

# **SHELBURNE COMMUNITY GARDENS PROGRAM GUIDELINES**

January 27, 2020

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# Shelburne Community Gardens

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## **Purpose**

The purpose of the Community Garden Guidelines is to provide Shelburne residents with standards and procedures for the development and operation of the Community Garden on municipally owned lands.

## **Scope**

This Guideline applies to all Gardeners who have plots in the municipally owned Community Garden. All Town of Shelburne Community Gardens are considered “open and operational” between June 8<sup>th</sup> and November 1<sup>st</sup>, weather permitting.

## **Position Statement**

The Town of Shelburne strives to provide a welcoming and safe environment on municipally owned land, for the use and enjoyment of all.

When at the Community Gardens, Gardeners and other parties are required to act with respect and consideration for others, the Community Garden and surrounding properties.

The Town of Shelburne is entrusted with the responsibility to ensure that the Guidelines for use of Community Gardens are followed and will apply these guidelines and procedures in an impartial and respectful way for the benefit of all.

In the event of non-compliance with the Community Garden guidelines and procedures, the Town of Shelburne will discuss the issue with the Gardener and issue a verbal or written notice to the Gardener. If at the end of a two-week period, the problem has not been resolved, the plot may be reassigned, and the Gardener’s privileges cancelled.

## Definitions

“**Accessibility**” is barrier free accommodations for persons with a diversity of abilities.

“**Town**” is the Corporation of the Town of Shelburne, or its representatives (i.e. Town staff)

“**Clean Fill**” is transported soil / black earth that is free of contaminants, refuse, and solid waste that includes organic materials

“**Community Garden Plot**” is a plot in an existing Community Garden used for growing vegetables, fruits, herbs, native plants and/or ornamentals.

“**Community Garden**” is a site where municipally owned lands are used for the growing of produce, flowers and native plants for non-profit use through individual or shared plots located on municipally owned lands.

“**Garden Plot License (Rental) Agreement**” is the standard form that all Community Gardeners must sign on an annual basis in order to rent a Community Garden plot on municipally owned land.

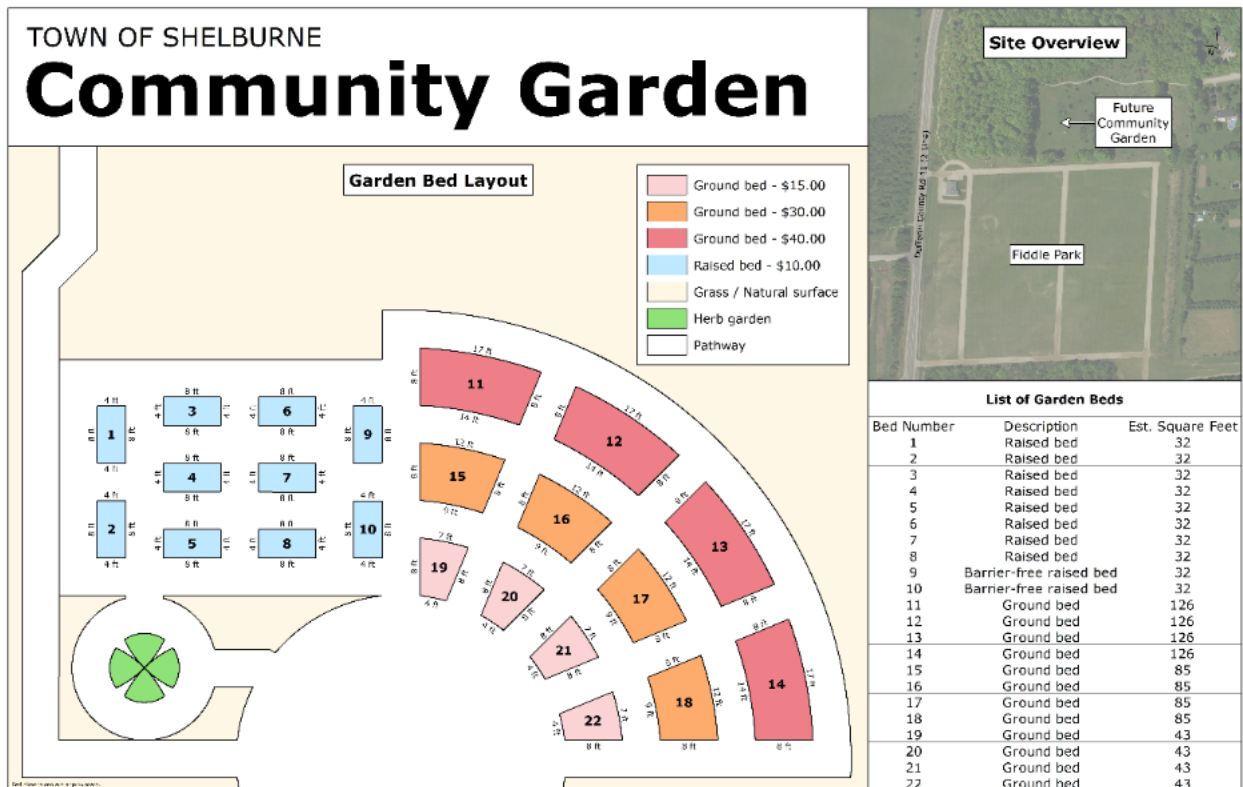
“**Rain Barrel**” is a barrel that collects and stores rainwater or water from a hose in some cases.

