

BIG SKY OWNERS ASSOCIATION, INC.

BOARD OF DIRECTORS RESOLUTION

RESOLUTION: Big Sky Owners Association Holiday & Seasonal Lighting & Décor Policy

Date of Board Adoption: November 21, 2025

Resolution No.: 2025-01

Effective Date: November 21, 2025

RESOLUTION

WHEREAS, the Big Sky Owners Association, Inc. ("BSOA") adopted Amended and Restated Bylaws for the Big Sky Owners Association, Inc. on July 17, 2020 at its Board meeting and recorded with the Office of the Gallatin County Clerk and Recorder (Document #2732939, May 10, 2021) and the Office of the Madison County Clerk and Recorder (Document #197531, May 28, 2021), and as subsequently amended ("Bylaws"); and

WHEREAS, the Bylaws (Article 3, Section 3.2.1) assigns the Board of Directors ("Board") all of the powers and duties necessary for the administration of the Association's affairs and for performing all responsibilities and exercising all rights of the Association as set forth in the Governing Documents and as provided by law; and

WHEREAS, the Bylaws (Article 3, Section 3.2.3) further authorizes the Board to make and establish rules and regulations for the governance of facilities and the performing of such functions, the taking of such action and operating in such areas as are within the Association's Jurisdiction; and

WHEREAS, the Bylaws (Article 3, Section 3.2.12) further authorizes the Board to require compliance with and enforce the Declarations which by Article 3, Section 3.2.14 are made a part of the Bylaws; and

WHEREAS, the Bylaws (Article 3, Section 3.3) further authorizes the Board, at its discretion, to appoint Persons (including corporations, partnership, a trustee or other legal entity as that term is defined at Article 1, Section 1.3.20) to generally supervise and control the business of the Association and to delegate certain powers, duties and responsibilities to such Persons. The manner of selection, the qualifications and the scope of duties shall be determined by the Board; and

NOW THEREFORE, be it resolved that:

Montana is home to some of the darkest skies in the nation and is a national leader in dark sky protection and preservation.

The purpose of this policy is to regulate the use of Outdoor Lighting and Holiday decoration within the Big Sky Owners Association jurisdiction to minimize the impacts of the same on Members.

ADMINISTRATION AND INTERPRETATION

“Outdoor lighting” means any and all lighting, except for such permanent outdoor lighting as may be approved by the Architectural Review Committee, that is placed outside of a structure, or that is placed inside of a structure to be viewed from the outside, including but not limited to strings of “Christmas tree” lights, string lighting in general, icicle lights, tube lights and similar light emitting devices.

“Holiday decoration” means any and all outdoor decorative items, except for such permanent outdoor decorative items, such as statues, as may be approved by the Architectural Review Committee, including but not limited to Thanksgiving, Hanukkah, Christmas and New Year’s decorative items.

Outdoor lighting Restrictions:

No Owner shall install, construct, maintain, or allow the installation, construction, operation or maintenance of Outdoor Lighting on any Lot except in accordance with the following requirements:

Outdoor Holiday Lighting may be operated **November 1 and shall be discontinued by January 31**. Time controls shall limit lighting to the hours of dusk until midnight.

Holiday Lighting may be subject to BSAC review upon complaint of obtrusiveness. All lighting must be turned off and decorations removed by **February 1st**.

All Outdoor Lighting installed, constructed, operated or maintained in accordance with this regulation shall be solid colored or white lights. Intermittent, blinking or chasing lights are prohibited. All Outdoor Lighting installed, constructed and operated in accordance with this regulation shall be maintained in good working order.

ENFORCEMENT, VIOLATIONS AND FINES

The Association, acting through its Board of Directors, shall have the right to enforce this Resolution and to issue fines against the Owner for enforcement under this Resolution.

Enforcement Procedure and Fines

1. **First Violation of any section shall result in a:** Written Notice.
2. **Second Violation of any section shall result in a:** Second Written Notice.
3. **Third and Subsequent Violations of any section shall result in a:** \$100.00 fine.

Subsequent Violations

If staff are unable to resolve a violation the Board has the discretion to levy fines either on a per violation basis or on a per day penalty basis. Fines on a per day basis shall not exceed \$100.00/day for properties of single-family residences or \$250.00/day for properties of multi-family residences and commercial buildings/developments. Any fines issued for enforcement under this Resolution shall begin to accrue as of the date and hour of the issuance of Notice.

Fines issued for enforcement under this Resolution shall not exceed \$50,000 per violation for properties of single-family residences or \$100,000 per violation for properties of multi-family residences and commercial buildings/developments.

For each violation, the Owner shall be provided written notice and documentation of the violation and an opportunity to appear before the Board, at the Owner's request, at a regular or special meeting for the purpose of contesting the fine. If the Owner chooses to contest a fine issued for violation of this Resolution, the matter shall be heard by the Board in accordance with the Enforcement Procedures Resolution then in effect. Costs incurred by the Association for enforcing the provisions of this Resolution (inclusive of giving notice of the violation), collection costs, attorneys' fees or any fine assessed against the Owner shall be paid by the Owner. Such fine shall be payable to the Association within thirty (30) days from the date of the violation notice. Fines not paid within sixty (60) days of the due date specified in the violation notice may result in the Association bringing an action at law or equity or both, in accordance with Section 7.6 of the Bylaws. Money from fines collected under this Resolution shall be deposited with the Association and may be used at the discretion of the Board.

Written Notice

Written notice as described in this Resolution shall be given either by email, personal delivery, or deposited in the United States mail addressed to such Owner at the address given to the Association by him/her for the purpose of Association records. Such notice, if mailed, shall be deemed given and received four (4) days after being so deposited in the United States mail in the manner aforesaid.

Discretion of Enforcement

In the event the Association, in its discretion, determines not to take enforcement action with regard to a particular case, such a decision shall not be deemed a waiver of the right of the Association to enforce such provision at a later time under other circumstances or preclude the Association from enforcing any other covenant, restriction or rule, nor shall it preclude any Owner from taking action at law or in equity to enforce the Governing Documents. In the event an Owner decides to take action at law or in equity to enforce the Governing Documents after the Association has issued its written decision not to take action, the Association is not liable to the Owner for any costs or attorney's fees incurred in taking such action.

The Board is the sole interpreter of this Resolution and decisions by the Board are final.

This Resolution supersedes all other Board Policies/Resolutions with regard to enforcement procedures for Governing Documents specifically as they pertain to holiday and seasonal lighting and décor. However, it is the intent of the Board that each of the enforcement mechanisms and penalties described in this Resolution shall be in addition to and not in lieu of any other enforcement mechanisms or penalties that may be available to the Association, including but not limited to the Enforcement Procedures resolution Amended on December 19, 2019, effective December 20, 2019, Resolution No. 2019-02. Without limitation of the foregoing, the Association 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.

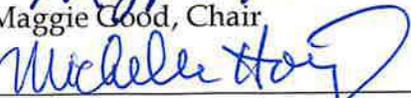
DATED January 16, 2026

BOARD OF DIRECTORS

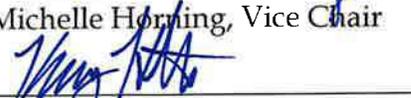
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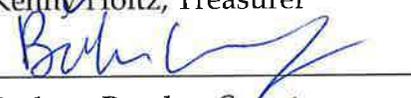
Maggie Good, Chair



Michelle Hornung, Vice Chair



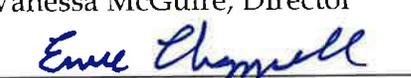
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