Emerson Avenue Community Garden Club (EACGC) Gardening Guidelines

PLEASE READ CAREFULLY: IT IS YOUR RESPONSIBILITY TO KNOW AND COMPLY WITH THE FOLLOWING GUIDELINES AND INFORMATION.

The Emerson Avenue Community Garden at Orville Wright Engineering & Design Magnet is a garden space, but it is also a community of people. To promote a harmonious community atmosphere, the following Gardening Guidelines and Waiver were created. It is the hope of the Emerson Avenue Community Garden Club (EACGC) that these Gardening Guidelines and Waiver will help create a unified spirit and aesthetic across the garden as a whole and we invite you to design your own garden.

For purposes described in this Gardening Guidelines and Waiver, the following terms are defined below.

- Garden Manager - A Board Member assigned to the Garden Manager position.
- Plot manager – An EACGC member assigned to the Plot Manager position
- Garden Standards Committee– A subcommittee of the Governance Committee, comprised of no less than one (1) Board Member and three (3) Plot Holder members as defined in the EACGC

You must acknowledge your understanding of and your agreement to abide by these guidelines by signing the Plot Agreement Form. Any violation of these guidelines, as noted in item 25, will result in a citation.

1. The Emerson Avenue Community Garden at Orville Wright Engineering & Design Magnet exists thanks to and at the discretion of the Los Angeles Unified School District ("LAUSD" or "DISTRICT") and Orville Wright Engineering & Design Magnet and the support of its staff and students. You and your guests shall comport yourselves accordingly as guests of LAUSD.

2. You are only allowed in the Garden during the hours the Garden is open (see #3 below) unless allowed in the Garden with the written permission of LAUSD.

3. The entire Garden may be open to the general public during the hours noted below.
   Hours Garden is open:
   - When school is in session (Monday through Friday): 3:15 p.m. to Sunset
   - When school is not in session (including weekends and school holidays): 7 a.m. to Sunset
   Sunset is defined as the sunset time listed in the Los Angeles Times.

4. Plot Holders will have two weeks from the date of signing the Plot Agreement form in the Gardening Guidelines and Waiver to break ground within their assigned plot. **No work may begin without signing and returning the Plot Agreement in the Gardening Guidelines and Waiver.** Breaking ground includes removal of all dead plants, weeds, and debris, and the start of planting seasonal crops. If you do not break ground within two weeks of signing the plot agreement, you forfeit any right to that plot. In this scenario, you will have to reapply and will be placed back on the waiting list.

5. The Emerson Avenue Community Garden is a year-round food garden. All plots must be maintained year round. Maintenance of your plot includes planting and maintaining seasonal crops. A minimum of 90 percent of the plantings in each plot shall be edible plants such as vegetables, fruits, edible vines, culinary herbs, tea herbs, etc. The remaining 10 percent shall be planted with beneficial insect-attracting plants, companion plants, or cover crops. Plot holders must show signs of actively working in their plot to produce food. If a plot shows no activity (planting, maintenance, seasonal turnover, etc.) for a period of 4 consecutive weeks, a citation will be issued unless the gardener has previously notified the Garden Manager of their intent to be absent due to vacation or other reason.

6. All plots and adjacent pathways must be regularly weeded. For pathways shared with another plot, the pathway must be cleared to the midpoint of the pathway. For pathways non-adjacent to another plot, 3 feet
must be kept regularly weeded. For plots with 3 sides, the east and west sides must be regularly weeded. Unattended weeds can spread and affect the entire Garden. We recommend physical removal by digging and weeding.

7. This is an organic garden. Use organic techniques which promote healthy soil life and a healthy environment, which in turn promotes healthy people. We recommend the use of compost, earthworm castings, mulch, leguminous plants, cover cropping, mycorrhizal fungus, and similar organic materials. **No pesticides, herbicides, rodenticides or chemical fertilizers are allowed. No pressure treated wood is allowed due to its chemical content.** If an individual Plot Holder chooses to bring in purchased products (soil, compost, or mulch), they must be bagged, commercially available, and meet Organic Materials Review Institute (“OMRI”) standards; the compost available on-site will meet OMRI standards:

   a. On-site compost: As part of our mission to be zero waste, EACGC will compost brown and green waste on site in an open-style compost pile. More information about what may or may not be composted will be made available to all garden members, as some weeds are too noxious to put in our compost. No green or brown waste should be put in trash bins unless it is an item specifically banned from the compost pile. Compost material will be distributed in buckets to plots on a rotating basis.

