

**BEAVER CREEK RESORT COMPANY OF COLORADO
MARIJUANA REGULATION**

Revised and Adopted June 27, 2024.

1. Title. This regulation shall be known as “Marijuana Regulation”.
2. Purpose and Scope. The primary function of the Beaver Creek Resort Company of Colorado (the “Resort Company”) is to enhance the overall quality of the experience afforded the members of the Resort Company and their guests and visitors to the Beaver Creek Subdivision, Eagle County, Colorado (the “Resort”). To this end, the Resort Company has promulgated the following rules and regulations which shall apply to all land and property within Beaver Creek. 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.
 - a. “Industrial Hemp” means a plant of the genus cannabis and any part of the plant, whether growing or not, containing a delta-9 tetrahydrocannabinol concentration of no more than three-tenths of one percent on a dry weight basis.
 - b. “Marijuana” means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. “Marijuana” does not include Industrial Hemp, nor does it include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.
 - c. “Marijuana Products” means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.
 - d. “Medical Marijuana Business” means a Medical Marijuana Store, a Medical Marijuana Product Manufacturer, a Medical Marijuana Cultivation Facility, a Medical Marijuana Testing Facility, a Medical Marijuana Business Operator, a Medical Marijuana Transporter, or a Marijuana Research and Development Facility; (each as defined under C.R.S. 44-10-103).3.5. “Residential Property” A single-family dwelling, multi-family dwelling, duplex, or other dwelling unit.
 - e. “Retail Marijuana Business” means a Retail Marijuana Store, a Retail Marijuana Cultivation Facility, a Retail Marijuana Products Manufacturer, a Retail

Marijuana Testing Facility, a Retail Marijuana Business Operator, a Retail Marijuana Transporter, and Licensed Hospitality Businesses; (each as defined under C.R.S. 44-10-103).

4. Marijuana Businesses Prohibited. Medical Marijuana Businesses and Retail Marijuana Businesses are hereby prohibited at any location in the Resort. It is a violation of this Resort Company regulation for any person to operate, cause to be operated, or permit to be operated in the Resort a Medical Marijuana Business or Retail Marijuana Business.
5. Cultivation of Marijuana on Residential Property.
 - a. On their Residential Property, a person 21 years or older, may grow, process or transport no more than six marijuana plants, with three or fewer being mature, flowering plants, and possess the marijuana produced by the plants on the Residential Property where the plants were grown, provided that:
 - i. The growing takes place in an enclosed, locked space;
 - ii. The marijuana is not cultivated outdoors;
 - iii. The marijuana is not made available for sale;
 - iv. The growing is not conducted openly or publicly, and is not observable from the outside of the Residential Property. Examples of observable violations include, but are not limited to:
 1. Common visual observation;
 2. Any signs displayed regarding the marijuana;
 3. Perceptible odors from outside of the Residential Property; or
 4. Any increase in light pollution or glare.
 - b. Safety
 - i. The cultivation of marijuana on Residential Property shall meet all applicable legal requirements and all Resort Company rules and regulations.
 - ii. The use of flammable gas as a solvent in the extraction of tetrahydrocannabinol or any other cannabinoid is prohibited on any Residential Property or within the Resort.
6. Possession and Consumption of Marijuana. All possession and consumption of Marijuana or Marijuana Products within the Resort shall be in accordance with Colorado state law.
7. Enforcement, Violations, Penalties, and Appeal.

- a. This Regulation shall 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 the foregoing.
- b. A violation of this Regulation shall be considered a violation of the Beaver Creek Resort Company of Colorado Standard Policies and Procedures (the “Standard Procedures”). Fines for all other violations shall be as provided for in Article IV. D. of the Standard Procedures.
- c. In addition to any Fines listed above, upon a violation of this regulation, the Resort Company may seek an injunction to restrain a person from any further violation of this regulation, such remedy being in addition to all other remedies available at law, equity or otherwise. Should the Resort Company prevail in seeking an injunction, in addition to any Fines imposed, the person in violation of this regulation shall be responsible for the Resort Company’s reasonable expenses and costs, including but not limited to reasonable attorney’s fees, for enforcing this regulation.
- d. Any request for a hearing or a hearing shall be requested and administered in accordance with Article IV. of the Standard Procedures.
- e. All decisions made in accordance with Article IV. of the Standard Procedures shall be final.