be conveniently removed by the Refuse Removal Services provided or arranged by the HOA, the HOA may give the person wishing to dispose of such refuse such directions for its disposal as it may deem fit.

## **SECTION E**

### **DOMESTIC ANIMALS**

- 1 Due to fly problems, no horses will be allowed.
- 2 Domestic cats are discouraged as the estate is a bird reserve. Should an owner have a cat:
  - (a) they are limited to 1 (ONE) cat,
  - (b) which must be sterilized irrespective of whether it is male or female,
  - (c) all cats must have current rabies inoculations, and
  - (d) every cat must wear a bell at all times.
- 3 Each site may have a maximum of 3 dogs. All bitches must be spayed. All dogs shall have current Rabies inoculations.
- 4 Only members may be permitted to bring animals onto the estate.
- 5 All animals must be strictly controlled and are not permitted to interfere with, chase or hunt wild fauna.

- 6 Dogs shall be controlled at all times and in the event of an owner having a dog, then it shall be the owner's obligation to ensure that the property is properly fenced. All unleashed dogs must be kept within the fenced area of the property at all times. When dogs are off the property, they shall be on a leash and shall be subject to such rules and regulations as may be imposed by the Homeowners Association, from time to time. Dogs outside the fence but within the estate may be off a leash provided they remain under direct control of the handler.
- 7 No dogs or cats shall remain on the property while the owners are on holiday or absent from the property for longer than 24 hours.

## **SECTION F**

### **MISCELLANEOUS**

- 1 No garments, household linen or washing of any nature may be hung out or placed anywhere to dry except in a drying yard or such other area designated for the purpose by the HOA. Any such items placed in any other place may be impounded by the HOA and then reclaimed by the owner from the HOA.
- 2 No person shall keep anywhere in the estate any inflammable substances, provided however, that this rule shall not apply to the keeping of such substances and in such quantities as may reasonably be required for normal domestic use. The 8 properties with skiing rights will be allowed to keep a reasonable amount of fuel provided it is kept in approved containers.
- 3 All properties and all buildings and other improvements thereon shall be maintained by the owners thereof in a good and aesthetically pleasing condition at all times.
- 4 Building works may only take place from Mondays to Fridays (excluding public holidays) between the hours of 7.00am and 5.00pm, and not at any other times unless they constitute urgent repairs. Building works are allowed on Saturdays between 8.00am and 1.00pm, provided they do not involve any powered machinery and the consent of the immediate neighbours have been obtained.
- 5 Trucks with more than a single differential are not permitted on the estate, without the directors' written consent.

- 6
- (a) No residential building may be built or erected within the 100 year flood line. This is a condition imposed on the development by the Development Tribunal and other authorities in approving the development. The 100 year flood line is 1,78 metres above the concrete on the dam spillway which is immediately below the sluice gates.
  - (b) Non-residential buildings such as carports, garages and boat houses may be built within the 100 year flood line, provided that the directors have given their prior written consent.
  - (c) Boat lifts that have been approved in the construction and aesthetics by the directors and which are constructed and located in such a way as to affect the privacy and the use of the adjoining properties in the least offensive way possible may be erected on the water's edge.
  - (d) Wooden decks and lapas may be built within the 100 year flood line, provided that the deck is not more than 60 square metres in area and is also not more than 1,8 metres above the natural water level. Any decks which exceed the said area or the height, require the written consent of the directors.

## **SECTION G**

### **USE OF PROPERTIES**

- 1 Without the prior written consent of the HOA none of the properties within the development shall be used for business purposes. Notwithstanding the foregoing, it is recorded that the owner of Portion 26 is authorized to carry on a home-based accountancy practice from his property, subject to such Development Permits as may be required in terms of the Land Use Controls contained in the judgement of the Development Facilitation Tribunal.
- 2 It will be the direct responsibility of the owner of any property within the development to ensure his invitees, guests or tenants at all times observe all the house rules, the central purposes of the house rules being to allow each member the peaceful use and occupation of his property within the development and the co-operative and enjoyable use of the open spaces within the development.

- 3 The residences within the development shall not be occupied by more than ten persons per residence without the prior written consent of the HOA and for such period specified in such consent.
- 4 Any employee of any owner of a property shall not be entitled to remain on the property in the absence of the owner.
- 5 Members shall not be permitted to park Caravans on sites for use by third parties without prior consent of the HOA.
- 6 Notwithstanding the provisions of any other rule or guideline, an owner shall be permitted to erect a residential dwelling of less than 150m<sup>2</sup> provided it is approved by the architectural committee in advance, and in writing.

## **SECTION H**

### **INDEMNITY**

All persons entering the development or making use of its facilities do so entirely at their own risk. The HOA, its employees and agents, the owners and any persons occupying the premises will not be liable to compensate any person for any loss or damage howsoever suffered as a result of any act or omission occurring anywhere on the development.

## **SECTION I**

### **FIRES**

- 1 Each member must have at least one (1) outside hosepipe capable of reaching all around the building on a site and which should be ready for use at all times.
- 2 Burning of grass and all rubbish by members is prohibited. When burning is required, members must apply to the HOA.
- 3 Fireworks are prohibited under all circumstances.

- 4 Barbecues and Braais are permitted only within each individual site or designated areas. No exterior fires may be lit during the dry winter months or in high winds. (if in doubt, consult the HOA).

