



Rules and Regulations

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INTRODUCTION

The primary objective of the Earls Court Homeowners Association (hereinafter referred to as the ECHOA) is to promote, enhance and protect the communal interests of its members.

- ◆ In terms of the ECHOA Constitution (hereafter referred to as the Constitution), and with a view to attaining the above goal, appropriate Rules and Regulations have been formulated and introduced by the appointed trustees of the ECHOA and/or by members in general meeting.
- ◆ The Rules and Regulations will be reviewed, as and when necessary, to ensure that they remain relevant and continue to serve the communal interests of the members of the ECHOA.
- ◆ Every owner of an erf and/or unit (as may be applicable) automatically becomes a member of the ECHOA upon registration of said erf and/or unit. All members, and their successors in title or assignees, are bound by the provisions of the Constitution and, therefore, the Rules and Regulations introduced in terms thereof.
- ◆ It is every member's obligation, and that of his lessees or tenants, to familiarise themselves with the said Constitution and Rules and Regulations.
- ◆ The ECHOA reserves the right to investigate any complaint received with reference to the Rules and Regulations and to take the appropriate steps as deemed fit to resolve any issues that may arise there from.
- ◆ It is only with genuine respect and consideration on the part of all residents of Earls Court, for all fellow residents, that harmonious living will be achieved.
- ◆ A member wishing to receive clarification and or guidance on any aspect of the Rules and Regulation, should request such clarification or guidance from the ECHOA.
- ◆ The definitions and interpretations contained in the Constitution shall apply equally to these Rules and Regulations unless otherwise specified.
- ◆ Where there is a conflict between these Rules and Regulations and the Constitution of the ECHOA, the Constitution shall prevail and the Rules and Regulations shall be amended accordingly.

1. PROMULGATION OF RULES:

- 1.1. All members are expected to abide by these rules. Where appropriate, for the purpose of these rules “member” means a purchaser, co-owner, trustee, lessee, tenant, family member and invitee.
- 1.2. Any contravention of the rules by any other person who gains access to Earls Court under the authorisation of a member shall be deemed to be a contravention by that member.
- 1.3. The ECHOA is represented by the Estate Manager and appointed trustees in the implementation of these Rules and Regulations.

2. DESIGN GUIDELINES

The design and construction of all new buildings, walls, extensions, alterations and external colour to buildings must conform to the **Design Guidelines** issued by the ECHOA and must be approved by the trustees and the local authority prior to any work being commenced. Guidelines in the form of a design manual are obtainable from the Estate Manager and will be circulated to members when deemed necessary.

3. USE AND OCCUPATION OF A PROPERTY (property means erf, unit, dwelling, outbuilding, etc.)

- 3.1. A member may not rezone, subdivide, consolidate or in any way change the existing zoned use of his erf/unit without the approval of the ECHOA.
- 3.2. A property may be used for residential purposes only by a member, his family, lessee, tenants or invitees.
- 3.3. No business activity that requires staff and or clients to gain access to Earls Court may be conducted on any property without prior consent from the ECHOA.
- 3.4. No property may be used as a commune (collective occupation by a number of persons not necessarily related to each other).
- 3.5. No “Wendy House”, “Zozo House” or similar structure may be erected on the property. If a member refuses to remove such a structure, the ECHOA may have it removed and may recover the cost of removal from the member.
- 3.6. Caravans, trailers, boats, equipment, tools, engine and vehicle parts, as well as accommodation for pets should not be visible at ground level from neighbouring properties or streets.
- 3.7. Only approved external lighting may be used, with adequate screening, to avoid discomfort to the neighbours.
- 3.8. A member may not erect any satellite dish, radio masts or any device of similar nature, that may be viewed as unsightly, without prior consultation and approval of the ECHOA.

4. UPKEEP AND MAINTENANCE OF RESIDENCES:

- 4.1. The exteriors, and externally visible interiors, of every residence, including but not limited to boundary walls, driveways, burglar bars, gates, swimming pools, window covers, garden equipment, must at all times be maintained by members in a clean, tidy and appropriately repaired and painted state.
- 4.2. Where, in the opinion of the ECHOA, the condition of a property is not up to the required standards, the ECHOA shall give written notice to the member to carry out the necessary improvements within a specified time.

