

# Newark Street Community Garden Association Garden Rules

(effective April 2016)

## *Statement of Purpose:*

*The Rules for Newark St. Community Garden Association are created to support a community of gardeners who respect their neighbors and garden in a way that does not infringe on others in the garden and makes no negative impact on the environment.*

## **1. Assignment of Plots**

Rule 1.1 Garden plots are assigned to residents of the District of Columbia on a first come, first serve basis.

Purpose/Description: Because of Recreation Department requirements, only D.C. residents may participate in the Garden Association. Those requesting gardens are assigned plots as they become available in order of requests received. The waiting list will record the date of requests that cannot be currently filled, and new assignments will be made in order of the date written requests are received.

*A member whose membership has been revoked will not be eligible to reapply for 1 year. The elected NSCGA Board of Directors is the sole authority pertaining to such matters.*

Enforcement: The membership Committee will maintain a procedure for soliciting and collecting applications for garden assignment. The waiting list will also be maintained that records name, address, telephone number, e-mail address, and date of request for those who cannot be immediately assigned a plot. Plots made available are assigned to persons on the waiting list in order of date received.

**Rule 1.2** The Membership Committee as directed by the Board of Directors shall be the sole authority on all matters pertaining to who is the current occupant of each garden plot.

Purpose/Description: Orderly administration of the Garden Association requires a single source of information and a single authority for decision-making on all matters concerning the current occupant of each plot.

Enforcement: The Membership Committee will maintain up-to-date records of plot assignments. "Wall Plots" found next to the police station wall will be individually identified and handled by the Membership Committee. Effective April 2016, wall plots will be assigned by the Membership Committee as regular plots as they become available.

**Rule 1.3** The Rules Committee as directed by the Board of Directors shall be the sole authority on all matters pertaining to where boundaries between garden plots rightly lie.

Purpose/Description: Orderly administration of the Garden Association requires a single source of information and a single authority for decision making for all matters concerning boundaries of individual garden plots.

Enforcement: The Rules Committee will ensure that the boundary between adjacent plots is clearly marked through use of boundary stakes. The area around boundary stakes must be kept free of weeds so the stake is clearly visible. Surveys will be made at least once a year to determine boundaries. When efforts to resolve boundary disputes fail, the matter will be referred to the board of directors for action.

**Rule 1.4** The Board of Directors may require members to transfer to another plot or alter plot boundaries if such a move is dictated by the legitimate interests of the Garden Association.

Purpose/Description: Adjustments of plot boundaries to make the size of plots more uniform, moves forced on the Garden Association by the City Government, or other legitimate purposes of the Garden Association require that the Board of Directors have available to them this "right of eminent domain." Actions of the Board of Directors must be tempered to reflect the interests of the members affected. A majority of the full Board of Directors is required to approve such moves.

Enforcement: Plot transfer candidates will be notified in writing of the nature and need for each such transfer. Ample time will be allowed for the affected member to make a rebuttal. All such moves will be implemented between growing seasons.

## **2. Use of the Garden Plots**

**Rule 2.1** Each garden plot is available for the sole personal use of the gardener to whom the plot is assigned.

Purpose/Description: A plot must be worked by the gardener to whom it is assigned. All crops derived from a plot are the sole property of the gardener to whom it is assigned. Other members are prohibited from picking crops or damaging the crops of another gardener (except with the gardener's express approval). While friends or family members may provide incidental or temporary help to a member in maintaining this plot, the member himself must play the major role in working his/her plot.

Enforcement: Members are encouraged to report any infraction of this rule to the Rules Committee. Members are allowed to arrange with friends or relatives to tend their gardens during short absences caused by business trips, vacations, or illnesses. To avoid being cited for failure to maintain a plot, members must notify the Rules Committee of anticipated absences of more than three consecutive weeks and of arrangements made to work their plot.

**Rule 2.2** Each member is responsible for demonstrating at all times that his/her assigned plot is being utilized as a garden.

Purpose/Description: Fairness to those who would like to garden but are not assigned a plot dictates that each plot be effectively utilized by the member to whom it is assigned. Effective utilization is demonstrated by clearing weeds, working the plot no later than May 1st of each year, and making full use of the majority of the plot for cultivation throughout the growing season. At no time should weeds predominate.

Enforcement: The Rules Committee will inspect the Garden area to determine which plots have not been at least partially planted by the May 1st deadline.

Members who have not planted by the May 1<sup>st</sup> deadline, or who have excessive weeds at any time during the growing season, will be notified and given one week to rectify the situation. A member who is notified three times after the beginning of the growing season for failure to comply with this rule may have his/her plot reassigned.

