



## COMMUNITY GARDEN GUIDELINES

Community gardens are cultivated and maintained spaces where volunteers work collectively to achieve a common goal of growing fresh, healthy produce in our city. In order to be successful, community gardens require a high level of dedication, commitment, and an investment of time, energy, and resources. Once interested parties have demonstrated their commitment to manage and maintain a garden, the City of Lowell supports community gardening efforts by providing the land and water at no cost. Tools, soil, seeds and other materials must be provided by the gardeners themselves initially and on an on-going basis. The City encourages gardeners to share ideas, resources, seeds, and recipes; plan garden events; and work together to maintain garden sites as a beautiful, safe, vibrant urban spaces. Questions or concerns should be directed to the City through the Community Garden Coordinator(s), who will serve as liaisons.

### General Qualifications

1. You must live in Lowell.
2. You must adhere to the City of Lowell Community Garden Guidelines.
3. You must be willing to share your contact information with the City of Lowell, Garden Coordinator, and other gardeners.
4. You must possess an active interest in gardening, sustainability, and healthy living.

### Rules & Regulations

- Each individual gardener or family shall be allotted not more than one garden plot.
- Each garden must be used by a minimum of 9 volunteer gardeners at any given time.
- Drugs, alcohol and smoking are prohibited.
- Use of pesticides or herbicides is prohibited.
- Pets are prohibited from entering the garden.
- Children under 8 years of age must be accompanied by a parent or guardian at all times when visiting the garden.
- Common areas and walkways cannot be used to grow edible produce.
- No plants shall be used that are listed as invasive or potentially invasive on the Massachusetts Invasive Plant Advisory Group list of invasive plants, including quickly spreading herbs such as mint, unless they are potted. The planting of trees, shrubs, bushes, and any non-native species is prohibited, unless written consent is provided by the City of Lowell.
- Gardeners are responsible for maintaining their own plots and must be present throughout the duration of the growing season. If gardeners take a vacation, they are responsible for finding someone to tend their plot in their absence.

- Gardeners must show activity in their garden before May 1<sup>st</sup> of the growing season.
- Plots must be prepared for Winter no later than November 30<sup>th</sup> and gardens must be cleaned up by this time.
- Gardeners must abide by the specific regulations and responsibilities outlined in the license agreement between each group of gardeners and the City of Lowell.

## Garden Organization & Plot Preparation

- All produce must be grown in raised beds which include landscape fabric. The lumber used for the construction of the beds must be untreated, and 10% of beds must be wheelchair accessible.
- Garden-quality soil must be purchased and brought into the garden. The City reserves the right to request proof of sale. Gardeners are forbidden from planting edible produce within soil that is currently on site.
- The dimensions of each garden plot, and the overall lay-out of each garden will be specified in the license agreement between the gardeners and the City of Lowell.

## Common Areas & Shared Resources

- Common areas are the responsibility of all gardeners and must be maintained. The Garden Coordinator must establish a system to ensure that trash and weeds are removed.
- Pathways must be 3 feet wide to accommodate wheelchairs and strollers.
- The City of Lowell will provide a means by which to access water at each community garden.
- A tool shed is required at each garden, unless otherwise specified in the individual license agreement. Shared tools must be kept clean and stored in the tool shed when they are not in use.
- Waste must be managed and compost bins must be used appropriately. If necessary, the City of Lowell will be responsible for removing yard waste from the garden at the end of the season.

## Community Garden Coordinator

The Community Garden Coordinator (CGC) is a volunteer leadership position. There will be 1-2 CGCs per garden to manage the volunteers and activities at the site, manage fundraising efforts for garden maintenance, train gardeners using appropriate techniques, and serve as a direct liaison between gardeners and the City of Lowell. **If any problems arise in the garden, please contact your Community Garden Coordinator to find a solution first (unless there is an emergency).** CGCs will be in contact with gardeners on a regular basis to share pertinent information regarding the garden and up-coming events, and to inform gardeners of any violations to the guidelines. All Community Garden Coordinators will meet with the City of Lowell on a quarterly basis to share resources, discuss issues that arise, and support a growing urban agriculture movement throughout the City. Should a Community Garden Coordinator wish to step down from their role, they will need to identify a replacement for their position and submit a written resignation letter to the Department of Planning and Development. Failure of the Garden Coordinator and/or volunteer gardeners to identify a replacement shall result in a suspension of rights to use the parcel.

## **Community Garden Fees**

Unless otherwise determined through an individual garden license agreement, the annual fee charged per garden plot will be \$15. The Garden Coordinator will collect and maintain a record of all funds, and will provide copies of these records to the City of Lowell on an annual basis.

## **Revision of Community Garden Guidelines**

In an effort to provide each community garden with greater autonomy, the City of Lowell will allow gardeners to work in partnership with their Community Garden Coordinators and the City of Lowell to propose revisions to the guidelines as needed to better suit their garden's needs. Consensus amongst each group of gardeners (in the form of a written petition) is required to enact such a change. Requests must be submitted in writing by the Garden Coordinator to the City and approved by the Department of Planning and Development.

## **Violations of Community Garden Guidelines**

City officials will visit each garden annually to perform routine inspections and ensure that guidelines are being adhered to. If any of the guidelines are violated, the community garden coordinator and/or the City of Lowell will most likely provide a spoken warning first, indicating the type and date of the observed violation and how long the gardener has to resolve it. However, the city reserves the right to terminate use of the garden for cause or no cause. When exercising its right to terminate, the city shall not be subject to any notice requirements.

## **Release of Liability**

The community garden program is a volunteer program. Gardeners, their families, friends, and other guests may participate **AT THEIR OWN RISK**. No liability of any kind will be taken on by the City of Lowell. The City will not be held responsible for injury, theft, or accidents occurring in the garden. Participants are required to sign the attached release form.

# Community Garden Permission & Release Form

The City of Lowell hereby granting to:

_____	_____
name	address
_____	_____
phone #	email

the undersigned, permission to participate in the 2014 City of Lowell Community Garden Program, I \_\_\_\_\_, the undersigned, hereby remise, release and forever discharge the said CITY OF LOWELL, and its agents, servants or employees, of and from all debts, demands, actions, causes of action, suits, accounts, covenants, contracts, agreements, damages, and any and all claims, demands and liabilities whatsoever of every name and nature, both in law and in equity, which against the said CITY OF LOWELL, its agents, servants or employees, I now have or ever have had from the beginning of the world to this date and more especially on account of:

MY PARTICIPATION IN THE CITY OF LOWELL COMMUNITY GARDEN PROGRAM.

It is understood that the Grantee will be responsible for all costs associated with their use of the property.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Witness \_\_\_\_\_  
Signature \_\_\_\_\_

The photo-static copy of the signatures of the Acting City Manager and the City Solicitor shall be deemed originals for the purposes of this "Permission and Release".

APPROVED AS TO FORM:

CITY OF LOWELL

\_\_\_\_\_  
Christine P. O'Connor  
City Solicitor

\_\_\_\_\_  
Kevin J. Murphy  
City Manager

release:

**Please return to:**  
Yovani Baez, Neighborhood Planner  
City of Lowell, JFK Civic Center  
50 Arcand Drive  
Lowell, MA 01852  
(Email): [ybaez@lowellma.gov](mailto:ybaez@lowellma.gov)