      Worm bins are maintained on site by the worm composting crews. Nothing may be added or removed from these bins unless you are a member of the worm composting crew.

   b. LAUSD approved compost: LAUSD-approved compost and mulch may be available free on-site on a first-come-first-served basis.

8. **The following may only be planted in an individual plot if it is contained within a pot or other container.** This includes but not limited to: trees, woody shrubs, thorny plants (such as thorny berries, roses, or bougainvillea), highly invasive plants (such as morning glories, honeysuckle, ivy, creeping fig, vine, ficus, pumila, and bamboo) or anything on the California Noxious Weeds list, which may be found online at [http://plants.usda.gov/java/noxious?rptType=State&statefips=06](http://plants.usda.gov/java/noxious?rptType=State&statefips=06). A hard copy will be provided to you upon request by the Plot Manager. Plants are not allowed to encroach upon pathways or neighboring plots. Excessively tall plants must be planted on the southern boundary of the plot, and may not be planted past its midpoint.

9. Raised Beds. You may, at your own expense, create raised beds using approved materials. These beds may be elevated above the surrounding grade by no more than 18 inches. Materials for such raised beds must meet with standards as described in this document. You will be responsible for removing the raised beds at the termination of your tenancy.

10. Garden structures, trellises, or supports may not be over 5’ high, must maintain a tidy aesthetic, and may not shade a neighbor’s plot. You may not create a permanent structure of any kind in your plot, including arbors or tool sheds. Vines growing on surrounding fences are also not allowed.

11. Garden Furniture and Storage Containers. A maximum of two chairs or one bench, not to exceed 4’ in length per plot is permitted, as long as said garden furniture has been approved in advance. Individual storage containers not to exceed 18” in height are also permitted. All furniture and storage containers must be in good condition and stay within your plot. Should your items become an eyesore or create an unsafe condition, Plot Holders may be asked by the Plot Manager to remove these items from the Garden. **Neither EACGC nor LAUSD & its Board of Education shall be responsible for damage or loss of your items.**

12. Pathways. You may find it necessary to create access paths internally within your plot. The material used for these paths should be non-permanent and shall be removed at the end of plot holder term. We recommend wood chip mulch. Gravel or small stones are not permitted.

13. Tools. A minimal amount of tools are available to share. All EACGC tools and wheelbarrows must be
returned to the garden shed at the end of the day. Tools may not be removed from the garden. The tool shed will be unlocked/locked at the start/end of each day. You are also encouraged to bring your own tools.

*Neither EACGC nor LAUSD & its Board of Education shall be responsible for damage or loss of your tools.*

14. Fees.
   a. Year-end is always December 31st. Payment of annual plot rental fees is due on or before January 1st payable to the EACGC via US mail or in person to the Treasurer or Plot Manager. There are no refunds.
   b. You will be required to pay an annual plot rental fee and beginning in 2019, an EACGC membership fee to cover the costs of garden expenses. The fee may be paid by cash or check only.
   c. This fee will be set prior to the beginning of every year, and is subject to an adjustment during the year as needed.
   d. Persons awarded a plot prior to the first day of each year will have their fees prorated on a quarterly basis.

15. Community Service Hours. A total of 24 community service hours are required annually. Volunteer hours can be earned through a variety of means such as physical labor, organizing, fundraising, administrative tasks and outreach for EACGC by you, your friends or family members over the age of 13. Other forms of payment may not be made in lieu of volunteer hours.
   a. A minimum of 6 hours of community service are required by the end of each quarter (March, June, and September) and the total of 24 hours are due by December 31.
   b. If you are unable to complete your community service hours within the time frame above, it is your responsibility to contact the Membership and Volunteer coordinator and ask for an alternate project.
   c. Dates of upcoming workdays will be posted at the garden and online. Ensure that you are aware of these workdays as well as alternate projects (like outreach or committee participation) so you are able to complete the required hours and you are eligible for renewal of your plot.
   d. Plot Holders who join or take over a plot other than in the month of January of each year will have their community service hours prorated.

16. Minors must be accompanied by and supervised by an adult at all times when in the Garden. Adult supervisors are responsible for ensuring that minors adhere to all Gardening Guidelines.

17. Pets. Because this is a year-round food garden, dogs or other pets will NOT be allowed in the Garden, even if on a leash. This prohibition does not apply to Registered service animals as defined and provided for by the Americans With Disabilities Act and documented at [https://usaservicedogregistration.com/how-to-make-your-dog-a-service-dog](https://usaservicedogregistration.com/how-to-make-your-dog-a-service-dog)

18. Bikes, scooters and skateboards are not to be ridden inside the garden gates. Bike racks are located inside the garden gates.

