



P.O. Box 1862, Morgan Hill, CA 95038  
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[www.mhcommunitygarden.org](http://www.mhcommunitygarden.org)

## **GARDENING POLICIES 2023**

### **MISSION STATEMENT**

The Morgan Hill Community Garden (MHCG) serves the local community by providing a family-friendly, relaxed, and respectful environment for Morgan Hill residents to learn about organic gardening, share gardening ideas, tips and harvest recipes. As a community, MHCG is committed to treating all individuals with respect and dignity.

#### **I.**

#### **Overview**

**Education:** The Morgan Hill Community Garden provides gardening education to the community gardeners and residents of Morgan Hill and surrounding communities of all ages by informal garden exchanges and free gardening classes. Home gardeners and community gardeners share this education opportunity.

**Health:** Gardeners are encouraged to bring a variety of fresh produce to their families. A more diverse and healthier diet, and gardening exercise benefit Morgan Hill families.

**Charity:** The Morgan Hill Community Garden encourages donating excess harvest to a local food bank.

The Gardening Policies are reviewed and revised annually in an ongoing effort to improve them and keep them relevant to changing conditions. If you have suggestions, or concerns, please e-mail the Morgan Hill Community Garden at [info@mhcommunitygarden.org](mailto:info@mhcommunitygarden.org).

The Morgan Hill Community Garden has an Oversight Committee of volunteers that endeavors to enforce these Policies. Please voice your concerns about policy violations to Oversight Committee members or Board members. Oversight Committee contact information can be found posted on the bulletin board.

As in any group endeavor, individuals must give up some of their individuality to accommodate the function of the group. Community gardening is no exception.

#### **II.**

#### **Who can participate in The Morgan Hill Community Garden**

Anyone age 18 or older who is a **Morgan Hill resident** (physical address is “Morgan Hill”) may garden. Morgan Hill residents wishing to join the Community Garden may be added to the waiting list by emailing [info@mhcommunitygarden.org](mailto:info@mhcommunitygarden.org).

### III. Plot Allocation, Registration and Fees

1. One garden plot per individual, household, or group. The MHCG uses the following guidelines to ensure that this rule is applied uniformly.
  - A community gardener may not garden more than one garden plot except as noted below.
  - Two (or more) adults living at the same address can garden only one plot.
  - If there is sufficient plot inventory and there is no one on the waiting list, a gardener may rent up to 3 plots (total 300 sq. ft.).
  - Once the demand for plots exceeds the maximum number the total garden area can supply, the extra (beyond one plot/member/household) plots must be relinquished as needed at the end of the registration period. Normal registration fees apply to any additional plots.
2. The person whose signature appears first on the Registration Form is considered the primary plot holder and is ultimately responsible for the maintenance of the entire garden plot. However, family and friends are welcome to participate provided they have signed the Waiver of Liability which is on file with the Garden Treasurer. Parents must sign the Waiver for all children under 18 who will participate at the garden.
3. The primary plot holder is required to inform the Garden President of any changes to their contact information, including home address, phone number, and/or email address. Failure to provide current contact information may result in termination of gardening privileges.
4. Gardeners shall not share the combination to the garden gate with anyone who is not a registered gardener. For each plot, only those whose name(s) are listed on the waiver form AND who have signed the waiver form may have the garden gate combination. Violation of this will result in termination of gardening privileges.
5. Garden plots are issued on a year-to-year basis from February 1 to January 31.
6. Current plot holders in good standing may apply for renewal of their garden plot each year. A plot holder in good standing has maintained their plot all 12 months, **completed 6 hours of whole-garden work time per year by the last scheduled work day of the year** and adhered to Garden Policies. (Note alternate volunteer options as listed in Plot Holder Responsibilities, #4.) Gardeners who fail to **complete work day requirements by the last scheduled work day of the year will receive a final notice letter/email in November** that the hours were not completed and registration for the following year will not be processed.
7. Annually returning gardeners in good standing must complete the Garden Registration, Agreement and Waiver Form to register for the new year, and pay their annual gardening fee. This form must be filled out completely and received by the due date: name, address, phone number, and email address. **Email is our primary method of communication at the Garden and it needs to be checked weekly to stay informed.** Each gardener who intends to garden the plot must sign the form. New gardeners: Attach verification of Morgan Hill residence (phone bill, utility bill, etc.). The address on your personal check IS NOT proof of residency. Registration packages missing a completed form and/or signatures will be returned. Registration packages must be sent to the Garden's post office box and must be postmarked by the registration deadline of January 31st. **DO NOT LEAVE REGISTRATION PACKAGE AT THE GARDEN.**
8. If there are no vacant garden plots, prospective gardeners may add their name to the community garden waiting list by going to [mhcommunitygarden.org](http://mhcommunitygarden.org) placing their name on the waiting list. Individuals will be contacted—in the order on the waiting list—when garden plots become available. Once contacted, persons on the waiting list have ten calendar days to respond or they will be cycled to the bottom of the waiting list.

