

BEAVER CREEK RESORT COMPANY OF COLORADO
SEASONAL OUTDOOR LIGHTING AND HOLIDAY DECORATION
REGULATION

Adopted: August 17, 2000
Revised: November 26, 2016

1. Title. This regulation shall be known as the "Seasonal Outdoor Lighting and Holiday Decoration Regulation."

2. Purpose. The purpose of this regulation is to regulate the use of Seasonal Outdoor Lighting and Holiday Decoration (as such terms are defined below) within Beaver Creek to minimize the impacts of the same on Guests and Owners. The Resort Company has the power to amend this Regulation from time to time, without notice.

3. Definitions. Unless otherwise stated, all capitalized terms used herein shall have the meanings given to them in the Amended and Restated General Declaration for Beaver Creek, Eagle County, Colorado, as recorded with the Clerk and Recorder of Eagle County, Colorado, on December 27, 1979, in Book 296, at Page 446, as amended from time to time (the "Declaration") or in the Articles of Incorporation for the Beaver Creek Resort Company. In addition, as used in this regulation, the following terms shall have the following meanings:
 - 3.01 "Seasonal Outdoor Lighting" means any and all lighting that is placed outside of a structure for the purpose of decoration. Seasonal Outdoor Lighting shall not include such permanent outdoor lighting that is subject to Design Review Board approval.

 - 3.02 "Holiday Decoration" means any and all seasonal outdoor decorative items, except for such permanent outdoor decorative items, such as statues, as may be approved by the Design Review Board.

4. Seasonal Outdoor Lighting Restrictions. No Owner shall install, construct, operate or maintain, or allow the installation, construction, operation or maintenance of Seasonal Outdoor Lighting on any Residential Site except in accordance with the following requirements:
 - 4.01 Seasonal Outdoor Lighting may only be installed, constructed, operated or maintained between November 15 of any year and the mountain closing day of the subsequent year. Seasonal Outdoor Lighting of Residential Sites shall be limited to the hours of 5 p.m. to 12 a.m.

 - 4.02 All Seasonal Outdoor Lighting installed, constructed, operated or maintained in accordance with this regulation shall be white solid lights. "White" means the color of light created by LED lights labeled by the manufacturer as "Warm White" with a color temperature rating of 2,700K-3,000K. Colored, intermittent, blinking or chasing lights are prohibited. All Seasonal Outdoor Lighting installed, constructed and operated in accordance with this regulation shall be maintained in

good working order.

- 4.03 All Seasonal Outdoor Lighting installed, constructed, operated or maintained in accordance with this regulation on a Residential Site shall only be placed on trees and shall not be placed on or attached to any structure or part thereof.
5. Holiday Decoration Restrictions. No Owner shall install, construct, operate or maintain, or allow the installation, construction, operation or maintenance of Holiday Decoration on a Residential Site except between November 15 of any year and January 15 of the subsequent year and in accordance with the following requirements:
- 5.01 All Holiday Decoration installed, constructed, operated or maintained in accordance with this regulation shall be constructed primarily of natural materials. Decorative items constructed primarily of artificial materials, including but not limited to plastic wreaths, garland or statuary are prohibited.
- 5.02 Holiday Decorations constructed primarily of natural materials may be placed on and attached to a structure so long as such decorations do not include lights.
- 5.03 All Holiday Decoration installed, constructed and operated in accordance with this regulation shall be maintained in good working order.
6. Enforcement, Violations and Penalties. This regulation may be enforced by the Beaver Creek Resort Company, the Beaver Creek Resort Company Security Department, or the Beaver Creek Design Review Board, or any authorized agent of any of the foregoing. Any Owner that violates any provision of this regulation shall be subject to a fine by the Resort Company, either directly or through the Resort Company Security Department or the Resort Company Design Review Board. Prior to the issuance of any fine, the Owner shall be provided with a written warning that states the regulatory provision that is being violated. Upon the first failure of such person to cease or cure a violation within ten (10) days of a written warning, there may be a fine imposed of up to \$250 for each day during which a violation continues. Upon a second or subsequent violation of the same provision, the Resort Company may impose a fine of up to \$500 for each day during which a violation continues. In addition, upon the third or subsequent violation of the same provision, the Resort Company may seek an injunction to restrain a person from any further violation of said provision, such remedy being in addition to all other remedies available at law, equity or otherwise.

7. Design Review Board Approval Not Required. Notwithstanding any regulation of the Beaver Creek Resort Company or Design Review Board to the contrary, Design Review Board approval of the installation, construction, operation or maintenance of Seasonal Outdoor Lighting or Holiday Decoration is not required, so long as such lighting or decoration is installed, constructed, operated and maintained in strict accordance with this regulation.