



## Lenexa Community Garden Rules

### Purpose.

The purpose of the Lenexa Community Garden program (“Program”) is to provide gardening opportunities for City of Lenexa residents (“Gardener(s)”) that may not otherwise have the opportunity to garden and to encourage the sharing of fresh fruits, vegetables and flowers in the community. The City’s Community Gardens are located at Sar-Ko-Par Trails Park, Electric Park and Scouting Park. The City offers three sizes of garden plots: (1) an approximately 20’ by 20’ plot (“Full Plot”); (2) an approximately 20’ by 10’ plot (“Half Plot”); and (3) an approximately 20’ x 5’ raised bed (“Raised Bed”). Full Plots, Half Plots and Raised Beds are collectively referred to in this document as “Plot(s).” Assignment of a Plot to a Gardener is a privilege, not a right. All uses of the City’s Community Gardens and Plots are subject to and shall be in accordance with these rules and procedures (“Garden Rules”). **The City reserves the right to modify and amend the rules and procedures provided herein at any time.**

### Gardener Residency.

1. In order to participate in the Program, Gardeners must be a resident of the City of Lenexa, Kansas.
2. Proof of Lenexa residency is required in the form of either (1) a valid driver’s license showing a Lenexa address, or (2) a current utility bill showing a Lenexa address and valid photo identification.

### Plot Assignment.

1. All Lenexa residents interested in participating in the Program must submit an application to the Program Coordinator to be assigned a Plot.
2. Only one (1) Plot may be assigned to each Gardener.
3. In the event all Plots have been assigned, the Program Coordinator will maintain a list (“Seniority List”) of current and potential Gardeners arranged in order according to the date on which current or potential Gardeners first applied or otherwise contacted the Program Coordinator for participation in the Program. Whenever a Plot becomes available, the Plot will be offered to Gardener’s in order of the Seniority List.
4. If a Gardener or returning Gardener is offered a Plot, the Gardener must notify the Program Coordinator of the Gardener’s acceptance of the Plot assignment no later than January 15<sup>th</sup> of the current year. In addition, the Gardener must complete a Lenexa Community Garden Agreement (“Agreement”) and pay the applicable annual dues prior to March 31<sup>st</sup> of the current year or the Plot will be offered to another Gardener in accordance with the Seniority List.
5. Failure to timely notify the Program Coordinator of the Gardener’s acceptance of the Plot assignment, complete the Agreement, or pay the applicable annual dues may result in loss of the Plot assignment and the Plot will be assigned to the next person on the Seniority List by the Program Coordinator.

6. Subject to the Program Coordinator's discretion, a returning Gardener may be assigned the same Plot as the previous year.
7. Plots cannot be transferred, assigned or otherwise passed on to others by a Gardener.
8. Gardeners may request to increase or decrease Plot size, to be assigned a different Plot locations or move to a different Community Garden.
  - a. Increasing Plot Size:
    - i. Gardener's requesting to increase Plot size from a Half Plot to a Full Plot must submit a written request to the Program Coordinator.
    - ii. Gardener must not have received any notice of violations in the year prior.
    - iii. Subject to availability, a Full Plot may be assigned to the next eligible Gardener who has requested such a move, in order of the priority provided by the Seniority List.
  - b. Decreasing Plot Size:
    - i. Gardener's requesting to decrease Plot size from a Full Plot to a Half Plot must submit a written request to the Program Coordinator.
  - c. Moving Plots or Community Gardens
    - i. Gardeners requesting to move to a different Plot of the same size and/or to a different Community Garden must submit a written request to the Program Coordinator.
    - ii. Subject to availability, the opportunity to move Plots and/or Community Gardens will be offered to eligible Gardeners who have requested such a move, in order of priority provided by the Seniority List.
9. Subject to the Program Coordinator's discretion, a request to increase or decrease Plot size, to move to a different Plot and/or a different Community Garden may not be considered between March 31 and October 16 of the current year.

