

Euclid Street Community Garden Operating Procedures & Bylaws (Updated April 2019)

1) Governance

a) Garden Committee Structure

i) The Garden Committee shall consist of three elected members, a Garden Manager, Secretary and Treasurer.

ii) Garden Manager

(1) Must serve as the main point of contact with DPR. The Managers mailing address, phone number and email will be included in the cooperative agreement.

(2) Manages the day-to-day responsibilities of the garden:

(a) Removes derelict gardeners and reassigns plots throughout the year.

(b) Assures any maintenance needed is carried out.

(c) Coordinates with DPR on maintenance or other issues.

(d) Schedules and plans a yearly public meeting.

(e) Manages public garden email account.

iii) Treasurer

(1) Manages general garden finances and bank accounts.

(2) Collects plot membership dues and/or fundraising.

(3) Must provide an annual income and expense report to DPR upon request.

iv) Secretary

(1) Collects and compiles all forms and agreements for the gardens records.

(2) Ensures all member records and garden forms are on file and up-to-date.

(3) Records minutes from all meetings.

(4) Maintains all garden documents.

(5) Manages waiting list.

(6) Responds to garden plot requests (all garden plot requests must receive a response from the garden manager confirming an open plot or a confirming a position on the waiting list).

(7) Assigns new gardeners to open plots.

v) **Garden Member Roles (Non-Committee), Assigned As Needed**

(1) Communications Coordinator

(a) Coordinates garden communications.

(b) Manages garden mailing list and group listservs (Google Group).

(c) Manages web content and social media content.

(2) Community Outreach Coordinator

(a) Coordinates public outreach efforts.

(b) Manages and executes the Community Inclusion Plan (See Section 19).

(c) Manages and coordinates activities among community volunteers and groups.

b) **Assigning/Election of Garden Committee Roles**

j) **Garden Committee**

(1) When there is an opening on the Garden Committee, any Committee or Garden member in good standing may seek the position.

(2) Committee members will be elected by majority vote of the Garden Membership.

(3) Committee member terms will be for three years.

(4) Garden Committee members may keep their assigned plot through the completion of their service on the Committee, even if there are individuals on the waiting list. If a gardener has not completed three years of plot tenure prior to assuming a position on the Garden Committee, they may complete any remaining years after Garden Committee Service is complete.

- (5) Committee members may be removed for misconduct or neglect of duty by a three quarter majority of the Garden Members. A quorum of half of the Garden membership must be present for the vote to take place. In the event of resignation of a Committee Member, or her/his removal from office, the Garden Committee shall appoint a successor to serve until the following election meeting and shall schedule an election within 60 days.

ii) Garden Manager

- (1) At least one member of the Garden Committee is required to serve as the Garden Manager.
- (2) The members of the Garden Committee will appoint a Garden Manager to serve as the main point of contact for the garden & DPR.
- (3) If a manager vacates the position, the Garden Committee will choose a new manager.
 - (a) If the Garden Committee fails to do so, an election must be held within 30 days or DPR may close the garden until a new manager is picked.
- (4) If gardeners are having trouble with a garden manager, any member may call for a membership meeting to discuss the situation. If no resolution is found in the meeting, members may call for a vote for an election as outlined in Section 1.B.i.5.
- (5) If there is an immediate problem with the garden manager and the Garden Committee is unavailable, gardeners may contact the DPR Community Garden Specialist to resolve the problem.

iii) Other Roles (Non-Committee)

- (1) Communications Coordinator
 - (a) The members of the Garden Committee will select a Communications Coordinator from the garden members as needed.
- (2) Community Outreach Coordinator
 - (a) The members of the Garden Committee will select a Community Outreach Coordinator from the garden members as needed.

c) Annual Public Meetings

- i)* There will be at least two mandatory, garden-wide clean ups each year – one in the fall (weather permitting) and one in the spring (weather permitting) at which garden business will be discussed. Each year keys or a combination code will be given out to new gardeners at the Spring garden clean up; all gardeners are expected to participate in both of these clean ups.
- ii)* Additional meetings may be organized by the Garden Committee or any gardener to address any concerns.

