



Maintenance Operations
CITY OF NEW SMYRNA BEACH
COMMUNITY GARDEN APPLICATION – MARY AVENUE PARK

Full Name: _____

Street Address: _____

Telephone Numbers: Home: _____ Work/Cell: _____

Email: _____

Emergency Contact: _____

I (We), the undersigned have read the Community Garden Rules and Regulations and Pledge and agree to abide by all the rules of the NSB Community Garden. If I find that I cannot successfully abide by all the rules, I will notify the Leisure Services Department so my assigned plot can be reassigned to another gardener. I (We) also understand that the City of New Smyrna Beach and its agents accept no liability for incidents which occur while engaged in program activities. I (We) understand, a non-refundable semi-annual lease fee of \$15 will be charged for each garden plot. Fees must be paid at the time of registration and plots will be assigned on a first-come, first-served basis. A Community Garden Release of All Claims form must be on file with the City's Leisure Services Department prior to any land use within the Garden.

Signature: _____ Date: _____

Term: September 1st – February 28th This is a renewal for plot # _____

March 1st – August 31st Handicap accessible plot requested

Please check all that apply:

_____ I am a new gardener

_____ I would like more information on free gardening classes

_____ I have gardened before (where?) and for how long? _____

_____ I would like to be placed on a waiting list if a garden plot is not available

For City Use only:

_____ Date of Payment Cash _____ Check # _____ Credit Card: _____

_____ Release of All Claims form signed Date/Staff initials: _____

_____ Provided Copy of Community Garden Rules & Regulations

_____ Plot # Assigned Lease Begin Date: _____ Lease Expiration Date: _____



**Maintenance Operations
CITY OF NEW SMYRNA BEACH
COMMUNITY GARDEN – MARY AVENUE PARK
RELEASE OF ALL CLAIMS**

I, _____, am a participant in the New Smyrna Beach Community Garden. As a condition of being allowed to participate in the Community Garden, I agree to the following:

1. I am duly aware of the risks and hazards that may arise through participation in the Community Garden, and assume any expenses and liabilities I incur in the event of an accident, illness or other incapacity. If I have any questions about the Community Garden, its nature, risks or hazards, I have contacted the Garden Manager at the City's Leisure Services Department and discussed those questions with him/her to my satisfaction.

2. In consideration of being granted the opportunity participate in the Community Garden, I, for myself, my executors, administrators, agents and assigns do hereby release and forever discharge the City of New Smyrna Beach, the Garden Manager, volunteers, and other gardeners from all claims of damages, demands, and any actions whatsoever, including those based on negligence, in any manner arising out of my participation in this activity. I understand that this Release means that, among other things, I am giving up my right to sue for any such losses, damages, injury or costs that I may incur.

I represent and certify that my true age is 18 years old or older on this date. I have read this entire Release, the New Smyrna Beach Garden Rules & Regulations, fully understand both, and I agree to be legally bound by same.

Participant's Signature: _____ Date: _____

Printed Name: _____ Date: _____

Witness Signature: _____ Date: _____

Witness Printed Name: _____ Date: _____



New Smyrna Beach Community Garden Rules and Regulations

New Smyrna Beach Garden mission is to create and maintain a sense of community through a Community Garden that promotes healthy lifestyles and offers a place for those who share a common desire to learn more about gardening.

The following set of rules and regulations have been designed for the following reasons:

- To ensure that community gardens are open to members of the community who are interested in learning more about successful organic gardening;
- To assure fairness among community gardeners;
- To encourage environmentally safe practices;
- To protect the future of community gardens in New Smyrna Beach.

The Rules and Regulations will be reviewed annually and revised as necessary in an ongoing effort to improve and keep them relevant to changing conditions. If you have any concerns, please call the Leisure Services Department at 386-410-2890. However, unless official changes are made, community garden members must abide by these rules and regulations as currently written. Failure to do so with result in the termination of gardening privileges.

GARDEN MANAGER

- The Garden Manager shall be an employee of the City of New Smyrna Beach as designated by the Leisure Services Director. The Garden Manager will coordinate any needed repairs, maintenance, additions/changes to the garden, or other applicable related issues with the City's Parks Supervisor or Maintenance Operations Director.

