

NOW, THEREFORE, BE IT RESOLVED by the Board of Director of Lakes of the Four Seasons Property Owners Association, Inc. that:

1. The Board of Directors has determined it necessary and appropriate to regulate the rate and application of manufactured fertilizers.

2. That the terms of this resolution shall be defined as follows:

COMMERCIAL APPLICATOR: Any individual or entity who applies manufactured fertilizers within the boundaries of Lakes of the Four Seasons in exchange for money, goods, services or other valuable consideration.

MANUFACTURED FERTILIZER: A commercially manufactured substance which enriches the soil containing elements essential for turf growth, being primarily nitrogen, phosphorus and potassium.

NONCOMMERCIAL APPLICATOR: Any individual or entity who applies manufactured fertilizer during the course of employment, but who is not a commercial applicator. Noncommercial applicators shall include owners, operators and caretakers of golf course and Property Owners Association common properties.

3. That the Regulations for Commercial Lawn Fertilizer Applicators are as follows:

License (or permit) Requirements

No person, firm, corporation or franchise shall engage in the business of commercial lawn fertilizer applicator within the boundaries of Lakes of the Four Seasons unless a license (or permit) has been obtained from the Lakes of the Four Property Owners' Association as provided herein. A license issued under this resolution shall be valid until expiration, suspension or revocation. All licenses (or permits) issued under this resolution shall expire on the last day of November.

Application Schedule

- a) Application of manufactured fertilizers shall not be permitted prior to April 1 nor after November 30 in any year (due to inability of frozen soil to absorb nutrients).
- b) Manufactured fertilizers shall not be applied more than once every six (6) weeks or more than five (5) times during any one (1) calendar year.
- c) Manufactured fertilizer may not be applied to any lawn when the ground is frozen or when conditions exist which will promote or create runoff.

General Regulations

- a) Fertilizer Content: No commercial applicator may apply any manufactured fertilizer, liquid or granular, which contains any amount of phosphorus or other compound containing phosphorus, such as phosphate except as provided herein under Exemptions to Phosphorus Requirement or Administrative Relief.
- b) Manufactured fertilizers shall not be applied to sidewalks, streets, driveways or other impervious surfaces unless removed within a period of two (2) hours.
- c) Manufactured fertilizer shall not be applied within ten (10) feet of any wetland, constructed watershed protection area (including drainage ditches that discharge directly into surface waters) or surface water.
- d) POA members shall be encouraged to use their best efforts to conform with the intent of this resolution in caring for their own turf grass.

Administrative Relief

- a) Any commercial applicator desiring to apply manufactured fertilizers containing phosphorus or apply manufactured fertilizers more frequently than prescribed herein may seek administrative relief in accordance with this section.
- b) A commercial applicator desiring to seek administrative relief under this section shall file an application with the Property Owners' Association on a form approved by the Board of Directors.
- c) Applications for administrative relief must be accompanied by soil testing results from the County Extension Service, University laboratory or other approved soil testing lab. Analytical results must contain recommended application rates supporting the request for administrative relief. Approval or denial of the application shall be determined by the Property Owners' Association as expeditiously as possible.

Exemption to Phosphorus Requirement

The prohibition against use of manufactured fertilizer containing any quantity of phosphorus under this resolution shall not apply to:

- a) Newly established or developed turf and lawn area during the first growing season; or
- b) Turf and lawn areas which soil tests confirm are phosphorus deficient and an administrative relief has been approved by the Property Owners' Association. Phosphorus applied as lawn fertilizer pursuant to

the aforementioned exemption shall not exceed the application rate recommended in the soil test.

Licensure (or permit) Requirements and Procedure

- a) All commercial applicators shall be licensed (or permitted) in good standing at they Property Owners' Association prior to applying manufactured fertilizers on any lands within the community boundaries.
- b) License applications may be obtained at the Property Owners' Association office or the security office.
- c) All license applications submitted to the Property Owners' Association office must include legal and business name (s), address, telephone number and contact person of the applicant and be accompanied by the following:
 - 1) License fee of fifty dollars (\$50.00)
 - 2) Certificate of insurance
 - 3) Copies of all State and local certificates, registrations. Permits or other documents required for the application of fertilizers, pesticides and herbicides.
 - 4) The application shall be approved or denied within ten (10) working days by the Property Owners' Association, and if approved:
 - 5) A numbered license shall be issued, to expire on the next day immediately following November 30th. License fees shall not be prorated. Each applicant will receive numbered vehicle stickers, which shall be firmly affixed to the lower left hand corner of the vehicle windshield. Additional stickers are available for a fee to be established by the Board of Directors. Operators of vehicles without current stickers will not be permitted to apply manufactured fertilizers.
 - 6) A copy of the license must be available at all times in each of the applicators vehicles.
 - 7) The property Owners' Association shall maintain a current list of all licensed commercial applicators.
 - 8) A licensee shall notify the Property Owners' Association in writing of any changes in the information disclosed in the license application.

Inspections and Penalties

- a) The Property Owners' Association, through the Security Department, Operations Department and the Lakes Supervisor, shall monitor for conformance with this resolution and shall be permitted to conduct periodic spot checks on all commercial applicators for such purpose.

- b) Should a commercial applicator be found to be in violation of this resolution, The Board of Directors, following notice, and an opportunity of the licensee to be heard, shall have the right to revoke a license for a period of up to one (1) year. If a commercial applicator is found to be in violation of this article on more than one (1) occasion, the Board of Directors shall revoke the license of such applicator for a period of not less than one (1) year, but not more than five (5) years.

Adopted this 28th day of July, 2003.