

BEAVER CREEK RESORT COMPANY OF COLORADO
PLAZA ACCESS REGULATION

Temporarily Adopted: November 28, 1992

Amended: February 5, 1993

Adopted: April 9, 1993

Amended: March 3, 1998

1. Title. This regulation shall be known as "Plaza Access Regulation".
2. Purpose. The purpose of this regulation is to regulate vehicular access to the Beaver Creek Plaza (a/k/a Beaver Creek Mall) and certain other areas around and about the Plaza in order to protect certain improvements within the Plaza, and to coordinate activities occurring on, about and around the Plaza with building maintenance, remodeling, and/or deliveries in an effort to enhance the overall quality of the experience afforded the visitor to the Beaver Creek Resort.

The Resort Company has the power to amend these rules and regulations from time to time, without notice, to ensure adequate coverage of the topics discussed herein or other topics which may arise through the growth of the area.

3. Definitions. For purposes of this regulation the following definitions shall apply.
 - 3.1 "Plaza" means Lots 9 and 26 along with the Pedestrian/Public Space Easement upon Lots 8, 12, 13, 18, 19, 20, 21 and 25 as shown on the plat of the First Filing, Beaver Creek Subdivision, Block 1, Tract A, Eagle County, Colorado.
 - 3.2 "Summer Season" means that period of the calendar year from the second Saturday in the month of June to Labor Day.
 - 3.3 "Winter Season" means that period of time from Thanksgiving of one calendar year to the close of the Beaver Creek Ski Mountain to the public in the following calendar year.
4. Access Restrictions.
 - 4.1 Emergency vehicles and snow removal equipment shall have access to the Plaza at all times. No other vehicle shall have access to the Plaza without the prior approval of the Resort Company Security Department. Any request for Security Department approval shall state the proposed time(s) and exact location of travel, the gross vehicle weight and the axle weight for each axle of the proposed vehicle. The Security Department shall not approve vehicle access to the Plaza unless the vehicle conforms to the specifications established by paragraph 4.2 below.

- 4.2 All vehicles that may be approved for access to the Plaza shall conform to the following specifications:
- (a) Except for the ice rink "Zamboni," no vehicle in excess of 5000 lbs. gross vehicle weight shall be permitted access to that portion of the Plaza which is paved with snowmelt pavers.
 - (b) No vehicle with an individual wheel load in excess of 1500 lbs. shall be permitted access to that portion of the Plaza which is paved with snowmelt pavers.
 - (c) No vehicle with an individual axle load in excess of 3000 lbs. shall be permitted access to that portion of the Plaza which is paved with snowmelt pavers.
 - (d) No vehicle with non-air filled tires shall be permitted access to that portion of the Plaza which is paved with snowmelt pavers. No vehicle with tires smaller than P235/75 R15, including but not limited to forklifts, shall be permitted access to that portion of the Plaza which is paved with snowmelt pavers.
 - (e) No vehicle shall be driven within a five-foot radius of any manifold box for snowmelt tubing.
 - (f) No vehicle shall turn its tires when the vehicle is not moving and is located on that portion of the Plaza which is paved with snowmelt pavers.
 - (g) No vehicle shall be driven over any area of the Plaza that contains loose pavers.
 - (h) The repeated use of any particular vehicle pathway within the Plaza shall be avoided.
 - (i) No vehicle in excess of 6000 lbs. gross vehicle weight shall be driven within 7 feet of the above ground Park Plaza building wall.
- 4.3 Upon written application to the Resort Company Security Department, vehicular access to the Plaza may be granted, in the Security Department's sole discretion, to vehicles that exceed the limitations provided in paragraph 4.2 above when the proposed vehicle will utilize planking or similar devices to distribute the load of said vehicle. The Security Department shall not approve such access unless it is shown by the applicant, by means and a written report of a licensed physical engineer, that the proposed vehicle access does not present a risk to persons or property within the Plaza, including but not limited to the pavers and the snowmelt paver system within the Plaza.
- 4.4 No vehicle that exceeds the specifications established by this paragraph shall have access to the underground parking structure at Park Plaza or the roof of the Vilar Center for the Performing Arts.

- (a) No vehicle in excess of 26,000 lbs. gross vehicle weight shall have access to the underground parking structure at Park Plaza. No vehicle with an individual axle weight in excess of 20,000 lbs. shall have access to the underground parking structure at Park Plaza.
 - (b) No vehicle in excess of 39,000 lbs. gross vehicle weight (or in excess of an H-2 loading) shall have access to the roof area of the Vilar Center for the Performing Arts. No vehicle with an individual axle weight in excess of 31,000 lbs. shall have access to the roof area of the Vilar Center for the Performing Arts.
- 4.5 Except as may be allowed within the ice rink, no bicycles, rollerblades, skates or skateboards shall be ridden or used within the Plaza. Bicycles and skateboards may be walked or carried within the Plaza
- 4.6 No sculpture, statue, planter, vending cart or any other temporary or permanent structure of any type shall be placed within or upon the Plaza, nor shall any other use be made of the Plaza, other than pedestrian uses, without the express written permission of the Resort Company, the written approval of the Resort Company Security Department as to safety and property maintenance issues, and the written approval of the Resort Company Design Review Board as to design issues. No temporary or permanent structure or use of the Plaza shall be approved by the Security Department unless it meets the following specifications.
- (a) No structure use shall cause a load greater than 250 pounds per square foot to be placed upon the Plaza, which load shall be determined as follows:
 - I. Calculation of the total weight, in pounds, of the sculpture, statue, planter, cart or other temporary or permanent structure or use; and
 - II. Calculation of the total surface area, in square feet, of that point or points at which any sculpture, statue, planter, cart or other temporary or permanent structure contacts the ground (for purposes of this calculation, six (6) inches of area in each direction may be added to the footprint of the base of any sculpture, statue or planter); and
 - III. Division of the total weight calculated under Part I above by the total surface area calculated under Part II above (not to exceed 250 pounds per square foot.)
 - (b) Each structure or use shall be placed upon a piece or pieces of 3/4 inch plywood, which plywood shall be equal in area and dimension to the point or points at which the structure or use contacts the ground (The plywood shall be equal in shape to the "footprint" of the object).
 - (c) The installation and removal of any structure or use shall comply, in all respects, with the provisions of Sections 4.1, 4.2, 4.3 and 4.4 of this regulation.

5. Violation-Penalty. Any person who violates a provision of this regulation shall be in violation of the Rules and Regulations of the Resort Company, and shall be subject to a fine by the Resort Company, directly or through the Resort Company Security Department, of up to \$500 for each day during which a violation continues. Any person who violates a provision of this regulation shall also be subject to the suspension or revocation of vehicle access authorization as described in the Beaver Creek Metropolitan District's Rules of the Road.