Montgomery Parks Community Garden Program
2024 Conditions of Use

When you pay for your permit, you agree to abide by the 2024 Conditions of Use.

Garden Inspections

Gardens are subject to regular inspections. Failure to abide by rules set out in these Community Garden Conditions of Use ("**Conditions of Use**") may result in the loss of your garden permit and plot. If a plot does not comply with the Conditions of Use, notice will be sent via email. The email will contain a PDF inspection report detailing the inspector's visit and the issues that need to be addressed in the garden plot. A follow-up inspection will be performed about 2 weeks after the first email notice. After receiving multiple notices, the garden permit holder ("**permit holder**" or "**gardener**") may be put on probation and/or the permit will be revoked. After a revocation is issued, the plot will be returned to Montgomery County Parks ("**Montgomery Parks**" or "**Parks**") for reassignment and all fees will be forfeited. For more information about inspections, notices, and revocations: see [Community Garden Inspection Information & Processes](.).

Montgomery Parks Provisions

a. All plots are the property of M-NCPPC, Montgomery Parks, and it is hereby understood and agreed that the Commission, Montgomery Parks, its officers, employees, and agents shall have the right of free access to all plots to inspect and examine compliance with the Conditions of Use.

b. The Conditions of Use are subject to annual review and revision.

c. Plots are rented "as is" (current condition). Requests for assistance will be reviewed on a case-by-case basis.

d. Parks does not perform annual tilling to garden locations or plots.

e. All plot sizes are approximate. Variation in size and shape from plot to plot within each garden is normal.

f. Parks reserves the right to subdivide underutilized plots at any time.

g. Plots are not transferable to individuals outside of the garden permit holder's household.

h. Plots that are given up or are revoked for cause will be returned to Parks for reassignment. It is the permit holder's responsibility to remove all items from the plot by the date set by Montgomery Parks. This includes removing all personal belongings used by the permit holder during the gardening season including but not limited to tools, trellises, and other structures from the plot; however, infrastructure that can be repurposed or used (i.e., raised beds and fences) may be left in the plot. If items have not been removed, a $250 fee will be placed on the permit holder's ActiveMontgomery account.

i. Requests for refunds and pro-rated fees will be reviewed by Community Garden Program staff on a case-by-case basis. Permit holders assigned a plot from January – June will be responsible for paying standard permit fees.

Permit holders assigned a plot from July – August will be responsible for paying 50% of the standard permit fee, rounded up to the nearest dollar (example: if the permit fee is usually $85, it will be $43). Plots will not be assigned to new permit holders from September – December. Refunds will not be honored beyond June.

j. Community Garden Program staff will send a Welcome Packet with plot rental confirmation, lock combination, and directions for joining the electronic listserv once you have been assigned a plot and paid the permit fee.

k. Community Garden Volunteer Liaisons ("**Volunteer Liaisons**") may request supplies provided by Parks on behalf of the community gardens:

- Wood chips will be delivered to community gardens for distribution in communal areas, as needed.
- Compost will be delivered when it is available and is not a regular service of the program.

General Garden Rules

a. All Montgomery Parks Rules & Regulations apply to the community gardens.

b. Permit holders and accompanying gardeners are responsible for keeping garden gates closed and locked. Combinations to the garden locks shall not be shared.

c. Visitors are not permitted in the garden unless accompanied by a current garden permit holder.

d. Children are welcome in the garden but must always be supervised by a responsible adult.

e. Organizations and/or groups may be issued a garden permit if written notification is sent to Community Garden Program staff disclosing the organization's name, primary household/main point of contact, and plans for the use of the plot. In addition, a list of group members and/or volunteers must be provided in advance.

f. Community gardens are trash-free, carry-in, and carry-out facilities. All trash must be removed from the site and disposed of by gardeners. Garden locations with consistent trash issues are subject to reduced material deliveries and/or garden-wide violations.

g. Due to the sensitive nature and human consumption of many plants in community gardens, pets of any kind are not allowed within the community garden fence. Service Animals, as defined by the Americans with Disabilities Act (ADA), are welcome in the community gardens.

