

BEAVER CREEK VILLAGE LIGHTING RULES & REGULATIONS

Revised and Adopted June 27, 2024

1. Lighting Rules and Purpose

The Beaver Creek Design Review Board (“DRB”) has adopted updated rules and regulations for lighting (the “Regulation”). The goals for the lighting plan are the following:

- a. Lighting is to be routinely and consistently maintained including cleaning, repairing, replacing, and re-lamping as required to comply with the design guidelines and have fully operation, functioning lighting throughout the resort.
- b. All non-decorative lighting sources are to be 3000K warm white LED with 90+ CRI (color rendering index). All decorative lighting sources (i.e. candelabra lamps) within decorative fixtures such as lanterns are to be 2700L warm white with 80+ CRI.
- c. Lighting shall not be installed where its direct source is visible from neighboring properties, or where it produces excessive glare to pedestrian or vehicular traffic.

The specific rules for the lighting guidelines are described in the Beaver Creek Village Design Guidelines & Regulations (the “Village Design Guidelines & Regulations”). Specifically, the lighting guidelines are in Section 7 of the Village Design Guidelines & Regulations. This Regulation is enacted for the purpose of ensuring compliance with Section 7 of the Village Design Guidelines & Regulations. Ignorance of this Regulation and/or the Village Design Guidelines & Regulations is neither a waiver of liability nor responsibility. All violations will be assessed in accordance with this Regulation.

2. Enforcement, Violations, Penalties, and Appeal

- a. This Regulation shall be enforced by the “DRA” is the Design Review Administration staff retained by the Design Review Board and Beaver Creek Resort Company, or any authorized agent of the foregoing, which are responsible for the administering and enforcement of the Regulations.
- 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. Variances. If the DRA deems it appropriate, in the DRA’s sole discretion, the DRA may grant a variance to these Regulations based upon the following considerations:

- i. If the violator is delayed by the DRA or the DRA to provide alternative solutions (i.e. researching appropriate fixtures, their bulb specifications, and vendors).
 - ii. The violator provides evidence that the violator is actively pursuing solutions but experiences challenges with vendors, lead time, or similar reasons to procure or resolve the violation.
 - iii. The solution for the violation is unreasonably expensive (i.e. greater than \$1,000.00 for a single violation), however, the violator must submit a plan and timeline for resolution which is acceptable to the DRA.
- 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.