Gardener to keep p. 1-4 of this agreement for reference. *Garden and Plot #(s)* _____

2018 CITY OF BLOOMINGTON COMMUNITY GARDENING PROGRAM GARDENER AGREEMENT

In order to participate in the 2018 City of Bloomington Parks and Recreation's Community Gardening Program (CGP) at the Willie Streeter Community Gardens at Winslow Woods, 2120 S. Highland Ave., or Butler Park Community Gardens, 812 W. 9th St., the Gardener(s) agree(s) to the following by reading and signing below:

1. REGISTRATION

Returning gardeners in good standing from last season are invited to register from February 1-16, 2018 for the rental of the same plot(s) they gardened in 2017. Beginning February 20, 2018, new gardeners and returning gardeners in good standing who wish to rent plots other than those rented in 2017 may register for garden plots on a first-come, first-served basis. At Butler Park Gardens up to two in-ground garden plot rentals or one raised bed plot rental per gardener will be considered prior to May 1, 2018. At Willie Streeter Gardens, gardeners may elect to rent up to 400 sq. ft. in plots (two large, 1 large and two small, or four small plots). After May 1, 2018 additional plots may be rented, based on availability and staff approval. Gardeners register and pay for garden plots in the current season only. Fees are used to offset direct costs of the CGP. No refunds on garden plots will be given unless the space can be assigned to another gardener. No refunds on abandoned garden plots will be given. Any refunds will be subject to a $10 fee to cover administrative costs.

2. CONTACT INFORMATION AND COMMUNICATION

Contact the CGP staff by email at communitygardens@bloomington.in.gov, or by phone at (812) 349-3704, or in-person during posted and scheduled, weekly work days at the gardens. The Garden Beet, the e-newsletter of the CGP, is published as needed and sent via email by CGP staff and informs gardeners about issues and events important to gardening with the CGP. Gardeners preferring an alternative method of communication for primary contact must indicate this on the CGP Registration Form. Notification of change of address or other contact information must be given to Parks and Recreation by e-mailing or calling CGP staff or visiting the main office at 401 N. Morton Street, Suite. 250, within one week of making such a change.

3. GARDENING SEASON

The 2018 CGP season runs from mid-April through October 31, 2018. The staff will make every effort to complete preparation of the gardens by April 15, 2018. Weather and other unforeseen factors may delay the opening of the gardens. Gardeners will be notified via e-mail and signs posted at the gardens before then if the opening is delayed. Maps showing rented plots with the last name of the gardener will be posted at each site and all garden plot numbers will be marked on a wooden stake located in each plot. Gardeners are responsible for maintaining their plot as soon as the gardens are open for the season or immediately upon rental. By Memorial Day, May 28, 2018, there should be marked progress toward a productive garden. This progress should include: at least half the plot under cultivation; plants established and cared for; path maintenance is carried out; weeds are being managed, etc. (see section 5).

4. TYPES OF PLOTS

Organic Plots vs Conventional Plots – All plots at Butler Park Community Gardens and most other plots at Willie Streeter are designated as Organic Plots. This means that the gardeners who

rent them agree to adhere to organic practices as defined in the CGP document entitled *Cultural Guidelines*, which describes chemical-free gardening practices. Although organic practices are strongly recommended for use by all gardeners, there are a number of large plots at Willie Streeter Community Gardens designated as Conventional Plots where gardeners may undertake some conventional growing practices, also described in the *Cultural Guidelines* sheet.

Tilled Plots – Some in-ground plots at Willie Streeter Community Gardens are prepared by a one-time tractor rototilling each spring prior to the opening of the gardens. As a result of this tilling, Tilled Plots are mostly ready to garden by the time the gardens open for the season. Some gardeners appreciate renting plots that have this initial preparation done, although some residual plant material may be present after tilling. Success in the Tilled Plots is greater when additional soil cultivation is undertaken by the gardener to prepare for planting. The rental of Tilled Plots includes initial path preparation in the early spring, but on-going path maintenance on the part of the gardener is required (see the section 5). Gardeners are able to continue the use of Tilled Plots through October 31, when the CGP gardening season closes, but may be approved to extend the gardening season through the Sunday before Thanksgiving if the gardener demonstrates their plot(s) are maintained/in good-standing and make request of the CGP staff to do so by October 1, 2018.

