

COMMUNITY GARDEN FACILITIES RULES OF USE

GENERAL GUIDELINES AND CONDITIONS

Cultivation

- Gardeners are expected to keep their beds productive and attractive at all times and are expected to actively maintain their plot in a manner acceptable to the community garden program standards. All plots must be kept free of debris and weeds. All plants must be contained within the garden bed. Plots may not be extended beyond the original boundaries.
- Produce from the garden is to be used for individual consumption and not as a commercial commodity.
- Only flowers, fruits, vegetables and herbs may be grown in the plots. Planting trees and animal husbandry are not permitted. Cultivation of cannabis is prohibited in accordance with Saratoga Municipal Code 6-30.040 (a).

Maintenance

- Gardeners are responsible for assuring that the common areas and paths surrounding their plots remain clear at all times. Large piles of clippings, garden waste, etc. are to be removed immediately and are not to be left in garden paths.
- Only organic gardening techniques may be used. Treatment of pests and weeds must be non-toxic to humans and animals. Any deviation must be reviewed and approved by LGS Recreation.
- Gardeners must show evidence of actively gardening, digging, sowing, planting, weeding, pruning, watering, harvesting, etc. once a week during the growing season. All weeds must be removed before they begin to flower. Plants with diseases or bug infestations must be treated or removed.
- Should a plot be deemed neglected or abandoned, the plot holder will be notified and given 15 days to take action or to make other arrangements or their fees and plot will be forfeited. Neglected refers to no weed control, produce rotting on the vine and in general, being an eyesore.
- If a gardener will be absent for longer than one (1) month, LGS Recreation must be notified. Extended absences of six (6) or more consecutive weeks must be reviewed by LGS Recreation. Plans to ensure proper maintenance is conducted during extended absences must be approved prior to the absence beginning.

Water

- Plot holders will supply their own irrigation devices. It is each gardener's responsibility to periodically check hoses and connections for leaks.
- Water should be used only when needed and not to excess and should not run off into other plots. The use of drip systems is recommended to conserve water. Adherence to ordinances on water rationing hours and restrictions, when in effect, is mandatory.

Community

- Plot holders should donate time for the general upkeep of the Garden. Anyone causing ruts or damage to the common areas or paths is responsible for repairing that damage. Common areas are maintained as a shared responsibility by all plot holders and may not be used as growing areas.
- No permanent structures may be erected in the garden. Nothing may be bolted, screwed, or permanently adhered to the garden bed. All items in or on the garden bed must be easily removable. Any growing structure not in use must be broken down and taken off site. All personal property must be contained within each gardener's bed. Storing personal items along the fence lines, pathways, or in common areas is not permitted.
- All trellises and/or structures of any kind are limited to 4 feet above the garden bed height, and if applicable must be cleared of all nonproducing annuals after the plant stops producing. All plants and vines must be contained within the garden plot. Respect the need of your neighbor's plants for sunlight. Do not plant tall crops in a way that will cause excessive shading to nearby plots.
- Fencing around individual plots is not permitted.
- Each plot holder will be issued a combination access for the lock on the gate. The combination lock is confidential and should not be shared. The gate must be locked when the garden is unoccupied. If you are the last to leave the garden, please be sure that your water is shut off and that the entrance gate is securely locked.
- Pets, except for ADA service animals, are not permitted in the gardens. **NO EXCEPTIONS!**
- Each gardener shall be considerate of fellow gardeners and shall not engage in any activity that is detrimental to others. Each gardener will ensure that the community garden is safe. Each gardener will ensure that the garden remains a pleasant place to be and to look at for gardeners, neighbors and the general public. Each gardener will strive to establish fairness and equity amongst their fellow gardeners and lastly, will observe proper behavior while in the garden.

