

R1-39. COMMUNITY GARDEN

The Palo Alto Community Gardens are designated for the use of Palo Alto residents only. Gardeners and prospective gardeners must provide sufficient proof of residency, (i.e. utility bill in the name of the gardener, driver's license, etc.). A post office box will not be accepted as a resident address.

A City Community Garden Coordinator has been assigned to transact License Agreements and supervise the Community Gardens. Each garden has a Community Garden Liaison to contact regarding garden issues or help with questions. The Community Garden Liaison will monitor the gardens on a regular basis, observe rule compliance, and issue written warnings if necessary.

By signing the Palo Alto Community Garden License Agreement, the Gardener/Licensee agrees to comply with the Palo Alto Community Garden Program rules as follows:

- A. The Palo Alto Community Garden Program constitutes a completely organic gardening project. Only organic materials are to be used for borders, planter boxes, weed or pest control, and fertilization of the garden plots. No non-organic pesticides, herbicides, chemical fertilizers, or chemically treated wood products are to be used in any garden site. Violation of this rule will be cause for termination of the Palo Alto Community Garden License Agreement and participation in the garden program.
- B. The City of Palo Alto Open Space, Parks, and Golf Division is responsible for all irrigation systems, weed and/or pest control, and maintenance of the perimeter on all garden sites. Gardeners are not allowed to contract for, or perform, any type of electrical or irrigation work without the written permission of the City Community Garden Coordinator.
- C. The garden plot and its maintenance is the responsibility of the Gardener. Plots and walkways shall be kept free of weeds, debris and trash year-round. Any Gardener composting is restricted to the confines of his/her assigned plot. The entire garden plot must be cultivated and contain an average planting density when it is not being mulched. A chair or small bench is acceptable for use as a resting place, but no patio sets, furniture, tables, bar-b-ques, or other furnishings are allowed.
- D. Gardeners are to keep one-half of the width of all the walkways around their garden plot free of weeds and vegetation. Plants that overgrow and block the walkway are to be trimmed back. Wood chips are located at each garden site to help maintain the integrity of the walkways. All plot walkways are to be mulched using wood chips, seed hulls, or dried leaves for garden resident safety and to help control vegetation growth.
- E. Each garden site is maintained by the resident Gardener. All Gardeners are required to help on at least 2 of the 4 scheduled annual work days. Each gardener is required to personally contribute a minimum of 2 hours of confirmed communal garden work per work day (i.e. fence repair, exterior pathways, etc.) Persons who are not able to participate in work days at their own garden may make arrangements with the City Community Garden Coordinator or Community Garden Volunteer Liaison to participate in work days at other gardens or to perform a minimum of two hours service by special arrangement with the Community Garden Volunteer Liaison.
- F. The Community Garden Volunteer Liaison is responsible for scheduling garden work days and for confirming gardener participation. If a gardener cannot attend the scheduled workdays, then that gardener must coordinate with the Community Garden Volunteer Liaison to schedule alternate workdays at their community garden or another Palo Alto community garden.
- G. Gardeners who avoid doing their share of community garden work are subject to a written warning, and possible loss of the garden plot. It is not permissible to pay in-leiu of participation in communal work days.
- H. Persons on the waitlist will be invited to participate in communal garden work days by the City Community Garden Coordinator for the sake of gaining gardening experience.
- I. Garden plots are confined to the assigned locations and a Gardener may occupy only one garden plot per his/her household (verified by Utility bill). No Gardener may use a vacant plot or other area in the gardens without the prior written approval from the City Community Garden Coordinator. The City Community Garden Coordinator may make exceptions in unusual circumstances (i.e., extremely small plot or sunlight has deteriorated due to shade trees). No garden plot shall be transferred, traded, divided, shared, sub-leased, or otherwise changed from the original plot assigned and licensed to the signatory Gardener/Licensee. If any change is desired, contact the City Community