During each growing season, the Rules Committee will conduct regular inspections of the garden and identify plots that are not being maintained. Specific problems to be identified are plots in which weeds clearly predominate over crop plants. Members with offending plots will be notified and given one week to rectify the situation. Those who fail to do so may have their plot(s) reassigned.

**Rule 2.3** Plots must be prepared for the winter no later than November 30th of each year.

Purpose/Description: Maintenance of a pleasing appearance for the Garden area requires that old crops, stakes, trellises, and other structures be removed from individual plots and cleared at the conclusion of the growing season. Perennial crops still bearing and crops that will winter over in the soil need not be disturbed, but all areas of the plot not covered by such crops must be turned over or covered with organic mulch or planted with an organic crop cover.

Enforcement: The Rules Committee will inspect the Garden area on or about December 1 to determine which plots have not been properly put to bed for the winter. Members whose plots fail to comply will be notified and given one week to comply. A member who is notified three times after the end of the growing season for failure to comply with this rule may have his/her plot reassigned.

**Rule 2.4** Gardeners who plant perennial or other permanent or semi-permanent crops do so at their own risk.

**Rule 2.5** No member shall carry out any gardening activities in such a way as to unreasonably interfere with the activities of neighboring gardeners or possibly endanger the safety of the garden.

Purpose/Description: The Board of Directors must have a means of controlling gardeners who make changes in ways that interfere with neighboring plots or expose members to situations that may not be safe. Changes that impede natural drainage or adversely affect neighboring plots, the construction of plot borders that rise more than 6 inches above the natural surface, or digging ditches 6 inches below the natural surface may be prohibited.

No activity to correct a drainage problem, such as digging a ditch across a chip path or laying a drain pipe, may be undertaken by an individual without express approval of Members of the NSCGA Board. Use of grills and other outdoor cooking devices in plots or common areas except for the designated picnic area is strictly prohibited.

**Rule 2.5.1** Trees may not be maintained within garden plots assigned after the effective date of these Garden Rules. Shrubs taller than 6 feet are also prohibited. Shrubs taller than 6 feet must be removed or trimmed as necessary to stay within the 6 foot limit. Wall plots as of the effective date of these Garden Rules are no longer exempt from this rule. Any trees that exist in wall plots after the effective date of these Garden Rules may be removed by the Garden Association with notice to the plot holder.

**Rule 2.6** Fences erected around garden plots must be no higher than 6 feet and be easily removed when the gardener relinquishes his membership. Fences also should be made of materials that pose minimal danger to birds and blend with the environment.

**Rule 2.6.1** Gardeners may not erect plot perimeter fencing of brightly colored materials such as orange or lime green.

**Rule 2.6.2** Gardeners may not place metallic streamers, neon-colored ribbons, or flashers on fencing.

**Rule 2.6.3** Gardeners may not erect internal structures that are higher than six (6) feet. Any internal structures must be adequately secured and nonpermanent. Members may erect temporary winter gardening structures to extend the gardening season; in accordance with the recommendations of the D.C. Department of Parks and Recreation, these winter gardening structures shall be limited to cold frames or low, covered tunnels no taller than 3 feet in height in order to withstand winds, not shade neighboring plots, and blend into the surroundings.

**Rule 2.6.4** Gardeners may not maintain ponds, bird baths, or engage in other practices that result in standing water in plots.

**Rule 2.6.5** Furniture used in garden plots must be specifically designed for outdoor use. Household and office furniture is prohibited.

### **3. Maintenance of Garden Plots and Chip Paths**

**Rule 3.1** Maintain plot in neat and reasonably weed-free condition at all times. All gardeners must maintain their plots in a neat and reasonably weed-free condition at all times.

Enforcement: The Rules Committee will conduct periodic inspections of the garden area to identify plots that require attention and notify delinquent plot holders. Violators will be notified and given one week to bring their plot into compliance. Those who fail to do so may have their plots reassigned.

**Rule 3.2** Maintain chip paths adjacent to own plots in good condition and free of weeds.

All gardeners must maintain chip paths adjacent to their plots in good condition and free of weeds.

Enforcement: During regular inspections of the garden area, the rules committee will determine the paths in need of maintenance and cite the member whose plot is adjacent to the offending path. Members will be given one week to correct the violation.

**Rule 3.2.1** The width of major paths throughout the garden (those that traverse the garden and those with hose connection) shall be maintained at a minimum of 3 feet. The Rules Committee will monitor and cite infractions.

**Rule 3.2.2** Gardeners shall at all times maintain an interior wood chipped border of at least 6 inches in width adjacent to neighboring plots.