- 4.3. If a member fails to carry out maintenance work that has been reasonably requested, the ECHOA will be entitled to carry out that work and to recover the reasonable cost thereof from the member. These costs will be deemed to be part of, and additional to, the levy due by the member concerned.
- 4.4. Prior written approval must be obtained from the ECHOA before a member repaints his residence. Colour samples should be submitted if different from the existing colours.
- 4.5. Construction of screen and boundary walls is regarded as an integral part of improvements on the erf and, as such, is subject to the prior approval of the ECHOA.

5. UPKEEP AND MAINTENANCE OF GARDENS AND STREET VERGES:

- 5.1. The ECHOA does not provide a garden maintenance service.
- 5.2. Members are responsible for the upkeep and maintenance of their own gardens and street verges.
- 5.3. No declared noxious or alien flora are allowed to grow anywhere in Earls Court. Please refer to the **ECHOA Plant List** available from the Estate Manager.
- 5.4. Where, in the opinion of the ECHOA, the condition of a garden does not meet the required standards of Earls Court, the ECHOA shall give written notice to the member concerned to carry out the necessary improvements within a specified time.
- 5.5. Should a member fail to carry out such work as requested, the ECHOA shall be entitled to carry out that work and to recover the reasonable cost thereof from the member, which amount shall be deemed to be part of, and additional to, the levy due by the member.
- 5.6. The areas between the street curbing and the boundary of a member's property are referred to as "street verges".
- 5.7. No trees, plants, lawns or pathways planted or developed by the ECHOA on street verges should be damaged, removed or planted without the permission of the ECHOA.
- 5.8. Plants, trees and shrubs should not interfere with pedestrian traffic or obscure the vision of motorists. The ECHOA has the right to cut, prune or remove any such plants, trees or shrubs at the owner's cost without prior notification.

6. COMMUNAL AREAS AND ECHOA FACILITIES:

- 6.1. Communal areas are those portions of Earls Court property transferred, or to be transferred, to the ECHOA by the developer. The portions include road reserves (roads, pavements, parking areas and planted areas), parks and parkland areas, even designated by the developer for ECHOA use and any other areas designated as Private Open Space; and includes any structures or facilities erected upon any of these portions of property.
- 6.2. Any member or other person who makes use of communal areas, structures erected thereon or any ECHOA facility, does so entirely at his own risk. The ECHOA, its members in general, its trustees, employees, officers and agents or any third party are not liable for any claims, demands, actions and causes of action whatsoever arising out of or related to any loss, property damage, personal injury (including death) that might be sustained by a member or members, visitors, contractors or employees whilst in Earls Court.
- 6.3. Members and their family, lessees, tenants and invitees shall keep communal areas and ECHOA facilities clean and tidy. Littering is strictly prohibited.
- 6.4. Building material, rubble, filling, waste or refuse of any kind may not, under any circumstances, be dumped or discarded on communal areas or on vacant erven.
- 6.5. Picnicking and/or consumption of food and beverage is permitted only in designated areas.
- 6.6. Communal gardens and road reserves shall not be used for ablutions by any person(s).
- 6.7. Flora shall not be damaged or removed from communal areas.

- 6.8. Fauna of any nature shall not be chased, captured, killed or otherwise interfered with, by any means, by anyone, including pets, anywhere in Earls Court. Fauna should not be fed except for any exceptions agreed to by the trustees e.g. wild birds which complement the gardens and environmental lifestyle sought after by members in Earls Court. Feeding of wild birds shall not include Egyptian Geese, Sea Gulls, Pied Crows, Pigeons or other undesirable species which are to be discouraged from visiting or settling in Earls Court.

7. SECURITY

There is a 24 hour security service in Earls Court provided either by a security service provider or by the ECHOA's own security personnel. The best way of providing this service is reviewed by the trustees of the ECHOA from time to time.

The duties of the security personnel include, but are not restricted to, control of access/exit to Earls Court; patrolling of roads, perimeter walls/fencing and communal property; investigation of suspicious activities and responding to breaches in Earls Court security systems.

Members should, nevertheless in their own interests, remain vigilant and take precautions such as locking doors, etc. Gate House telephone number(s) are available to all members.