- Garden Coordinator who maintains a waiting list for plot reassignment. All requests will be reviewed and decided on an individual basis. An exchange of plots is an option, but must be approved by the City Community Garden Coordinator before any exchange occurs.
- J. Only vegetables, flowers, berries and herbs may be grown in the plots and no produce from the plot shall be used for commercial profit. Tall plants, such as corn, berries and tall vines should be located so that they do not produce shade on adjacent plots, and do not extend into pathways. Permanent plants (i.e., roses) are not to be over 5' in height. Trees of any kind and bushes are not permitted because of their invasive root systems and shading potential. Berry bushes are to be maintained in 2' wide paths with 18" of cleared pathway between each 2' section of berries. Weeds and debris are to be cleared from the base of the berries. Berries are to be kept in the gardener's plot and not allowed to droop over into main pathways or other garden plots.
 - K. In the interest of water conservation, Gardeners are required to remain in the vicinity of their plots while watering and are requested to turn off faucets at unattended plots.
 - L. Automatic water timing systems prevent other gardeners from accessing the community water supply and contribute to low water pressure problems at some sites. Automatic watering timer systems are not permitted except upon request in unusual circumstances and by specific permission of the City Community Garden Coordinator. The approved systems must be checked on a weekly basis. Any system found leaking will be removed. Please contact the City Community Garden Coordinator for approval before installing any type of watering system.
 - M. Plot holders are expected to conduct themselves in a safe, respectful and courteous manner toward other garden residents and the public. Any Gardener taking produce from a plot other than his/her own, will be terminated from the garden program and their License Agreement revoked immediately. Garden conflicts should be taken to the Community Garden Volunteer Liaison for resolution. In the event that the Community Garden Volunteer Liaison cannot resolve the issue, the problem is to be taken to the City Community Garden Coordinator for resolution. Non-compliance with this rule can subject the offending Gardener to immediate dismissal from the garden program and revocation of the License Agreement.
 - N. Due to health and safety concerns, dogs are not allowed inside any Community Garden site, either on or off a leash. Dispensation may be granted in special cases (i.e., handicapped, blind, etc.). Please contact the City Community Garden Coordinator to request dispensation consideration.
 - O. A \$100 refundable cleaning deposit (based on published municipal fee schedule) is required at the time of the signing of the License Agreement. Upon termination, if the City Community Garden Coordinator determines that the garden plot is in an acceptable condition for a new tenant (refer to pictures of garden standards), the deposit will be returned 4-6 weeks after the termination of the License Agreement. In the event the plot is abandoned or neglected, the deposit fee will be used to cover costs incurred for having the plot cleared, mulched or tarped with black plastic to retard weeds for benefit of the next tenant.
 - P. The yearly garden fee is based on the published municipal fee schedule at the time of signing. Invoices for the current year's fees will be mailed in January. The amount of the fee associated with the right to cultivate any plot will be calculated by quarter on a calendar year basis. First year fees will be based on when the garden plot was assigned. Annual plot fees are due within 30 days of invoice date, and a late fee of \$10.00 (ten dollars) will be charged if payment is not received on due date. Gardeners who fail to pay 60 days after the invoice date are subject to revocation of their License Agreement.
 - Q. Any gardener who is 60 years of age or older is eligible to receive a 25% discount. The gardener is responsible for informing the City Community Garden Coordinator that he or she is eligible to receive the discount and must provide proof of age.
 - R. Low income youth, senior and/or disabled residents may apply for a fee reduction through the City's Fee Reduction Program. Applications are available at Lucie Stern Community Center or in the Enjoy! catalog.
 - S. Invoices may be paid in person at the Lucie Stern Community Center, 1305 Middlefield Road or by mail to: City of Palo Alto, Community Garden Program, Attention City Community Garden Coordinator, 3201 East Bayshore Road Palo Alto, CA 94303. If on a fee reduction plan, payment

must be made in person through Lucie Stern Community Center, 1305 Middlefield Road.

- T. In the event the Licensee decides to terminate the License Agreement to cultivate a plot, the City Community Garden Coordinator is to be notified in writing (email will be accepted) by the Licensee and a refund will be issued for the remaining quarter(s) of the calendar year. No refunds will be given for part of a quarter (3 months) and no refunds of less than \$10.00 (ten dollars) will be issued. Upon termination of the License Agreement, the garden plot will be assigned to the next applicant on either the Johnson Garden or Eleanor/Main Garden waiting list.
- U. Pursuant to Palo Alto Municipal Code 22.04.320, no person shall use, remain in or enter any Community Garden (Main Garden; Eleanor Pardee Garden, Johnson Park Garden between 10:30 p.m. and sunrise prominently at each garden.

Violation of any Community Garden Rule will subject the gardener to a written warning. If a gardener receives a written notice of non-compliance, he/she will have thirty (30) days to correct the situation. Failure to remedy the situation within thirty (30) days will be cause for cancellation of the License Agreement. If the gardener receives a second written notice of non-compliance within the same calendar year, the gardener will have thirty (30) days to correct the situation. Again, failure to remedy the situation within thirty (30) days will be cause to terminate the License Agreement. If a gardener fails to maintain their garden according to established garden maintenance standards and receives a third notice within the same calendar year, the License Agreement will be revoked and the plot will be assigned to the next applicant on the waiting list. Any items remaining in the plot will be given to the person taking the plot. The good faith judgment of the City Community Garden Coordinator will be sufficient cause for enforcement of the Community Garden Rules, including revocation of the license to garden.

Adopted by City Council June 24, 2002; Revised June 28, 2004; Revised January 24, 2005. Revised February 3, 2006. Revised April 14, 2008. Revised March 14, 2011, Revised November 19, 2012, Revised May 20, 2013.