

**SPRINGS LANDINGS HOMEOWNERS' ASSOCIATION
"BEAR-WISE" COMMUNITY POLICY**

Springs Landing is a community that derives its desirability in part from its proximity to the Wekiwa Springs State Park and the wildlife that inhabit it. In light of this, it is likely that Florida black bears will enter the community from time to time seeking food sources, which may result in bear encounters that pose potential hazards for residents and their invitees. When bears become accustomed to entering residential areas for food, they become "habituated" to human contact, and no longer fear humans. These circumstances can give rise to attacks when humans encounter them, typically by surprising them in places where they were not expected. Bears that have become habituated to human contact cannot necessarily be relocated successfully, since they tend to seek out human food sources again in other locations. As such, these bears generally have to be euthanized. Accordingly, it is in the best interests of the community and its residents, as well as the local bear population, to implement, foster and promote a program establishing the subdivision as a "bear-wise" community, by promulgating standards, governing the conduct of residents, that are intended to minimize the circumstances giving rise to (i) bear incursions into the community, and (ii) habituation of the local bear population to human contact.

To address this problem for the benefit of all residents, and in order to promote the health, safety and welfare of the community and its residents, Springs Landing Homeowners' Association, Inc. (the "Association") has adopted this Policy to establish the subdivision as a "bear-wise" community.

The following are matters of which residents should be aware, and actions that residents should take in order to be good stewards within the community and reduce bear interactions:

- **Education** - Be aware of the possibility that bears will enter the community. Bears may be encountered by homeowners in yards, or walking around the community, especially when walking dogs. When out at night, be alert and carry a flashlight to avoid being surprised by a bear. Consider carrying an air horn and/or bear spray. Review the Florida Fish and Wildlife Conservation Commission webpage called "Living with Black Bears," at <http://myfwc.com/bear>. This webpage offers suggestions on how best to react in the event of bear contact. Other resources include The Get Bear Smart Society at <http://www.bearsmart.com>, and The Southeastern Association of Fish & Wildlife Agencies at <http://www.bear-wise.com/index.html>.
- **Reporting Bear Activity** -
 - Florida Fish & Wildlife Conservation Commission (FWC) Ocala Regional Office at **(352) 732-1225** - Report nuisance bears or intrusive bear activity.
 - FWC at **(888) 404-3922** - Report known instances of anyone feeding bears.

- **Limiting Natural Food Sources** – Bears are attracted to certain fruit trees (not citrus), nut trees and berry bushes. If adding landscaping to your property, please investigate and avoid this type of landscaping, keeping in mind that many plants produce berries or seeds that people don't eat, but bears do, so select landscaping with care. Vegetable gardens, especially those containing potatoes and root vegetables such as carrots and beets, also attract bears, so those types of vegetables should be avoided in gardens. Fruit trees, nut trees, berry bushes and vegetable gardens should not be placed near walkways, patios, porches or entranceways. Fruits, nuts, berries and vegetables should be collected when ripe, or if fallen. Birdfeeders are discouraged, but if used, the birdseed and feeder should be brought indoors at night. If using a birdfeeder, quality birdseed without red millet seeds should be used, as most birds toss this type of seed out of the feeder, allowing it to accumulate on the ground and attract bears. The ground underneath birdfeeders should be kept free from accumulations of birdseed. The housing of domestic animals outside the home (such as in bird cages, rabbit cages, dog houses, etc.) should be avoided, but if done, then all pet enclosures should be secured to preclude access by bears.
- **Securing Garages, Patios and Porches** - Bears enter garages, patios and porches looking for garbage, pet food and other attractants. While they are there, they may open cabinets, freezers and refrigerators looking for food, or even enter the house. Garage doors should be kept closed except when entering or exiting the garage or when the garage is occupied by people. BBQ grills should not be unattended while in use (since the scent is a bear attractant) and should be thoroughly cleaned after each use. Used plates, dishes, containers and glasses should be removed from patios and porches promptly following use.
- **Securing Vehicles** - Bears are known to break into vehicles, especially when they smell food in them. You should not leave pet food, groceries, garbage, coolers or food products of any type or other scented items (like chapstick) in vehicles.

The following are requirements which will be enforced by the Association:

- **Securing Human Food Sources** - Residents may not feed wild animals of any kind, nor engage in conduct that attracts wild animals into the community. Do not leave food waste in areas that are accessible by wild animals, or allow wild animals to access trash cans, food waste, pet food, BBQ grills, refrigerators or freezers in garages, porches or patios. If pets are fed outside the house, pet food must be brought inside a secure structure (inaccessible by bears) after the pets are fed. Composting food waste is prohibited unless it is secured to preclude access by bears. Beekeeping attracts bears, and is prohibited. Salt and mineral blocks also attract bears, and are prohibited.
- **Use of “Bear-Resistant” Trash Cans** – If there are sufficient funds available from collection of annual assessments to cover the cost of acquiring, maintaining and servicing of “bear-resistant” trash cans, the Association will purchase and provide for each resident's use a single commercially manufactured “bear-resistant” finger latched (hereafter referred to as FL) trash can meeting the requirements of Seminole County, FWC and the applicable waste-hauler servicing the community, to be used for the

disposition of household food waste. This Policy shall apply not only to the Association's bear-resistant FL trash cans, but also to those that are privately owned by residents or other occupants of the community. Any bear-resistant trash cans that are privately owned must also meet the requirements of local government ordinances (if applicable), FWC and the applicable waste-hauler servicing the community.

