



SANTA ROSA COUNTY BOARD OF COMMISSIONERS

Administrative Offices | 6495 Caroline Street, Suite M | Milton, Florida 32570-4592

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TONY GOMILLION, County Administrator
ROY V. ANDREWS, County Attorney
JAYNE BELL, OMB Director

MEMORANDUM

TO: Board of Commissioners
FROM: Tony Gomillion, County Administrator
DATE: July 18, 2016
SUBJECT: "BearWise" Grant Funding/Draft Ordinance

DISCUSSION

Discussion of the "BearWise" State Grant funding initiative and application as well as a draft "BearWise" ordinance for all or portions of the County.

BACKGROUND

The Board has heard presentations from both the State FWC office and citizens related to concerns about the increasing episodes of human bear interactions in residential neighborhoods. In addition, Representative Broxson has expressed his concern and encouraged the Board to consider adopting a related ordinance (letter attached).

ACTION TO BE CONSIDERED

Direct staff as to the Board's desire to consider an ordinance and to pursue the grant application.

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Florida House of Representatives
Representative Doug Broxson
District 3

Insurance & Banking Subcommittee
Agriculture & Natural Resources
Appropriations Subcommittee

Local & Federal Affairs Committee
Veteran & Military Affairs Subcommittee

July 11, 2016

Commissioner Lane Lynchard
Santa Rosa County
6495 Caroline Street, Suite M
Milton, FL 32570

Dear Commissioner Lynchard:

In June 2015, the Florida Fish and Wildlife Conservation Commission (FWC) passed a resolution encouraging counties, municipalities and homeowner's associations in black bear range to pass ordinances or bylaws that require garbage be secured from black bears. The resolution acknowledges that securing trash and other attractants reduces human-bear conflicts as well as the risk to public safety and to black bears.

According to FWC, over the past 10 years, Santa Rosa County has seen a dramatic rise in human-bear conflict, and the majority of those calls have to do with unsecured garbage. The FWC recommends community-wide ordinances to require garbage to be secure from bears until the morning of pick-up. Community-wide efforts are needed to significantly reduce human-bear conflict, because even if only a few homes in a community with unsecured trash will result in bears spending time in the entire neighborhood. The FWC has observed a reduction of 70% in human-bear conflicts when community wide efforts are made to secure garbage and educate residents. Garbage can be secured in a number of ways, in a secure building (e.g., garage, shed), modifying a regular trash can to make it more bear-resistant, or using a commercially made bear-resistant trash can.

The Governor and Florida Legislature allocated \$500,000 to the FWC for fiscal year 2016 – 2017 to assist local governments to reduce human-bear conflicts. A minimum of 60% of those funds are designated for counties with ordinances requiring trash and other attractants secure from bears. By passing an ordinance, Santa Rosa County would not only be eligible for more funding, but would be more successful in reducing the risk to public safety and conserving black bears.

My office has conducted three black bear constituent workshops over the last two years to educate our citizens on these exact measures to reduce human-bear conflicts in our communities. Each workshop was very successful with large attendance, and most of the attendees had first-hand experiences with bears on their property and in their neighborhoods. I strongly urge you to adopt this black bear ordinance.

Best Regards,

Doug Broxson
State Representative

DB/jr

cc: Steve Shay, FWC Regional Director and Kaitlin Goode, FWC Black Bear Management Program

District Offices:

Pensacola State College, Building 4000, RM 4013, 5988 HWY 90, Milton FL 32583-1713
Pensacola State College, RM 5141, 5075 Gulf Breeze Parkway, Gulf Breeze FL 32563-3100
Capitol Office: 405 House Office Building, 402 S Monroe St., Tallahassee FL 32399-1300

Phone: 850-626-3113
Phone: 850-916-5436
Phone: 850-717-5003

Fax: 850-626-3114
Fax: 850-916-5438



Application for BearWise Funding
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
Division of Habitat and Species Conservation, Imperiled Species Management Section
620 South Meridian Street, Mail Station 6B, Tallahassee, Florida 32399-1600
(850) 922-4330 [BearManagement@MyFWC.com](mailto: BearManagement@MyFWC.com)

BearWise Funding Background

The Florida Fish and Wildlife Conservation Commission (FWC) has been providing incentive funds to local governments to reduce human-bear conflicts using proceeds from sales of the [Conserve Wildlife license plate](#) ('the bear plate') for over a decade.

During Fiscal Year 2016-2017 (July 1, 2016 to June 30, 2017), FWC will provide \$825,000 to assist local governments in reducing human-bear conflicts by using funds appropriated by the Legislature and approved by the Governor from the 2015 bear hunt permit sales and other revenues, as well as sales of the Conserve Wildlife license plate. At least \$300,000 of those funds must be provided to local governments that have ordinances in place requiring trash and other bear attractants be kept secure by residents and businesses.