**Rule 3.3** No trash, litter, or refuse of any kind may be left in plots, common areas, shed area, park area, or at the curbs.

Enforcement: Infractions or violations of the above rule should be reported to the rules committee. The rules committee will investigate, and if a gardener is found to be in violation of the rules, he will be notified in writing. Repeated violations of the rules could result in the reassignment of the plot.

#### **Rule 3.4 Storage of Gardening supplies**

Trash, excess lumber, and other gardening supplies may not be stored in the plot for long periods of time.

Purpose/Description - Unsightly accumulations of gardening equipment or supplies can detract significantly from the appearance of the garden area. Gardeners are encouraged to take items home. Gardeners may not store personal items in the shed.

Enforcement: The Rules Committee will make REGULAR inspections of the garden area and determine if a plot is in violation. The gardener of the offending plot will be notified and be given one week to correct the violation.

#### **4. Other**

**Rule 4.1** Members responsible for children. Members are at all times responsible for any damage caused by children accompanying members to the garden area.

**Rule 4.2** No dogs and other pets allowed in the garden area.

Enforcement: Infractions or violations of the above rule should be reported to the Rules Committee. The Rules Committee will investigate and if a gardener is found to be in violation of the rules he will be notified in writing. Repeated violations of the rules could result in the reassignment of their plot.

**Rule 4.3** Members must exercise common courtesies in the use of community tools and

hoses and promptly clean and return tools to the shed IMMEDIATELY after use.

**Rule 4.4** Members are prohibited from planting crops, erecting structures or compost piles, or making improvements whatsoever outside boundaries of their assigned plots without approval of the Board of Directors. *Compost bins or composting is not permitted anywhere on the garden site including individual plots. Composting is only permitted in the designated communal compost area located at the rear of the lower garden.*

Only non-invasive plant material can be disposed in the compost pile. No kitchen food items, refuse from home, rose cuttings or trash such as plastic bags, pieces of wood, plastic containers or netting are permitted in the compost area. For assistance in identifying weeds and pictures of individual weeds go to:  
<https://extension.umd.edu/hgic/weeds>.

Enforcement: Infractions or violations of the above rule should be reported to the Rules Committee. The Rules Committee will investigate and if a gardener is found to be in violation they will be notified and given one week to correct the violation. Failure to comply could result in the reassignment of the plot.

**Rule 4.5** No material of any kind may be removed from another plot, including those unassigned, abandoned or vacant, without prior approval of the Board of Directors.

Enforcement: Violations of the above rule will be investigated by the rules committee. If a gardener is found to be in violation of the above rule he will be notified and given week to correct the infraction. Failure to comply could result in his/her plot being reassigned. Renewed membership may not be allowed.

**Rule 4.6** Unless otherwise specified in these Gardening Rules of the By-Laws, the Rules Committee shall mail a citation of a Rule of By-Law violation to the offending gardener. If, after seven days from the date of mailing, the violation has not been corrected, a second citation may be mailed, warning of possible forfeiture and reassignment of plot. If, after seven days from the date of the second mailing, the violation has not been corrected, a letter of termination may be sent by certified mail to the cited gardener. This letter shall inform the garden member of his/her right to appeal, as provided in the By-Laws. A written appeal must be filed with the Board of Directors within ten days from the date of receipt of the termination notice.

*When the violations continue during a current garden season in which the member has been repeatedly cited and the cited member gardens only in response to citations, the Rules Committee may recommend to the elected NSCGA Board of Directors that the membership be revoked. The elected NSCGA Board of Directors will make the final decision.*

**Rule 4.6.1** When plots are assigned to new gardeners in mid-season, the new gardener shall have two weeks to make a good faith effort to clear and cultivate the plot. Failure to work it within that time frame will result in the plot being reassigned without further

notice, unless the new gardener has made arrangements with the rules and/or membership committee chairs.

**Rule 4.7** *No invasive plant species may be grown at the garden site. Please refer to the Plant Invaders of Mid-Atlantic Natural Areas for guidance before purchasing plants.*

<http://www.maipc.org> and

[http://www.dnr.state.md.us/wildlife/Plants\\_Wildlife/invintro.asp](http://www.dnr.state.md.us/wildlife/Plants_Wildlife/invintro.asp) and

<http://www.invasive.org/eastern/>

Members are explicitly prohibited from planting or growing Loosestrife (*Lythrum salicaria*), Lizard Tail a.k.a. Chameleon plant (*Houttuynia cordata*), Buddleia (butterfly bush), and Passion vine (*passiflora incarnate*). Mint may not be planted in the earth in garden plots; it may be grown only in a pot placed on the surface of the plot, not buried in the earth. Jerusalem artichoke (*Helianthus tuberosus* L.) Raspberry, Blackberry and Gooseberry plants may be planted only in wall plots. Invasive plants are not to be disposed of by burial or deposited into the compost pile or anywhere at the garden site.