Season Extension Plots – These organic or conventional plots are <u>not</u> tractor tilled in the spring and cultivation of the soil is entirely up to the gardener. All plots at Butler Park Community Gardens and certain large and small plots and all raised beds at Willie Streeter Community Gardens are considered Season Extension Plots (including all plots in rows A and B, C6-12, D12, E12, F13, G13, H13, I13, J13, K12, K13, L12, L13, M12, N12, all plots in rows EE, FF, GG, HH, II, JJ, KK, or other plots as determined by CGP staff), allowing the option of year-round use. Any rental of a Season Extension Plot is subject to review by the garden staff and may be granted or denied based on the knowledge, experience, interest and ability of a gardener to utilize a garden plot year round.

Gardeners who rent Season Extension plots may use the plot through the end of the gardening season or continue the use of the plot during the off-season, defined as November 1, 2018-April 14, 2019 **or** upon the plot being rented by another gardener on or after February 20, 2018. To be eligible to continue use of a Season Extension plot through the winter, gardeners must demonstrate their preparedness for the colder season by having their crops and plots mulched or cover cropped and maintained in good standing (see section 7) and in full compliance with this Agreement by October 31, 2018. Gardeners may maintain perennial plants and utilize trellises or other hardscaping year-round as long as they meet all the requirements of section 8 below. If a gardener is using a Season Extension plot for use only between mid-April and October 31, their plots must be put to bed by October 31, 2018, the end of the regular season (see section 6).

5. MAINTENANCE

Garden Plots and Pathways - Gardeners must consistently maintain their plot throughout the garden season. Regular maintenance includes: regular weeding, harvesting ripe produce, and removing all spent or diseased plants. Gardeners are also responsible for maintaining the woodchip paths adjacent to their plot(s) by keeping them weeded, and refreshing with chips as needed. All paths, whether wood chips or turf, must be kept free of overgrowing plants, gardening supplies and equipment. CGP staff will provide wood chips for path maintenance. Gardeners must make arrangements for weeding, watering, and harvesting in their absence. Gardeners unable to utilize or maintain their plot(s) and paths in the way described above, must contact CGP staff immediately. If

contacted, CGP staff may be able to find a temporary solution until a gardener is able to continue maintaining the plot and paths.

Unmaintained/Abandoned Plots - The garden staff will contact gardeners renting unmaintained plots and those gardeners will be given two weeks to comply with all requirements described in this Agreement. If the gardener does not comply by the end of this two-week period, the plot will be considered abandoned and the gardener will give up the privilege to participate in the CGP for the remainder of the 2018 season and the primary gardener may be charged a maintenance fee ($60-$120 for each large garden plot and $30-$60 for each small garden plot and raised bed). Additionally, any participating gardener who gives their plot under these circumstances will be limited to the rental of one plot in the next season and may not rent that plot until April 1.

6. TURNING IN PLOTS/END OF SEASON

Tilled Plots – Gardeners can finish gardening and turn in their plot to CGP staff at any time. If gardening in a Tilled Plot, this means clearing the plot of all plant material, above and below ground, and mulching or cover-cropping the plot in such a way that it requires no further attention until the following season. This must be completed by October 31, unless special permission is given to Tilled Plot gardeners to continue gardening until the Sunday before Thanksgiving. If a gardener sufficiently maintains/clears, and cover crops or mulches their plot such that CGP staff does not need to do anything to the plot for the rest of the season, the gardener will be considered in good standing and may renew the same plot the following year. Gardeners must notify the CGP staff when turning in their plots any time prior to the end of the season, October 31. Any gardener leaving a plot so that CGP staff has to care for it in any way, may be charged a maintenance fee (see above) billed to the primary gardener and may be subject to the same restrictions as for an unmaintained or abandoned plot.

7. GARDEN HOURS

Communal tools are available for use during Garden Hours which are scheduled, posted times every week when staff or a gardener volunteer agrees to oversee the open shed for this purpose. Gardeners interested in hosting garden hours should contact the staff. Hosts will receive a key to the shed for personal access throughout the season.

8. TOOLS, TRELLISING AND OTHER MATERIALS

Gardeners are permitted to store tools, watering cans, or other materials they use in the regular maintenance of their plot during the regular gardening season, so long as they are stored within the boundaries of their plot. All items must be stored in a way that does not collect water for a period of time long enough to provide a habitat for mosquitoes. CGP tools will be available for gardeners to use on a first-come, first-served basis during posted Garden Hours when the sheds are open. Gardeners must clean and return tools to the storage shed in an orderly manner after use. Soil amendments, trellising, stakes, cages and other hardscaping materials are permitted for use during the CGP season, as long as the items are kept within the boundaries of that gardeners plot(s) and are utilized within two weeks of being placed in those plot(s). Tomato cages and other staking is available near the CGP storage shed, at either garden, for interested gardeners to use on a first-come, first-served basis. Carpet may not be used as a weed barrier, or for any purpose, in either garden.