Factors for Selection

Funds will be provided to local governments in an equitable manner following state contracting requirements as appropriate. Applications will be evaluated based on several factors, including:

- 1) if the local government has an ordinance in place that requires residents and businesses keep trash and other attractants secure from bears,
- 2) how many households are in an area with high human-bear conflicts within the local government's jurisdiction,
- 3) the amount of match (funds, in-kind, or a combination of both) the local government will provide,
- 4) the likelihood the proposal will result in a community-wide reduction of human-bear conflicts, and
- 5) the number of residences and/or businesses expected to benefit from the proposal.

Local governments are strongly encouraged to consult with FWC staff before submitting their applications to discuss options and implementation ideas. FWC staff can be reached using the contact information above.

Completed applications must be received by close of business on **October 14, 2016**. Applications should be sent via email to [BearManagement@MyFWC.com](mailto: BearManagement@MyFWC.com) or mailed to: Florida Fish and Wildlife Conservation Commission, Attention: Bear Management Program, 620 South Meridian Street, 6B, Tallahassee, FL 32399.



Application for BearWise Funding

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Division of Habitat and Species Conservation, Imperiled Species Management Section
620 South Meridian Street, Mail Station 6B, Tallahassee, Florida 32399-1600
(850) 922-4330 [BearManagement@MyFWC.com](mailto: BearManagement@MyFWC.com)

Local Government Name

County

Contact Name

Contact Phone

Contact Email Address

Does your local government have an ordinance requiring trash and other attractants be kept secure in all or a portion of your jurisdiction?

Yes No **If Yes**, please include a copy of your ordinance with this application.

Will your local government be able to make purchases for this proposal and then be reimbursed?

Yes No

Brief Description of Proposal



Application for BearWise Funding

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Proposal Item Description	Funds Requested	Match Funds	In-Kind Match	Total Match	Total Cost of Proposal

Estimated number of residences and/or businesses that are anticipated to benefit from this proposal:

Residences:

Businesses:

Does your local government offer commercial waste service (i.e., municipal or contracted vendor)? Yes No

If Yes, please answer the questions below:

When does the contract expire (if applicable)?

What type of service is available? Universal (All residents must have service)
 Subscription (Residents can choose whether to have service)

What type of trucks are used? Manual (Staff empty cans without mechanical assistance)
 Semi-Automated (Staff bring cans to auto-lift on back of truck)
 Fully Automated (Truck has mechanical arm that empties can)

Are trashcans provided to residents? Yes No **If Yes**, what size trashcan is provided?

Is there a size limit on a trashcan that can be serviced? Yes No **If Yes**, what is the limit?

Anticipated start date:

Anticipated completion date:

1 **ORDINANCE SUMMARY**

2 The ordinance proposes to amending Section 23-21, Lake County Code, regarding Additional Garbage
3 Cart Rules. The purpose of the ordinance is to require non bear-resistant Garbage Carts containing
4 household garbage to be secured from bear intrusion until the Cart is permitted to be placed Curbside for
5 Collection. The ordinance also gives customers the ability to utilize County approved bear resistant
6 garbage carts when available.

7
8 Changes are shown as follows: Strikethrough for deletions and Underline for additions to existing Code
9 sections. The notation "§" indicates that all preceding or subsequent text remains unchanged.
10 Renumbering and/or relettering were added as needed.

11
12
13 **ORDINANCE 2016 – 25**

14
15 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE**
16 **COUNTY, FLORIDA; AMENDING SECTION 23-21, LAKE COUNTY CODE,**
17 **ENTITLED ADDITIONAL GARBAGE CART RULES; REQUIRING THAT**
18 **GARBAGE CARTS BE SECURED FROM BEAR INTRUSION; ALLOWING**
19 **FOR USE OF COUNTY-APPROVED, BEAR-RESISTANT CARTS; REQUIRING**
20 **NON-BEAR RESISTANT CARTS TO BE PROPERLY SECURED TO PREVENT**
21 **BEAR INTRUSION; PROVIDING FOR INCLUSION IN THE CODE;**
22 **PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE;**
23 **PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE**
24 **DATE.**

25
26 **WHEREAS,** pursuant to Article VIII, Section 1 of the Florida Constitution and Chapter 125,
27 Florida Statutes, the County is authorized to protect the public health, safety, and welfare of its residents;
28 and

29
30 **WHEREAS,** according to the Florida Fish and Wildlife Conservation Commission (FWC), black
31 bears have recovered from population declines; and

32
33 **WHEREAS,** as a consequence of this recovery, there has been an increase in human-bear
34 interactions within urban and rural areas; and

35
36 **WHEREAS,** black bears are attracted to unsecured garbage containers, and the majority of
37 interactions are associated with unsecured garbage containers;

38
39 **WHEREAS,** FWC lists Lake County as having the second highest reports of bear complaints in
40 the State of Florida; and

41
42 **WHEREAS,** the Board of County Commissioners finds that it is in the best interests of the
43 citizens of Lake County to enact these provisions.

