



COMMUNITY GARDEN PERMIT

Permit Issued: _____

Permit Expires: _____

This permit is issued to _____ Community Garden Coordinator (Permittee) for the Gardeners of the community garden located on _____ and is not transferable to anyone else.

General Information

The City grants permission to establish and operate a community garden on a portion of a City owned parcel of land per the City of Watsonville Community Garden Program Guide.

This Permit may not be amended, altered, modified, or extended without the signed written approval of the Gardener Coordinator/Garden Sponsor and the City of Watsonville Public Works Director. Upon the expiration of this permit, the City will review compliance with the conditions of this permit and may renew this permit or issue a new one.

The City may, at its sole and absolute discretion, terminate this permit upon sixty (60) days written notice to permittee, and the gardeners shall have no recourse of any nature whatsoever. City shall have no liability whatsoever by reason of such termination.

The garden members may use the property for the purpose of performing gardening activities provided they comply with the guide as specifically authorized by this permit.

Property Ownership: The City is the owner of the property. No ownership, leasehold, possessory, or other rights to the property shall vest with the permittee or gardeners by virtue of this permit. Use of this property is on an interim basis, pending the future development or other use of the property by the City.

Condition of Property: The gardeners have inspected the property and are satisfied with the "as is" condition of the Property. City neither makes nor has made any representation or warranty as to the condition of the property.

Garden Expenses: The expenditures for the gardening activities on the property are the sole responsibility of gardeners and are not reimbursable by the City.

Right of Entry: The City may enter upon the property at any time for any purpose whatsoever, including, but not limited to examining the property to determine whether or not gardeners are complying with the terms of this Permit.

Permit Conditions: Gardeners shall design and install a community garden and shall maintain such garden and all plants and structures contained therein (including, but not limited to, all fences, raised plant beds, planters, tables, benches, and other ornamental items) in a safe and orderly condition.

Gardeners shall neither cause nor permit:

- Discrimination against any person on grounds of race, creed, religion, color, sex, age, national origin, disability, marital status, or sexual orientation.
- The use of the property for any illegal purpose.
- The storage or use of any illuminating oils, oil lamps, turpentine, benzene, naphtha, hazardous materials or similar substances, explosives of any kind are prohibited. The use of the property for any commercial purpose (including, but not limited to, the sale or advertisement of any goods or services).
- Any condition on or near the property including, but not limited to, any health or fire hazard which could constitute a nuisance or could endanger or harm persons, property or the environment.

Upon the violation of any provision of this permit, the City shall issue a warning notice to permittee which shall allow the gardeners ten (10) days to rectify such default. Failure to remedy such breach within such period shall constitute grounds for immediate termination of this Permit.

Gardeners shall not perform any acts upon the property, including, but not limited to, the making of any improvements or alterations to the property, except those provided for in the guide. Gardeners shall not perform any gardening activities which damage or lessen the value of the property. Gardener shall notify the City of any damage or accident occurring on the Property within twenty-four (24) hours of any occurrence.

Gardeners and visitors must comply with the following rules and regulations:

Be welcoming, civil and cooperative in regard to other gardeners, neighbors, and the public.

Wasting of water and run-off is prohibited.

Cover crops: Soil should not be allowed to remain bare in the winter. Cover crops should be planted to enrich the soil and prevent erosion.

Organic gardening: No synthetic herbicides, pesticides or non-organic fertilizers are permitted in the garden. Use organic pest control methods only. To see if a substance is allowed, check the USDA National Organic Program's National List, or look for the Organic Material Review Institute (OMRI) seal on the label even if the label says "Organic" or "Natural".

Invasive species: plants including but not limited to blackberry, bamboo, and ivy are prohibited.

Prohibited plants: marijuana, including medical marijuana may not be grown in City-owned community gardens.

Harvest only from your own plot. Do not take from any garden plot without permission.

Plot: Gardeners must plant and harvest within their assigned plot. Gardeners shall maintain a 3-foot walkway of undisturbed vegetation around the interior perimeter of the garden area.

No selling: Produce grown in this community garden may not be sold. Produce from the community garden is primarily for family consumption or donation. Excess food can be preserved for future use, shared with friends or neighbors, traded among your fellow community gardeners or donated to local food banks.

