



FRANSCHÉ HOEK

AGRICULTURAL ESTATE

Traffic and Road safety policy

1. Introduction

The roads on the Estate are rather narrow and tend to meander in tight curves. Beautiful fynbos has been cultivated along the sides of the road leaving little or no shoulder in most places. As the population living on the estate increases it is expected that traffic will increase significantly. This coupled with increased contractor activity as more homes are built is sure to result in severe congestion at times and increased risks of accidents. More importantly part of the attraction of living on the estate is the fact that our children should be free to play and cycle along the roads and open common areas adjoining the roads whilst residents should also enjoy the freedom of taking leisurely walks along our roads without the fear of being run over.

In addition, the estate is home to a large number of birds, mammals, reptiles and animals who also need to cross our roads without being killed in the process. We believe that right of way should be allocated to the following categories of inhabitants on the estate in order of importance as follows:

- 1st Children, pedestrians and animals
- 2nd Cyclists
- 3rd Vehicles and motorbikes
- Contractor vehicles

In the past there have been a number of near misses and at least one accident involving two vehicles. The time has therefore arrived for a more structured approach to be taken with respect to enforcing the road rules on the Estate.

2. Enforcement

Effective enforcement can only be achieved if it is backed up with the ability to detect violations and to penalise such violations. Accordingly, the Board has resolved that executive management must be placed in a position where they can achieve proper enforcement. For this purpose, the board has authorised the acquisition and use of equipment capable of detecting moving violations which is deemed to present the greatest risk to the safety of inhabitants and visitors to the estate. Equipment will include speed measuring devices, cameras and breathalyser testing equipment. The breathalyser testing equipment may be used where drunk driving is suspected, or where reckless/dangerous driving is observed/reported, or where an accident has occurred.

Regulations and alcohol limits which conform to the national road regulations will be enforced and will include speed control, adhering to traffic signs including stop and yield signs, driving under the influence, driving without a valid licence etc.

Relevant estate management and other personnel will be trained in the proper use of the equipment and will be authorised by the Board to utilise such equipment and to issue contravention notices and fines.

3. Penalties

The board will also maintain a system of penalties which will be mainly in the form of monetary fines which will carry the same obligations for payment by members as does any other levy/penalty raised by the board. The attached schedule indicates the violations and applicable penalties which will apply. These will be updated and adjusted from time to time as appropriate. Visitors, employees and contractors failing a breathalyser test at the estate entrance will be refused entry to the estate.

Once an offender has been served with a contravention notice, which can be either in person, but must be in written format on the spot or within one week from date of such contravention if such written notice is accompanied by the relevant evidence such as a photograph of the contravention. Fines will be added to the responsible members levy account for payment at the next month ends. Failure to pay will simply result in the amount being carried forward and attracting interest as per outstanding levy payments. No clearance certificates will be issued until such outstanding amounts have been settled in full.

In the case of contractors or delivery contractors etc fines which are not paid within 7 days of them having been issued will result in the contractor and his vehicle being refused entry onto the estate until such time as the fine plus outstanding interest is settled. In the case of building contractors and their sub-contractors the owner will be held liable for the payment of the fine in the event that the offender does not pay. In the case of family and employees and visitors to the estate the owner will be responsible for the payment of such fines.

4. Disputes and appeals

Should a member or contractor wish to dispute an offense and resulting fine it must be done in writing within 5 days of receiving a contravention notice and must be based on factual inaccuracies which may have influenced the issuing of a fine. A plea for leniency will not be acceptable.

5. General

This policy is introduced with the specific aim of enforcing safe behaviour on the estate roads. The board is required to review the outcome of its implementation on a quarterly basis and to assess its efficiency and effectiveness. The board may make adjustments accordingly to improve both the effective implementation and the intended outcome. As always in line with the management culture on the estate this policy must be implemented with fairness and transparency and in a manner, which will ensure the desired outcome. Under no circumstances must it be used to victimise members or contractors and members of staff tasked with the implementation of this policy will be closely monitored in this regard. Members and their family and visitors and contractors must treat staff members who

implement this policy with respect and remain courteous at all times. Any abuse of staff members will be viewed in a very serious light and will result in the offender being fined for abuse in terms of the estate rules and potentially also charges being laid by the estate both criminally and commercially.

6. Schedule of Offenses and fines (To be reviewed and adjusted from time to time)

Speeding in excess of speed limit		Other contraventions	
Actual speed	Fine (% of monthly levy)	Offence	Fine (% of monthly levy)
30 to 35 km/h	Warning 0%	Not stopping at a stop sign or driving against one way	10%
35 to 40 km/h	1%	Leaking oil on the roadway	12.5%
40 to 45 km/h	5%	Excessive exhaust fumes	12.5%
45 to 50 km/h	10%	Driving under the influence 1 st offence	20%
50 to 55 km/h	15%	Driving under the influence 2 nd offence	50%
55 to 60 km/h	20%	Driving under the influence 3 rd offence	To be interviewed and determined by the Board
60 km/h +	To be interviewed and determined by the Board	Excessive noise	20 %
Abuse of staff member		Estate rule 13.9 apply and/or criminal charges	