



ERINVALE® COUNTRY ESTATE HOMEOWNERS' ASSOCIATION

Unit 6005, Erinvale Estate, Somerset West, 7130, South Africa

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E-Mail: info@erinvalehoa.co.za

Date _____

Address:

xxx

xxx

Dear Mr/Mrs _____

Re: Notice: Speed Violation - Warning and/or Fine

We hereby wish to inform you that a vehicle registered in your/family member’s/visitor’s name, has been captured on the calibrated speed device on the Estate, violating the approved Erinvale Estate speed limits.

Should this be your first violation, a verbal warning will be issued, and we would like to take this opportunity to appeal to you, in the interest of congenial living on Erinvale Estate, to adhere to our speed limit which is 40km/h on Erinvale Avenue and 25km/h on all side roads.

Serious infringements as considered by your Trustees, may result in immediate fines.

A history of previous violations and fines imposed, the Fine Schedule (A) and the Imposition of Fines (B) have been attached for your information and reference.

Your compliance in this regard is appreciated.

Yours sincerely

Estate Manager

Erinvale Estate Rules – Speed Violations

A. Violations & Fines:**File Number:** Erf _____**i. History:**

History of current and/or previous violations

<u>Violation No</u>	<u>X</u>	<u>Date & Time</u>	<u>Action</u>	<u>Vehicle Make</u>	<u>Reg Number</u>	<u>Speed</u>	<u>Image X</u>
First Violation			Verbal warning				
Second Violation			Written warning & request for meeting				
Third Violation			Fine				
Speeding in excess of 70km/h			Immediate Fine				

ii. Fines:

The schedule of fines which may be imposed in respect of speeding:

<u>Speed</u>	<u>Fine</u>	<u>Repeat</u>	<u>For Office Use</u>
26 – 40+km/h (Side roads)	R500	R1,000	
41 – 69km/h	R500	R1,000	
70 km/h and above – Immediate Fine	R1,000	R2,500	

B. Imposition of Speeding Fines

This annexure provides information in terms of the Imposition of Fines as described in the Erinvale Estate Rules, Addendum 'A' – The Process.

By signing Schedule "A" when purchasing a property on Erinvale Estate, the Member has agreed to be subject to all the obligations of membership of the HOA in terms of its Constitution. As per Clause 3.6.6 of the Constitution, the Member shall be obliged to inform the members of their households, their guests, employees, invitees and/or tenants, in addition to the member, for any breach. The member shall be responsible and liable for the acts and omissions of their guests, employees and/or tenants and indemnifies the Association accordingly.

The Process

The member concerned will be notified in writing:

- *Date & time;*
- *Speed captured including an image;*
- *Violation history;*
- *The warning or fine, whichever the case may be, imposed by the Association;*
- *Any additional information the Association may consider applicable.*

In light of the serious nature of excessive speeding on the Estate, any speed captured in excess of 70 km/h will result in an immediate fine of R1,000. Any further breach by the same member/driver will incur fines up to a maximum of R2,500 per breach.

A member may dispute the breach and/or amount of the fine imposed and has the right to have the issue adjudicated in accordance with Clause 7.3 in the Constitution. Should a member exercise this right, written notice thereof must be given to the Estate Manager within 14 days of the date of the delivery of the breach notice. Failure to do so will be interpreted as an acceptance of the breach and fine, as may be applicable, and such fine is due and payable in accordance with regulations.

A Resolution was proposed in respect of the above Notice and Imposition of Speeding Fines and adopted at the Trustee Meeting of 30th April 2024.