GENERAL INFORMATION

- Anyone 18 or older who is a resident of the City of New Smyrna Beach can participate in the Community Garden program.
- A primary gardener and/or gardener helper may not garden more than one garden space. Gardeners in good standing wishing to occupy more than one garden space will be placed on a waiting list and allotted a second plot only if a space becomes vacant and no one else is interested.
- A primary gardener may be defined as an individual, husband/wife, family, or domestic partners.
- A primary gardener may choose to have a garden helper to assist with maintaining the space in the gardener's absence due to a family emergency, illness or injury, vacation or other unforeseen circumstance. Garden helpers must be 18 or older, must fill out a Release of All Claims Form in the Leisure Services Department and must notify the Garden Manager as to which gardener they will be assisting.
- The primary gardener and garden helpers are required to notify the Garden Manager of any changes to his/her contact information, including home address and telephone number.
- Garden spaces that become available will be re-assigned to new gardeners by the Leisure Services Department.

USER FEES AND SECURING A SPACE

- New gardeners are required to complete the Community Garden Application Form and are to provide payment in full of the bi-annual user fee in person to the Leisure Service Department.
- Space user fee for a City of New Smyrna Beach is \$15.00 for a 6-month garden season.
- Garden space use agreements are issued on a bi-annual basis on March 1st and September 1st.
- Payments are accepted in the form of cash, debit/credit card, and check or money order made payable to the "City of New Smyrna Beach".
- The bi-annual user fee is non-refundable.

CHOOSING A SPACE

- Spaces are assigned on a first-come, first serve basis.
- The Leisure Services Department will assign garden spaces bi-annually.

- Space requests are filled according to the order in which in-person registration forms are received. If requests cannot be filled, a waiting list will be maintained for applicants for whom no space was available.
- Current gardeners have the right of first refusal of their space for the following season. Space selection disputes will be settled by seniority.

GUIDELINES

- The New Smyrna Beach Community Garden shall operate based on the gardening recommendations of the Institute of Food and Agricultural Sciences, University of Florida (IFAS/UF) in their handout the *“Florida Vegetable Gardening Guide, #SP103”*. This handout will be available on the Community Garden page of the City website (www.cityofnsb.com). Gardeners will be required to use this handout as a gardening guide. If a gardener is unsure if a plant, vegetable, or fruit is approved for growing, please contact the Garden Manager for clarification.
- Gardeners who have been awarded a space will receive a standard 4’ x 8’ space.
- Gardeners are responsible for weeding and harvesting their space.
- Gardeners must contact the Garden Manager if they decide not to plant in their assigned space.

SPACE MAINTENANCE EXPECTATIONS

- Gardeners must have food crops planted by April 1st and November 1st of each year depending on which 6-month period the Gardener selected.
- Gardeners must maintain their space (including adjacent aisles) throughout the growing season, including planting, watering, weeding, harvesting, and waste removal. Gardeners who do not maintain their space(s) will not be eligible for a space the following six months.
- If, for any reason (i.e. health, vacation, work obligations), a gardener will be temporarily unable to maintain his/her space, please notify the Garden Manager. If the gardener has an appointed “garden helper”, he/she may substitute during the primary gardener’s absence.
- Please contact the Garden Manager and Leisure Services Department if you will be moving, taking an extended vacation, or otherwise will be unable to maintain your space.
- Gardeners must return their space to its original condition, including irrigation connections, if they choose not to utilize or renew their space.

GARDENER MEETINGS/CLASSES

- It is the responsibility of each gardener to follow Community Garden rules and to take an active role in administering the garden. All gardeners are required to attend one business meeting (either spring or fall).
- If a gardener cannot make these meetings, please contact the Garden Manager. A gardener may send a representative in his/her place.
- Gardeners are encouraged to attend and contribute ideas to improve the community garden program.

- Gardeners are encouraged to attend the 8-week gardening program sponsored by the New Smyrna Beach Garden Club. Classes are free of charge and held at least annually at the Babe James Community Center.

COMMUNITY SERVICE/VOLUNTEERING

- Gardeners understand that this is a community garden and in order for it to succeed, gardener support is needed to maintain the site, manage compost, monitor and maintain equipment, make signs, deal with wildlife, and help keep site picked up from debris.
- Gardeners are encouraged to work together as a group on communal aspects of the garden for four (4) hours at the beginning of each planting season.
- Work days focus on maintaining the community areas of the garden and gardeners are highly encouraged to attend.
- Gardeners will be notified of work days and events in advance via email.

GARDENING ORGANICALLY

- Gardeners must agree to garden organically. The organic definitions can vary; the New Smyrna Beach Garden is planting organically in accordance with the University of Florida IFAS Extension Office.

