

Memo

To: Fircrest City Council
From: Bill McDonald
Date: September 26, 2017
Re: Community Garden Update

This is a follow-up to a previous discussion with David Johnston (former Interim City Manager) about what conditions should be considered if the Fox Property were the location of a community garden.

- A License Agreement: The City Attorney and I agree that a license for use of the property has several advantages over a lease. The City Attorney can explain.
- Must be with a public or non-profit entity: The other party to the agreement must have legal status to represent the interests of the user group.
- Must have Adopted Rules: A couple examples of rules for community gardens have been provided from the internet. Rules and enforcement of rules are another reason there needs to be a legal entity representing the gardeners.
- A location on private property would largely take the city out of the equation except for the possible need for land use review, e.g. parking, time of operation.

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Community Gardens: Sample Rules and Regulations

Many gardeners have written requesting sample rules and regulations for their community garden. Below are excerpts from two excellent publications.

Theory G The Employee Gardening Book

"How some of America's most successful corporations improve productivity, boost employee satisfaction, and save money with company sponsored vegetable gardens."

by Larry Sommers

Gardens for All

The National Association for Gardening

180 Flynn Avenue

Burlington, Vermont 05401

802-863-1308

Coordinators of successful employee gardens agree that fair, firm rules are a must. Gardeners have responsibilities, and guidelines help them understand them. You'll avoid problems or confusion over the course of the season if you draft your policies prior to the season. Keep them simple and enforceable. Here's a sample of various rules used by employee garden groups around the country. They may help you develop your own.

"Plot registration begins March 1 with preference given to employees who gardened last year. There's a limit of one plot per employee until May 1; at that time any remaining plots will be assigned. Unclaimed plots will be reassigned after June 1."

"Payment of club dues is necessary before you begin gardening and should be submitted with your registration form."

"The garden area is open dawn until dusk, seven days a week. Please carry your employee I.D. card when gardening during off hours."

"Arrangements have been made for gardeners to use the restrooms on Saturday and Sunday, 8 a.m. until 6 p.m., in the main building."

"Plot corners are clearly marked with stakes. Please do not remove these stakes during the season. Metal stakes throughout the site are permanent boundary markers and should not be moved."

"We request that all members volunteer their time for general maintenance (especially adjacent walkways) to keep the garden site looking good. The use of the site is contingent on our ability to maintain it. Check the bulletin board for chores that need to be done."

"Please dispose of weeds and plant materials in designated compost areas."

"Keep rocks out of pathways and borders. They make mowing impossible. Put them in the designated area near the parking area."

"Be considerate of your neighbors. Do not plant sprawling crops or tall ones that might interfere with others. Harvest only from your assigned plot. Do not spray on windy days. Keep insects and weeds under control."

"All plots will be inspected three times. Renters of plots that have not been planted, are weedy, or do not meet the guidelines, will be notified. Failure to respond within 14 days will result in forfeiture of the plot."

"Using herbicides and black plastic mulches is prohibited."

"If vandalism or theft occurs, notify the garden committee immediately. Help us discourage losses by questioning unfamiliar faces."

"Dogs, except those on a leash, are not allowed."

"Family members are welcome to the garden site. Please supervise young children so they don't disturb other plots."

"Individual fencing of plots is allowed. Please keep structures under 4 feet tall and neat. They should be removed before fall plowing."

"Unattended watering is not permitted. Notify the garden coordinator of any leaks in the water line. Make sure all faucets are off when you leave the garden. Keep hoses neatly rolled up near the water riser."

"No debris of any kind should be left at the site. Use trash receptacles available next to the gardens."

"Notify garden coordinator if you are no longer able to tend your plot; will be absent for a long period of time; or have asked a friend to tend your garden."

"Please park only in prescribed areas. Do not drive vehicles over the lawn."

"Please conserve the use of water. Mulch with leaves, grass clippings, or hay to reduce water evaporation."

"Borrowed tools should be cleaned and returned to the storage area when done. Tools are not to be taken home overnight."

"Keep gates in the garden closed at all times."

"The bulletin board is a way for all of us to stay in touch. Please use it for any garden-related purposes."

"Each gardener must clear his or her plot of corner stakes, fencing, trellises, string and all inorganic materials before fall plowing dates. If you have a year-round plot, turn under or remove annual plant residues."

"Cleanup deposits will be refunded after your plot is cleaned in the fall and approved by the garden committee."

"If you have any questions, suggestions, or complaints, please contact one of the garden committee members."

"We encourage you to attend our club meetings throughout the year."

"Your compliance with the above regulations will help everyone have an enjoyable and prosperous garden. Failure to comply with above regulations during the season, may result in a loss of future gardening privileges"

Urban Gardening Program: The Coordinator's Book

By The Pennsylvania State University/Cooperative Extension Service
Cooperative Extension

(Coll of Ag Sci)

217 Ag Admin B1

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The Pennsylvania State University/Cooperative Extension Service

Rules, By-Laws And Garden Sign-Up Forms

It really helps to have garden rules or by-laws that everyone understands. It also helps if every new gardener agrees to the rules in writing when they sign up for a garden. Your garden can

make up its own rules and applications. or you can pick and choose things from these samples that we've collected from other gardens.

Sample By-Laws

Here are some suggested by-laws. Use the ones you want. Make up your own. Mix and Match.

The basic fee for a garden plot is _____ (Fill in the blank for your charge) payable no later than Good Friday of each year to the garden treasurer.

Plots must have at least three planted rows by May 15 of each year or be forfeited to someone on the waiting list.

Plot holders promise to devote at least five hours per week to their own plots and to the overall community garden throughout the growing season.

All paths and plots must be kept free of trash, grass, weeds, etc., by the plot holders. Box and bag any trash from your plot and place outside by the curb only on trash day.

Plot holders promise to devote reasonable amounts of time as requested by the coordinator to the maintenance and improvement of the garden throughout the gardening season. Failure to cooperate in work days will lead to losing your plot.

No stealing of anything is permitted. Should it become known that you have taken anything: vegetables, tools, hose, plants or anything else, you will lose your plot immediately.

No fruit trees, flowering shrubs, street trees should be cut or damaged.

Crops must be harvested once they are mature. If you do not feel you can use all of them, there are many food banks and senior citizens who could use extra vegetables. Please let your garden coordinator know if you have more than you can use.

If you want someone to work your plot or pick your vegetables when you are sick or away, give that person a signed note.

Do not give your gate key to anyone to copy without permission of the coordinator.

After the last frost all dead plants, weeds and stakes must be removed from the plot.

All gardeners must keep plants, compost piles, etc., in their own plots. Don't let your plants or weeds creep into the aisles or into your neighbor's plot.

Everyone is expected to help with the two big garden contests: the City Garden Contest and The Harvest Show.

The compost pile should only be used for compost, horse manure and wood chips. No trash please.

Any rule to be added to these by-laws must be approved by a majority of the participating gardeners.

Any conflicts or fights among gardeners will be referred by the coordinator to the Human Relations Commission.

I understand all these rules and regulations and promise to follow them.

Signature of the Gardener _____

Date _____

Signature of the Coordinator _____

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