## **SECTION J**

### **POLLUTION**

- 1 Only biodegradable detergent products may be used for washing purposes.
- 2 No coal burning products are permitted but wood, charcoal and anthracite burning appliances are acceptable.
- 3 Noise on the estate must be kept to a minimum and the playing of radios, tape recorders and musical instruments in common areas should be kept within reasonable limits.
- 4 Littering of any kind whatsoever is prohibited. Bins are provided for the collection of litter and these must be used for that purpose. Members are requested to encourage tidiness and to dispose of any type of rubbish found anywhere on the estate.

## **SECTION K**

### **NUISANCE**

- 1 A member, including any person occupying a site with his authority, shall neither do nor suffer to be done anything in or about the site, or in or about any other part of the estate, which is noisome, injurious, objectionable to the neighbourhood or which may be a source of damage, disturbance or annoyance to any other member, animal or wildlife or to the other water users.
- 2 Members and their guests must generally exercise their rights in such a way as not to interfere with the rights and enjoyment of the estate by other members.
- 3 Radios and tape recorders may be operated only on member's sites and the common area at a reasonable volume.

- 4 No radios or sound systems may be operated from any boats.
- 5 The exhaust system of boat engines must not be modified. Any boats that make excessive noise will not be permitted to use the dam.
- 6 The use of high revving radio controlled model cars, boats and planes is not permitted. This is for noise limitation purposes. The restriction will not apply to battery powered model cars, boats and aircraft.

## **SECTION L**

### **MANAGEMENT OF THE ESTATE AND MEMBERSHIP OF THE HOMEOWNER'S ASSOCIATION**

- 1 The purchaser hereby acknowledges that the purchaser shall in common with all other property owners at **BIRD VALLEY ESTATE** be obliged to be a member of the **BIRD VALLEY ESTATE HOME OWNERS ASSOCIATION NPC (RF)**, a company incorporated in terms of the Companies Act, 2008 (the "HOA").
- 2 The purchaser acknowledges that all owners shall be obliged to remain members of the HOA for so long as they own the property at **BIRD VALLEY ESTATE**. Any successor-in-title shall become a member of the HOA and a condition of title shall be included in the title deeds incorporating this condition.
- 3 All property owners at **BIRD VALLEY ESTATE** shall pay a monthly levy to the HOA to cover security, inclusive of the cost of the intercom, maintaining the dirt road through the forest, estate management, landscaping, upkeep of the common property, including the amenities, administration overheads, cost of water purification and the maintenance of the supporting facilities and such other services as may be required by the HOA. The levy shall be payable from the date of transfer of the property into the name of an owner and the amount shall be determined by the directors of the HOA from time to time. Refuse removal will be charged for from the date upon which the house is occupied.
- 4 The levy shall not cover the consumption of water or electricity, nor the municipal rates applicable to the property or the maintenance of the improvements on the property. The said expenses shall be for the account of the purchaser. In the event of the purchaser not maintaining his property to the standard laid down by the HOA, then the HOA shall

be entitled, but not obliged, to repair the property and/or gardens and charge the owner for such costs. Water meters will be installed on each site and the property owner will be charged accordingly. Due to the design and size of the water purification system, no watering of gardens or filling of swimming pools will be permitted. Properties will be allowed to install their own small pumps at the water's edge for this purpose. In addition each site is limited to 1200 litres per day (non-cumulative)

- 5 Skiing Rights Holders will be liable for an additional levy, to be paid equally by all Skiing Rights Holders, that will fund the acquisition and maintenance of slalom buoys, the control of weeds in the dam, and other matters directly related to skiing and skiing infrastructure.

## **SECTION M**

### **USE AND OPERATION OF PONTOON BOAT**

- 1 Use of the pontoon boat will be allocated annually between the 25 sites, with one day set aside every month for maintenance.
- 2 Each allocated day will be deemed to commence at 04h00.
- 3 All use of the pontoon will be charged out at a rate of R45.00 per hour (or such increased rate as may be determined by the Directors from time to time) as recorded by the engine meter. The person using the pontoon will be responsible for recording the start and end meter readings for the day in the log book. Charges for the use of the pontoon will be reflected on the levy statements and all receipts in respect thereof will be held in a separate account for repair and maintenance of the pontoon and its motor.
- 4 The pontoon boat is to be returned to it's mooring by 04h00 of the following day, having:
  - a. Fuel tank full
  - b. Motor trimmed up – out of the water
  - c. Checked that there has been no damage to the propeller
  - d. Main battery switch off

- e. The ten deck-chairs stacked, chained and covered with the green plastic cover
  - f. The deck cleaned
  - g. The log-book completed.
- 5 On taking up your use of the pontoon boat:
- a. Check that all points in 3 above have been complied with
  - b. Check if there has been any damage to the propeller
  - c. Note any problems in the log-book
  - d. Do not start the motor with the propeller out of the water as this could result in overheating
  - e. Do not use the pontoon in thick water grass
  - f. Do not use the pontoon to tow any item which could lead to gearbox damage.
- 6 The owner of the site to which the pontoon is allocated on any given day has the first right of use thereof on that date. However, should such owner not confirm that it will take up the allocation by 12h00 on the day before the allocated day, any other owner may book the use of the pontoon for that day on a first-come first-served basis.
- 7 Swopping of allocated days is permissible.