

OUBAAI HOME OWNERS ASSOCIATION ANNUAL GENERAL MEETING 2024
PROPOSED CHANGES TO ESTATE RULES

Proposed Amendments

Definitions

- i. Nuisance: For any claim to qualify as a nuisance under the law, the objectionable actions must be unreasonable according to normal social standards and also interfere with complainant's lawful use and enjoyment of her or his property over some time.

To

- i. Nuisance: **as defined in the Constitution.**
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- k. *Resident*: Any person permanently or temporarily living or staying within the Estate, including any Member, tenant, guest, or visitor

To

- k. *Resident*: **as defined in the Constitution.**
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- o. **Vehicle**: Any form of conveyance, whether self-propelled, or drawn by machine, animal, human agency or any other means

To

- o. **Vehicle**: **as defined in the Constitution.**
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1.3 In the event of a continuing offence, any person subject to these Rules who contravenes or fails to comply with any of their provisions, or any condition or direction given in terms thereof, shall be deemed to be guilty of a separate offence. ~~For every 24 hours or part thereof during which such offence continues and shall be liable in respect of each such separate offence.~~

To

1.3 In the event of a continuing offence, any person subject to these Rules who contravenes or fails to comply with any of their provisions or any condition or direction given in terms thereof shall be deemed guilty of a separate offence.

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2.5 In the case of tenants, the tenants shall be obliged to register at the offices of the Association within 1 (one) day of arrival; provide a photocopy of their ID / Passport for security reasons; and to sign a declaration that they (including the Tenant's family, visitors, contractors and employees) are acquainted with the Rules and Constitution of the Association and agree to abide by them.

To

In the case of **long-term** tenants, the tenants shall be obliged to register at the offices of the Association within 1 (one) day of arrival, provide a photocopy of their ID / Passport for security reasons, and sign a declaration that they (including the Tenant's family, visitors, contractors and employees) are acquainted with the Rules and Constitution of the Association and agree to abide by them.

2.6 Where tenants or guests continuously breach the Rules, the Member shall be held responsible and shall be fined on an escalating basis until the Member complies with the Rules. This clause shall be written into the lease agreement.

To

2.6 Where **residents**, tenants or guests continuously breach the Rules, the Member shall be held responsible and shall be fined on an escalating basis until the Member complies with the Rules. This clause shall be written into the **short or long-term** lease or **rental** agreements.

5.6 All Members must request visitors to adhere to a security protocol, and ~~Members are always required to~~ treat the security personnel ~~in a cooperative manner.~~

To

5.6 All members must request that visitors **and residents** adhere to a security protocol and always treat security personnel **cooperatively**.

6.6 No property may be let or utilised for the purpose of a commune.

To

6.6 No property may be let or utilised for ~~the purpose of~~ a commune **or modified to serve as a multiple residence.**

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7.18 No business shall be conducted from a Residential Erf without the prior written consent of the Association. All Members and tenants wishing to conduct businesses from home shall complete the standard Association form for such approval. Such business operations shall adhere to the criteria and conditions as specified by the Association and to local Municipal by-laws and regulations.

7.18 No business, **including BnBs and Air BnBs, shall be conducted by a residential erf without the prior written consent of the Association.** All Members and tenants wishing to conduct **business** from home shall complete the standard Association form for such approval. Such business operations shall adhere to the Association's **criteria and conditions and** local municipal by-laws and regulations.

7.21 No business signage may be displayed whatsoever. If the display of an advertising board in respect of commercial activity is required by statute or any professional body, then such display shall only be done after written approval has been obtained from the Association.

To

7.21 No business signage may be displayed whatsoever **other than the Association, Hotel and Golf Club.** Suppose the display of an advertising board with respect to commercial activity is required by statute or any professional body. In that case, such display shall only be done after written approval has been obtained from the Association. **The Association may use electronic display boards with sponsored logos to inform residents about upcoming activities.**

7.30 No boreholes or well points may be drilled on any erf.

To

7.30 No boreholes or well points may be drilled on any erf **without an environmental and water analysis impact study and the written permission of the Association.**

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9.1 Any business activity or hobby that shall cause aggravation or nuisance to fellow **Members** shall not be conducted on any property. This includes auctions, jumble sales and garage sales.

To

9.1 Any business activity or hobby that shall cause aggravation or nuisance to fellow **residents** shall not be conducted on any property. This includes auctions, jumble sales and garage sales.

~~9.9 Should any Member wish to install an electricity generator on their erf/unit, it will be subject to the following provisions:~~

~~It must be quiet~~

~~It must not impact on the surrounding neighbours~~

~~No noise is permitted after 22h00 and before 06h00~~

To

9.9 Generators are prohibited within the Estate or village units. Instead, residents must use silent power sources, such as inverters and batteries. It's important to note that this rule does not apply to the hotel or critical services of the Association on the Estate.

11.9 Only battery-powered carts are allowed. The colour can only be, EzGo: Ivory (White), Club Car: Caregeme or Yamaha: Ivory (White), Sandstone Gold, Beige (light). Roofs can be white, black or the same colour as the cart.

To

11.9 Only battery-powered carts are allowed. The colour can only be, EzGo: Ivory (White), Club Car: Caregeme or Yamaha: Ivory (White), Sandstone Gold, Beige (light). Roofs can be white, black or the same colour as the cart. **Excluded from the rule are the Green Keeper and Golf Course maintenance vehicles.**
