

Huntington Beach Community Garden Rules and Regulations

I. General

The purpose of the Rules and Regulations is to maintain a neat and productive garden area and provide a pleasant environment for all persons in the garden. As a member, you agree to abide by the Rules and Regulations of Huntington Beach Community Garden (HBCG). The Officers and Board of Directors of HBCG are final arbiters of any disputes or violations of garden rules and regulations. Suggestions or questions about the HBCG Rules and Regulations should be brought to the attention of the Officers and Board, in person or in writing.

II. Eligibility

- A. A plot holding member (plot holder) is a person assigned a plot who actively gardens within the Bylaws and Rules and Regulations of the HBCG and whose fees and dues are current. A general member is a person within the Bylaws and Rules and Regulations of the HBCG and whose fees and dues are current.
- B. Plots may be assigned or reassigned at the discretion of the Board of Directors.
- C. Plot assignment is given to Huntington Beach residents only.
- D. Residence qualification is a verifiable address of property ownership or residence in the City of Huntington Beach, which must be shown at the time of admittance to the group and upon yearly renewal. Acceptable verification is as follows: California driver's license or California ID card plus a current bill. If a question of residency or property ownership should arise, the following may be used to support residency verification: a current property tax bill, mortgage statement, or rent receipt.
- E. One plot will be assigned per verified residential address of the applicant.
- F. Applications for more than one plot may be accepted at the discretion of the Board of Directors.
- G. Dues are payable on or before January 1st for the coming year. Current year membership expires for non-payment of dues on January 2nd.
- H. Plots are assigned and cannot be transferred, exchanged or sublet to another person without prior approval of the Board of Directors.
- I. It is the responsibility of each member to keep HBCG notified of his/her most current home and email addresses and telephone number. Any correspondence mailed to the current address on file is considered delivered.
- J. Each plot holder will sign a HBCG Plot Use Agreement agreeing to abide by the current Bylaws and Rules and Regulations.
- K. If a plot holder dies, the spouse or significant other of the same address may take over the garden plot as a member in his/her own right.
- L. Anyone sharing a plot with a plot holder must become a general member, and sign a Plot Use Agreement that they agree to abide by the current Bylaws and Rules and Regulations.

III. Member Responsibilities

A. General

- 1. Be aware of and follow the Rules and Regulations of HBCG.
- 2. Notify HBCG when giving up a plot or membership.
- 3. Ensure that guests follow the Rules and Regulations of HBCG; members are responsible for their guests' actions.
- 4. Only enter another member's garden plot with his or her permission. Stealing is cause for permanent loss of membership.
- 5. Do not take anything (bags or produce) from the produce donation area. Doing so will result in immediate and permanent loss of membership.
- 6. Do not destroy or damage any property of HBCG.
- 7. All Primary and Secondary Plot Holders are responsible for reading HBCG notices and announcements sent to the e-mail address on file, and contacting HBCG if clarification is needed.

8. Arrange for someone to take care of your plot if ill or on vacation. HBCG is not responsible for the upkeep of any plot. Give a copy of Rules and Regulations to the person taking care of your plot and notify the Board of Directors of the arrangement.
9. All Primary and Secondary Plot Holders must attend two (2) work parties per year or give four (4) hours of service. After June 30, hours are pro-rated to (2) hours for new members only.
10. Children brought to the garden must be supervised by an adult at all times.
11. Properly use the equipment and tools of HBCG and return them to their proper place.
12. Return wheelbarrows, EMPTY, to the storage area and never leave one in a plot.
13. Do not consume alcoholic beverages or smoke on site.
14. Do not sell or use garden produce for profit and affirm that produce is intended for home use.
15. Do not bring any animals to the garden nor provide food or water for wild animals.
16. Do not ride your bicycle anywhere in the garden.
17. Keep paths at their original width and keep adjacent paths free of weeds at all times.
18. Stay with the hose when the water is turned on and perform hand held watering only. No drip system, oscillating sprinkler, diffusers and soaker hoses are allowed in the garden. Conserve water at all times. Be sure to turn off the spigot when you are finished watering.
19. Report problems with the water or a hose to any Board member or Area Representative as soon as possible.
20. Place trash and refuse from the garden into the dumpster provided. If the dumpster is full, keep trash in your plot or take home. Do not bring trash/garbage in from outside the garden.
21. Be considerate to the neighbors, both in the garden and the neighborhood. Voices carry to the neighborhood; please no yelling.
22. HBCG recommends that each gardener donate 10% of their crop yield to a charity feeding the needy.
23. Amplified music is prohibited without express permission of the board.
24. Garden hours are 7:00 a.m. through 7:00 p.m. during Daylight Savings Time (Spring-Summer months), and 7:00 a.m. through 5:00pm during Standard Time (Fall-Winter months). Opening hours on Sunday is at 8:00 a.m.
25. The garden is closed on the following Federal holiday observances: New Year's Day,, Thanksgiving Day and Christmas.
26. Automobile parking is in the marked spots on Atlanta. Loading and/or unloading for garden materials may occur in the area east of the garden entrance, but must be moved immediately after loading/unloading is complete.

