



JCPRD Community Garden Rules

Purpose

The purpose of the Johnson County Park & Recreation Division's (JCPRD) Community Garden Program ("Program") is to provide opportunities for Johnson County residents ("Gardeners") that may not otherwise have the opportunity to garden, and the sharing of fresh flowers, fruits, vegetables and herbs within the community. Community gardens are currently housed at **Arthur & Betty Verhaeghe Park** at 11404 W 167th Street in Overland Park, KS ("Community Garden"). JCPRD offers four (4) plots ("Plots"), each with four (4) raised beds inside a 11' x 16' fenced area. In each plot, two (2) of the raised beds measure 2' x 6', the other two (2) measure 2' x 4'. By assigning a Plot to a Gardener, JCPRD confers no rights or leasehold interests to the Community Gardens or Plots to the Gardener. All uses of the JCPRD Community Gardens and Plots are subject to and shall be in accordance with these rules and procedures ("Garden Rules"). Failure to comply with Garden Rules will result in revocation of privileges to use Community Gardens and Plots. JCPRD reserves the right to amend or modify the Garden Rules and procedures provided herein at any time.

Gardener Residency

1. In order to participate in the Program, Gardeners must be a resident of Johnson County, Kansas and live within a 10-mile radius of the Community Garden.
2. Proof of residency in Johnson County is required in the form of either (1) a valid U.S. driver's license showing a Johnson County address, or (2) a current utility or bank statement showing a Johnson County address AND a valid photo identification.

Plot Assignment

1. All Johnson County 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. Plots will be assigned annually, after a period of application and as a result of a lottery draw. If all Plots are assigned, the Program Coordinator will maintain a list ("Priority List") of other applicants arranged in order according to the year's annual lottery draw. Whenever a Plot becomes available, the Plot will be offered to Gardeners in order of the Priority List.
4. If a Gardener is offered a Plot, the Gardener must notify the Program Coordinator of the Gardener's acceptance before March 15th of the current year, or within 7 days of email notification if a Plot becomes available during the season. In addition, the Gardener must

complete a JCPRD Community Garden Agreement (“Agreement”) and pay the applicable annual dues upon Plot award. If these conditions are not met, the Plot will be offered to another Gardener in accordance with the Priority List.

5. Subject to the Program Coordinator’s discretion, a returning Gardener may be assigned the same Plot as the previous year.
6. Plots cannot be transferred, assigned, or otherwise given to any Gardener other than the Gardener identified on the JCPRD Community Garden Agreement.
7. If a Gardener is offered a Plot, they must commit to attending an in-person or virtual meeting with the Program Coordinator prior to preparing or planting their Plot.
8. Gardeners may request to be assigned a different Plot location or move to a different Community Garden.
 - a. 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.
 - b. 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 Priority List.

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 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 fails to notify the Program Coordinator of acceptance, fails to sign the Agreement or pay associated fees by March 15th 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. If it is too late in the season to assign the Plot to a new Gardener, the Program Coordinator may ask current gardeners to help maintain the abandoned Plot for the remainder of the season. Any current Gardener helping to maintain such abandoned Plot for the remainder of the season does not have any privileges or rights in such abandoned Plot and JCPRD does not confer any privileges or rights to that person.
3. A Gardener who has abandoned an assigned Plot may be removed from the Priority List at the discretion of the Program Coordinator.

General Plot Maintenance, Clean up and Etiquette

1. 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. It is expected that Gardeners will commit to spending approximately 4-6 hours gardening weekly. JCPRD maintenance staff **will not be responsible** for any care or maintenance inside individual Plots.
2. Gardeners shall make arrangements for the regular watering and maintenance of their Plot if they will be unable to do so for a period longer than seven (7) days.

3. Gardeners shall begin preparing their assigned Plot, including, but not limited to weeding and preparing the soil for planting, by May 1st of the current year. Subject to the Program Coordinator's sole discretion, Gardeners may request an extension.
4. Gardeners shall not let fruits and/or vegetables rot or otherwise go to waste within the Plot.
 - a. Plots will be checked regularly by staff and volunteers throughout the season. If a Plot has fruits and/or vegetables that are spoiling or otherwise going unharvested, the Program Coordinator, subject to the terms of the Agreement, shall notify the Gardener and the Gardener shall have three (3) days to either pick produce that is ripe or contact Program Coordinator to ask for assistance.
 - b. If gardener does not respond by 5:00 p.m. at the end of the third (3rd) day, the Program Coordinator or designee shall have the right to harvest ripe fruits and/or vegetables at risk of going to waste. Any fruits and/or vegetables harvested by the Program Coordinator shall be donated to a local food bank.
5. Gardeners may utilize additional containers in their Plot as space allows, but no modifications of any kind are allowed to the structure or fencing. This includes use of nails, staples and the moving of raised bed gardens. Maintenance of all kinds inside the Plot fencing will be the responsibility of the Gardener, including keeping fences and raised beds free of weeds (no herbicide allowed).
6. JCPRD Maintenance will maintain the areas outside the perimeter of the Community Gardens.
7. Pets are not permitted within the Community Gardens.
8. Gardeners must remove all plant materials and any personal property, such as containers or tools, from their assigned Plot by October 15th of the current year. At the end of the season, the Plot should be in the same condition as it was at the beginning of the season, normal wear and use excepted.
9. Gardeners shall not sell produce grown within their Plot. Gardeners may share or donate produce grown within their Plot.
10. Gardeners shall not harvest or otherwise remove produce from any Plot other than their assigned Plot, unless Gardener has express permission.
11. Gardeners shall not plant any invasive species of plant or illegal plant or substance in their Plot.

Watering

1. Gardeners shall be responsible for watering their assigned Plot and will be required to bring a hose or watering can.
2. Gardeners shall not leave their Plot unattended while watering.
3. Gardeners shall turn off the flow of water and lock the water faucet after each use.

Weeds

1. Gardeners shall keep their assigned Plot, Plot edges, and adjacent pathways free of weeds and shall not permit any weeds to grow 8" or taller.

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. Gardeners 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 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. Gardeners shall not use wood mulch on their Plot in order to prevent excessive nitrogen depletion caused by decomposition of the wood mulch.

3. Gardeners shall spread mulching material immediately after bringing such material to their assigned Plot. Gardener shall not store or otherwise leave bags of mulch in their Plot or Community Garden.

Composting

1. Gardeners may not compost on site.

Termination of Plot Privileges

1. JCPRD 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 JCPRD 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 Priority List.

JCPRD Authority

1. JCPRD 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, JCPRD retains the authority to remove and dispose of any personal property remaining on any Plot after October 15 of the current year.

By signing this document, Gardener acknowledges receipt, understanding of, and agreement with these Rules.

GARDENER
 PRINT: _____
 SIGN: _____
 DATE: _____

Johnson County Park and Recreation District
 PRINT: _____
 SIGN: _____
 DATE: _____