44
45 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake
46 County, Florida, as follows:
47

1 **Section 1. Recitals.** The foregoing recitals are true and correct and incorporated herein by
2 reference.

3
4 **Section 2. Amendment.** Section 23-21, Lake County Code, entitled Additional Garbage
5 Cart Rules, shall be amended to read as follows:

6 **Sec. 23-21. Additional garbage cart rules.**

7 Use of Garbage Carts and Set-Out Procedures are as follows:

- 8 (a) All Customers in Lake County shall place all of their Garbage and Rubbish in their Garbage
9 Cart in order to receive Residential Collection Service. Customers shall not put Yard Trash in
10 their Garbage Cart and are strongly encouraged to refrain from putting Recycling in their
11 Garbage Cart.
- 12 (b) Customers shall place their Garbage Cart at the Curbside, unless an alternative location is
13 agreed upon by the Customer and the Director, on the Scheduled Collection Day prior to six
14 o'clock (6:00) a.m. ~~on the Scheduled Collection Day~~. The Customer shall place the Garbage
15 Cart such that the handles and the wheels face away from the road.
- 16 (c) All Garbage must be placed inside the Garbage Cart, and no Garbage placed outside the
17 Garbage Cart will be picked up, except upon approval of the Director. At the Collection
18 immediately following a Holiday, Customers may place unlimited amounts of Garbage and
19 Rubbish at the curb, and the Garbage and Rubbish may be placed inside the Garbage Cart or in
20 any other container or Plastic Bag, as long as the Customer adheres to weight and capacity
21 limitations stated herein for Garbage Carts and other disposal containers.
- 22 (d) A Customer may purchase a second Garbage Cart so long as the Customer pays the
23 accompanying fee and delivery fee for the second cart, and an annual fee for additional
24 disposal. If a Customer's home is located a significant distance from the Curbside, the Director
25 may authorize two (2) thirty five (35)-gallon Garbage Carts instead of one (1) sixty four (64) or
26 ninety six (96)-gallon Garbage Cart, at no additional cost to the Customer.
- 27 (e) A Customer shall not place their Garbage and Rubbish in another Person's Garbage Cart or
28 disposal container, or Set Out Garbage and Rubbish for Collection on property not owned or
29 occupied by the Customer.
- 30 (f) A Customer shall only Set Out for Collection the Garbage and Rubbish that is generated at the
31 Customer's dwelling.
- 32 (g) Garbage Carts shall not be loaded with more than one hundred fifty (150) pounds or the cart's
33 rated capacity, as shown on the lid of the cart, whichever is less. Other disposal containers shall
34 not be loaded with more than fifty (50) pounds of material.
- 35 (h) Customers are responsible for removing their Garbage Carts from the right-of-way, replacing
36 them on their property and properly securing them by ten o'clock (10:00) p.m. on the day of
37 Collection Service.
- 38 (i) Customers shall have the option of using a County-approved, bear-resistant Garbage Cart, if
39 available. Non bear-resistant Garbage Carts containing household garbage shall be secured
40 from bear intrusion until the Cart is permitted to be placed Curbside for Collection.

41 **Section 3. Severability.** If any section, sentence, clause or phrase of the Ordinance is held
42 to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
43 affect the validity of the remaining portions of this Ordinance.
44

1 **Section 4. Inclusion in the Code.** It is the intent of the Board of County Commissioners
2 that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that
3 the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be
4 changed to "section", "article" or such other appropriate word or phrase in order to accomplish such
5 intentions.