B. Garden Plot

1. Keep your garden plot planted and harvested at all times; at least 50% in spring, summer and fall.
2. Remove and/or trim all diseased and pest infested plants.
3. Keep your plot and adjacent pathways free of all weeds and invasive plants such as Bermuda grass. See the complete list of weeds and banned plants in Section D.
4. Do not use pressure treated wood in the garden as it is toxic.
5. City requires new or replacement fences to be constructed of standard white vinyl lattice material. They can be secured with non-metallic stakes no higher than 2' and no wider than 2.5". No metal materials such as support posts, chicken wire or fencing material may be used.
6. Do not alter, attach to, replace or paint the borders of the plot and keep them free of soil and plants.
7. Soil within the boundary of a plot must be at a uniform level. No raised beds are allowed within the plot.
8. Keep the plot marker on your plot clear and readable. If the marker is missing, report to your Area Representative or HBCG Board member.
9. Trellis Guidelines - These materials may be used for trellis construction: Wooden stakes – no greater than 1" x 1", Bamboo poles – no greater than 1" diameter, PVC pipe – no greater

than 1" diameter. Ready-made tomato cages must be made of plastic. Ready-made trellises must be made of approved materials. Trellises must be easily removed and provide no risk to safety or access to transmission wires. Trellises may not exceed 5' in height. Metal is not allowed in the construction of trellises, tomato cages or other structures.

10. You may bring one storage bench/container only to the garden. Containers must be no taller than 42" (3 ½ feet) and no wider than 48" (4 feet).

11. No furniture is allowed; no chairs, no stored materials such as containers, wheelbarrows and building materials; this includes all materials outside of the plot borders.

12. No decorative items are allowed except pinwheels, which can be no higher than 4' for bird deterrents.

13. Wood chips, hay, straw and borders made of stone or masonry are not allowed.

14. Stepping stones must be installed at grade level.

15. Keep crops trimmed and out of pathways and understand that if a crop extends into a pathway, it may be cut back. Pathways are considered fire lanes by Huntington Beach Fire Department.

16. Power equipment is not allowed without prior approval.

17. As HBCG is an organic garden, packaged soil amendments must be labeled as organic and/or must not list any synthetic ingredients.

C. Pesticides, Fungicides, Herbicides and Fertilizers

1. The use of synthetic pesticides, fungicides and fertilizers is prohibited.

2. All herbicides are prohibited.

3. The use of allowable pesticides and fungicides is limited to minimum risk pesticides defined as minimum risk pesticides and active ingredients exempted under 25(b) of the Federal Insecticide, Fungicide, & Rodenticide Act. See 'Active Ingredients Exempted' Table: http://www.epa.gov/opp00001/biopesticides/regtools/25b_list.htm#activeingredients

4. Fertilizers must be natural.

D. Banned Plants

1. Any illegal plant

2. Invasive plants:

a. Bamboo

b. Berry plants, except strawberries and blueberries

c. Canna Lilly

d. Grapevines

e. Horseradish

f. Mint

g. Morning Glory; any type: weed, domestic, flower

h. Passion Fruit

i. Sorghum

j. Sugar Cane

k. Wild dandelion

l. Any invasive plant that spreads aggressively from the original site of planting and takes over or overwhelms any nearby plants.

3. Thorns:

a. Berry plants, except strawberries and blueberries

b. Rose bushes

c. Cacti and succulents

4. Disease carriers:

a. Petunias

b. Volunteer tomato plants

c. White and Black Nightshade

5. Poisonous:

a. Castor Bean

b. Datura (flowering vine)

6. Trees:
 - a. Bamboo
 - b. Plumeria
 - c. Any tree that grows over four feet tall and/or is hard wood
7. Exceptions to the Banned Plants listed above may be allowed in the common areas of the garden at the discretion of the Board of Directors.

E. Seasonal Rule

Tomatoes, peppers, eggplant and all other members of the nightshade family must be removed from the plots by December 1st and not replanted until after March 1st of each year. These plants are prone to diseases, such as verticillium and fusarium wilts, that can be spread throughout the garden.

