

TO: Parks & Recreation Committee

FROM: Daniel Eick, Assistant City Administrator

RE: Community Garden Regulations & Application

DATE: September 5, 2024



Summary

Throughout the last several months staff has been working with the Community Garden Group to develop regulations, fees, and application materials. Attached are current drafts of the documents and processing materials created by staff for public use. Additionally, several changes were recommended by the Garden Group for the final versions. Those changes are outlined for Committee consideration below.

Community Garden Guidelines and Regulations

- Page 1: Remove the third paragraph completely. From, "Gardener's may reserve....next year's registration period.
- Garden Sizes to read as follows: 5 17" Raised Beds (8' x 4') - 18 32" Raised Beds (8' x 4') - 36 10' x 20' Plots
- **GENERAL RULES AND GUIDELINES**
 - Bullet 1 - Change garden closing date to October 15th
 - Bullet 3 - Remove entire bullet
 - Bullet 4 - Change date to October 15
 - Bullet 5 - Change date to October 15
 - Bullet 8 - Question for you....does this bullet even need to be in the guidelines? If no, we are fine with removing it completely.
- Page 2: bullet 3 - Remove completely.
- Bullet 5 - This paragraph should now read as follows: Gardens must be maintained. Lack of MAINTENANCE consists of improper weeding, watering, and removal of diseased or dying vegetation. CONCERNS can be made at city hall during regular office hours and will be handled as follows:
 - CONCERNS must be provided on a written form available at city hall, and must identify the plot number and reason of their CONCERN.
 - Remove the words, "evaluate the situation, and if necessary"
 - Change the word, issue, to situation.
 - Remove this paragraph completely.
 - Should read as follows: If issue(s) remain unresolved by the third week, renter will be notified of the closure of their plot and will be unable to reserve a plot for the following year.

- Bullet 6 - Question for staff. Is this going to be the active email address for the garden? if yes, when will that be up and running?
- WATERING OF GARDEN AND PLOTS
- Bullet 1 - Add, at the end of this paragraph the following: Instances of overwatering should be reported to city hall. Please report any mechanical problems with the watering systems to staff at city hall.
- Bullet 2 - Hoses and/or tools must be returned to the appropriate racks after use.
- COMPOSTING AND DISPOSAL OF MATERIALS
- ALL bullets should be deleted and replaced with the following:
 - All organic materials are to be disposed of in the garden's provided compost bin.
 - Please dispose of all recyclables offsite.
- MISCELLANEOUS GARDEN RULES
- Bullet 3 - There is a typing error. The word GUESTS.
- Bullet 4 - Remove letters e and f.

Garden Application & Fee Information

- Upper Left hand corner: Add, ADMIN ONLY - Remove Resident \$30.00 and Non Resident \$40.00
- Add, Plot/RB #_____
- ??? Add, Check #_____ Cash \$_____
- Plot Information Resident: \$30.00 – Non Resident: \$40.00
- Lines below should read as follows (with check boxes):
 - Ground Plot 17" Raised Bed 32" Raised Bed \$_____
 - Additional Plot/Raised Bed Request (See Below) \$ _____
 - Donation Request Sponsorship \$_____
 - (Replace Scholarship with Sponsorship)
 - TOTAL \$_____
- The donation/Sponsorship paragraph...Please replace the word Scholarship with Sponsorship.
- The additional rental plot paragraph remains the same.

Committee Action

Staff recommend the Committee discuss the attached documentation regarding the City of Breezy Point Community Garden and review the proposed changes listed above.



City of Breezy Point

COMMUNITY GARDEN GUIDELINES

ALL GARDENERS ARE REQUIRED TO ATTEND THE GARDEN ORIENTATION. YOU WILL BE NOTIFIED BY EMAIL WITH THE DATE(S) OF THIS MEETING.

Plots are reserved yearly on a first come first serve basis as payments and applications are received at City Hall. Plot reservations will be taken between January 1 and April 1 of the calendar year. All requests for additional plots will remain unfilled until April 1. After that date, any unreserved plots will be made available for reservation as additional plots.

Gardener's may reserve the same plot/raised bed for the following year if request is made prior to December 1st of the next year's registration period.

Garden Sizes: (4) 17" High, Raised Beds (8' x 4')

() 32" High, Raised Beds (8' x 4')

() 10' x 20' Plots

GENERAL RULES AND GUIDELINES

- The Breezy Point Community Garden will be open between the dates of May 1 and October 17th of the calendar year. Park hours of operation are limited to 6:00 AM to 9:00 PM daily.
- Plants and vines must not interfere with or shade neighboring plots in any manner.
- Soil must be removed to the maximum possible degree from weeds and plants before composting or disposing of them at the garden's facilities.
- All vegetation must be removed by October 17 of the calendar year with all plant materials composted or disposed of per the rules and regulations outlined here.
- All support systems (trellis, cages, etc.) must be removed by October 17.
- No planting or growing of cannabis and/or marijuana of any kind is allowed.
- No planting of perennials is allowed in individual plots or raised beds (ex. Strawberries, rhubarb, chives, mint, etc).
- Operation of any power equipment or maintenance of the facility outside of the specific area of the reserved garden plot is forbidden by anyone other than City of Breezy Point employees.

MAINTENANCE OF GARDEN AND PLOTS

- Plants must be maintained on a regular basis, kept within the limits of the rented garden plot, and must be legally permissible under MN State, County, and City regulations.