All food waste must be placed in the above defined bear-resistant FL trash can for pick-up by the waste-hauler. Only non-food waste shall be placed in regular trash cans. Bear-resistant FL trash cans shall not be used for the disposal of yard waste, shall not be put out at the street for pick-up in advance of the morning of trash collection day, and shall not remain out at the street beyond the end of the day of pickup. Because they are a bear attractant, bear-resistant FL trash cans that are used for any purpose (even if empty) must be stored on days that are not trash pickup days either (i) inside the garage, or (ii) inside an ACC-approved enclosure not accessible by bears. If such cans need to be cleaned, then they shall only be left outside for the minimum time period needed for cleaning and for drying after cleaning, while drying they must remain out of view from the street and the common areas, and they must be returned inside or to their ACC-approved enclosure by the end of the day.

Bear-resistant FL trash cans provided by the Association are the property of the Association, and shall not be painted, defaced or damaged. Each resident's bear-resistant FL trash can has a serial number indexed to that resident's address. If such a can is lost or damaged beyond use, it must be replaced by the resident at the resident's expense. When a resident sells their home, they must provide the purchaser with the Association's bear-resistant FL trash can assigned to the seller's address. Any incoming purchaser who does not obtain the outgoing seller's bear-resistant FL trash can will be responsible for purchasing a new bear-resistant FL trash can meeting the requirements of local government ordinances (if applicable), FWC and the applicable waste-hauler.

- **Servicing Fees for "Bear-Resistant" FL Trash Cans** - If there are sufficient funds available from collection of annual assessments to cover the cost of acquiring, maintaining and servicing of "bear-resistant" FL trash cans, the Association will pay the annual or periodic fee required by the waste-hauler to service each resident's bear-resistant FL trash can provided by the Association.

Feeding bears (whether deliberately or inadvertently) can also be a violation of Florida law, entitling the FWC or other governmental authorities to impose fines or other penalties. This Policy does not address such matters, which are in addition to any remedies the Association may be able to assert for a violation of the requirements of this Policy.

Non-compliance with any requirement of this Policy shall be addressed by the Association in the same manner as a violation of the Declaration. This may include, without limitation, the filing of a lawsuit seeking to enjoin the prohibited activities and/or the imposition of fines by the Association's Fine Committee. For the purpose of imposing fines, as of the adoption of this Policy the Board of Directors of the Association recommends the following fines for violations of this Policy:

- (i) 1st violation: Warning letter from Association;
- (ii) 2nd violation and all further violations: Consistent with the fining procedures set forth in the “Amended and Restated 2016 Springs Landing Architectural Control Committee Planning Criteria” or such other version of the “Springs Landing Architectural Control Committee Planning Criteria” which is then in effect.
- (iii) A decision to recommend the imposition of a fine, for violation of the present “bear-wise” community policy will be made by the Board of Directors of the Association.
- (iv) Notwithstanding the foregoing, if at least twelve (12) consecutive months have passed since a resident has committed a violation, without any new violation taking place during such 12-month period, then the resident’s record of prior violations shall be purged as if they had not occurred. As such, the next violation thereafter shall be treated as a first violation of this Policy (resulting in a warning letter) and subsequent violations addressed accordingly.

On each occasion that the Board of Directors refers a violation to the Fine Committee, the Board shall notify the Fine Committee of the amount of the fine the Board recommends be imposed. If the Board does not expressly do so, or does not expressly indicate a different amount, then the recommended fine shall be determined based on the schedule referenced above. The decision to impose a fine (but not the amount of the fine) is within the sole discretion of the Association’s Fine Committee in accordance with the Association’s governing documents, as well as the requirements of Section 720.305, Florida Statutes, and the Fine Committee may consider mitigating or aggravating circumstances in making any determination.

Miscellaneous provisions:

In the event of any conflict between the provisions of this Policy and the provisions contained elsewhere in the Declaration, including but not limited to provisions contained within the current version of the “Architectural Control Committee Planning Criteria”, the provisions of this Policy will govern.

In the event judicial proceedings are initiated to enforce the provisions of this Policy, including the initiation of any pre-suit mediation required by law, the prevailing party in regard to any such judicial proceedings shall recover its/his/her reasonable attorney’s fees and costs.