**Plot Abandonment.**

1. A Plot is considered abandoned by a Gardener under the following circumstances:
  - a. If the Gardener informs the Program Coordinator in writing that they will not return for the next season or that they are unable to continue gardening for the current season.
  - b. If the Gardener has failed to comply with the terms of the Agreement or these Garden Rules.
  - c. If the Gardener has an assigned Plot and subsequently failed to notify the Program Coordinator they will be returning by January 15<sup>th</sup> of the current year; or
  - d. If the Gardener has an assigned Plot and subsequently failed to sign the Agreement prior to March 31<sup>st</sup> of the current year.
2. When a Plot is abandoned by a Gardener the Gardener's Plot privileges will be terminated immediately and the Plot may be assigned to the next person on the Seniority List.
3. A Gardener who has abandoned an assigned Plot may, at the Program Coordinator's discretion, be removed from the Seniority List.

**General Plot Maintenance, Clean up and Etiquette.**

1. The City will till all Plots, except Raised Bed plots or Plots assigned to Gardeners authorized to garden year-round in accordance with these Garden Rules (See "Year-Round Gardening Rules")

below), by March 17 of the current year, or as soon as practical depending upon the weather, work schedules and availability of equipment.

2. Gardeners are responsible for the maintenance and upkeep of their Plot in accordance with these Garden Rules and the Agreement for the entire term of the Agreement.
3. Gardeners shall make arrangements for the regular watering and maintenance of their Plot if he/she will be unable to do so for a period longer than seven (7) days.
4. Gardeners shall begin preparing their assigned Plot, including, but not limited to, weeding and preparing the soil for planting, by May 1<sup>st</sup> of the current year. Subject to the Program Coordinator's sole discretion, Gardeners may request an extension.
5. Gardeners shall not walk, climb or otherwise stand on a Raised Bed plot.
6. Gardeners shall not let fruits and/or vegetables rot or otherwise go to waste within the Plot.
7. Gardeners shall pick-up all trash in and around their assigned Plot and trash must be placed in trash receptacles.
8. Pets shall not be brought or otherwise permitted within the Community Gardens.
9. Gardeners must remove all plant materials and any personal property, such as fencing or posts, from their assigned Plot by October 16<sup>th</sup> of the current year, unless authorized to garden year-round pursuant to these Garden Rules.
10. Gardeners shall not sell produce grown within their Plot. Gardeners may share or donate produce grown within their Plot.
11. Gardeners shall not harvest or otherwise remove produce from any Plot other than his/her assigned Plot, unless Gardener has express permission.
12. Gardeners may be asked by the Program Coordinator to assist with the maintenance and upkeep of an abandoned Plot. If a Gardener provides such assistance, Gardener does not have any privileges or rights in such abandoned Plot, nor have any privileges or rights been conferred upon, or otherwise given to, the Gardener.

#### **Plot Fencing.**

1. Gardeners' are permitted to fence their Plot using feedlot panels, provided feedlot panels are shorter than 34" in height, poultry fencing, rabbit fencing, wire mesh fencing, or woven fencing ("Fencing"). Brightly colored snow fencing is not permitted.
2. If a Gardener chooses to fence their Plot, the entire Plot must be fenced.
3. Gardener must adequately maintain any Fencing on their assigned Plot, including but not limited to removing any and all weeds from the Fencing.
4. Gardener shall remove any fencing on their assigned Plot no later than October 16<sup>th</sup> of the current year, unless Gardener is authorized to garden year-round pursuant to and in accordance with these Garden Rules (See "Year-Round Gardening Rules" below).

#### **Watering.**

1. Gardeners shall be responsible for watering their assigned Plot.
2. Gardener shall not leave their Plot unattended while watering.
3. Gardeners shall roll-up, place the garden hose on the hose holder and lock faucet after each use.

### **Weeds.**

1. Gardeners shall keep their assigned Plot, Plot edges, and adjacent pathways/aisles free of weeds and shall not permit any weeds to grow 8" or taller.
2. All Gardeners shall share the responsibility to keep the pathways/aisles between their assigned Plot and any other Plot free of weeds equally.
3. For Raised Bed plots, Gardeners shall keep their assigned Raised Bed plot, including the mulch boundary surrounding the Raised Bed plot, free of weeds.

