



Montgomery Parks Community Garden Program

Inspection Information & Processes

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Contents

General Overview	1
Why do staff conduct inspections?	1
How do staff conduct inspections?	2
What are the three types of inspection notices?	3
What happens if a gardener receives a notice?	4
What is the process for probation, revocation, and non-renewal?	4
What is the appeals process?	5
Contact Information	5

General Overview

Community Garden Program Staff visit each garden approximately every 2 weeks during the growing season (April – November). During visits, staff inspect each plot to make sure the Conditions of Use are being followed and that there aren't any issues with the garden. If a garden plot does not comply with the Conditions of Use, a check-in, warning, or violation notice will be sent to the garden permit holder via email. Gardeners will have about 2 weeks to bring the plot into compliance after receiving the initial notice; if additional time is needed, gardeners should communicate with staff and an updated timeline will be determined on a case-by-case basis. After receiving multiple warnings and/or violations, the garden permit holder will be put on probation and/or the permit will be revoked. After a revocation is issued, the garden permit holder has 3 business days to submit an appeal. If an appeal is not submitted or is not approved, the plot will be returned to Montgomery Parks for reassignment, all fees will be forfeited, and the gardener will have 2 weeks to remove personal items from the garden.

Why do staff conduct inspections?

Staff conduct inspections to make sure Montgomery Parks' community gardens are providing maximum benefit to the community and to ensure that gardeners are good stewards of parkland while enjoying fresh nutritious food and community. Regular inspections help to guarantee that gardeners are using best practices in the garden. This includes promptly addressing weeds, pests, and diseases in the garden to prevent them from spreading to neighboring plots. Since the community garden is a shared space, inspections help to create an environment where all gardeners can thrive. Conducting frequent inspections allows us to balance being the best stewards of parkland and enforcing the Conditions of Use, therefore helping us make sound decisions when plots are not being actively maintained.

How do staff conduct inspections?

Staff use an online inspection survey to record whether a plot complies with the Conditions of Use or if there are issues in the plot that need to be addressed. Using the inspection survey helps standardize the process across all gardens and plots, no matter which staff member is performing the inspection. This process also allows for more consistent and clear communication with gardeners. Staff use the inspection survey to consider the following:

- **Notice Type** - If there are issues in the plot, how severe are they? What type of notice should the gardener receive (check-in, warning, violation)?
- **Seasonal Guidelines** - Does the plot meet the appropriate spring, summer, or fall guidelines?
- **Neglected or Abandoned** - Does the plot appear neglected or abandoned (overgrown, not planted, rotting produce, disease or pest infested plants, etc.)?
- **Weeds** - Are there weeds in the plot? If so, are they noxious weeds (thistle, mugwort, nutsedge, etc.) or aggressive plants (mint, lemon balm, etc.)? How widespread are they?
- **Diseases, Pests, & Chemical Use** – Is there evidence of unmanaged pest populations, unmanaged plant diseases, or use of non-OMRI listed pesticides?
- **Plant Debris & Trash** – Is there plant debris or rotting produce in the plot? Is there trash?
- **Pathways** – Are there weeds, plant debris, tools, wheelbarrows, or anything else in the pathway? Does the pathway need to be wood chipped or better maintained?
- **Deer Fence** – Is the deer fence being maintained? Are crops growing on the deer fence?
- **Water** – Are there open water containers or improperly sealed containers, leading to an increased risk of or causing mosquito breeding? Is water being hoarded or left unattended while running?
- **Shading Neighbors** – Are there tall plants, trees, or shrubs in the plot that may be shading a neighbor? Is there a structure shading a neighbor?
- **Fencing & Structures** – Are there fences or structures that are over 3 feet? If so, have they been approved by Community Gardens staff? Is a fence or structure posing a safety hazard?
- **Materials** – Are unapproved materials being used in the garden (carpet, stone, or sod mulch)?
- **Gardener Misconduct** – Have there been any incidents of gardener misconduct (harassing other gardeners, theft, use of alcohol, tobacco or other substances, pets in the garden) or disputes?
- **Park Rules & Regulations** – Have any Park Rules and Regulations been violated?

Based on the answers to the above, staff may issue a check-in, warning, or violation notice. Once the inspection survey has been completed, an automated email will be sent to the gardener with a PDF attachment of the inspection report. The inspection report will include pictures and explain what issues need to be addressed within 2 weeks, before the following inspection.

What are the three types of inspection notices?

Depending on the degree of non-compliance, gardeners may receive a check-in, warning, or violation.

1) Check-In

This notice serves as a reminder about the guidelines stated in the Conditions of Use. A check-in will be sent if there are one or more minor issues in the garden plot or if it is the gardener's first time receiving a notice. Check-ins that are not addressed may become warnings or violations.