“**Waste Guide Calendar**” is a Dufferin County calendar of garbage and yard materials collection dates. Calendar information available at: [Dufferin County Waste](https://www.dufferincounty.ca/waste-services/waste-guide-and-calendar) OR <https://www.dufferincounty.ca/waste-services/waste-guide-and-calendar>

## Registering for a Community Garden Plot

1. Register the first Monday after Thanksgiving in October until the first Friday in December. If you do not register, then your plot opens-up to the waitlist(s) or community.
2. You can register online or in-person only – Registration is confirmed at time of payment. You will be emailed/mailed receipt of payment
  - Email: [Town of Shelburne.ca](mailto:Town of Shelburne.ca) | Subject Line: Garden Plot Rental
  - In person - Town of Shelburne recreation facilities and offices 203 Main Street East Shelburne, Ontario | L9V 3K7
3. You will be emailed/mailed your garden plot agreement after the registration close date, which must be completed and returned within 3 weeks of being received. You cannot begin gardening in your plot until the Town has received a signed garden plot agreement.
4. There are a limited number of garden plots and raised bed available on a first come first serve basis. Gardner's who are not successful obtaining a garden plot or raised bed can request to be added to the waitlist.

Garden plots, numbers and fees are listed on the map below



# Garden Application 2020

## ***Applicant details***

Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

## **Plot Rental Application**

I wish to rent a plot.        YES        NO        (Circle one)

Enclosed is my rental fee \$ \_\_\_\_\_ for the *[insert year]* season. Only one bed per person is available.

## **Volunteering application**

I would like to volunteer to work in the garden as follows (check all that apply):

General Gardening \_\_\_\_\_ Volunteer Coordinator \_\_\_\_\_ Organizing group \_\_\_\_\_

Other skills or help offered \_\_\_\_\_

## **Acknowledgment**

I understand that the Town of Shelburne is hereby granting permission at its sole discretion for me to use the designated plots at the Shelburne community garden on a non-exclusive basis and for the sole purpose of community and/or allotment gardening, from June 8 to November 1<sup>st</sup>, 2020 annually for a one (1) year period, unless extended on mutual agreement.

I agree to abide by all Town of Shelburne Bylaws, Policies, Practices and Provincial regulations.

Prices are subject to change at the discretion of the Town of Shelburne

Signature \_\_\_\_\_ Date (Print) \_\_\_\_\_

Signature \_\_\_\_\_ Date (Print) \_\_\_\_\_  
(Print)

<b>Official use only</b>
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Amount received for plot rental \_\_\_\_\_ Bed number assigned \_\_\_\_\_

Received by \_\_\_\_\_ Date \_\_\_\_\_

## Code of Conduct & Conditions of Use:

### Purpose

To provide Shelburne residents with standards and procedures for how to conduct themselves when gardening in or visiting a Town of Shelburne Community Garden.

### Scope

Applies to all Gardeners with plots within the municipally owned Community Garden

### Guidelines

Gardeners, members of the public and staff from the Town of Shelburne are required to act with respect and consideration for all people.

### Rules and Regulations

The following Behaviours and activities are **prohibited** in Shelburne Community Gardens:

- Behaviour or language that is disorderly, intrusive, rude or threatening, abusive or obscene
- The Town of Shelburne R-Zone Policy is in effect within the community Gardens  
*Take responsibility for your actions and respect people, property, and equipment while using the Towns recreational facilities, programs and parks. Report inappropriate activities / behaviour's to Town of Shelburne staff.*

For more information visit: <https://www.shelburne.ca/en/town-hall/r-zone-policy---respect-and-responsibility.aspx>

<https://www.shelburne.ca/en/town-hall/policies.aspx>

- The use of pesticides, insecticides and herbicides, in accordance with Pesticides Act Ontario Regulation 63/09 <https://www.ontario.ca/page/technical-guidance-pesticides-act-and-ontario-regulation-6309-public-works>
- Growing and harvesting Cannabis  
The restrictions in regards to the cultivation, propagation, or harvesting of cannabis is found under the [Federal Cannabis Act. Under Part I, Section 12\(6\): https://laws-lois.justice.gc.ca/eng/acts/c-24.5/page-2.html#docCont](https://laws-lois.justice.gc.ca/eng/acts/c-24.5/page-2.html#docCont)