19. Water Usage. This is a water-wise garden.
   The following applies.
   a. One hose bib will be provided for every two plots; however you must provide your own hose.
   b. Use water-conserving gardening techniques such as mulch, green mulch, building healthy garden soil, water-wise application methods, earth form basins and sunken beds, and appropriate plant choices.
   c. Water the soil and not your plants. This promotes healthy plants plus delivers the water where it is needed.
   d. No automatic watering devices such as timers may be used in individual plots. No watering may be left unattended.
   e. You are responsible for shutting off, winding up, and safely storing your own hose after every use. Garden hoses should be disconnected from all devices (soaker hoses, spray nozzles, drip lines, etc.) and wound up in the appropriate place at the hose bib so that the next Plot Holder may use them.
   f. Please exercise care so that your overspray does not infringe upon other garden plots.
   g. Uncovered water storage is not allowed.
20. Commercial Gardening. All fruits, vegetables, and herbs grown in the Emerson Avenue Community Garden are to be consumed by you and your family; shared with other gardeners, neighbors or friends; or donated to charity. You will not sell or barter the produce and do not intend to profit from the arrangement. Excluding personal use, will not financially profit in any way from the use of your plot.

21. Vandalism, smoking (including the use of electronic smoking devices), use of tobacco or marijuana products, possession and or consumption of alcohol or illegal substances, gross incivility, possession of firearms, use of profane language, operation of drones of any kind or theft is grounds for immediate eviction from the garden and forfeiture of garden plot. No marijuana or any controlled substance may be grown.

22. Restrooms. Restrooms will not be available to Plot Holders and visitors to the Garden.

23. Other plots must be respected. You may not intentionally touch or remove plants or produce from another plot without the express permission of that Plot Holder. Gardeners expressly permitting another plot holder to enter, touch, remove plants or produce from their plot for a period in excess of one (1) week but less than four (4) weeks shall notify the Garden Manager and Plot Manager of the name of the gardener that will be maintaining the garden.

   a. In no event may two or more plot holders share a single plot. All plot holders are restricted to one (1) plot as designated upon membership or as subsequently assigned.
   b. Individuals that are not plot holders but have been listed on the Gardening Guidelines Waiver Form and Plot Agreement are permitted access at any time without need to notify the Garden Manager or Plot Manager.
   c. In the event of an anticipated absence in excess of four (4) weeks, plot holders must notify the Garden Manager and Plot Manager of the absence at least one (1) week prior to the end of the first four weeks of absence except in case of emergency. The reason for the absence need not be specified.
   d. Plot holders absent for three (3) months or ninety (90) days will be subject to losing their plot, although they may apply for a month to month extension. To prevent a loss of a plot due to an extended absence, the plot holder must submit a Leave of Absence form, obtained from the Garden manager or Plot Manager. In no event will an absence be permitted beyond six (6) months. If there is a loss of gardening privileges due to an extended absence, plot holders may re-apply on the waiting list.

24. If you decide to quit gardening, you are required to return the plot in the condition in which you received it. Weeds and unwanted plants must be removed as a courtesy to the next Plot Holder. Trellises, supports, shade cloth and weed barriers must all be removed. Your plot will be given to the next applicant on the waiting list and cannot be given or transferred to anyone else. Adequate notice is two weeks; please contact the Plot Manager with notice of your intention to quit.

25. Failure to adhere to any of the above Gardening Guidelines will result in a citation. If the issue is not corrected within 14 days of the date of the citation, a second citation will be issued. If the issue is still not corrected 14 days after the date of the 2nd citation the board of directors will decide on the issuance of a third citation. A third citation will result in forfeiture the plot. Each account is set to 0 citations at the beginning of each calendar and may accumulate citations during the course of the year. The first and second citations will be sent via email. Not opening nor reading an email is not an excuse for non-responsiveness. Emails unable to be sent are returned to the senders email account, marked as undeliverable with a notice that the email system will attempt to resend for a period of 72 hours. The facts regarding issuance of a third citation will be presented to and decided upon by the EACGC board of directors. A third citation will be sent by certified mail. It is your responsibility to notify the EACGC Plot Manager by email or U.S. mail with a change of address or contact information.

26. Forfeiture of Garden Plot. You forfeit your plot if the Gardening Guidelines and Waiver are not followed. In addition to items 1-25, this includes (but is not limited to):

   a. Unauthorized addition or removal of fruit, vegetables, plants, flowers, tools or other items from the common garden areas or other garden plots. This includes trespassing in any garden plot not assigned to the Gardener except as noted above.
   c. The issuance of three citations of non-compliance in one year.
d. Vandalism, smoking (including the use of electronic smoking devices), use of tobacco or marijuana products, possession and or consumption of alcohol or illegal substances, gross incivility, possession of firearms, use of profane language, operation of drones of any kind or theft.

