



KIDDS BEACH HOMEOWNERS' ASSOCIATION

(INCORPORATED UNDER THE KIDDS BEACH RATEPAYERS AND RESIDENTS'
ASSOCIATION)

Registration No: 248-252NPO

Registered Office: Community Hall, 256 Main Rd, Kidds Beach, 5264

Constitutional Rules, Penalties Schedule, and Notice Templates



RULES OF THE KIDDS BEACH HOMEOWNERS ASSOCIATION

1. Definitions

1.1 “**Act**” means the Non-Profit Organisation Act, 1997, as amended.

1.2 “**Association**” means the Kidds Beach Homeowners Association incorporated under the Kidds Beach Ratepayers and Residents Association NPO.

1.3 “**By-law**” means a by-law promulgated by the Buffalo City Metropolitan Municipality (BCM).

1.4 “**Committee**” means the duly elected Executive Committee Members of the Kidds Beach Ratepayers and Residents Association, NPO.

1.5 “**Common Property**” means all land, facilities, roads, parks, public beach and amenities within the settlement, not owned by individual Members but vested in or managed by the Buffalo City Metropolitan Municipality.

1.6 “**Member**” means the registered owner of an freehold erf or unit who elected to join the Association.

1.7 “**Overseer**” means the person appointed by the Kidds Beach Ratepayers and Residents Association to manage, in conjunction with the BCM Supervisor, the day-to- day upkeep of the common property

1.8 “**Settlement**” means the residential area known as the Kidds Beach Old Village.

1.9 “**Rules**” means these rules as adopted and amended by the Kidds Beach Ratepayers and Residents Association NPO from time to time.

2. Objective Statement

The objectives of the Rules are to-

- formalize arrangements ensuring a harmonious, enjoyable and safe living space for the residents of the Old Village;
- ensure good governance practices as required by the Act; and
- ensure alignment with BCM By-laws.

3. Membership

3.1 Membership of the Association comprises of freehold property owners of the settlement who elected to join the Association.

3.2 Members are not permitted to cancel their membership of the Association except where the title deed is transferred to another person or entity.



3.3 Membership automatically transfers upon transfer of ownership of an Erf or Unit.

3.4 Members shall comply with these Rules and ensure that their tenants, guests, contractors, and invitees also comply.

4. Levies and Contributions

4.1 The Committee shall, from time to time, determine levies payable by Members.

4.2 Levies shall be payable monthly or annually in advance.

4.3 Interest at prime plus 2% shall accrue on overdue levies.

4.4 The Association shall have the right to recover unpaid levies as a debt in any competent court.

5. Use of Property

5.1 Erven and Units shall be used solely for residential or duly authorized business purposes.

5.2 No illegal or offensive activity shall be conducted.

5.3 Properties must be maintained a manner consistent with the aesthetic, environmental and architectural standards of the Old Village.

5.4 Property Owners of undeveloped erven shall ensure that the property is not posing a fire risk for adjacent properties, vegetation growth is maintained quarterly, prevent rubbish dumping and occupation by vagrants.

5.5 Property Owners must ensure compliance with BCM building regulations and authorization processes.

5.6 Property Owners may not obstruct the flow of storm water or divert it in such a way causing damage to infrastructure on adjacent properties.

5.7 In instances where property owners of undeveloped erven fail to maintain the property as in 5.4 above, the Association, after a notice has been served by BCM and the Association to correct the situation and it is ignored, implement, may at the cost of the property owner, corrective measures.

5.8 Property owners planning events such as parties or family gatherings that may inconvenience others, must notify property owners and residents of nearby properties in advance and within reasonable limits refrain from inconveniencing others.

5.9 Slaughtering of animals on private properties and the Common Property may only be done in accordance with the relevant BCM By-Laws.



6. Common Property Management and Upkeep

6.1 Jointly managed by the Buffalo Metropolitan Municipality and the Kidds Beach Ratepayers and Residents Association NPO for the benefit of all Members and the general public.

6.2 Members shall not obstruct or damage Common Property infrastructure.

6.3 Recreational facilities and events may be regulated by the Committee.

7. Security

7.1 All security measures and procedures implemented by the Kidds Beach Ratepayers and Residents Association NPO shall be binding.

7.2 Members shall ensure that tenants, guests, and contractors comply.

8. Vehicles, Parking, Traffic, Public Roads

8.1 Speed limits and general traffic rules applicable to public roads shall be observed.

8.2 Vehicles parked on the common property may not obstruct traffic flow.

8.3 No abandoned or unlicensed vehicles are permitted on the common property.

8.4 Members are responsible for the neat upkeep of the road verges bordering properties.

8.4 Damage to the public roads and emerging potholes in the common property should be reported to the Overseer.

8.5 Members shall ensure that the use of heavy vehicles or equipment shall not cause damage to public roads in the common area.