- Only organic gardening methods are permissible. No use of commercial fertilizers, pesticides, herbicides, or fungicides are permitted unless specifically labeled to contain only organic ingredients.
- Rented plots, and all adjoining pathways and fence lines, must be kept free of weeds, rocks, pests, and diseases by the renter.
- All trash, litter, and other materials that are not composted, and will be disposed of offsite.
- On site gardening tools are available for use on a first come first serve basis. If a gardener desires a specific tool, or wished to utilize a tool while none are available, they must provide their own. All tools must be cleaned and returned to the tool rack after use.
- Gardens may be flagged for lack of plot maintenance. Lack of management consists of improper weeding, watering, and removal of diseased or dying vegetation. Complaints can be made at City Hall during regular office hours and will be handled as follows:
 - a. Complaint must be provided on a written form available at City Hall. The complainant must identify the plot number and the reason for their complaint.
 - b. A member of City Staff will evaluate the situation, and if necessary, notify the renter via email or text, to remedy the issue within one week.
 - c. Should the issue fail to be resolved within that week, a second notification will be sent to the renter the following week.
 - d. If issue(s) remain unresolved by the third week the plot will be cleared and tarped for the remainder of the growing season. The renter will be notified of the closure of their plot and will be unable to reserve a plot for use in the concurrent year.
- If a Gardener is unable to maintain their plot for any reason they must contact the Community Garden Group via email at: BreezyPointCommunityGarden@gmail.com.

WATERING OF GARDEN AND PLOTS

- Water usage must be limited to the system provided by the City of Breezy Point. Individual sprinklers are not allowed on the premises and gardeners must remain present while watering their gardens.
- Renters must remain present during the watering of a plot and related hoses and/or tools must be returned to the appropriate rack after use. Instances of overwatering or mishandling of equipment can be reported to City Hall.
- Any leaks or other mechanical problems with watering systems must be reported to staff at City Hall as soon as is safely possible.

COMPOSTING AND DISPOSAL OF MATERIALS

- Only healthy plant material is permissible for composting at garden facilities. All compost must be disposed of in appropriate containers.

- Renters must dispose of all weeds and diseased plants or materials in the appropriate provided bins separate from the compost bins.
- All personal waste, such as pots and non-garden waste, must be removed from the facility and disposed of offsite.

MISCELLANEOUS GARDEN RULES

- All children under the age of 16 must always be accompanied by an adult who can monitor their behavior and location.
- Renters who wish to play music while they garden must utilize headphones to avoid disturbing others.
- Renters and gardeners are solely responsible for the safety of themselves, and any guests, brought into the garden area. Please refer to the City of Breezy Point Community Garden application for further details.
- The following items are prohibited on the Garden facility premises:
 - a. Alcohol/illegal drugs
 - b. Firearms (Except as allowed by MN State Statute)
 - c. Pets or animals
 - d. Smoking and/or vaping
 - e. Use of Fireworks
 - f. Fires of any kind



8319 County Road 11
Breezy Point, MN 56472
Phone: (218) 562-4441
www.breezypointmn.gov

Permit #: _____
Issued On: _____
Receipt #: _____

Resident: \$30.00
Non-Resident: \$40.00

Community Garden Plot Application – 2024

Applicant Information

Name: _____
Address: _____ City/State/Zip: _____
Phone: _____
Email Address: _____

Plot Information

☐ Regular Plot Rental Preferred Plot #: _____ ☐ 17" Raised Bed Plot Rental \$ _____
☐ Additional Plot Rental Preferred Plot #: _____ ☐ 32" Raised Bed Plot Rental \$ _____

If you would like to donate to help support the Community Garden, sponsor a plot, or apply for a related scholarship, please fill out the information provided to the right and ask a member of staff for assistance.

Donation/
Plot Sponsorship \$ _____
Scholarship ☐
Total: \$ _____

Rental plots are available between May 1 and October 15 of the calendar year. Additional plots are rented on a yearly basis based upon availability. Additional plots will only become available after the yearly wait list for primary plots has been exhausted. Fees for additional plots will be due upon secondary plot assignment.

I hereby certify I have received and reviewed the Community Garden Rules and Regulations provided by the City of Breezy Point and agree to abide by them. I understand any violation or departure from those Rules and Regulations may result in the forfeiture of my use privileges and that the City of Breezy Point is not liable for any damage, loss, injury, or claim that occurs because of my use.

Applicant Signature

Date

Data Privacy Notice*

The City of Breezy Point is asking you to provide information which includes private information under the Minnesota Government Data Practices Act (MGDPA). The City of Breezy Point is asking for this information to facilitate providing the service being requested. This information will be used to provide the requested or required service whether it be issuing a license, permit, conducting an assessment search or other specified service.

You are not legally required to provide the information and you may refuse to provide some or all of the information requested. However, the City of Breezy Point may not be able to process your request if you do not provide sufficient information. Failure to provide certain information could result in not providing the license, permit, or other specific service being sought.

With some exceptions, unless you consent to further release of private information, access to this information will be limited to those within the City whose jobs reasonably require access to this information. However, state and federal law authorizes release of private information without your consent to:

- to the Commissioner of the Department of Employee Relations (Minn. Stat. Chapter 43A);
- to State and Federal Revenue authorities for tax purposes;
- to child support enforcement authorities in this or another state (Minn. Stat. §256.978);
- if required by a court order, or authorized by other state or federal law.

*This notice is required when collecting private data from an individual. Minn. Stat. Sect. 13.04, Subd.2.

This has sometimes been called the "Tennessee Warning."