7.1. Members:

- 7.1.1. New members (includes lessees and tenants) intending to take occupation shall report to the Estate Manager's office for registration during office hours.
- 7.1.2. Any change in a member's telephone number(s) or other contact details shall be communicated to the ECHOA in writing by delivered mail or email within 48 hours of that change taking place.
- 7.1.3. All persons entering or exiting Earls Court on a regular basis must be registered on the ECHOA access control system in terms of procedures in place at any time.
- 7.1.4. Members shall ensure that contractors, service providers and their employees adhere strictly to the security provisions of the **Contractors Code of Conduct**, a copy of which is available from the Estate Manager.
- 7.1.5. Each member is responsible for the safekeeping and proper use of his individual access device. No unauthorised person may use a member's access device. Should the device be lost or stolen, the Estate Manager must be advised immediately.
- 7.1.6. Members have a duty to inform the ECHOA immediately should any access registration for any person for whom they are responsible require cancellation. Failure to do so will be deemed to be a contravention of clause 7.2.1.
- 7.1.7. Members should immediately report to the Gate House security personnel or any other security officer any attempted burglary, wall/fence scaling or any other suspected security problem.
- 7.1.8. Where members install security alarm systems in their residences they should verify whether or not the system is compatible with, and can be linked to, the Earls Court security system.
- 7.1.9. No external burglar bars or doors, trellidoors or similar safeguards, or burglar deterrent gates, are permitted unless prior approval has been obtained from the ECHOA.
- 7.1.10. No property shall be secured with an electrical fence, razor wire, barbed wire or similar fencing during or after any construction/maintenance taking place on the said property.

- 7.1.11. Members whose properties adjoin a perimeter wall or fence are responsible for restricting growth of trees and shrubs to at least 1 (one) meter clear of such wall or fence. Should this not be adhered to, the ECHOA reserves the right to clear such growth and to recover the cost of doing so from the member.
- 7.1.12. Members whose properties adjoin an electrified perimeter wall or fence are responsible for advising their lessees, tenants and visitors of the dangers pertaining thereto.
- 7.1.13. Members shall not place any structure, jungle gym, trampoline, storage facility, etc., nearer than 2 (two) meters from an Earls Court perimeter wall, fence or other security installation.
- 7.1.14. Members should take care not to damage or destroy security structures, perimeter walls/electric fencing, lighting fixtures, etc.
- 7.1.15. No member may substitute, or in any way alter, existing security structures, perimeter walls/electric fencing or lighting fixtures.

7.2. Employees, contractors and service providers:

- 7.2.1. The ECHOA security identification system for permanent and/or temporary employees, temporary workers and contractor or service provider representatives and their employees shall be conscientiously adhered to by every member with respect to persons in his employ and/or providing a service to such member. None of the aforementioned persons, if unauthorised, may be driven through the Earls Court entrance/exit by a member without informing the security personnel on duty.

7.3. Visitors:

- 7.3.1. A member is responsible for the actions and behaviour of his visitors to Earls Court under his authorisation including, but not restricted to security protocols.
- 7.3.2. All visitors shall adhere to the security protocols put in place by the ECHOA from time to time.
- 7.3.3. In order to gain access to Earls Court casual visitors, contractors, service providers and delivery staff shall present a valid South African identity document or valid driver's license. Should no such document be available, access will be denied.
- 7.3.4. Upon arrival of a visitor at the Gate House, the security personnel on duty will contact the member concerned for permission to allow the visitor access. If this system of notification is for some reason not available, members should inform the Gate House telephonically or in person, in advance, of the expected visitor arrival.
- 7.3.5. Where a visitor arrives at the Gate House and the member concerned is neither contactable nor has provided advance notice to the Gate House of the visitor arrival, access will be denied.

