

Diaz Village Home Owners Association

Policy Name: Borehole Water System Fair Use

1. Guidelines

- a. Clear rules, derived from our constitution, that are applied administratively to avoid ad hoc decisions as far as possible.
- b. The application thereof must be equitable and not differentiate between owners and/or tenants.
- c. The policy shall be subject to and compatible with the Diaz Village constitution, municipal by-laws or other statutory legislation.
- d. This policy may be more strict than legislation, but not more lenient.
- e. Clear and unambiguous definitions and rules must be established.

2. Purpose

- a. For control of the distribution and use of borehole water at Diaz Village. Note that, in line with local, national and global initiatives, all water must be considered a scarce and precious resource that should be used sparingly, with care and respect.

3. Definitions

- a. For the application hereof, this policy applies to Diaz Village.
- b. The HOA Management Committee may be referred to as the committee or trustees.
- c. Access to borehole water is regarded as a privilege and shall be shared equally among our residents.
- d. The borehole water system infrastructure is a capital item and HOA asset that is administered by the HOA; the management committee shall keep the system in good working order and running costs such as electricity (3-phase pre-paid), internet data, servicing and maintenance are managed by the committee from the approved budget.
- e. Homeowners will not be levied directly for consumption of borehole water but this does not mean that this water is 'free' as its provision is paid for indirectly from our HOA reserves.
- f. Borehole water is used for the irrigation of our complex common areas.
- g. A single outlet (garden tap) is provided in each land unit for the resident's consumption.
- h. Borehole water distributed within Diaz Village is unfiltered ground water so is clearly defined as **Non Potable Water**
- i. Where a dispute exists then the trustee's interpretation shall take precedence.

4. Rules

- a. Written permission must be obtained from the committee prior to any alteration to the borehole water infrastructure on any land unit.
- b. Borehole water shall be distributed to land units on a rotational basis i.e. 6 hour periods in the mornings and afternoons on successive days. The delivery is not guaranteed but shall be on a 'best endeavor' basis.
- c. Borehole water will not be metered at individual land units so a fair use approach is expected from residents so as to avoid wastage.
- d. Abuse of this fair use approach would be excessive watering, leaving the tap running unnecessarily or sharing with residences outside the boundary of the complex.
- e. Borehole water shall not be given or sold to any person or business outside of the complex.
- f. Residents found contravening these rules will be warned, fined or the water service to their unit may be terminated. This will be after fair consideration by the trustees.

Diaz Village HOA – Document Control:

Borehole Water System Fair Use – initiated mid-2021 by A Jacobs.

This document to be read in conjunction with:

1. The Diaz Village HOA Constitution.
2. The Diaz Village HOA Conduct Rules.