



BIRNAMWOOD ECO VILLAGE

**RULES & REGULATIONS OF
BIRNAMWOOD ECO VILLAGE (B.W.E.V.)**



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Purpose. These Rules are adopted by the Property Owners Association (P.O.A.) to ensure orderly development and use of properties within B.W.E.V., to safeguard value, promote attractive improvements, protect health, safety and welfare, and support a harmonious eco-conscious lifestyle.

Legal force. These Rules are binding on all owners, residents, tenants, contractors, invitees and visitors. They must be read with (i) the P.O.A. Constitution, (ii) the Design & Building Manual, and (iii) the Builders' Code of Conduct. Where there is a conflict, the Constitution prevails.

1. DEFINITIONS & APPLICATION

- 1.1 Estate means the Birnamwood Eco Village (B.W.E.V.).
- 1.2 P.O.A. means the Birnamwood Eco Village Property Owners Association.
- 1.3 Member means a registered owner of an erf within B.W.E.V.
- 1.4 Common Areas means roads, parks, sidewalks, security infrastructure and other association-managed areas.
- 1.5 Design & Building Manual means the architectural guidelines adopted by the P.O.A.
- 1.6 Trustees means the trustees/executive committee of the P.O.A.
- 1.7 Resident includes any person lawfully occupying an erf.
- 1.8 Entry to the Estate is at own risk. The P.O.A. may amend these Rules by resolution of the Trustees, subject to publication to Members.
- 1.9 Owners are responsible for ensuring compliance by their households, tenants, employees, contractors, invitees and visitors.

2. STREETS, ROADS & PARKING

- 2.1 Children should preferably use parks and play areas; street play is permitted at own risk and subject to courtesy and noise control.
- 2.2 Ball games are not permitted in Common Areas where they pose a nuisance or safety risk. Skateboards/roller devices may be used on side streets with parental supervision.
- 2.3 The speed limit on Estate roads is 40 km/h (and 20 km/h near parks/play areas).
- 2.4 Only licensed drivers may operate motor vehicles on Estate roads. Quad bikes, go-karts and unlicensed off-road motorcycles may not be driven on Estate roads.
- 2.5 Pedestrians, cyclists, animals and wildlife have right of way. Drivers must stop where necessary.
- 2.6 No parking on lawns, sidewalks or other Common Areas. Vehicles may not be stored on roads or in front of garages for more than 7 consecutive days.
- 2.7 Caravans/boats/trailers may not be kept on roads or unscreened on erven. Screening/garaging requires prior written approval from the Architectural Review Committee (ARC).

3. REFUSE & LITTER

- 3.1 Household refuse must be placed in sealed black bags/bins for collection on the designated day.
- 3.2 No dumping of rubble, garden waste or refuse in streets, sidewalks, vacant land or Common Areas. Members must arrange private removal of building rubble and garden waste.
- 3.3 Littering anywhere in the Estate is prohibited.

4. ANIMALS

- 4.1 A maximum of two domestic pets per erf (two dogs, or two cats, or one of each). Small caged pets and fish are permitted indoors.
 - 4.2 Pets must be contained within erf boundaries. The P.O.A. may require compliant enclosures per the Design & Building Manual.
 - 4.3 Pets must be on a leash in Common Areas. Owners must pick up and properly dispose of pet waste immediately.
 - 4.4 All pets must wear identification tags with owner name and phone number.
 - 4.5 Keeping pets is subject to prior written approval by the P.O.A. which may be withdrawn for nuisance or non-compliance after fair process.
 - 4.6 The P.O.A. may remove stray/unaccompanied animals at the owner's cost.
 - 4.7 Breed restrictions. For safety, certain power breeds are prohibited in terms of applicable by-laws and P.O.A. policy (including pitbull-type dogs).
 - 4.8 No poultry, pigeons, aviaries, livestock or wild animals may be kept.
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5. ACCESS CONTROL, TRAFFIC & CONTRACTORS

- 5.1 Entry/exit only via official gates. Non-members must register and agree to comply with these Rules.
 - 5.2 Access devices may not be transferred to persons other than household members/authorised users.
 - 5.3 Contractor and delivery hours (unless otherwise approved in writing): Mon–Fri 07:00–18:00; Sat 07:00–15:00; no Sundays or public holidays.
 - 5.4 No helicopters or aerial landings without written P.O.A. consent.
 - 5.5 The P.O.A. may adopt additional traffic directives from time to time.
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6. OPEN SPACE & ENVIRONMENTAL MANAGEMENT