7.4. General security matters:

- 7.4.1. Security protocols shall be adhered to at all times:
 - 7.4.1.1. no person(s) other than the Security Manager or the Estate Manager may give security personnel instructions;
 - 7.4.1.2. no member or any person other than security personnel, trustees or maintenance personnel shall enter the Gate House or other secure areas;
 - 7.4.1.3. all persons entering or leaving Earls Court on a regular basis shall be registered on the ECHOA access control system in accordance with operating procedures in place at any time;

- 7.4.1.4. bypassing the access control system (e.g. by tailgating another vehicle), or attempting to do so, or assisting any person to do so, will be regarded as an unlawful act which may lead to the imposition of a penalty and/or prosecution by the ECHOA;
- 7.4.1.5. members, visitors, contractors, service providers, etc., are obligated to treat security personnel with respect at all times;
- 7.4.1.6. neither the Estate Manager nor any of the security personnel is obliged to take delivery of parcels, goods, keys to properties or any other items. If prior arrangements for a delivery have been made the responsibility, and risk of whatever nature, resides with the member requesting such favour;
- 7.4.1.7. Earls Court shall not be used as a “staging point” or “stop over” for social, commercial or business activities involving large numbers of non-members as these activities have the potential to create additional security risks and/or interfere with the rights of members.

8. ROAD SAFETY AND TRAFFIC RULES:

- 8.1. The roads inside Earls Court are regarded as public roads but, are owned, maintained and managed by the ECHOA.
- 8.2. The traffic rules applicable to Earls Court roads and all vehicles operated within Earls Court are identical to the provisions of the National Road Traffic ACT, 1996 (Act No. 93 of 1996), as amended from time to time and the regulations made thereunder, as well as the by-laws of the local authority (George Municipality) and shall be used by the ECHOA as a guide when enforcing its own rules and regulations related to road safety and traffic violations.
- 8.3. The ECHOA rules and regulations applicable to the roads, access roads and walkways include, but are not restricted to, the following:
 - 8.3.1. Roads are for the use of all members, their visitors, contractors, service providers and emergency vehicles.
 - 8.3.2. The speed limit in Earls Court is 30 (thirty) kilometres per hour.
 - 8.3.3. All traffic signs on the roads and any instructions from road safety/security personnel shall be adhered to.
 - 8.3.4. Parking on walkways, street verges, in parkland areas and facing oncoming traffic is prohibited.
 - 8.3.5. All motorised vehicles shall be licensed and roadworthy for use on public roads as required by the national road traffic legislation.
 - 8.3.6. The use of any motorised vehicle which causes a noise disturbance is prohibited.
 - 8.3.7. Motorised vehicles are not permitted on walkways, jogging paths or in parkland areas.
 - 8.3.8. In terms of national traffic legislation, cyclists, both motorised and non-motorised, are required to wear SABS approved helmets for safety reasons.
 - 8.3.9. Four wheelers/quad bikes may not be used in Earls Court under any circumstances.
 - 8.3.10. Operating any motorised vehicle in a manner which constitutes a danger or nuisance to any other person or property is prohibited.
 - 8.3.11. Persons operating any motorised vehicle anywhere in Earls Court shall be in possession of a valid driver's license applicable to the type and category of vehicle driven.
 - 8.3.12. Pedestrians have right of way in Earls Court.
 - 8.3.13. Pedestrians crossing roads should make use of pedestrian crossings where these are available in close proximity.

- 8.3.14. Cyclists shall treat pedestrians with respect when making use of the walkways in Earls Court.
- 8.3.15. Parents are responsible for the behaviour and safety of their children who make use of the roads and walkways in Earls Court. In the case of very small children (under 7 years old) this should happen only under the supervision of parents. Roads may not be used by children as play areas because of the traffic dangers inherent in such activities.
- 8.3.16. No driving lessons of any nature will be allowed within the boundaries of Earls Court.
- 8.4. The ECHOA may alter or add to these road safety and traffic rules at any time but will give members prior notice of any such changes before implementation.