***Existing invasive plants must be bagged and removed from the grounds of NSCGA and disposed of in city trash receptacles outside the boundaries of NSCGA.***

**Rule 5.** The Newark Street Community Garden is organic and actively supports the Integrated Pest Management and Hazardous Waste Disposal policies outlined by the D.C. Environmental Regulation Administration as methods to protect the drinking water, aquatic life, bird and bee populations that represent the biological diversity of this city.

Purpose/Description: All pesticides, fertilizers, fungicides and weed-killers that contain variations on the following environmental hazard label are hereby banned from Newark Street Community Garden:

"Dangers": "Causes irreversible eye damage. Harmful if swallowed or inhaled. Launder clothing separately before reuse. Avoid contact with skin and clothing. Keep children and pets away. This product is not to be used on golf courses or sod farms. Do not apply to plants to be used for food or feed."

Environmental Hazards: "This product is toxic to fish, birds, aquatic invertebrates, aquatic life stages of amphibians. Do not apply directly to water, to areas where surface water is present. Highly toxic to bees. Do not allow to drift on to blooming crops if bees are present. Do not apply around wells or where the water table (groundwater) is close to the surface or where the soils are very permeable. Don't spray near surface waters or dispose of equipment waste waters in public water sources. Fatal to dogs, pets, and children."

Under no circumstances should any hazardous waste be disposed of in the city water system or on the soil of Newark Street Community Garden. Save any old chemical fertilizers, pesticides, fungicides, and weed killers in your home and call the D.C. Recycling office at 727-5856 to inquire about the date of the next seasonal hazardous waste collection. The following chemical compounds are currently considered hazardous

wastes according to the Environmental Hazards Management Institute:

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Arsenicals (including lead arsenate, calcium arsenate, Paris green) Botanicals (including pyrethrins, rotenone, nicotine) Carbamates (including carbaryl (Sevin-r), aldicarb (Temik-r), Carbofuran

(Furandant-r), propoxur (Baygon-r) Chlorinated hydrocarbons (including DDT, Aldrin, Endrin, Kepone, Dieldrin,

heptachlor, chlordan, Dicofil, Lindane) Organo-phosphates (including Parathion, Malathion, Diazinon-r, Dichlorvos,

Chlorpyrifox) Fungicides (including captan, folpet, anilazine, zinc/copper compounds) Herbicides (including 2,4-D, glyphosphate, prometon) Rat and mouse poisons (including brodifacoum, coumarins, strychnine) Roach and ant killers (including organo-phosphates, carbamates, pyrethrins)

The following chemical compounds are recognized toxins and need to be treated as such and avoided: organochlorines (including ammonia, naphtha, naphthalene, acetone, chloring, chloroform, chloramines, polychlorinated biphenyls, polyvinyl chloride, DDT); phenols (including carboxylic acids, pentachlorophenol, and phenolic synthetic resins), combustion gases (including paraffin/kerosene), sulphur dioxide, nitric oxide, nitrogen dioxide, and carbon dioxide), metallic particles (including cadmium, lead, aluminum, mercury, and copper), petrochemicals (all petroleum-based products), formaldehyde, nitrates (in chemical fertilizers).

In place of chemicals, Newark Street Community Garden members are encouraged to share information, to educate and support Integrated Pest Management, companion plant and to utilize crop rotation.

Enforcement: Suspected violation of this rule should be reported to the Agricultural Education Committee in enclosed sealed envelope indicating the plot number and violating practice. The Agricultural Committee will determine alternative practices to recommend to the violator and send a citation, warning, and recommended remedial behavior. Continued observance of violating practice will warrant dismissal from NSCGA. Renewed membership will not be allowed.

Note: Senior Gardeners is a term that refers to those members who, prior to the fall of 1998, possessed multiple garden plots. These members were allowed by vote of the association to retain two plots until they leave the association. Fairness to those who would like to garden, but are not assigned a plot, dictates that each member be limited to one plot. Because of the small size of "wall plots" (approximately 2ft. X 20ft), members with good gardening records may be assigned both one regular plot and a wall plot. Wall plots will not be assigned to members with a history of rules infractions. "Senior Gardeners" are restricted at all times to a maximum of two regular plots; those "Senior



Gardeners" who possessed wall plots in October 1982 may also, however, possess one wall plot.