

City of Waconia's Community Garden Rules



City of Waconia
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This document sets out the rules that govern the Community Garden Plots. These Rules are intended to help all our gardeners grow fresh, healthy food in a thriving garden, to help create a sense of community among our gardeners, and to help the garden to be a good neighbor.

A. ACCESS TO THE GARDEN

Season: Weather permitting, the City will have the gardens ready for planting on Saturday, May 20, 2017

Hours: Gardeners may be in the garden between 6 am and 11pm.

B. GARDEN PLOTS

Dimensions: The City will stake out and identify each plot/raised bed with a number.

Use of Own Plot: Gardeners may use only the plots/raised beds assigned to them by the City. Gardeners will maintain their plants within their gardens and will trim any plants that extend into neighboring plots. Gardeners may not alter the dimensions of their garden.

Plantings: Gardeners may plant vegetables, fruits, and flowers. Gardeners may not grow any plants above 4 feet in height.

Supplies: Gardeners are solely responsible for the planning and management of their own gardens, including providing their own seeds, plants, fertilizer, water buckets. The City will provide access to water, trash and compost bins.

Organic Methods: Gardeners will garden organically. Use of compost, organic mulch, and weeding is always acceptable.

Water: Each gardener is responsible for watering his or her own plot. Gardeners will not overwater their plants.

Tools: Gardeners may bring their own tools into the garden, but they cannot store any tools in the garden. Gardeners are responsible for any damage caused by tools they bring into the garden and so should use them with care. Gardeners may not use any power tools, such as those that require gasoline, batteries, or electricity.

Plot Maintenance and Trash: Gardeners will maintain their gardens and adjacent paths in a clean and neat fashion, promptly removing any weeds, overgrowth, or other waste from their garden. Gardeners will promptly harvest edible plants. Gardeners are responsible for hauling and disposing of their own trash, such as weeds, boxes, trays, bags, packets, and similar items. Gardener agrees not to bring household trash or compost to dispose of at the garden.

Yearly Clean-up: Gardeners will perform a yearly clean-up on their plots before garden closing on October 6, 2017. All vegetation and personal property shall be removed from the garden. The City will dispose of any remaining items.

Absence: Gardeners may not abandon their plots. Abandonment means failing to maintain a garden for two weeks. If a gardener expects to be away from the garden for more than two weeks, but less than 3 months, he or she must inform the City. The gardener and the City will then determine an alternative, such as a temporary substitute, acceptable to both. Gardeners who are away for more than 3 months will lose their gardens.

No Personal Property: Gardeners may not keep any personal property on their gardens when they are not in the garden. If gardeners leave personal property in their garden after the termination of their participation in the garden, the City can dispose of the property.

C. CONDUCT

General Conduct: Gardeners are expected to be civil, honest, and cooperative in dealing with the City, garden neighbors, other gardeners, and guests of other gardeners.

Guests: Gardeners may bring guests, including children, into the garden, provided that the guests comply with the rules. Gardeners will supervise any child under the age of sixteen. Gardeners will be responsible for the conduct of children and their guests including making sure they do not damage or interfere with activities on other plots or otherwise engage in inappropriate conduct. Guest violations of these rules are treated as violations by the gardener.

Pets: Gardeners may not bring any pets or animals into the garden, with the exception of certified service animals, including for burial.

Respect Others' Property: Gardeners may not enter other plots/raised beds, harvest another gardener's produce, without the explicit permission of the other gardener. Gardeners may not enter property next to the garden without the owner's permission.

No Illegal Plants: Gardeners may not grow any plants considered illegal under state or federal law. For example, gardeners may not grow *Cannabis sativa* (marijuana), whether or not the use of marijuana may be lawful for medical purposes under state law.

Compliance: Gardeners must comply with all applicable local, state, and federal laws.

No Firearms: Gardeners may not carry, use, or store firearms in the garden.

No Smoking: Gardeners may not smoke in the garden.

No Alcohol/Drug Use: Gardeners may not consume or use alcohol or illegal drugs while on the garden premises. Gardeners may not bring alcohol or illegal drugs onto the garden premises. Gardeners may not come into the garden while under the influence of alcohol or illegal drugs.

No Fires or Cooking: Gardeners may not start or maintain a campfire, burn weeds, in the garden.

No Loud Music: Gardeners may not play music or the radio loud enough to be a nuisance to other gardeners or to the garden's neighbors.

No Sales: The garden is for personal, noncommercial use only; gardeners may not sell any produce or flowers grown in the garden.

D. PROBLEMS

Dispute Resolution: Gardeners will contact the City any disputes about the garden or with fellow gardeners. The City will have the power to hear these disputes and will resolve them in the best interest of the garden.

Rules Violations: Gardeners may lose their rights to participate in the garden if they fail to comply with any of these rules. If a gardener:

- endangers other gardeners, City employees, neighbors, or other individuals;
- takes or uses another gardener's tools, supplies, or produce without permission;
- grows illegal plants;
- carries, uses or stores firearms in the garden; or
- uses alcohol or illegal drugs in the garden

The City may, at its discretion, terminate immediately the gardener's right to participate in the garden. If that occurs, the gardener must leave the garden by the end of garden hours on the termination day and may not reenter without the City's permission.

If a gardener violates any other of these Rules, the city will inform gardener of the violation by sending an email and/or letter to correct the violation within 2 weeks after receipt of notice. If in another 2 weeks if no response or correction has been made, the gardener will receive a written final notification that the gardener has forfeited gardening privileges and plot. Gardeners will be allowed to reapply for another garden only after one year, and only at the discretion of the City. Terminated gardeners are not entitled to any refunds or other payments from the City.

No Refund or Other Claims: Gardeners under no circumstances will be entitled, directly or indirectly, to any refunds, any direct, incidental, consequential, punitive, or other damages, any other forms of compensation from the City, or to obtain an injunction, specific performance, or other equitable remedy, as a consequence of termination from participation in the garden.

E. Other Provisions

No Discrimination: The City will not discriminate on the basis of race, color, national origin, religion, sex, disability, age, medical condition, ancestry, marital status, citizenship, sexual orientation, gender identity, or status as a veteran.