WEEDS AND DISEASE

- Gardeners agree to keep the garden and garden edges free of weeds, diseased plants, insect-infested plants and over-ripe vegetables.
- Gardeners will be notified if weeds and disease become an issue in their space or surrounding area. Gardeners will be required to address the problem immediately. As a community garden, please respect the surroundings, tend to your space, and help keep the area free of litter and waste.

ADJACENT PATHS & BORDERS

- Weed the path adjacent to your space.
- Gardening activity and plant growth must be restricted to the gardener's space. Please prevent vegetation from invading sidewalks and adjacent spaces.

GARDEN SITE

- Gardeners will not make any permanent changes to the garden, such as adding an underground watering system or altering the perimeter fence. The maximum height for any garden structures, such as trellises, arbors, or other plant supports, shall be four feet (4') from the top of the box and must remain within the perimeter of the space. All plants will comply with this height restriction as well. The maximum height for ADA plots will be two feet (2') from the top of the box due to the box being raised from the ground.
- Both the access and perimeter path must be free of garden materials and debris so as not to create a hazard or impede maintenance.

- Glass containers are prohibited from the gardens. In addition, containers, bags, etc., of any kind should be secured so as not to blow around and/or detract from the orderliness of the garden.

COMPOST AND TRASH

- Each gardener is responsible for trash removal.
- Compost and rubbish must be put in the compost bins or trash can and not left in a heap that someone else will have to clean up.
- Gardeners are expected to put weeds on compost pile.

OTHER GARDEN SPACES

- Pick only the plants you are growing or have permission from the grower to pick.

PROPERTY AND TOOLS

- Gardeners must bring their own tools. Water is available at the garden.

SECURITY

- Mary Avenue Park (adjacent to the Community Garden) is open sunrise to sunset and it is considered trespassing after hours. Only gardeners with awarded spaces will be given a combination code to have full access to the garden during park operating hours. Gardeners are not allowed to share this combination code. Upon leaving the garden, regardless of time of day, gardeners should securely close the gate.

GARDENERS

- In the spirit of cooperation, all gardeners shall treat the garden, other gardeners, neighbors, and visitors with respect and consideration. No stealing (harvesting from other's spaces without authorization) or verbal or physical harassment is allowed. Violation of this rule will result in immediate expulsion from the garden.

CHILDREN

- Parents are encouraged to bring children to the garden and introduce them to the benefits of gardening. Please supervise children at all times.

PETS

- In order to be respectful of all gardeners, pets are not allowed in the garden.

MISCELLANEOUS

- If you would like to use your music devices, please use headphones.
- Keep the Leisure Services Department advised of your current home address, email address, and telephone number.
- Smoking, chewing tobacco, alcohol and/or any illegal substance is prohibited both within the Community Garden as well as at the entrance.

- Growing or using illegal substances in the garden will lead to immediate expulsion.
- Gardeners are expected to communicate with neighboring gardeners to work out borders, weed issues, and size of plant issues.
- Keep the garden attractive for neighboring residents and safe for all.

DISCLAIMER: The City of New Smyrna Beach is not responsible for providing any security for the Community Garden. The Garden area will be fenced with locking gates with access allowed to those who have obtained a garden plot through the City.

WARNINGS & PENALTIES

Rule Violation: Failure to comply with the rules may result in the loss of gardening privileges. You must maintain your garden space. If your space remains unattended for more than a three-week period, the Garden Manager will assume you have vacated/forfeited your space, unless you have notified the Garden Manager of your absence. A notice will be mailed informing the gardener of his/her space being forfeited if he/she does not respond within ten (10) days of the date the notice is sent.

First notice: The Garden Manager will send the primary garden holder a first notice via email, or by mail if email is not available, indicating the problem and the deadline for correction which is ten (10) calendar days from the notice sent date.

Second notice: If the violation is not corrected within the guidelines above, the Garden Manager will issue a second notice via email. It will restate the issue and indicate the timeframe in which it must be corrected, which is ten (10) calendar days from the notice sent date.

Third notice: Final notice via phone/email with a deadline of five (5) days from the notice sent date to comply or the space, all contents within the space, and gardening privileges will be forfeited and no refund will be given.

Immediate Space Forfeiture: You will be notified that you immediately forfeit your space if you:

- Transfer or sublet your space.
- Exhibit a pattern of behavior that shows disregard of garden rules, such as repeated rule violations (i.e. 3+ violations within six (6) months) even if remedied.
- Grow or use illegal substances in the garden.
- Steal or use verbal or physical harassment in any way.