9. KEEPING AND CONTROL OF PETS:

- 9.1. The local authority (George Municipality) by-laws relating to the keeping of pets apply in Earls Court. A copy of these by-laws is available from the Estate Manager's office. The ECHOA will use the by-laws as a guide when implementing its own rules which are detailed in the clauses below.
- 9.2. Each member, lessee or tenant may not keep more than 2 (two) dogs and 2 (two) cats on their property.
- 9.3. No dog which, in the sole opinion of the ECHOA, is considered ferocious and prone to attacking other persons may be kept in Earls Court.
- 9.4. Poultry, pigeons, aviaries of birds, wild animals, reptiles and livestock are not permitted in Earls Court.
- 9.5. Pets are not permitted to roam the roads, gardens or parklands within Earls Court.
- 9.6. Dogs must be kept on leashes and under the control of a responsible person, and cats must be supervised in all public or communal areas.
- 9.7. Members, lessees, tenants and visitors are responsible for the immediate removal of animal excrement deposited by their pets on roads, street verges, communal gardens and parkland.
- 9.8. Cat owners must ensure that litter trays are provided within the confines of their property for use by their cats.
- 9.9. Cats which habitually hunt birdlife are regarded by the HOA as a problem because birdlife is an environmental asset in the gardens of Earls Court. Members may be requested to take remedial action in such cases.
- 9.10. Members shall ensure that their pets receive the necessary compulsory inoculations when required and must retain proof of such.
- 9.11. It is recommended that pets are micro chipped with contact details in case they stray away from their property.
- 9.12. Stray, unidentifiable pets will be impounded and handed to the SPCA or other relevant authority.
- 9.13. The ECHOA reserves the right to instruct a member to remove his pet from Earls Court should it become a nuisance.

10. SPORT AND RECREATIONAL FACILITIES:

- 10.1. The facilities provided in Earls Court, namely Clubhouse, gym and tennis court are for the use of members only.
- 10.2. Guests of members wishing to utilise the tennis court and or gym may do so provided that the member concerned accepts full responsibility for the guests including, but not restricted

to, injury to any person and damage to property of any nature. Where the use of the gym is concerned, the ECHOA requires an indemnity to be signed at the ECHOA office.

- 10.3. Use of the Clubhouse is restricted to members and their guests only. The host member(s) should be present for the full duration of any function or gathering at the Clubhouse.
- 10.4. Bookings of the Clubhouse should be made in advance through the ECHOA office.
- 10.5. Members using the Clubhouse should be respectful of nearby neighbours, keeping noise to an acceptable level and terminating activities at a reasonable hour.
- 10.6. The Clubhouse may not be used for commercial purposes.
- 10.7. The Clubhouse, adjoining kitchen and cloakrooms, gym and tennis court should be left in a clean and tidy condition. On leaving the premises members must ensure that lights and taps are switched off and fires, if any, are extinguished.
- 10.8. Only suitable tennis shoes should be used on the tennis court. No skateboards, rollerblades, etc., are permitted on the court.

11. LETTING AND SALE OF PROPERTIES:

- 11.1. Any member who wishes to let or otherwise permit a tenant to occupy an Earls Court property for a period in excess of 5 (five) days without the member himself being in occupation of that property shall:
 - 11.1.1. Give the Estate Manager prior notice in writing of his intention including:
 - 11.1.1.1. the description and street address of the property to be occupied;
 - 11.1.1.2. the full names of the proposed tenant;
 - 11.1.1.3. a copy of the tenant's identity document or valid passport;
 - 11.1.1.4. the contact details including email address and phone number of the proposed tenant;
 - 11.1.1.5. details of the commencement date and duration of the proposed occupation by the tenant.
 - 11.1.2. Confirm in writing to the Estate Manager that the tenant has been provided with copies of the Constitution and Rules and Regulations or, alternatively, arrange for the Estate Manager to forward such documents to the tenant by email.
- 11.2. Should tenants continuously breach the Rules and Regulations of the ECHOA, the member concerned can be requested by the ECHOA to immediately terminate the lease or occupancy agreement. It is recommended that members insert a clause to this effect in the lease or occupancy agreement.
- 11.3. Where a member selling or leasing any property wishes an agent to handle the transaction he shall appoint an accredited Earls Court agent.
- 11.4. Members and their agents are not permitted to erect any "for sale", "show house", or "to let" signage boards on their properties and/or street verges without the approval of the ECHOA. The ECHOA will determine from time to time, if at all, the appropriate number of signs per erf, where they may be displayed and what times and days of the week will apply.
- 11.5. A member selling a property shall ensure that a **Clearance Certificate**, as described in clause 14.2, is obtained.

12. REFUSE REMOVAL:

- 12.1. The removal of domestic refuse is under the control of the local authority and is carried out at times and frequencies determined by them.
- 12.2. A separate service provider removes items which can be recycled.