- Per the ADA, "A service animal is defined as a dog that is individually trained to do work or perform tasks for people with disabilities." Emotional support, therapy, comfort, or companion animals are not allowed in the garden. They do not qualify as service animals under the ADA because they have not been trained to perform a specific job or task. Please visit Montgomery Parks - Accessibility, Notice 15.01B (PDF), for more detailed information.

Gardener Requirements & Conduct

As members of the Community Garden Program, permit holders and accompanying gardeners agree to:

a. Maintain a current email address and phone number on file with Parks. Changes are the responsibility of permit holders and should be updated in ActiveMontgomery and sent to CommunityGardens@MontgomeryParks.org.

b. Join the Groups.io electronic listserv for the garden where they rent a plot. If permit holders do not have an email address, they must submit a phone number or mailing address for communication.

c. Attend mandatory Spring Orientation to prepare for the gardening season.

d. Contribute at least 8 hours of volunteer service to the garden each year. Volunteer Liaisons are authorized to identify tasks that meet the service-hour requirement for their garden. Examples of eligible tasks include participating in community workdays; filling the water cistern(s); weeding and wood chipping communal areas, fence lines, and pathways; picking up garden trash; organizing garden events; and helping with others' plots when needed. Failure to contribute 8 hours may result in non-renewal or permit revocation.

e. Respect fellow gardeners, Volunteer Liaisons, and Montgomery Parks staff. Personal attacks and harassment will not be tolerated, whether online or in person. Verbal and/or physical altercations with other gardeners or Parks staff may result in a violation, immediate revocation of your garden permit, and in serious situations banishment from the Community Garden Program for up to two years. If you are unable to resolve an issue or dispute, please contact your Volunteer Liaisons, Community Garden Program staff, or Park Police.

f. Mark all personal items with your assigned plot number. Gardeners are not permitted to use or borrow any tools or items without the permission of the item's owner. All borrowed items must be returned in the same

condition or be replaced. Gardeners should not enter others' plots without explicit permission. Taking produce or personal items is a violation that may result in immediate revocation of your garden permit.

g. If personal items are stolen, it is the permit holder's responsibility to notify Parks staff and file a police report with Park Police.

Gardening Guidelines
Plot Use & Maintenance

a. Gardeners agree not to use plots for any other purpose than agriculture, which shall include a prohibition on, but not limited to, animal husbandry and raising any animals, nor shall any plot be used for the growing or storing of tobacco or cannabis.

b. Gardeners must adhere to the following seasonal guidelines. Dates may be adjusted at the discretion of Community Garden staff due to weather conditions; for example, unusually cold or warm weather that delays or extends the growing season, severe storms, or high amounts of rainfall. Adjusted dates will be announced via Groups.io at least one week before the original date.

- **By April 1**, the garden plot should be 20% prepared for the season. This includes activities such as weeding, adding soil amendments, digging, planting, starting seedlings, and cultivation.
- **By June 1,** the garden plot must be fully (90 – 100%) planted for the season. During the gardening season, dead plants and those that have stopped producing should be removed.
- **By November 1**, gardeners must remove weeds, dead plants, and summer garden debris from plots. Perennials, fall/winter hardy vegetables, and cover crops can remain in the plot.

c. Gardeners must maintain rented garden plots, adjacent paths, and adjacent interior and exterior fence lines by weeding and spreading wood chips.

d. Gardeners are required to work in their assigned garden plot at least once every week to maintain weeding, cultivating, watering, and harvesting. Notify Parks staff and your garden's Volunteer Liaisons if you are away or not able to keep up with maintenance tasks due to travel, illness, or other circumstances.

e. Gardeners must store all tools, wheelbarrows, and other items inside the garden plot they are renting.

f. Garden paths must be kept open and clear of all items. Items left in the paths are subject to removal. Plot maps will be used to enforce the standard 36-inch pathways in most gardens.

g. Gardeners may not encroach into pathways or other garden plots.

h. Gardeners may not shade other plots. Tall plants should only be planted in a location where they will not shade neighboring plots; for example: the middle or furthest inside corner of the plot so that gardeners shade the plot they are renting, not other plots. Planting trees and large shrubs is discouraged. Gardeners must submit a request for approval prior to planting them; each request will be reviewed on a case-by-case basis.

i. Invasive, noxious, and aggressive weeds or plants should be removed from the garden to prevent them from spreading to other plots.