9. COMPOSTING
Plant material from garden plots may be composted in the bins provided at each garden. Signs will be posted indicating into which bins materials should be placed. Gardeners must not place any materials in the wooded areas at either garden.

10. WATERING/HOSES
Water spigots are located at each garden site. When using hoses, gardeners must be careful not to damage other garden plots and when finished watering untangle and neatly coil hose on the hose hanger next to spigot.

11. GATES/FENCING
Gardeners must close and latch the gates of the tall deer fenced perimeter when entering and exiting the gardens. Gardeners are not permitted to put up hardscaped fence around individual plots, unless it is set back from the bounds of the plot by at least 12 inches.

12. RESTRICTED AND PROHIBITED PLANTS
In 2015, new plantings of cane fruit (raspberries, blackberries, etc.), grapevines, fruit trees, and other woody perennials were disallowed. Any plots with these species planted in 2014 or prior years, provided the primary gardener remains the same, will be allowed to have these plants if they are maintained and within the bounds of the plot. Also, invasive plants including, but not limited to, Artemesia vulgaris, wandering mint species, comfrey, and any plant that multiplies in such a way (by seed, rhizome, etc.) as to overtake the plot/soil as a nuisance specimen will not be allowed. The CGP staff will, at their discretion, determine if plants are invasive, or otherwise prohibited by the State of Indiana, and therefore not appropriate for culture in a community gardening setting. Refer to the CGP document entitled *Restricted and Prohibited Plants* for more information.

13. TRASH
Gardeners must remove any trash they generate, including empty plant pots and trays, from the garden area and dispose of it properly.

14. PETS
Pets are not allowed inside the fence at any garden sites due to food safety concerns and as a courtesy to other gardeners.

15. THEFT AND DAMAGE
Gardeners should report any theft, vandalism, suspicious behavior or activity in the garden areas to CGP staff immediately. No person is permitted to remove anything from plots not rented by them. The City of Bloomington Parks and Recreation Department and staff, acting on behalf of the City, are not responsible for any damage to garden spaces, theft of produce or personal belongings in the vicinity of the gardens or elsewhere.

16. LIABILITY AND INDEMNIFICATION
The undersigned is an adult Program Participant, or is the parent or legal guardian of a Program Participant. The undersigned hereby states that s/he understands the activities that will take place in this program, and that the Program Participant is physically and mentally able to participate in this program. The undersigned recognizes, as with any activity, there is risk of injury. In the event that the Program Participant sustains an injury in the course of the program, and the City of Bloomington Parks and Recreation Department is unable to contact the appropriate person(s) to

obtain consent for treatment, the City of Bloomington Parks and Recreation Department and/or its employees or volunteers are authorized to take reasonable steps to obtain appropriate medical treatment. The Program Participant and/or his/her parent or legal guardian shall be responsible for the cost of such treatment. The undersigned agrees to release, hold harmless, indemnify and defend the City of Bloomington, the Bloomington Parks and Recreation Department, its employees, agents, and assigns, from any claims including, but not limited to, personal injuries or damage to property caused by or having any relation to the activities covered by this contract, even if arising from the negligence of releasees. It is understood that this release applies to any present or future injuries and that it binds the undersigned, undersigned's spouse, heirs, executors and administrators. The Program Participant may be photographed and videotaped while participating in Parks and Recreation activities, and consent is given for the reproduction of such photos or videos for advertising and publicity.

Gardener to sign and return this page with registration form. *Garden and Plot #(s)* _____

I, the undersigned, have read the City of Bloomington Parks and Recreation's Community Gardening Program Gardener Agreement and understand all of its terms. I agree with its terms and sign it voluntarily.

Primary Gardener, Printed Name	Primary Gardener, Signature	Date
Additional Gardener, Printed Name	Additional Gardener, Signature	Date
Additional Gardener, Printed Name	Additional Gardener, Signature	Date
Parent or Guardian, Printed Name If gardener is age 17 or younger	Parent or Guardian, Signature	Date

CITY OF BLOOMINGTON

Philippa M Guthrie

Philippa M Guthrie, Corporation Counsel Date

Paula McDevitt, Director Date

CITY OF BLOOMINGTON
Controller
Reviewed by:
DATE: 12/7/17
FUND/ACCT: N/A

CITY OF BLOOMINGTON
Legal Department
Reviewed By:
DATE: 12-06-17