Erosion: Gardening must be carried out in a manner that prevents soil erosion. All exposed soil in the garden shall be mulched by the gardeners with four inches of biodegradable mulch or planted with a standard cover crop mix, such as bell beans, vetch, clover barley, oats, rye, or other quick growing cereal crops. If deemed necessary, wattles made from straw and jute shall be placed and maintained by the gardeners around the perimeter of the entire garden area to avoid runoff and prevent water pollution.

Children in the garden must be supervised by a parent or other responsible adult. Parents and caretakers must ensure that children understand and follow the rules and regulations.

Guests must follow the Rules of the Garden. Each gardener is responsible for the actions of his/her/their guests in the garden.

Dogs are to be kept on leash and out of garden plots unless dogs are prohibited at a specific garden. Pick up pet waste and dispose of it in garbage.

Amplified sound is not permitted in the garden.

Smoking is not allowed in the garden.

Controlled substances: No alcoholic beverages or illegal drugs of any kind are allowed in the garden.

Unsafe conditions: Report any unsafe condition or suspicious behavior to the Garden Coordinator. In case of emergency, call 911.

Camping in the garden is prohibited.

Green waste: Weeds and plant material should be composted on-site or placed in the green waste collection area(s) to be disposed of properly later. Green waste should not be thrown away in the trash, left in the pathways or improperly dumped.

Litter on the garden site must be removed by garden members.

Garbage: Unless the garden has arranged for garbage removal, garbage generated at the garden must be taken out of the garden to discard properly at a waste disposal facility or in garden members own personal garbage bins. Discarding garbage on the ground or in compost or green waste piles is prohibited.

Graffiti must be removed by the garden members within 48 hours.

Tools: Garden-owned and donated tools are for use in the community garden only and should be cleaned and returned to the tool shed or secure storage area after use. Tools should never be left out in garden plots or pathways or taken off the garden premises.

Motor vehicles are not allowed in the garden with exception of motorized wheelchairs.

Restoration of Property: Upon the expiration or termination of this Permit, the Gardeners shall promptly remove all equipment and materials from the Property and shall surrender the Property to City in a condition satisfactory to City.

Upon receipt of a **Notice of Violation** concerning any condition that could pose a threat to life, health, safety, or property, as determined solely by City, City may, upon written or oral notice to the Permittee, of such circumstance, require the Gardeners to immediately vacate the Property without removing any materials or equipment. City shall thereafter afford the Gardeners a reasonable opportunity to remove such materials and equipment.

The Garden Coordinator shall:

1. **Sign** the Community Garden Permit.
2. **Collect** signed Community Garden Plot Agreements and Waiver of Liability forms from all gardeners and forward them to the City’s Community Garden Program Manager and provide a signed copy to the gardener with the Garden Rules.
3. **Signup** for water and pay the water bill. Collect garden dues from members that may be used for water, supplies, tools, events, or special projects decided upon by the membership.
4. **Assign** plots on a first come, first serve basis.
5. **Maintain** a waiting list of interested gardeners.
6. **Re-assign** available plots to those on the waiting list in the order they appear on the waitlist.
7. **Orient** new gardeners to the space, i.e., explain water use, communal space use, workday expectations, etc.
8. **Post** garden rules and other documentation on the bulletin board in the garden.
9. **Maintain** a list of all active gardeners.
10. **Notify gardeners** using plots that appear to be inactive and contact the gardener regarding the status of the plot.
11. **Coordinate garden workdays** to maintain the communal spaces or to work on special projects.
12. **Call garden-wide meetings** at least twice a year for the purpose of discussing issues, sharing ideas and goals, holding annual elections for the Garden Coordinator position, conducting workdays, etc. Any meeting that provides advance notification to all of its members is considered a “garden-wide meeting”.
13. **Facilitate the garden membership** in electing or appointing other positions, such as **treasurer, secretary,** or an **events chair** to share some of the responsibilities. Other leadership roles for the garden may include membership & outreach coordination, meeting and workday coordination, and common space coordination.
14. **Communicate** with the City Community Gardens Program Manager as the primary contact for the garden membership.
15. **Operate the garden** in a manner free from discrimination against any person on grounds of race, creed, religion, color, sex, age, national origin, disability, marital status, or sexual orientation.

Notices: All notices or communications given or required to be sent under this permit shall be in writing and sent by regular mail or email to the following:

City of Watsonville

Date: _____

Permit Issued by: _____

Signature: _____

Gardener

Community Garden Coordinator:

Name: _____

Address: _____

email: _____

Date: _____

Permit accepted by: _____

Signature: _____