

## **Property Maintenance Responsibility of Home Owner**

**Structures-** *If a complaint is made to the committee or a board member and it is in violation of any of the following, the homeowner will be given 30 days to correct the violation. If correction has not been made by the time allowed, Morningview Homes Association (MHA) may hire an independent contractor to make the correction. The cost involved and/or a fine will be charged to the homeowner. Fines subject to escalate for repeat occurrences.*

1. You must repaint exterior surface and trim when more than twenty-five (25%) percent of the surface of any one area is scaling or peeling including garage and front doors.
2. Glass windowpanes must not have open cracks or holes. Repair methods must be those specifically designed for glass repair. Screens and frames must be kept in good condition.
3. All hard surfaces, concrete and asphalt, must not be deteriorating to the extent it is a safety hazard.
4. Roof, eaves, cornice, and chimneys must be structurally sound, tight and not open to the elements or animals.
5. Fences and gates must be kept in good repair or be replaced.
6. Defective, missing, or broken gutters must be replaced.

**Landscaping-** *If a complaint is made to the committee or a board member and it is in violation of any of the following, the homeowner will be given 10 days to correct the violation. If correction has not been made by the time allowed, MHA may hire an independent contractor to make the correction. The cost involved and/or a fine will be charged to the homeowner. Fines subject to escalate for repeat occurrences.*

1. Dead trees, limbs or any broken limbs, which represent a hazard to the public must be removed immediately. All trees should be pruned.
2. Shrubs and trees on corner properties must be trimmed to eliminate sight-distance traffic problems.
3. Public right away such as streets and sidewalks must remain clear of limbs and branches. The minimum height clearance over sidewalks is eight (8) feet. The minimum height clearance over streets is twelve and one half (12 1/2) feet.
4. Grass and weeds must be kept from exceeding more than ten (10) inches in height or more.
5. Vegetation, which is poisonous to touch, must be controlled.
6. Firewood must be neatly stacked at the rear of the back yard. It must be off the ground and free of insects and rodents.

## **Improvements to Homes or Lots**

Any homeowner that plans on adding an improvement to their home and/or lot, shall 1<sup>st</sup> submit the plans to the Home Maintenance Committee (HMC) for approval.

- ü Normal improvements, such as decks, patios, appropriate size sheds, etc will automatically be approved by the committee over 90% of the time.
- ü Improvements that are beyond reasonable limits or extreme or that may take up more than 25% of the existing lot will require the notification and approval of a majority of surrounding homeowners and HMC.

- ü Radio and TV antennas, conventional mini-satellite dishes must be installed so as not to be detrimental to the aesthetically pleasing Morningview residential living environment.
- ü Improvements that are unreasonable and that could possibly lead to depreciation of surrounding property values will result in an immediate injunction being pursued by MHA. Examples of unreasonable:
  - Room additions that take up excessive amount of original lot size
  - Converting a single family structure to a multi family unit
  - Re-platting lot(s)
  - Oversized storage facilities
  - Tennis, racket ball, basketball courts
  - Any other request that would be interpreted by the committee as harmful to surrounding property values and/or to the greater good of the Morningview neighborhood.

## **Trash and/or Solid Waste Disposal**

Solid waste is trash. Residential solid waste means any unwanted or discarded waste materials in a solid, semi-liquid or liquid state. Solid waste includes, but is not limited to, garbage, ashes, dead animals, yard waste, tree limbs, appliances, etc.

**Containers:** Residential solid waste should be placed in closed trash containers and/or disposable trash bags specifically designed and made for trash storage and collection. The containers and/or trash bags must be leak proof, waterproof and kept closed at all times while being stored. Cardboard boxes and paper sacks are not acceptable trash containers. Food scraps and other household trash that attract animals or rodents must be placed in a covered trash container.

**Time:** Solid waste may be placed in front of your residence or next to the street no more than 24 hours before your scheduled trash pick up. Solid waste placed next to the street, other than the 24 hours before a scheduled pick up, could be subject to immediate removal by the city or MHA and associated costs and/or could be charged to the property owner.

**Location of Storage:** Solid waste containers, empty or full, must be screened from view from the street or any neighboring property and located behind the existing building line or the front of the house. The only exception is when your trash is placed for collection.

### **Miscellaneous:**

- Blowing or scattered trash is the responsibility of individual unit owner or tenant and should be picked up immediately.
- Yard waste should be placed in containers immediately after being gathered. Reported violations will result in a 48 hour deadline to correct the violation. If correction has not been made by the time allowed, Morningview may hire an independent contractor to make the correction. The cost involved and/or a fine will be charged to the homeowner. Fines subject to escalate for repeat occurrences.

## **Vehicles**

**Abandoned Vehicles:** Any vehicle that is parked or stored unattended on the roadway, street or highway for a period of at least 48 hours is considered abandoned. Please alert the Overland Park Police Department of abandoned vehicles at 913/895-6300.

**Where to Park:** Parking is permitted on a paved parking area, in a garage or in a carport. Parking on a patio or any hard surface not connected to the driveway is prohibited. You may not park a vehicle on the

grass or in any area intended for landscaping. This requirement includes the front yard, the side yard, rear yard and the grass area between the street and sidewalk.

The only exception is that recreational vehicles may be stored in the side or rear yard under certain circumstances.

**What type(s) of vehicle(s) can be parked:** It is restricted to passenger cars and vans, pickup trucks or motorcycles (any vehicle primarily designed for the transportation of people). Vehicles parked on the street are regulated by the Overland Park Police Department at 913/895-6300.

Flatbed trucks and pickup trucks with a bed and sidewalls different from the standard pickup bed and sidewalls may be permitted if all of the following can be demonstrated:

1. The length of the vehicle does not exceed 21 feet.
2. The width of the vehicle does not exceed 7 feet.
3. The height does not exceed 8 feet.
4. The top of the highest sidewall is not more than 3 feet above the bed.
5. The truck does not have permanently mounted equipment such as a crane.

Commercial vehicles cannot be stored in a residential area but may be parked in a residential area on one occasion within a 30-day period for no more than 24 hours.

A vehicle is considered a commercial vehicle when it exceeds the above requirements.

### **Storage of recreational vehicles or trailers:**

One recreational vehicle can be stored in either the side yard or the rear yard of your residence. However, it must be located behind the front of the residence (in other words, not in the front yard) and in the case of a corner lot, it cannot be located in the side yard adjacent to a street. As long as it is located at an appropriate place on the property, the recreational vehicle can be parked either on the grass or on a paved surface.

Hauling trailers longer than 8 feet in total length cannot be stored on residential property.

A recreational vehicle may be parked on a paved driveway between the street and a residence on two occurrences during any 30-day period. Each occurrence shall not exceed 48 hours.

## **Pets**

No animals of any kind shall be raised, bred, kept or maintained on any Lot except that dogs, cats and other common household pets may be raised, bred, kept or maintained so long as (a) they are not raised, bred kept or maintained for commercial purposes, (b) they do not constitute a nuisance and (c) the City ordinances and other applicable laws are satisfied. All pets shall be confined to the lot of the owner except when on a leash controlled by a responsible person. Owners shall immediately clean up after their pets on all streets, common areas and lots owned by others.