Encouraged Behaviors

- Sharing of tools, equipment, produce, or plants
- Friendly, cooperative activities
- Pleasant conversation with other gardeners

Discouraged Behaviors

- Rudeness
- Hostile language or tone

Prohibited Activities

- Theft of tools, equipment, produce, or plant
- Vandalism of tools, equipment, and City property
- Hostile language or tone
- The use of foul language and offensive behavior including but not limited to threats, intimidation, violence, racial /ethnic slurs and sexual harassment
- Damaging the plot or plants of another gardener

- The use of tobacco, alcoholic beverages, or illegal drugs of any kind, in any area of the City's community garden
- More than two written warnings from LGS Recreation in a calendar year
- Failure to pay registration fees by the deadline
- Neglecting or abandoning plot as defined under Maintenance

In the event of non-compliance with any of the Terms & Conditions, the following procedure will be followed:

- The gardener will be issued a written warning. At the end of a 15-day period, if the problem has not been resolved, the plot will be reassigned to the next person on the waiting list.
- Any second offense will result in the immediate loss of garden privileges, and the plot will be reassigned to the next person on the waiting list.
- LGS Recreation reserves the right to terminate garden privileges for any egregious violation of the rules or behavior detrimental to the gardens.

Rentals/Renewals

- A community gardener or gardener helper may not garden more than one garden plot. No more than one plot per household shall be allowed. (See Appendix A for "legacy gardener" exception.)
- Garden access is granted to the "primary" and "helper" gardener listed on the approved rental application. Any other persons in the garden must be accompanied by a "primary" or "helper" plot holder. Gate combinations may not be shared with anyone else.
- The "primary" gardener on the approved rental application must actively garden the plot. There shall be no allowance for a "helper" gardener from another household to be the primary gardener.
- Plots are issued on a first-come, first-served basis each year. Saratoga residents will have priority over non-residents. A resident is defined as someone who resides in the City of Saratoga, either owning or renting their personal/primary residence. Existing non-resident gardeners wishing to retain their original plots will be permitted to do so for a period of three years. Residents will gradually displace non-resident gardeners over time unless there are not enough Saratoga residents requesting plots.
- Invitations to renew plot rentals may be issued each year by LGS Recreation after completion of an annual inspection.
- Plot holders who want to transfer plots within the garden may request a transfer by contacting LGS Recreation. When a plot becomes available, current gardeners may request to transfer before the plot is made available to those on the wait list. Relocation of garden plots will be by seniority in the garden. Seniority status will be skipped if a gardener has any written warnings in the previous 12 months.
- Priority among applicants on the waiting list will be based on the length of time on the official waiting list. Residents with the greatest amount of time on the wait list will be given priority. Applicants at the top of the waitlist have five (5) business days to respond once a plot becomes available. If a plot becomes available and a response is not received within five (5) business days, the plot will be offered to the next person on the wait list.
- Prospective gardeners at the top of a wait list must accept the next plot to become available. Remaining at the top of the wait list to obtain a plot in a more ideal location is not allowed. Prospective gardeners may request to be added to the bottom of the wait list if they do not accept the next plot available.

- An annual plot rental fee is determined by City Council annually and will be assessed to all gardeners. Garden plots are issued on a year to year basis. At registration and during renewal periods, gardeners are required to provide proof of residency, signed garden application, and payment of annual garden fee. The person whose signature appears as the primary gardener on the application form is ultimately responsible for the garden plot and for payment of all fees and charges.
- The annual plot rental period is from January 1st through December 31st. Gardeners may not begin gardening until their annual fee has been paid in full. The rental fee is not transferable. Plot holders do not have any ownership interest in the plots and may not transfer a plot to anyone else, including family and friends. Garden plots that become available will be re-assigned to new gardeners by LGS Recreation.

Appendix A: Legacy Gardeners

- “Legacy gardeners” are plot renters, previously identified by City staff, who were actively gardening in El Quito Park Community Garden in 2024. Until the garden renovation in the winter of 2024/2025, legacy gardeners' plot rentals included spaces ranging from approximately 600 to 1,000 square feet. To offer comparable growing space, legacy gardeners:
 - Are allowed to rent up to four (4) 6'x18' raised garden beds in 2025.
 - Shall pay the same fees per bed as all other gardeners pay per bed. Regular fees will be multiplied by the number of beds rented.
 - Must meet residency requirements and adhere to garden rules and standards each year to maintain rental(s).
 - May reduce the number of beds rented in subsequent years. However, they may not increase the number of beds rented from the previous year.
 - Will reduce to one bed rental per household by January 2029 when “legacy gardener” status will expire.