- 6.1 The P.O.A. manages Common Areas per the Environmental Management Plan and Design & Building Manual.
 - 6.2 Members must not detract from the amenity of Common Areas or unreasonably interfere with others' use/enjoyment. Playgrounds are used at own risk.
 - 6.3 No camping. Picnics only in designated spots; leave areas clean.
 - 6.4 Fires only in designated braai facilities or approved fireplaces.
 - 6.5 The P.O.A. may temporarily restrict access to protect flora/fauna or for safety/maintenance.
 - 6.6 Only maintenance vehicles may drive on parks/green belts.
 - 6.7 Members must keep dwelling exteriors and erven neat and in good repair. On notice, the P.O.A. may require remedial work within reasonable timelines; failing which, enforcement may follow under clause 10.
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7. SELLING & LETTING OF HOUSES

- 7.1 Registered estate agents may operate by appointment and must comply with P.O.A. protocols.
- 7.2 Showhouses require prior P.O.A. consent; only temporary signage may be erected for the show period. No permanent “for sale/let/sold” boards.
- 7.3 Tenants must register with the Estate office within one working day of arrival and sign an acknowledgment of the Constitution and these Rules.
- 7.4 Owners/agents must provide tenants with the Constitution and these Rules. Owners remain liable for tenant breaches.
- 7.5 Transfer clearance: prior to transfer the P.O.A. must certify that levies/fines are settled and, to its knowledge, no unresolved breaches exist.

8. GENERAL CONDUCT & NOISE

- 8.1 Laundry must be screened from public view; no hanging over balconies/boundary walls.
 - 8.2 No unauthorised persons on active building sites.
 - 8.3 Excessive noise, nuisance or disturbance is prohibited. In particular:
 - a) Vehicles, especially motorcycles, must be adequately silenced.
 - b) Garden equipment/leaf blowers should be used during reasonable hours only; prohibited on Sundays and public holidays except for emergencies.
 - c) Building work hours per the Builders' Code unless otherwise approved in writing.
 - d) Quiet hours: 22:00–06:30 (occasional functions allowed until 24:00 with neighbourly notice).
 - e) Loud in-vehicle music is not permitted on Estate roads.
 - 8.4 Occupancy guideline: maximum two persons per bedroom to preserve residential character.
 - 8.5 Complaints: written, signed complaints will be investigated; the P.O.A. may also act on credible reports from other sources.
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9. HOME-BASED & COMMERCIAL ACTIVITY

- 9.1 The P.O.A. may regulate commercial activity in B.W.E.V.
 - 9.2 No municipal trading licence, consent use or relaxation may be sought without prior P.O.A. approval and compliance with zoning/by-laws.
 - 9.3 No external advertising boards; only the standard builder's board during construction as per the Design & Building Manual.
 - 9.4 Door-to-door canvassing is prohibited.
 - 9.5 Use of any P.O.A. mailing/contact list for commercial purposes is prohibited.
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10. ENFORCEMENT, FINES & COST RECOVERY

- 10.1 Any contravention of the Constitution, these Rules or conditions imposed under them constitutes a breach.
 - 10.2 After fair notice and opportunity to respond, the P.O.A. may impose fines/penalties, suspend services/privileges, and recover costs for remedial action.
 - 10.3 Continuing offences constitute a separate breach every 7 days (or part thereof).
 - 10.4 Owners are liable for breaches by their households, tenants, employees, invitees and contractors. The P.O.A. may bar offenders' access in serious/repeat cases.
 - 10.5 Fines and cost recoveries are debts due and payable on demand.
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11. SECURITY

- 11.1 Security personnel may not be abused or obstructed.
- 11.2 Gate protocols must be observed. Only authorised staff may access the gatehouse/security systems.
- 11.3 ID/permit systems for workers and contractors must be enforced by owners.
- 11.4 Members must brief visitors to comply with security protocols.
- 11.5 Security incidents (fence breaches/suspicious activity) must be reported immediately to the Estate office/security.
- 11.6 No resident may issue operational instructions to security or maintenance staff.
- 11.7 Access devices may only be used by registered users; loss/theft must be reported immediately.
- 11.8 Security operates 24/7 with regular patrols.
- 11.9 The P.O.A. may conduct reasonable searches/checks at entrances for safety.