2) Garden Membership

a) Garden Members

- i)* Each gardener assigned a personal plot is considered a member of the garden.
- ii)* Once the plot holder has signed the Euclid St Community Garden Membership Agreement, the DPR liability waiver form, and the DPR Garden Code of Conduct and has paid their dues, they will be assigned a plot number. All plot assignments, after the initial plot distribution, are done on a first-come, first-served basis or, if the Garden is full, on an as-available basis.
- iii)* Groups and organizations may have group plots, but **MUST** assign an individual as the primary contact and responsible party for the plot. (ex. church groups, senior centers, etc.).
- iv)* Members may designate up to two family members or friends (“the assigns”) to participate in the maintenance of their plot. “Assigns” refer to individuals who work on the plot in the absence of the primary plot holder; plot holders are welcome to bring other friends and family members to help in the plot, provided plot holder is present. Through signature of the member to these Guidelines, their designees also agree to comply with these principles.

b) Membership Requirements

- i)* All gardeners are expected to participate in both of the two mandatory seasonal clean up days (one in Fall and one in Spring), and at least one other community-oriented event sponsored by the Garden.
 - (1) Gardeners who fail to attend mandatory clean ups are required to complete 4 hours of volunteer service within 2 weeks of the mandatory clean up date.
- ii)* Gardeners are expected to attend meetings of the Garden when possible. In the event that a membership vote is held at a meeting, all gardeners are expected to abide by the outcomes regardless of whether or not they attended the meeting.

iii) Garden members are expected to volunteer 2 hours per month towards general upkeep, cleaning, and maintenance of common areas. Common areas can include, but are not limited to public plots, fences, area around the garden border, garden isles, and tool shed.

(1) The Garden Committee determines the volunteer requirements and how to monitor each person's contribution.

iv) All gardeners must sign, verifying they have read, understand, and accept, the Euclid Street Community Garden Membership Agreement, the DPR liability waiver form and the DPR Garden Code of Conduct. A hard copy of the Euclid St Community Garden Operating Procedures & Bylaws and DPR Garden Code of Conduct will be kept on site of the garden at all times.

(1) If there are multiple people gardening in one plot, all members must sign a waiver and code of conduct.

v) All members must abide by all garden rules, Garden operating procedures, DPR rules, and DC laws. Failure to follow any of these rules and laws may result in the loss of the member's garden plot, determined on a case-by-case basis, by either the Garden manager or DPR.

vi) All members are restricted to one garden plot per household at one DPR community garden. Members cannot garden a personal plot at more than one DPR community garden.

vii) Members are required to live within the boundaries of the District of Columbia for the duration of their use of a garden plot.

c) Membership Plot Duration

i) Initial plot assignment is for a maximum of three years, with the option thereafter to renew annually if there are no persons on the waiting list at the time that annual dues are due.

ii) Members voluntarily leaving their plot

(1) If members wish to leave their garden plot they must contact the garden manager as soon as possible.

(2) Members cannot assign their plots to a person of their choice.

(3) The garden manager will assign the plot according to the waiting list.

d) **Membership fees**

i) Dues are \$30 per year per member.

(1) If the membership fees poses a financial hardship for any garden member, they may contact any member of the Garden Committee and request a fee waiver.

ii) Dues are required and must be paid by the spring garden opening of each year, unless otherwise specified by the Garden Committee.

iii) There will be a fee for returned checks and the plot will go to the next individual on the waiting list.

iv) All dues are non refundable.

v) Your dues provide you with plot rental, access to the Garden, and all communal areas and include use of the Garden's water source, for a period of one year. The Garden does not guarantee a water source if reasons beyond the control of the Garden prevent provision of a water source.

3) General Behavior

a) All gardeners are expected to behave in a courteous and considerate manner toward both fellow gardeners and the surrounding community.

b) Smoking is not permitted in the Garden.

c) Noise levels must be reasonable (no radios, no wind chimes), and all gardeners must observe the noise ordinances in place for the District's residential neighborhoods.

d) You may bring your bike inside the garden for safekeeping while you are gardening, but no bike riding is permitted in the garden itself.

4) Seasonal Maintenance Plan

a) **Group Participation And Common Areas**

i) All gardeners are expected to participate in both of the two mandatory seasonal clean up days (one in Fall and one in Spring), and at least one other community-oriented event sponsored by the Garden.

- ii)* All gardeners should participate in the ongoing upkeep and daily maintenance of the Garden. This includes watering and weeding of the common areas, picking up trash throughout the Garden, and pitching in to help other gardeners during absences or following thefts or vandalism. Garden members are expected to volunteer 2 hours per month towards general upkeep, cleaning and maintenance of common areas.
- iii)* Common areas are defined as ALL areas not defined as an individual assigned plot, and include the pathways, gates, fences, sheds, entryway, and fence plantings. Garden members are responsible for upkeep of common areas, but DPR is responsible for maintenance of the physical infrastructure of the Garden.
- iv)* Pathways around plots should be kept neat, weed free, and clear of all debris and tools for the safety of all gardeners and the beauty of the garden.
- v)* Occasionally the Garden Committee may ask gardeners to sign up for specific tasks, community projects, and maintenance efforts as needed.