- For information about invasive plants, see Montgomery Parks Weed Warrior Program.
- For information about noxious weeds (thistles, johnsongrass, palmer amaranth) see Noxious Weeds in Maryland.
- For information about aggressive weeds (Bermuda grass, mug wort, nutsedge, etc.) see UMD Extension's resources for weed identification and weed management.
- Aggressive plants like mint, lemon balm, plants that produce multiple seeds or runners, and similar plants must be grown in above-ground, enclosed containers with closed bottom and sides. Roots should not be able to permeate the container. Aggressive plants may NOT be grown in raised beds or gardening tables of any kind.

j. Plant debris and waste must be placed in the garden debris areas. No burlap, plastic, or paper materials are allowed in the debris pile. Diseased and/or rotten plants and produce should not be placed in the debris pile as this may spread diseases and attract pests.

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l. To reduce food waste and improve sanitation/pest control, Volunteer Liaisons may initiate periodic garden-wide harvests of ripe produce, beginning August 1. Gardeners will receive notice of these harvests at least one week in advance. Gardeners must opt out of these harvests by email or by placing a physical sign in their assigned plots requesting that food not be taken for the garden-wide harvest.

m. Plot markers should always be upright and visible. Gardeners shall not relocate any plot markers. Plot markers are not to be used as fencing material, plant structures, or watering can holders.

Fencing & Structures

a. The deer fence may not be used as a trellis or plant support and should be kept free of weeds. Plants (including weeds and crops) attached to the deer fence are subject to immediate removal.

b. Fences up to three feet high may be installed in garden plots, inside plot boundaries. The materials must be neutral in color (black, grey, green, silver are okay; red, yellow, orange are not), and must not create tripping or other safety hazards. Fences must always be kept weeded. Parks reserves the right to remove fences that are unsightly or negatively affect gardeners or other plots. Removal will be at the gardener's expense. Requests for higher fences should be sent to Community Garden staff and will be reviewed on a case-by-case basis.

c. No structures over three feet tall, of any kind, may be built or installed without prior written approval by Montgomery Parks; this includes temporary and/or seasonal plant supports and trellises. All requests should be submitted via the Structure Request Form before a structure is installed. Requests for new and existing structures must be submitted and approved annually. Approval should be granted in writing from the Program Manager or Assistant Program Manager before proceeding with any structure installation. **Fences and structures over eight feet tall will not be approved.**

Fertilizers, Pesticides, & Wildlife

a. To improve the soil, manage weeds and pests, and maintain the garden's appearance, the application of mulch, newspaper, or cardboard is strongly recommended. Carpet, stone, and sod mulch are not allowed.

b. Soil tests are recommended before adding fertilizer to the plot. Gardeners should reference the University of Maryland Extension's resources on soil testing, organic matter and soil amendments, and fertilizing vegetables.

c. Organic practices with an emphasis on good sanitation are strongly encouraged in all parts of the community garden. Good sanitation practices include harvesting produce in a timely fashion, removing rotting or diseased produce, pruning or removing diseased plants, handpicking pests, using row covers, and removing weeds.

d. All pesticides (insect, disease, and weed control products) used in the garden must be OMRI-listed or organic. For more information, see organic weed control products and organic insect and disease control products.

e. Montgomery Parks will provide 48-hours' advance notice if chemical application is necessary in or around the garden. In situations where risk to human health is an emergency and top priority, Parks will conduct an emergency chemical application. A notice will go to gardeners with an explanation, time, and details of application. Chemicals will be applied by Certified or Registered Pesticide Applicators and in accordance with State and local guidelines. The entire garden may be temporarily closed during an application.

f. Gardeners are not allowed to trap animals (ground hogs, raccoons, rabbits, etc.) in community gardens at any time. Animal and pest problems should be reported to Volunteer Liaisons and/or Community Garden staff.

Water

a. Water is available from early April until late October. Gardeners must provide their own water before April and after October.

b. Water containers that are not sealed properly and/or tightly will be emptied by Montgomery Parks staff to deter mosquito breeding. For more information, see UMD Extension's resources on controlling mosquitoes.

c. Always practice water conservation. Gardeners must be present when watering; do not leave running water unattended.

Contact Information

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