If EACGC loses the ability to use OWEDM for the garden, your ability to garden will terminate and you will be required to remove all of your property from your plot and restore the plot to the condition in which you received it.

27. The EACGC or the LAUSD does not participate in discrimination against or harassment of any person participating in any of EACGC’s activities on the basis of race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical condition, genetic information, ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services.

28. The EACGC Board of Directors and the LAUSD reserve the right to amend these Gardening Guidelines and Waiver.

29. Applicants who have been awarded a plot will be assigned a plot for the remainder of the calendar year, renewable on an annual basis, providing all guidelines, rules and regulations have been met. You may not trade plots with other Plot Holders or turn over maintenance of your plot to anyone not on the original garden application.

30. As plots turnover, EACGC leadership, in consultation with garden volunteers, reserves the right to adjust plot sizes.

31. You agree to protect, defend, indemnify, save, and hold harmless the Emerson Avenue Community Garden Club, Los Angeles Unified School District, the Board of Education of the City of LA, and all officers, agents, employees, and representatives free and harmless from any and all liability, loss, damage, cost or expense in any way connected with you or an additional Plot Holder member(s) use of your plot or activities within the garden or OWEDM.

32. As a participant in the Garden, you acknowledge, understand and agree that the nature of your participation in the gardening activity may involve physical activity or other potential risk of harm or injury and represent that you are physically fit and otherwise prepared to participate and you will use reasonable discretion in allowing or not allowing your family members or additional Plot Holder members to participate in gardening.

33. Plot Holder shall not knowingly allow any person who has been convicted of any of the offenses set forth in the Education Code 44010 (see below) that is under Plot holder’s direction or control to enter the Garden with or without the express or implied consent of LAUSD. A plea or verdict of guilty shall be deemed a conviction, irrespective of a subsequent order under the provisions of Penal Code 1203.4.

34. SECTION 44010 OF THE CALIFORNIA EDUCATION CODE

"Sex offense"

1. "Sex offense," as used in Sections 44020, 44237, 44346, 44425, 44436, 44836, 45123, and 45304, means any one or more of the offenses listed below:

2. Any offense defined in Section 220, 261, 261.5, 262, 264.1, 266, 266j, 267, 285, 286, 288, 288a, 289, 311.1, 311.2, 311.3, 311.4, 311.10, 311.11, 313.1, 647b, 647.6, or former Section 647a, subdivision (a), (b), or (c) of Section 243.4, or subdivision (a) or (d) of Section 647 of the Penal Code.

3. Any offense defined in former subdivision 5 of former Section 647 of the Penal Code repealed by Chapter 560 of the Statutes of 1961, or any offense defined in former subdivision 2 of former section 311 of the Penal Code repealed by Chapter 2147 of the Statutes of 1961, if the offense defined in those sections was committed prior to September 15, 1961, to the same extent that an offense committed prior to that date was a sex offense for the purposes of this section prior to September 15, 1961.

4. Any offense defined in Section 314 of the Penal Code committed on or after September 15, 1961.
5. Any offense defined in former subdivision 1 of former Section 311 of the Penal Code repealed by Chapter 2147 of the Statutes of 1961 committed on or after September 7, 1955, and prior to September 15, 1961.

6. Any offense involving lewd and lascivious conduct under Section 272 of the Penal Code committed on or after September 15, 1961.

7. Any offense involving lewd and lascivious conduct under former Section 702 of the Welfare and Institutions Code repealed by Chapter 1616 of the Statutes of 1961, if that offense was committed prior to September 15, 1961, to the same extent that an offense committed prior to that date was a sex offense for the purposes of this section prior to September 15, 1961.

8. Any offense defined in Section 286 or 288a of the Penal Code prior to the effective date of the amendment of either section enacted at the 1975-76 Regular Session of the Legislature committed prior to the effective date of the amendment.

9. Any attempt to commit any of the offenses specified in this section.

10. Any offense committed or attempted in any other state or against the laws of the United States which, if committed or attempted in this state, would have been punishable as one or more of the offenses specified in this section.

11. Any conviction for an offense resulting in the requirement to register as a sex offender pursuant to Section 290 of the Penal Code.

12. Commitment as a mentally disordered sex offender under former Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of the Welfare and Institutions Code, as repealed by Chapter 928 of the Statutes of 1981.

References:

Available at the EACGC website at http://www.eacgc.org