b) Maintaining Your Plot

- i)* All plots must be kept weeded and maintained during the growing season. Gardeners are responsible for weeding their own plots.
- ii)* All gardeners are required to have their plots cleaned, weeded and planted by May 15. Because unused plots are homes for weeds and other potential problems for the rest of the garden – not to mention wasted opportunity – any gardener whose plot is not planted by May 15th will receive a warning by e-mail and/or telephone. After three warnings at least one week apart, if the gardener has not responded, the plot will be revoked and reassigned.
- iii)* All gardeners are required to have their plots cleaned and free of standing dead vegetation, stakes, trellises or tomato cages by December 31. Gardeners who do not clean their plots by December 31 will not be invited to join the garden again the following season.
- iv)* All gardeners are expected to address diseased/infested plants IMMEDIATELY. If the problem cannot be contained with organic garden methods, the diseased or infested plant should be removed from the garden. Diseased and infested plant materials should NEVER be placed in compost or left anywhere in the Garden.
- v)* All gardeners are expected to keep their plots harvested and free of overripe or rotting vegetation; this prevents pests, disease, and vermin.
- vi)* To help reduce rat infestations, plots with consistently unharvested produce may be listed on the garden listserv so that other gardeners can harvest the produce and a situation of overripe or rotting vegetation is avoided.

c) Using Water Responsibly

- i) Plots include access to the Garden's water source, which is supplied by DPR. All gardeners are expected to use water in a responsible manner. Water should be used only to water plots and clean gardening implements. Use of the water source for non-gardening use is not permitted.
- ii) No standing water is permitted on the Garden premises. This means gardeners must keep their plots free of any receptacles that can catch and hold water.

d) Plot Maintenance While Away

- i) If you go on vacation during the growing season, please make arrangements with other gardeners and/or with a friend (an "assign") to water and weed your plot while you are away.
- ii) If you or your designees plan to be away longer than a month, you should contact the Garden Committee so that arrangements can be made to maintain your plot in your absence. The Garden Committee may require you to relinquish your plot in the event of multiple and/or extended absences.

5) Restricted Plants and Other Materials

- a) The Garden prohibits planting any of the following in individual plots: trees, ivy, kudzu, bamboo or any plant with a mature height greater than 5' that would shade adjacent plots, or any illegal substance.
- b) All invasive plants, including but not limited to, mint, morning glories, vinca vine, and certain begonias, are expected to be contained in a responsible manner, to avoid having them take over pathways or interfering with other plots and communal areas. For example, you can plant mint if it is in its own separate pot in your own plot.
- c) Fertilizers and other soil amendments are permitted provided they conform to the Garden's organic requirements. If you are uncertain about whether or not a substance is organic, contact the Garden Committee before using it. (Please see Section 8 for more information on organic guidelines.)
- d) The Garden allows only untreated wood and non-toxic materials to be used in plots and in communal areas.
- e) Gardeners can use non plant materials and decorations provided they do not contain toxic materials or other materials that could potentially leach into and negatively alter the soil.

6) Pest, Rat and Disease Control

- a) The Garden is an organic garden. This means only organic pesticides or herbicides may be used in the garden, for both weed and pest control. Exceptions may apply to the orchard. All use of pesticides, including organic pesticides, should occur during the night or early morning to avoid harming local pollinators.
 - i) Check with the garden committee before using any substance if you are uncertain as to whether it is organic.
 - ii) Use of non-organic pesticides or herbicides will result in termination of your plot and privileges. Note: This is a common practice among community gardens.
- b) Rat control will be undertaken by DPR at the Garden Committee's request. Gardeners must follow any rat control recommendations developed by the garden committee, including rat control measures that must be implemented at the individual plot level.
 - i) The Garden Committee will strictly enforce any measures deemed necessary to achieve rat control objectives.

7) Children

- a) Children 17 or under are not allowed in the garden unless accompanied by an adult.
- b) Gardeners bringing children 17 and under to the Garden are responsible for supervising those children while they are on the premises.

8) Tools

- a) All gardeners are expected to bring their own small hand tools to the Garden. The Garden provides a storage area for gardeners' tools, but is not responsible for any tools or other personal property left in the Garden or the storage area.
- b) If available, Gardeners may use the Garden's communal tools. Gardeners must clean, return and safely lock up the tools when they are finished.
- c) Tools should always be used in a safe manner.