### ***Cultivation, propagation and harvesting — 18 years of age or older — without authorization***

*(6) Unless authorized under this Act, it is prohibited for an individual who is 18 years of age or older*

*(a) to cultivate, propagate or harvest any cannabis plant at a place that is not their dwelling-house or to offer to do so*

*Within the Town of Shelburne, you are not allowed to smoke or vaporize cannabis in any public space. You can smoke or vaporize cannabis on private property or if you have documentation that allows you to smoke cannabis for medical reasons. For more information visit: [Cannabis By-law](#) and [Smoke Free Ontario Act](#)*

<https://www.shelburne.ca/en/town-hall/by-laws.aspx>

<http://www.porcupinehu.on.ca/en/your-health/smoking/smoke-free-ontario/community-rec-facilities.pdf>

- Disruptive noise of any kind, including, but not limited to, cell phone use and playing of loud music
- Damage, vandalism or theft of community garden harvests, equipment and property
- Smoking on Community Garden property
  - *The [Smoke-Free Ontario Act, 2017 \(SFOA, 2017\)](#) prohibits the smoking of tobacco, the use of electronic cigarettes (e-cigarettes) to vape any substance, and the smoking of cannabis (medical and recreational) in enclosed workplaces and enclosed public places, as well as other designated places in Ontario, to protect workers and the public from second-hand smoke and vapour. Smoking and vaping is not permitted on the outdoor grounds of community recreational facilities or in public spaces within 20 metres of the perimeter of the grounds*

*A community recreational facility is an enclosed public place or an enclosed workplace where:*

1. *The place is owned or operated by a charity, non-profit or government*
  2. *The place is primarily used for the purposes of providing athletic or recreational programs or services to the local community, including children and youth, whether or not a fee is paid for the use*
- The Town of Shelburne welcomes service animals in all of our public spaces. Pets i.e., dog, cats etc. are not are not permitted in the garden. All pets outside of the garden and surrounding area are to be kept on a leash
  - The Town of Shelburne has the right to prohibit pets from the Community Garden, at its sole discretion



- Pet owners must stoop and scoop all pet excrement in accordance with the Shelburne bylaw Animal Care and Control section 7. 7.1 - <file:///C:/Users/cmaitland/Downloads/15-2018.pdf>
- Each garden must be under cultivation during the entire open period from June 8 to November 1 of each calendar year, weather permitting
- Gardeners cannot sublet/rent their garden plots, if gardeners I must withdraw from maintaining their plot and participating in the garden for any reason, they must notify the Town of Shelburne
- Parents, guardians or caregivers must provide supervision and care of children under the age of 12, while on Community Garden property
- Gardeners must immediately report any vandalism or illicit behaviour that occurs at their Garden site to the Town of Shelburne or proper authorities, dependent on the situation
- Gardeners agree to indemnify and hold the Town of Shelburne harmless from any liability, loss, damage or claim that arises on their own Community Garden or results from the direct use of their own plot and garden area by themselves, or individuals that they invite onto their garden plot

## **Garden Responsibilities**

### **Purpose**

To provide information about the responsibilities associated with operating and maintaining the Shelburne Community Gardens program and individual gardens

### **Scope**

Applies to all Gardeners who have plots in municipally owned Community Gardens

## **Responsibilities of Community Gardeners:**

- Read and sign the Annual Garden Plot License (Rental) Agreement and return within three weeks of it being received, to the Town of Shelburne by mail or email
- Contact Town staff for assistance and support if concerns, questions or complaints arise
- Maintain the garden in a safe, clean and sanitary condition, including normal watering, weeding, controlling perennials to prevent spreading, and general care of the assigned plot

- Use organic fertilizers, compost and composted manures for soil conditioning and fertilization of Gardens
- Conserve water
- Maintain the pathways adjacent to a Gardener's plot, keeping them free of weeds, litter and other materials
- Dispose of Gardener litter (i.e. wrappers, uneaten food, cups, etc.) into garbage containers located within or near the Community Garden
- Leave garden waste materials (i.e. plant trimmings, leaves, stumps, etc.) in designated composts containers or take home to be disposed of properly following Dufferin County Waste Guide Calendar
- Trash and litter will be kept out of the plot, as well as from adjacent edges, walkways, paths and fences. Trash is to be properly disposed of in appropriate garbage cans and/or receptacles if available. If appropriate receptacles are not available, trash will be taken home and disposed of properly
- Do not leave tools or personal property at the Community Garden. The Town of Shelburne is not responsible for any lost or stolen personal property of Community Gardeners, their families or friends
- The Gardener must ensure the garden plot is cleaned and left in a tidy state at the end of the season (November 1st)
- If the Gardener does not plan to renew their plot for the following season, the Gardener must close the garden plot at the end of the season (no later than November 1st), including clean-up; soil cultivation; removal of top growth; and clearing

## **Composting in Community Gardens**

### **Purpose**

To provide Shelburne residents with guidelines for proper composting within Shelburne Community Gardens.