### **Tall and Vining Plants.**

1. All plants, including tall or vining plants which may grow to more than five (5) feet in height, shall be planted an appropriate distance from adjacent Plot(s) so as to not shade or otherwise encroach upon the other Plot(s).
2. Gardeners planning to grow vining plants on any fence along adjacent Plot(s) shall discuss such vining plants with the Gardeners of neighboring Plot(s)

### **Fertilizer, Pesticides, Fungicides and Herbicides.**

1. Gardener's shall use and apply fertilizer, pesticides or fungicides so as not to affect adjacent Plots.
  - a. Before application:
    - i. Read all precautions before using any fertilizer, pesticide or fungicide.
    - ii. Confirm that the fertilizer, pesticide or fungicide is labeled for edible plants, the plant you are using it on and the issue that you have.
    - iii. Other possible organic options or biological controls may be available on the market, including homemade remedies that are considered organic. If a Gardener is unsure whether or not their fertilizer, pesticide or fungicide, including any homemade remedy, is permitted, Gardener shall contact the Program Coordinator prior to application to confirm whether such use is permitted.
  - b. The following Pesticides and Fungicides are permitted so long as they are labeled USDA organic:
    - i. Pyrethrum: A powerful insecticide that knocks down (but doesn't necessarily kill) insects quickly.
    - ii. Rotenone: Used to control leaf-eating caterpillars, as well as beetles and aphids.
    - iii. Sulfur: Used to treat mildew, rust, leaf blight and fruit rot and spider mites.
    - iv. BT: Used for caterpillars and beetles.
    - v. Neem: Used to control gypsy moths, sweet potato whiteflies, mealy bugs and caterpillars, among other insects.
  - c. Naturally derived fertilizers, including, but not limited to, alfalfa meal, bat guano, blood meal, bone meal and gypsum may be used. The fertilizer must be labeled organic or be approved by the Program Coordinator.
2. Any use of herbicides (such as chemical weed killers or preventatives) on a Plot is strictly prohibited.

### **Mulching.**

1. Gardeners shall not spread mulching materials on their Plot more than 3" thick and, at the Program Coordinator's sole discretion, may be requested to remove excessive amounts of mulching material.
2. Gardeners are permitted to utilize yard waste brought from their home, such as grass clippings and leaves, as mulching materials.
3. Gardeners shall spread mulching material immediately after bringing such material to their assigned Plot.

### **Composting.**

Gardeners must utilize compost bins for plant materials and shall not place non-plant materials, including, but not limited to, trash, into such compost bins.

### **Year-Round Gardening Rules.**

1. Gardeners may seek authorization from the Program Coordinator to continue gardening year-round (a "Year-Round Gardener").
2. All plant materials and personal property, including, but not limited to, cages and trellises used to hold up plant materials, cannot be left in the garden year-round if they are not currently in use.
3. Year-Round Gardeners may maintain Fencing on their assigned Plot between October 17<sup>th</sup> and March 16<sup>th</sup> so long as the installed fencing is 34" tall when measured from the ground and is otherwise in compliance with the "Plot Fencing" rules provided above. Failure to comply with this requirement may result in the termination of a Gardener's Plot privileges. The City recommends and prefers, but does not require, the use of feedlot panels for Year-Round Gardening. The Program Coordinator can provide a Year-Round Gardener with recommendations. Poultry fencing, rabbit fencing, wire mesh fencing, or woven fencing may be placed at the bottom of a feedlot panel prevent rabbits and other animals from entering the Plot.
4. Gardeners interested in utilizing a cold frame in the garden must submit its design for approval from the Program Coordinator before installation.
5. A Gardener who is authorized for year-round gardening must execute an Agreement and pay applicable annual dues by March 31st of the current year.

### **Termination of Plot Privileges.**

1. The City may terminate a Gardener's Plot privileges for:
  - a. Violation of any of the terms and conditions of the Agreement or of these Garden Rules;
  - b. Inappropriate or abusive behavior to other Gardeners or City staff;
  - c. Any other reason the Program Coordinator reasonably determines.
2. Prior to terminating a Gardener's Plot privileges for reason (a) above, the Program Coordinator shall notify the Gardener to correct the Problem within five (5) days of the notice for the first violation, or within three (3) days of the notice for any subsequent violations.
3. Subject to the terms of the Agreement, Notices may be given verbally in person or by phone, or by written noticed delivered in person, by mail or electronic mail ("e-mail").
4. Subject to the Program Coordinator's discretion, termination of Plot Privileges shall be for a period of one (1) year and will result in Gardener's removal from the Seniority List.

**City's Authority.**

1. The City retains authority over the Community Garden and may choose to end the Community Garden program and use the property upon which the Community Gardens are located for any other use at any time.
2. Pursuant to the Agreement and these Garden Rules, the City retains the authority to remove and dispose of any personal property remaining on any Plot after October 16 of the current year.