12. FIREWORKS & FIREARMS

- 12.1 Fireworks are prohibited within B.W.E.V.; municipal by-laws apply and offenders may face criminal charges.
 - 12.2 Discharging firearms is prohibited except in lawful self-defence. Unlawful discharge may result in criminal charges and internal sanctions.
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13. ARCHITECTURE, MAINTENANCE & AESTHETICS

- 13.1 Members must maintain buildings (interior and exterior) and erven in a clean, neat and safe condition.
 - 13.2 Boundary walls, fences, screens and external equipment require ARC approval per the Design & Building Manual.
 - 13.3 Damage to Common Areas (roads, lighting, meters, signage, landscaping, etc.) caused by a Member/contractor must be repaired at that Member's cost; failing which, the P.O.A. may repair and recover costs.
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14. MUNICIPAL & ESTATE SERVICES; LEVIES & RECOVERIES

Levies

- 14.1 Levies are recoverable per the Constitution and approved budgets. Non-payment may attract interest, service suspension and legal recovery.

Electricity

- 14.2 Electricity is bulk-supplied; deposits/connection charges may be required upfront per P.O.A. schedule.
- 14.3 Members must maintain an electricity deposit equal to two months' anticipated usage when called upon in writing by the Trustees.
- 14.4 Monthly accounts, based on metered consumption and applicable KVA/charges, are issued by the 7th and payable by the 15th; non-payment by month-end may result in disconnection and legal recovery on an attorney-and-own-client basis.

Water

- 14.5 Members must maintain a water deposit equal to two months' anticipated usage when called upon.
- 14.6 Water accounts are issued by the 7th and payable by the 15th; persistent arrears may lead to restriction/disconnection and legal recovery.

Other Services

- 14.7 Any municipal service billed to the P.O.A. for the benefit of a Member will be on-billed to that Member on an as-used basis, with recovery terms aligned to electricity/water recoveries.

Refuse

- 14.8 Unless otherwise notified, refuse collection is the responsibility of Members; private arrangements are to be made at their cost.

15. INDEMNITY

- 15.1 The P.O.A., its Trustees, employees and agents are not liable for loss, damage, injury or death suffered by any person in the Estate, except where caused by gross negligence or wilful misconduct of the P.O.A.
- 15.2 Entry to and use of dams, parks and amenities is at own risk.
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16. ACCESS, IDENTIFICATION & SEARCHES

- 16.1 At the Member's cost, an Estate map may be displayed at entrances for orientation.
- 16.2 The P.O.A. may require personal/guest access cards or digital registration; access may be refused where protocols are not met.
- 16.3 For safety and loss-prevention, reasonable vehicle/bag checks may be conducted at gates in accordance with law and privacy standards.
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17. RECORDAL & AVAILABILITY OF RULES

- 17.1 A signed copy of these Rules and amendments will be filed at the P.O.A. registered office and with the auditors for inspection.
- 17.2 Members must provide a copy to tenants and ensure their compliance.
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18. DISPUTES

- 18.1 Neighbours should attempt amicable resolution first. Failing this, refer the matter to the Trustees for determination under these Rules and the Constitution.
- 18.2 The Trustees' interpretation of these Rules is authoritative, subject to appeal as provided in the Constitution.
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19. COMMENCEMENT & AMENDMENT

- 19.1 These Rules take effect on the date adopted by the Trustees and remain in force until amended or repealed by the P.O.A. per the Constitution.
- 19.2 Amendments require Trustee resolution and circulation to Members.
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APPENDIX A — OPERATIONAL PROTOCOLS (SUMMARY)

- Contractor hours and protocols (clause 5.3).
- Speed limits and parking restrictions (clauses 2.3 and 2.6).
- Pet registrations and prohibited breeds (clause 4.7).
- Refuse and rubble handling (clauses 3.1–3.3; 14.8).
- Utility deposits, billing cycles and enforcement (clauses 14.2–14.7).



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