### **Scope**

Applies to all Gardeners with plots with the municipally owned Community Garden and who are conducting composting

## **Composting Rules and Regulations**

Composting is allowed within the Community Garden however; all composting practices must adhere to the following standards:

- Open composting is prohibited - open piles can attract unwelcome rodents and pests. Bin composting is permitted
- Gardeners who compost in their own plot must ensure the compost bin is enclosed and has a sturdy lid, maintained in a clean and tidy manner and must not exceed a quarter of the total size of the plot
- Compost bins are the responsibility of the gardener and must be enclosed, durable and located within the Gardener's plot
- It is prohibited to allow compost to overflow from the compost container
- Gardeners are prohibited from putting anything in the bin that attracts pests, such as meat, dairy, breads or grains or that is hazardous to one's health, such as pet droppings
- Compost debris that will not fit into a Gardener's compost bin should be bagged and taken home
- All compost must be cleaned up and organized for the off-season by November 1st of each calendar year
- People who do not have a plot in the Community Garden are prohibited from using the Community Garden composting bins
  
- **Responsibilities of the Town of Shelburne:**
- Collect garden plot rental fees and authorize the Gardener to use the City's property and the specific Garden plot once the Gardener signs the Garden Plot License (Rental) Agreement
- Provide visible signage for each Community Garden, which provides the name of the Garden and specifies that gardening and access to individual garden plots is 'by permit only'
- Dispose of litter from the Community Garden site from designated Town of Shelburne garbage containers located within or near Community Gardens
- Pick-up yard waste left for roadside pickup near each Community Garden based on the Yard Materials Collection schedule as identified in the Town of Shelburne's Waste Reduction and Conservation Calendar
- Provide grass maintenance around the perimeter of the Community Gardens located on Town of Shelburne property
- Provide a water supply in Community Gardens

- Ensure each garden is officially open from June 8th to November 1st of each calendar year, weather permitting
- Determine all plot assignments - Only one plot is permitted per applicant, except in special circumstances, as approved by the Town of Shelburne
- Conduct regular supervision of all Community Gardens
- Coordinate overall site upkeep, fall cleanup and compost maintenance
- If a plot is not used or if it is unattended for more than 15 consecutive days, reassign the plot to the next Gardener on the waiting list. Until the plot is reassigned, the Town of Shelburne is responsible for maintaining the plot
- Receive and manage all issues, complaints or concerns related to Community Gardens and mediate successful resolutions
- Facilitate ongoing communication with Community Gardeners through various channels, such as meetings, one-on-one discussions, e-mails and website ([www.london.ca/communitygardens](http://www.london.ca/communitygardens))
- Provide information and / or workshops on how to develop, maintain, close and manage Community Garden plots and the associated responsibilities of having a garden plot.

## **Non- Consequence**

Town of Shelburne staff will conduct regular inspections of garden areas. If any violation of the above rules is found, Town staff will discuss the issue with the Gardener and issue a written notice to the Gardener. Staff will work with the Gardener, whenever possible, to assist them in resolving the issue. If at the end of a two-week period, the problem has not been resolved, the issue will be reviewed, and the plot may be reassigned, and the Gardener's gardening privileges cancelled.

# INDEMNITY FORM

I \_\_\_\_\_ shall indemnify and save harmless the Town of Shelburne from any and all claims, demands, causes of action loss, costs or damages that the Town of Shelburne may suffer, incur or be liable for, resulting from the performance of this agreement, be it by me or any of my guests.

**I understand that contravention of any rules, terms, conditions, Bylaws and legislation is cause for exclusion from the garden and loss of the plot and possible liability on my part.**

## **EXCLUSIVE ACTION PROCEDURE:**

Should the rules of this agreement be breached the following procedure will follow:

You will receive one (1) verbal warning from the Town of Shelburne Administration

If no response or correction has been made, you will receive written notice one (1) week later

In another one (1) week, if no response or correction has been made, you will receive written final notification that you have forfeited your gardening privileges and plot

You will be allowed to reapply for another garden plot only after two (2) years, and only at the discretion of the Town of Shelburne Administration

*I \_\_\_\_\_, have read and understand this license agreement and accept these rules, terms, and conditions stated above for the participation in the community garden. I understand that the Owner has the right to create new rules if a situation warrants.*

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Gardener

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Gardener (Print)

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Town of Shelburne Representative

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Town of Shelburne Representative (Print)