9. Gardeners who do not intend to continue gardening their plot for any reason should promptly notify someone on the Garden Board either verbally or in writing so that the plot may be reassigned to the next person on the waiting list. The day your physical address changes to an address other than Morgan Hill, you must relinquish your plot. Contact the President if you wish to complete your current harvest.
10. Plot holders who sign-up after April 30 will pay a pro-rated gardening fees rounded off to a reasonable dollar amount on a quarterly schedule set by the Treasurer of the Board.  
(February-April 100%, May-July 75%, August-October 50%, November-January 25%)
11. Plot holders do not have any ownership interest in the plots and may not transfer a plot to anyone else, including a family member. The transfer of a plot will only be allowed between a husband and wife or domestic partners. Garden plots that become available will be re-assigned to new gardeners by the Garden President.
12. New plot holders are required to complete the Community Garden Registration, Agreement and Waiver form, **provide a verification of residence in the City of Morgan Hill** and pay their annual garden fee before they can begin gardening.
13. **The registration fee for 2023 will be \$125.00 per plot.** This is subject to change as expenses increase. Fees cover expenses related to water usage, liability insurance, construction, repairs, tool replacement, other materials and additional monthly expenses.
14. Payment of the annual registration fee is to be made by check or money order, payable to "MHCG". The gardening fee is to be mailed with the Garden Registration, Waivers & Gardener Agreement and, if necessary, verification of residence to P.O. Box 1862, Morgan Hill, CA 95038. Should a gardener's check be returned by the bank, such as for insufficient funds, the gardener shall pay the required plot fee AND the returned check bank service charge by money order within 10 days of receiving notification of the returned check. Failure to do so will subject their plot to be assigned to the next waiting list gardener.
  - Discount Garden Plot Fee  
The Community Garden knows that it is difficult for some garden members to cover all of their monthly expenses. There is a discount plot fee program for those who qualify for a maximum of ten garden plots at any one time in the garden to maintain the budget amount needed to balance the MHCG budget. The current plot fee reduction is 50% (rounded off to a reasonable dollar amount.) The eligibility rule is:
    - i. Proof that the garden member qualifies for the PG&E California Alternative Rates for Energy Program (CARE/FERA) or another low-income housing or other program. A current copy of the applicant's qualification document is required initially and with each subsequent yearly renewal.
  - Once approved, the discounted yearly fee would reflect the same percentage increase faced by the rest of the gardeners. The discounted amount would be for one standard 100 square foot sized plot. This fee may be changed by MHCG Board of Directors as needed.
15. Annual gardening fees are non-refundable. When a gardener gives up a plot it needs to be cleaned out, and covered with 2" of compost or mulch, and mulch needs to be spread in the pathways around the plot to leave the plot ready for the next gardener.
16. When leaving your plot, all improvements to the plot including lumber, added soil and growing medium are considered donations to the Morgan Hill Community Garden and shall be left in the

plot. All equipment (trellises, cages, fencing) shall be removed from the garden. All discards from the plot must fit in the trash containers or be taken home for disposal.

17. Eight American with Disabilities Act (ADA) accessible garden plots are available at MHCG. Individuals with a disability will have priority in renting any of the ADA accessible garden plots. If any of these ADA plots are not occupied, those plots may be assigned by the Garden President on a temporary basis to the general public. Please note: Any ADA plot temporarily assigned to the general public must be relinquished at the end of the current growing season or at the end of the registration year once a qualified ADA person is interested in the plot. The definition of disability will be in accordance with the Americans with Disabilities Act (ADA) of 1990, Title 42, Chapter 126 or under California law.

## **IV. Gardening Guidelines**

### **A. ORGANIC GARDENING**

MHCG adheres strictly to the gardening principles, concepts, and practices popularly called “organic.” Products simply labeled “organic” or “natural” are not allowed unless they meet USDA or OMRI approval. The use of pesticides, herbicides, chemical fertilizers, or other such substances or practices inconsistent with organic gardening are prohibited. The use of fertilizer material or tillage methods harmful to the soil’s structure, fertility or microorganisms is prohibited. The use of materials or products harmful to humans is prohibited. (Please refer to the “Garden Product Policy Guidelines” Section VIII, page 8 of these Policies for more information.)

### **B. PLANTING SCHEDULE**

1. Garden plots must be fully planted and maintained year-round. A fall/winter garden is required. This is to be planted between October 15 and December 15 annually. Fall and winter regular maintenance is part of gardening at the MHCG.
2. Summer gardens must be planted by June 15.
3. To prevent the spread of rust, garlic is to be planted in November and harvested by May. When garlic is left in the ground for too long, it is possible for rust to form on the garlic and then spread to other gardeners’ plots.
4. Plot holders who do not actively garden during the winter shall plant a cover crop (clover, vetch, fava beans, others). Cover crops must be **weeded and trimmed** around the plot boundaries through the fall and winter months.