9. Pets

9.1 Pets shall not cause a nuisance or foul the Common Property.

9.2 Dogs must not roam the Common Property freely and must be on a leash for walks on the Common Property.

10. Noise and Nuisance

10.1 Members shall not cause disturbances, and loud music is prohibited after midnight.

10.2 Setting off fireworks or any similar device on private properties and the Common Property is prohibited.

10.3 Construction work is permitted during the period 6h00 to 18h00 Monday to Saturday.

10.4 The Committee may impose penalties to abate nuisances.



11. Waste Management

11.1 Household refuse shall be placed out **only** on the mornings of the BCM collection roster.

11.2 Members must ensure that refuse bags are well secured, not torn and not causing spillage on the road verges, in the event of same occurring immediately tidy up the area.

11.3 Members are not allowed to put out items such as redundant computer equipment, furniture, etc. for collection by the BCM refuse collection service.

11.4 Garden refuse may not be put out on the road verges and must be disposed of at the BCM Garden Refuse Transition Depot.

11.5 Building rubble may only be put out on the road verges if it is dumped into a waste skip.

11.6 Keeping building material such as brick, sand and stone, etc. on road verges is only permitted during the period of construction but it may not interfere with vehicular or pedestrian traffic.

11.6 No dumping or littering is permitted.

12. Enforcement and Penalties

12.1 The Committee may impose fines or sanctions for the transgression of the rules.

12.2 Written notice of contravention shall be given.

12.3 Penalties shall be added to levy accounts.

13. Dispute Resolution

13.1 Disputes shall first be referred for internal resolution by the Committee.

13.2 If unresolved, disputes shall be referred to arbitration.

13.3 The arbitrator's decision shall be final and binding.

14. Amendment of Rules

14.1 Rules may be amended by special resolution at a General Meeting.

14.2 Notice of proposed amendments must be given 21 days prior.

15. General

15.1 The Association shall not be liable for loss or injury save where caused by its gross negligence.

15.2 Members shall indemnify the Association against claims arising from their conduct.

15.3 These Rules are binding on all Members and occupiers.



15.4 Transgression of the rules should be reported to the Overseer or the Committee Member responsible for the Association.

Adopted at the Annual General Meeting of the Kidds Beach Ratepayers and Residents Association held at Kidds Beach on this ____ day of November 2025.



ANNEXURE A: PENALTIES SCHEDULE

(to the Rules of the Kidds Beach Homeowners Association)

1. General Principles

- 1.1 This Schedule forms part of the Rules.
- 1.2 Penalties are recoverable as levies.
- 1.3 Repeat offences may attract higher penalties.
- 1.4 Legal proceedings may be instituted where necessary.

2. Categories of Offences and Penalties

- Non-Payment of Levies: Interest at prime + 2% and R500 administration fee per month.
- Damage to Common Property: Repair cost + R1,000 administration fee.
- Pet Violations: R500 – R1,500 per incident.
- Noise and Nuisance: R1,500 – R2,500.
- Waste Management Violations: R500 – R2,000 plus removal costs.

3. Repeat Offences

- Second offence: double fine.
- Third offence: triple fine and possible suspension of privileges.

4. Appeals

Members may appeal within 14 days in writing. The Committee's decision is final.

5. Amendments

The Schedule may be amended by Committee resolution, subject to ratification at the next General Meeting.



CONTRAVENTION NOTICE TEMPLATE

To: [Member's Full Name]

Erf/Unit Number: [●]

Property Address: [●]

Date: [●]

Reference Number: [●]

1. Nature of Contravention

- Rule Contravened: [Specify rule]
- Description of Incident: [Details]
- Location: [Where it occurred]
- Date/Time: [Insert date and time]

2. Required Corrective Action

[Insert details of warning and/or corrective action required]

Compliance date [Insert date]

3. Right of Appeal

Members may lodge a written appeal within 14 days to the Committee. The Committee's decision is final.

5. Acknowledgement of Compliance Notice

I, [Full Name], owner of Erf/Unit [●], acknowledge receipt of this Notice.

Signature: _____

Date: _____

Issued by Order of the Committee

For and on behalf of the Kidds Beach Homeowners Association

[Name & Surname]

Committee Member



PENALTY NOTICE TEMPLATE

To: [Member's Full Name]

Erf/Unit Number: [●]

Property Address: [●]

Date: [●]

Reference Number: [●]

1. Background

[Insert statement on failure to comply with Compliance Notice]

2. Applicable Penalty

- Penalty Imposed: R[●]
- Additional Charges: R[●]
- Total Amount Payable: R[●]

Debited to levy account; interest applies to overdue amounts.

3. Right of Appeal

Members may lodge a written appeal within 14 days to the Committee. The Committee's decision is final.

4. Further Action

Failure to comply may result in:

- Additional fines;
- Suspension of privileges;
- Legal enforcement at Member's cost.

5. Acknowledgement of Penalty Notice

I, [Full Name], owner of Erf/Unit [●], acknowledge receipt of this Notice.

Signature: _____

Date: _____

Issued by Order of the Committee

For and on behalf of the Kidds Beach Homeowners Association