



OVERNIGHT PARKING OF VEHICLES

The Westwood Hills Amended Declaration of Restrictions restricts overnight parking of vehicles as follows:

(c) Unlicensed or inoperative motor vehicles are prohibited, except in an enclosed garage.

(d) Overnight parking of motor vehicles, boat or other trailers, or similar apparatus of any type or character in public streets, Common Areas or vacant lots is prohibited. Motor vehicles shall be parked overnight in garages or on paved driveways only. Except as provided in subsection (f) below, no vehicle (other than an operable passenger automobile, passenger van or small truck) commercial truck, bus, boat, trailer, camper, mobile home, or similar apparatus shall be left or stored overnight on any Lot, except in an enclosed garage.

(e) Trucks or commercial vehicles with gross vehicle weight of twelve thousand (12,000) pounds or over are prohibited except during such time as such truck is actually being used for the specific purpose for which it is designed.

(f) Recreational motor vehicles of any type or character are prohibited except:

(i) When stored in an enclosed garage;

(ii) Temporary parking for the purpose of loading an unloading (maximum of one overnight every 14 days); or

(iii) With prior written approval of the Homes Association.

Westwood Hills Amended Declaration of Restrictions Section 9(c)-(f).

For purposes of applying and enforcing this language in Section 9 of the Amended Declaration of Restrictions, the following definitions will be used by the Board of Directors:

Passenger automobile: A passenger automobile is a “‘Passenger vehicle’ . . . that is designed primarily to carry 10 or fewer passengers, and is not used as a truck. K.S.A. 8-126(ee); *see also* K.S.A. 8-1445 (defining a passenger vehicle as “every motor vehicle, except motorcycles and motor-driven cycles, designed for carrying ten (10) passengers or less and used for the transportation of persons”); 49 CFR § 523.4 (defining a passenger automobile as “any automobile (other than an automobile capable of off-highway operation) manufactured primarily for use in the transportation of not more than 10 individuals.”).

Passenger van: A passenger van is a passenger vehicle under Kansas law that is designed for carrying 10 or fewer passengers and is not used as a truck; it has the same definition as a passenger automobile (see above). Kansas statute defines "truck" as "a motor vehicle that is used for the transportation or delivery of freight and merchandise or more than 10 passengers." K.S.A. 8-126(oo).

Small truck: A "small truck" is a passenger vehicle under Kansas law that is designed for carrying 10 or fewer passengers, and is not used as a truck as defined by statute. It has the same definition as passenger automobile and passenger van (see above).

Recreational motor vehicle: A vehicle is a "recreational motor vehicle" or "RV" if it meets the terms of K.S.A. 79-5118, and/or if the vehicle is titled as an RV or recreational vehicle in Kansas. K.S.A. 79-5118 provides as follows:

"[R]ecreational vehicle" means a vehicular-type unit built on or for use on a chassis and designed primarily as living quarters for recreational, camping, vacation or travel use and which has its own motive power or is mounted on or drawn by another vehicle, and which has a body width not exceeding 102 inches and a body length not exceeding 45 feet; but such term shall not include a unit which has no electrical system which operates above 12 volts and has no provisions for plumbing, heating and any other component or feature for which a standard is adopted by the uniform standards code for mobile homes and recreational vehicles, K.S.A. 75-1211 through 75-1225, and amendments thereto.

IN WITNESS WHEREOF, the undersigned certify that these Overnight Parking of Vehicles rules and regulations were adopted by the Board of Directors of the Association on this 18th day of July, 2021.

WESTWOOD HOA, INC. a Kansas nonprofit corporation.

By: Ellen Willets

President

ATTEST

By: Melissa Hickam