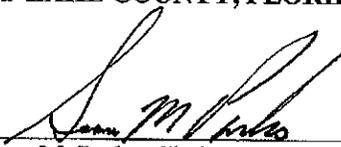
6 **Section 5. Filing with the Department of State.** The clerk shall be and is hereby directed
7 forthwith to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance
8 with Section 125.66, Florida Statutes.
9

10 **Section 6. Effective Date.** This Ordinance shall not become effective unless the Board of
11 County Commissioners is awarded a grant from the Florida Fish and Wildlife Conservation Commission
12 supporting the purchase of bear-resistant garbage containers. The effective date of this ordinance shall be
13 the date the grant is awarded. Proof of award shall be filed with the Clerk's office.
14

15 Enacted this 21st day of June, 2016.

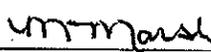
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17 Filed with the Secretary of State June 28, 2016.
18

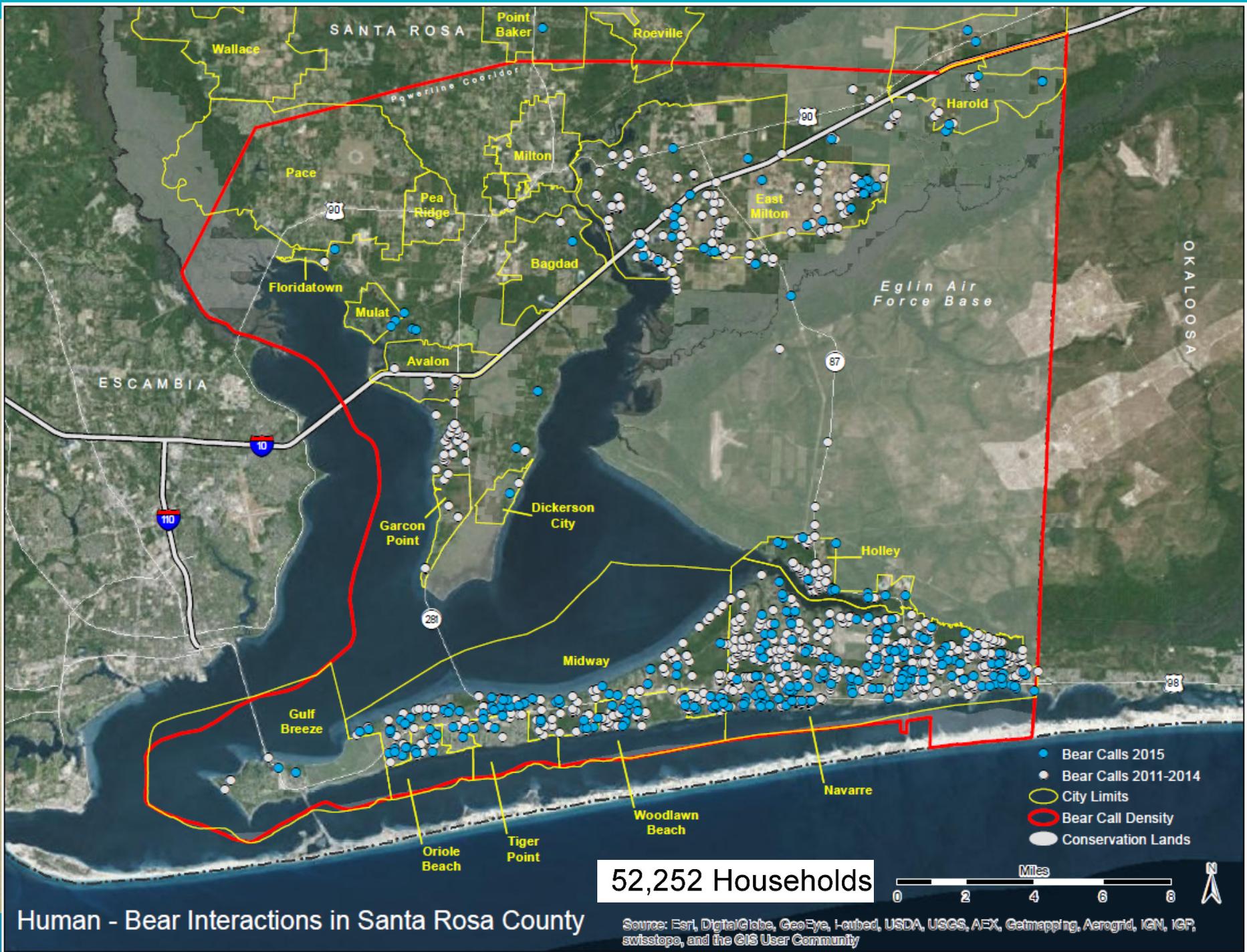
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23 **BOARD OF COUNTY COMMISSIONERS**
24 **OF LAKE COUNTY, FLORIDA**

25 
26
27
28 Sean M. Parks, Chairman

29 This 21st day of June, 2016.
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35 **Approved as to form and legality:**
36
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38

39 
40 Melanie Marsh
41 County Attorney
42



Human - Bear Interactions in Santa Rosa County

South Santa Rosa County



- Bear Calls 2015
- Bear Calls 2011-2014
- City Limits
- Bear Call Density
- Conservation Lands



Central Santa Rosa County