9) Security

- a) The gates of the Garden must be kept locked when no one is in the garden.
 - i) The lock must remain on the gate and should not be carried with a gardener while they are in the garden.
- b) Combination locks are used on the garden gates. You will be given the combination number upon paying your membership dues. You are expected to keep the combination secure and are not to share it with anyone outside of the Garden.
 - i) The combination may be changed as needed based on turnover and security needs.
- c) Gardeners have access to the Garden at any time year round. However, the Garden Committee strongly recommends using the garden during daylight hours, using a buddy system when arriving or departing after dusk or early in the morning, and carrying a cell phone with you when you visit the Garden if possible.
- d) Suspicious or illegal activity should be reported immediately to the authorities and the Garden Committee should also be notified.
- e) Failure to maintain these security measures could result in revocation of your plot and privileges, without reconsideration.

10) Theft and Vandalism

- a) All gardeners should help with repairs and replanting as needed if the Garden or any gardeners' plots are damaged by theft or vandalism.
- b) The Garden is not responsible for damage to your plot or any items stored in the secured area in the event of theft or vandalism or acts of nature.

11) Trash and Compost

- a) Trash containers are provided within and outside the garden.
- b) Gardeners may use these trash containers provided their refuse fits entirely within the trash container.
- c) If refuse does not fit within the trash container, a tied refuse bag may be left outside near the container to be removed during DPR trash pickup.

12) Termination of Membership

- a) Failure to Abide By the Guidelines
 - i) The Garden is located on public property owned and maintained by the District of Columbia Department of Parks and Recreation and the District of Columbia Department of Transportation. Gardeners are bound by DC Parks and Recreation rules and DC law at all times.
 - ii) The following are grounds for immediate termination of plot use: any action that endangers or jeopardizes the safety of other gardeners; any action that deliberately or through negligence damages the Garden itself, its assets, or the property of other Gardeners; the use of toxic chemicals or non organic pesticides or herbicides; possession of firearms, possession of an illegal substance, or any other illegal activity. In these events, the gardener's plot and privileges are revoked immediately; no warning is required and no reinstatement considered.
- b) Safety Violation
 - i) If a garden member violates a DC law or a DPR Code of Conduct that affects the safety of the garden, that member may lose their membership and garden plot. Each case may be determined by DPR and/or the Garden Manager on a case-by-case basis.
 - (1) Safety rules include but are not limited to:

- (a) No physical or verbal behavior that's aggressive, intimidating, threatening, harassing or violent in any way.
- (b) No Alcohol within garden or any part of DPR property
- (c) No Smoking within the garden or any part of DPR property
- (d) No pets in garden
- (e) No non-organic fertilizer, pesticide, herbicide, or fungicide.
- (f) Do not harvest or disturb other people's personal garden plots.
- (g) Gardeners must not erect any structures that the garden manager deems a hazard or that could impede the success of another plot.

ii) Procedure for Safety violation

(1) Immediate threat

- (a) If anyone's safety is at risk please contact MPD using 911.
- (b) If immediate assistance is needed (by staff or gardeners) to remove someone from the premise that does not require calling MPD, please call the Park Rangers at 202-441-2605.

(2) Non-immediate threat

- (a) All staff members, garden managers, gardeners who witness any safety violation must fill out an incident report as soon as possible and submitted to DPR.
- (b) Based on the incident reports collected DPR will determine the following course of action(s) that could include, but not limited to:
 - (i) *Request for follow up information*
 - (ii) *Document incident with no further action*
 - (iii) *Issue a warning*
 - (iv) *Require mediation*
 - (v) *Remove a gardener from their personal plot*
 - (vi) *Ban a gardener from a garden*
 - (vii) *Report incident to MPD*

c) Garden Violations

- i) If a garden member violates a non-safety related garden rule that person will get three chances to remediate the violation or they may lose their garden membership and garden plot immediately or at the start of next growing year.

(1) Non-safety rules include by not limited to:

- (a) All gardeners must plant their plots within a month of receiving the plot. (weather permitting)
- (b) All returning gardeners must plant their plots by May 15th
- (c) All gardeners must maintain their plot which entails
 - (i) *Controlling weeds and pests in and around their plot*
 - (ii) *Harvesting ripe vegetables before they rot*
- (d) All gardeners must complete their volunteer requirement set by the garden manager.
- (e) Gardeners must not erect any permanent structures or structures that block sun from another garden plot.

d) Three-Step Warning System

- i) The garden manager must make a documented attempt by the usual contact method to issue a warning.
- ii) After waiting a week if the problem still persists, the garden manager must make another documented attempt by a different form of contact, stating clear consequences
- iii) After waiting another week, the garden manager must make a documented attempt over the phone or in person to make contact. If contact is made, the member who committed the violation must create an action plan to remediate the problem with the garden manager. If there is no contact after a week or if the remediation plan fails, the garden manager may ask the garden member to leave their plot.