F. Fees

1. Annual dues for plot and membership are:
 - a. \$20 general membership fee
 - b. \$170 for 15"x20" plots
 - c. \$95 for ½ plots
 - d. Plot rental fees are non-refundable
 - e. \$100 plot deposit to be held by HBCG and subject to refund once departing Plot Holder returns the plot to its original condition. Amount returned to plot holder to be determined by the Treasurer and shall not be subject to any earned interest. Terminated members will forfeit plot deposit.
2. Plot rental fees are subject to change; fees are prorated after June 30th.
3. A \$50 fee will be charged for returned checks; subject to change.

G. Termination of Membership

1. Membership in the HBCG may be terminated if any rules are broken, or if false registration/address information is given.
2. Members who fail to abide by the above rules will receive a Notice of Correction for each violation. Correction must be made according to the timeline stated in the notice.
3. Failure to make requested correction to garden plot, upon receipt of a Notice of Correction, in the specified time could result in termination of membership. Plots receiving three (3) Notices of Correction within twelve months may be reassigned and membership terminated.
4. Termination for stealing or for drinking alcohol in the garden or selling produce is cause for permanent loss of membership.
5. If membership is terminated, a re-application may be submitted one year after termination, if plot is left in compliance with the Rules and Regulations of HBCG.
6. Abandoned plots will be reassigned. Abandoned by HBCG standards means no crops, no activity, i.e., planting, watering or weeding, overrun by weeds or blooming weeds, crop going to waste or rotting for a period of 30 days. Examples are not limited to the above and are subject to the discretion of the Board of Directors.
7. Members are obliged to inform the Board of Directors if plots will be unused for a period of time due to absence and shall be maintained to prevent weeds.
8. When a membership is terminated, voluntarily or for cause, the member so terminated is to collect his or her personal belongings within the period stated in their termination letter or by agreement with the Board of Directors. Any items left in the plot after the agreed upon date become the property of HBCG to dispose of or use as the HBCG deems appropriate.
9. New members are on probation for the first 90 days and membership may be terminated immediately for cause or rules violation during this time.
10. Members can appeal the loss of membership to the Board of Directors. The appeal must be written. The member requesting the appeal should contact the President of the Board to be placed on the meeting agenda. The appeal will be heard at the next Board meeting or at a special meeting called by the Board President. The Board of Directors' decision is final. Decision could be loss of membership or probation of one (1) year. Should probation be violated, then loss of membership will ensue with no appeal. Only one probation is allowed

every seven (7) years.

11. Members must be willing to vacate the premises within 30 days of notice by SCE or the City of Huntington Beach. Although such notice is not expected except under extreme and unexpected circumstances, all structures must be removed and gardening activity ceased.

IV. Board of Directors Responsibilities

- A. In a garden emergency such as flooding, fire, unauthorized entry or other such events, the Board President, Vice-President or other Board members on site may take appropriate corrective action in consideration of the welfare of the garden and/or its members as a whole.
- B. HBCG, through its Food Donation Program, provides free produce to organizations approved by the Board of Directors including, but not limited to, the homeless, battered women, abused children, the poor, etc. Each member is encouraged to contribute a portion of their produce to the Food Donation Program. If you would like to suggest a group to receive food, please contact the Board of Directors.
- C. Members' personal information will not be disclosed by any Officers or by the Board of Directors without permission.
- D. The HBCG Board of Directors is the determining body on the interpretation of the Rules and Regulations. Its decisions are final.
- E. Subsidies: The Board of Directors will consider applications to subsidize garden plot fees at its discretion.
- F. For further information about the duties and responsibilities of the Officers and Board Members, refer to the HBCG Bylaws.

V. Information

- A. The Board of Directors of HBCG meets bi-monthly first Wednesday of months of January, March, May, July, September and November. The Annual General Meeting is held prior to the end of the fiscal year in June. Members are encouraged to attend Board meetings. To bring any concerns or questions before the Board, in person or in writing, please contact the Board President to be added to the agenda.
- B. Letters may be sent to HBCG, P.O. Box 5891, Huntington Beach, CA 92615.
- C. Members may also contact any Board member to express concerns by phone or email.
- D. The email address for HBCG is hbcommunitygarden@gmail.com.
- E. The HBCG website address is <http://huntingtonbeachcommunitygarden.com>. F. The physical address of HBCG is 10134 Atlanta Avenue, Huntington Beach, CA 92646.

VI. Definitions

- A. Primary Plot Holder – The individual or household who is primarily responsible for the use and care of the garden. Plot Holders are responsible for payment of dues and adherence to HBCG rules and regulations by all users of the garden. A signed Plot Use Agreement and primary
- B. Secondary Plot Holder(s) – Individual who has been granted permission by the Plot Holder to use their garden; current membership and signed Plot Use Agreement is required.
- C. Garden Member – Individual or household who supports the mission of the Huntington Beach Community Garden and has completed a membership application and keeps annual dues current.