- 12.3. Members shall place ordinary domestic refuse in black plastic bags and recyclable items in the blue plastic bags provided. Both types of refuse bags must be kept in a hygienic and dry container that does not cause inconvenience to other residents of Earls Court and which is not accessible to dogs, cats or rodents.
- 12.4. All types of refuse bags shall be placed on the street verge on the prescribed day(s) ready for collection. Bags may not be placed on the street verge on any other day.
- 12.5. Reasonable amounts of bagged garden refuse will be removed from the street verge by the local authority on the same day as they collect ordinary domestic refuse.
- 12.6. When refuse is of such a size or nature that it cannot be removed by the normal service, the member concerned must make a special arrangement for its removal by the local authority or a private contractor. The member is responsible for these additional costs.
- 12.7. Builders, any other contractors and service providers shall remove any rubble or refuse related to their activities on a property. The member concerned is responsible for ensuring that this is done.
- 12.8. Disposal of any domestic animal carcass is the responsibility of the member through private arrangement, the cost of which is for his account. No domestic animal carcass may be buried on any Earls Court erf.

13. LEVIES AND ADMINISTRATION:

In terms of the Constitution members are obligated to pay any levy and/or special levy approved in a general meeting of the ECHOA members.

- 13.1. Members must ensure that all monthly levies are paid in advance on or before the first business day of each calendar month. Failure to pay such levies on due date will result in interest, at a rate determined by the trustees, being charged on all overdue accounts.
- 13.2. Members who are "away" on due date must make arrangements to ensure that the levy is paid.
- 13.3. Members in arrears after 60 (sixty) days will have their overdue account, and the full amount of interest owing on this, handed over for collection and possible legal action. Any cost incurred by these proceedings and all additional interest up to the date of final settlement will be for the member's account. Such interest, collection and/or administrative fees shall be considered part of, and additional to, that member's levy and shall be treated as such.
- 13.4. In exceptional circumstances, where any member may have a singular problem regarding payment of dues, he may approach the ECHOA with a request for special consideration and/or temporary relaxation of the above rules. Consideration of this request, as well as any decision resulting from it, will be entirely at the discretion of the trustees.
- 13.5. Levy amounts may not be reduced to offset against real or perceived partial or non-provision of services nor for any other reason unless previously discussed and sanctioned by the trustees.
- 13.6. Members who are delinquent in respect of their levy payments may not:
 - 13.6.1. Vote, propose resolutions or nominate trustees at any general meeting of the ECHOA members.
 - 13.6.2. Serve as an ECHOA trustee.
 - 13.6.3. Make use of ECHOA sport and recreational facilities.

14. LEVY CLEARANCE CERTIFICATES AND OCCUPATION/AESTHETICAL CERTIFICATES

- 14.1. An occupation/ aesthetical certificate allowing a member to take occupation of a newly built and completed house or unit will not be issued if that member's levy account is in arrears.
- 14.2. Where a member's property is sold or ownership, or an interest therein, is otherwise transferred, the member is required to ensure that the sale agreement or other instrument by which ownership is transferred specifies that the transfer of ownership will be made subject to a written certificate being obtained from the (ECHOA) that, as at the date of registration of transfer, all monies due to the ECHOA in respect of the property being sold have been paid or that provision has been made to the satisfaction of the ECHOA for the payment thereof.
- 14.3. The issue of a Clearance Certificate is also subject to a pre-sale inspection of the property by the ECHOA to ensure it complies with all provisions of the Constitution and Rules and Regulations.