Example 1 – There are several weeds in a plot, but they are small and haven't taken over the plot.



Example 2 - A gardener planted mint in the ground and needs to move it to an enclosed container.



2) Warning

This notice will be sent if there are one or more moderate issues in the plot or if an issue has not been addressed after receiving a check-in. Warnings that are not addressed may become violations.

Example 1 – Vining crops in the plot are growing into neighboring plots and encroaching on the pathway.



Example 2 - A gardener was reminded about covering water; but the issue wasn't addressed within 2 weeks.



3) Violation

This notice is sent if there is one or more direct or extreme violation of the rules outlined in the Conditions of Use or Park Rules and Regulations, or if an issue has not been addressed after receiving a warning. Multiple violations may result in probation, permit revocation, or non-renewal.

Example 1 – A plot was abandoned; nothing is planted, and weeds are taking over.



Example 2 - A fence, trellis, or structure over 3 feet tall was built without staff approval.



What happens if a gardener receives a notice?

Gardeners will have 2 weeks to bring the plot into compliance after receiving a check-in, warning, or violation notice. If the plot is not brought into compliance, gardeners will receive another notice. Receiving multiple warnings and/or violations may result in probation, revocation, or non-renewal of the plot and permit.

After receiving any type of notice, gardeners should promptly inform Community Garden Program Staff of any updates or reasons for issues in the plot. This includes illness, family emergencies, schedule conflicts, vacations, etc. Actively communicating with staff allows us to better support gardeners, including finding volunteers to help maintain the plot or providing extra time to address the issues.

What is the process for probation, revocation, and non-renewal?

Repeated warnings and/or violations will result in probationary status, permit revocation, or non-renewal. In extreme cases, gardeners can be banned from the program for up to 2 years.

Probation – This is the last notification and last opportunity for a gardener to retain their permit and continue gardening in the program. If a gardener receives this status, any warnings or violations thereafter are immediate grounds for revocation.

- **Probation will occur if gardeners receive:**
 - **2 consecutive violations** (example: a violation is issued, and no changes are made before the next inspection, resulting in another violation);
 - **Or 3 warnings and/or violations throughout the season** (example: violation is issued in June, warning is issued in July, violation is issued in September).

Permit Revocation & Non-Renewal – Revocation and non-renewal are severe statuses. They are issued after multiple warnings and/or violations, multiple attempts of leniency on behalf of Community Gardens staff, and with little or no work done by the gardener to address the issues in the plot. If a permit is revoked, the plot will be returned to Montgomery Parks for re-assignment and all fees will be forfeited. Gardeners will have 2 weeks to remove personal items from the garden.

- **Revocation will occur after:**
 - Any verbal and/or physical altercations with other gardeners or Parks staff;
 - Or any violation of Park Rules and Regulations;
 - Or **3 consecutive violations** (example: a violation is issued in early June, another violation is issued in late June, and a third violation is issued in early July);
 - Or **4 warnings and/or violations throughout the season** (example: warning is issued in early June, violation is issued in late June, warning is issued in August, violation is issued in September).
- **Non-renewal will occur** if a gardener meets the revocation requirements late in the season. For example, if a violation is issued in early September, a second violation is issued in late September, a warning is issued in October, and a third violation is issued in November, the permit would not be eligible for renewal, but the gardener would be able to garden until the end of the year, when the permit ends.

What is the appeals process?

Garden permit holders may submit an appeal after receiving a plot revocation or non-renewal status.

1. Within 3 business days of receiving notification of revocation or non-renewal, the garden permit holder must submit an appeal via email explaining why they should retain the garden permit. Appeals should be sent to the [Public Information & Customer Service \(PICS\) Office email](#); a carbon copy (cc) should be sent to the [Community Garden Program email](#). If the garden permit holder is unable to use email, an alternative method of submission will be discussed.
2. The appeal will be reviewed by Community Garden Program Staff, Volunteer Garden Liaisons from the associated garden, Horticulture Forestry and Environmental Education (HFEE) Division Chief and Assistant Division Chief (Horticulture and Urban Forestry Programs Manager), as well as the PICS Office and/or [Park Police](#), who will serve as unbiased parties.
3. If necessary, Park Police and/or a Park Ranger will conduct an onsite inspection of the garden plot to determine whether Park Rules and Regulations were followed.
4. Parks staff will notify the garden permit holder of the final decision within one week of receipt of appeal.
5. If the appeal is not approved, the gardener will have 2 weeks to remove items from the garden. If an extension is requested for removing items, it should not exceed an additional 2 weeks.

Contact Information

For additional questions or information, please contact CommunityGardens@MontgomeryParks.org.