13) Communication

- a) Addresses and numbers to contact the Garden Committee will be posted in the Garden.
- b) The Garden Committee will keep gardeners informed via email, meetings, the Garden listserv and the bulletin board located in the Garden. Phone and postal mail will be used as necessary.

- c) Gardeners may use email, meetings, the Garden's website, the bulletin board in the Garden, and phone or postal mail to communicate with the Garden Committee. Please contact the Garden Committee in writing when appropriate, or as noted in these Guidelines. Email is preferred when appropriate, unless noted otherwise in these Guidelines.
- d) If you need to notify the Garden in writing of a situation, use email if possible. If email is not available, contact the Garden Committee members via telephone or postal mail.
- e) The Garden Committee reserves the right to remove material it deems inappropriate and offensive from the bulletin board or any other venue related to the Garden.

14) Interpretation, Enforcement, Disputes and Grievances

- a) The Garden Committee shall resolve all disputes as to the interpretation of these rules in its reasonable discretion.
- b) The Garden Committee shall enforce these rules and shall have discretion to enforce or waive any rule on a case-by-case basis. No Gardener or any other individual shall have the right to enforce or waive any rule.
- c) Gardeners agree to submit grievances regarding other gardeners and Garden policy to the Garden Committee for consideration and review. Gardeners agree to abide by the decisions of the Garden Committee following its review of the grievance.
- d) Efforts to settle grievances outside of the Garden Committee review or failure to abide by the Garden Committee's decisions may result revocation of your plot and your privileges.
- e) The Garden Committee will conduct all votes of the membership.

15) Process to Amend these Operating Procedures & Bylaws

- a) Notice of Garden Operating Procedure Amendment Request
 - i) All members of the ESCG must be given advance notice of a request to amend the Euclid St Community Garden Operating Procedures & Bylaws.

- b) Submission of Proposed Garden Operation Procedure Amendment(s)
 - i) Request for amendments to the operating procedures shall be submitted to the ESCG committee and include the following:
 - (1) Reason for requesting amendment to the Euclid St Community Garden Operating Procedures & Bylaws.
 - (2) The procedure/bylaw as currently stated if changing an existing procedure or bylaw.
 - (3) The proposed garden procedure amendment precisely worded as it will read if the amendment is adopted.

- c) Requirement for Adoption of Garden Operating Procedure Amendment(s)
 - i) All amendments to the “Euclid St Community Garden Operating Procedures & Bylaws” require a two-thirds majority vote by the Garden Partner Group *and* previous notice.

16)Community Inclusion Plan

a) Outreach Communications

- i)* The Garden Committee will provide outreach to communities through a variety of communications methods, including maintaining information (calendar of events, waitlist information, etc.) publically on its digital platforms (including a website and on social media) as well as in high-trafficked public spaces around the garden such as the external garden bulletin board.

b) Accessible Gardening

- i)* Four plots are built for disabled gardeners requiring adaptive gardening plots.
 - (1) Waitlist priority is given to gardeners requiring these plots.
- ii)* The Garden Committee will do outreach to local disability and senior groups each year to advertise these plots as they are available.

c) Outreach Events

- i)* The Garden will look to establish an ongoing relationship with a local community partner interested in using the garden for community gardening workshops or adult education events.
- ii)* The Garden will host and advertise at least two Open House Events per year where non-members community can learn about the garden and meet gardeners.
- iii)* The Garden will host and advertise at least one community gardening workshop per year that is open to the public (such as a lesson on tree pruning basics or orchard espalier techniques).

17)Release and Indemnification

- a)** The Garden is a permissive occupant of the land upon which the Garden is located. The DC Department of Parks and Recreation may revoke this permission at any time without notice or compensation. Gardeners release any future claims arising as a result of the loss of access to the Garden or the plants located therein.

- b) Gardeners agree to use the Garden at the Gardeners' own risk, and further agree to defend, hold harmless and indemnify the Euclid Street Community Garden Association, Washington Parks and People, the Garden Committee, and the Garden's officers, volunteers or assigns, and the District of Columbia Department of Parks and Recreation, and the city of the District of Columbia, from any cost, liability, damage, loss, or claim that occurs in now or in the future relating to or arising out of participation in and use of the Garden by Gardeners' family members, guests, or assigns. Gardeners further acknowledge full responsibility for Gardeners' own actions and the actions of Gardeners' family members, guests or assigns at all times.