15. CONDUCT IN GENERAL

- 15.1. Respect and general consideration by all members for all other members should be exercised at all times.
- 15.2. Unacceptable behaviour of any nature, such as drunkenness or foul language in public areas, vandalism, etc., which undermines the desired high quality of an Earls Court lifestyle will not be tolerated. In extreme cases further action may be taken by the ECHOA to prevent a recurrence.
- 15.3. The volume of music and noise emanating from, musical instruments, partying, social events and general domestic activities of members must at all times be kept at a level which does not create a nuisance or disturbance to neighbours, in particular at the following times:
 - 15.3.1. Monday to Saturday between 22h00 and 07h00 the next morning.
 - 15.3.2. Sunday no loud noise is permitted
- 15.4. The number of vehicles and guests on any property at any one time are limited to 10 vehicles (ten) and or 30 guests (thirty), unless prior consent for relaxation thereof has been granted. Overflow parking is available in the Clubhouse precinct
- 15.5. Members must ensure that their employees, contractors, service providers, etc., do not loiter anywhere in Earls Court.
- 15.6. Electric power tools, lawnmowers, edge-trimmers or similar items may be used only between 07h00 and 17h00 Mondays to Fridays, 08h00 to 13h00 Saturdays and national public holidays and not at all on Sundays.
- 15.7. Noise emanating from building and maintenance activities is limited to the hours stipulated in the applicable conduct agreement.
- 15.8. The ECHOA employees or the ECHOA contractor and service provider employees may not be asked to undertake any private task by a member during their working hours.
- 15.9. No fireworks or any similar types of explosives are allowed to be discharged in Earls Court under any circumstances.
- 15.10. The use of radio controlled cars, aircraft and drones is prohibited. They are considered a potential nuisance and/or danger to other residents and, in the case of the latter, a risk of invasion of privacy.
- 15.11. Steps will be taken by the ECHOA against members or other persons found to be using potentially dangerous weapons such as firearms, catapults, bows and arrows, crossbows and also lasers (especially when beamed at aircraft).

- 15.12. No advertising boards, including those promoting show houses, businesses, religions etc., are permitted to be fixed against, or on top of, or displayed over, a perimeter wall or fence. "Sold" sign boards may not be displayed outside properties.
- 15.13. The door-to-door or Gate House distribution of leaflets, brochures or any other marketing material is prohibited in Earls Court; as is the collection of donations for charities or any other causes.
- 15.14. Garage sales, jumble sales, roadside stalls selling refreshments or other articles, etc., are not permitted in Earls Court.
- 15.15. Washing should not be hung out where it is visible from the road or neighbouring properties. Wash lines shall be suitably screened from view.

16. FAILURE TO COMPLY WITH THE RULES AND REGULATIONS:

Failure by a member to comply with any provision of any of the Rules and Regulations may result in:

- 16.1. A request for an explanation and/or apology and/or
- 16.2. A reprimand and a request to comply and/or
- 16.3. A referral to a dispute resolution committee which can comprise trustees and/or other members and/or
- 16.4. The imposition of a penalty as described in clause 17 and/or
- 16.5. An application to the Courts for the enforcement of the rule(s).

The actions to be taken and the penalties imposed for breaches or contraventions of the rules and regulations shall be entirely at the discretion of the trustees (except as otherwise provided for in clause 17). The trustees will take due regard of the nature, circumstance and severity of each misdemeanour, breach or non-compliance.

17. PENALTIES:

- 17.1. Any member, and any person(s) he is responsible for, contravening any rule or regulation promulgated by the ECHOA may be liable for a penalty as determined by ECHOA trustees from time to time.
- 17.2. Penalties shall be included as part of, and additional to, the member's levy described in clause 13.
- 17.3. A list of current penalties is available from the ECHOA office and that list will be circulated to members as and when changes are made to it.
- 17.4. Non-receipt by a member of the list of penalties shall not invalidate his liability arising from the imposition by the ECHOA of any penalty included in such list of penalties.
- 17.5. A penalty must be paid within 21 (twenty one) working days of it being issued.
- 17.6. Failure to pay a penalty within the period prescribed will result in interest and other charges as detailed in clause 13.
- 17.7. A member or any other person who is aggrieved by a penalty may lodge a detailed written grievance with the ECHOA within 21 working days of the penalty being issued.
- 17.8. The trustees of the ECHOA will consider the grievance and furnish their decision to the member within a reasonable period of time.
- 17.9. An aggrieved member or other person who is not satisfied with the decision of the trustees shall lodge a written appeal with the trustees within 7 (seven) days of their decision being issued. The decision by the trustees on the appeal shall be regarded as final and the member or other person will be called upon to pay any amount due.

- 17.10. The trustees may appoint security personnel and/or ECHOA representatives to enforce the rules and regulations and to issue penalties where appropriate.
- 17.11. These Rules and Regulations include reference to contractors, service providers and other visitors to Earls Court. The contravention of applicable rules and regulations by those persons will make them also subject to payment of penalties. Where a contractor, service provider or other visitor fails to pay a penalty imposed on them, their registration or accreditation and/or access to Earls Court may be suspended by the ECHOA.

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09 October 2017