### **C. PLANTING GUIDELINES**

1. Plot holders may grow vegetables, herbs, flowers and fruits in their plot that are not illegal, toxic, noxious, or invasive. Plants that cannot be grown include, but are not limited to poison hemlock, poison oak, morning glory, stinging nettles, marijuana, woody perennials, bamboo, ice plant, grapevines, and other plants as determined by the MHCG Board. Spreading plants such as mint, oregano, and dill, spreading berries and cactus need to be planted in a closed bottom pot. Plants that consume large amounts of water are not permitted.
2. Each plot shall be planted, tended, and harvested in a timely manner.
3. Water-intensive crops are prohibited, such as Taro, rice, and sugar cane.

4. Crops should be rotated as much as permitted by the space available.
5. Respect the need of your neighbors' plants for sunlight. Do not plant tall crops, including those plants in above ground containers, in a way that will cause excessive shading to nearby plots. Generally, plants cannot exceed 7 1/2 feet tall, especially if there is a group of similar plants that block sunlight to other plots. Plants to consider for height include, but are not limited to sunflowers and corn.
6. All plants, planters, planter boxes and trellises must be placed inside plot perimeter. Plants may not over hang into the walk way.
7. Trellis limit is 6 feet high, may not shade a neighbor's plot and may not be installed permanently. Arbors are not allowed. Trellis structures used for climbing plants must be at least 3" inside the plot edge to keep all plant growth within the plot perimeter for safety of movement within the pathways.

## 8. V. Plot Holder Responsibilities

1. Plot holders are responsible for the year-round maintenance of their plots and surrounding pathways. Plots and pathways must be kept free of weeds, personal items, trash and other debris at all times.
2. Common areas are maintained as a shared responsibility by all plot holders. Such maintenance will occur at garden workdays scheduled by the Garden Workday Coordinator and/or on an ongoing basis.
3. Plot holders are required to attend work days **to complete six hours of whole-garden work maintenance** or make alternative arrangements with the Workday Coordinator to assist in the maintenance of the garden. Plot holders may volunteer for the community garden in additional ways, such as website maintenance, Facebook maintenance, excess harvest collection/distribution, compost management, board of directors, standing committees, construction, and school outreach. These tasks must be approved by the work day coordinator. Gardeners ***who do not complete their work hours by the last scheduled work day (typically in September)*** will not be eligible to re-register for the next registration year.
4. Plot holders must be involved in the hands-on cultivation of their plots. Family and friends are welcome to share in the responsibility provided they have a Waiver of Liability on file with volunteer staff. Care for your own plot. Do not care for another plot unless requested to do it due to family emergency, illness or injury, vacation, or other unforeseen circumstance. A need for specific plot hired help can be reported to the Board members for approval.
5. In the event of a family emergency, illness or injury, vacation, or other unforeseen circumstance, the plot holder may arrange for another gardener to temporarily tend the garden plot. Please make your own arrangements with that gardener. Plot holders may not pay or hire someone to garden their plot.
6. Plot holders are required to notify the Garden Management Team of the following: irrigation problems such as water leaks, graffiti, theft, vandalism, rule violations, pest or disease problems.
7. Plot holders and their guests must comply with all Garden Policies. Any guest who intends to work in the Garden must have a signed Waiver of Liability on file with the Garden Treasurer. Primary plot holders are responsible for their guests' behavior in the Garden.
8. Plot holders will be held accountable for the behavior of their guests.
9. All gardener contact information published within the Morgan Hill Community Garden group is private and confidential. Gardener contact information may **not be sold or used** for marketing or any purposes other than contacting fellow gardeners to conduct Garden business.

## **VI. Violation of Community Garden Policies**

### **DUE PROCESS**

**Step 1-** Reminder letter - allow two weeks for correction of issue

**Step 2-** Verbal or Written Warning 2nd Oversight notice –allow two weeks

**Step 3-** 3rd Verbal or written warning – allow two weeks for correction of issue

**Step 4-** Oversight Committee recommends garden membership be revoked to be confirmed by vote of the Board of Directors. If revocation is confirmed by Board, there is no refund of the gardening fee.

**Step 5-** If an appeal is requested by the evicted gardener, the Board will review the gardener appeal letter and will notify the Appellant of the Board's final decision in writing by email and letter. The appellant may contact the Garden in one year to be put on the waiting list for a future plot. If granted a future plot, appellant will be on probation for six (6) months. If violations are noticed during probation, the gardener will be evicted without appeal.

NOTE: At the discretion of the Oversight Committee, safety issues will be handled in a shortened time frame.

The Garden Board of Directors shall enforce these Garden Policies, and in doing so will take action, including termination of the agreement with any gardener who is in violation of Policies. When a gardener violates the Garden Policies, the violation shall be reported to the Board of Directors. The gardener will be notified by the Community Garden's President or a member of the Board of Directors either in person, by mail or email.

Plot holders shall follow all reasonable instructions from the Garden Management Team (Board of Directors). A gardener who receives three written warnings from the MHCG about policy violations is subject to termination of gardening privileges. The Garden Management Team may issue a written warning or termination, as reasonably determined by the Team based upon the facts and circumstances. If a Plot holder believes that a warning or termination notice was issued in error, the Plot holder should contact the Garden Management Team in writing by letter or email identifying the relevant facts and circumstances that the termination or warning should be rescinded, within 14 consecutive calendar days of the date of the written notice of warning or termination. When a plot holder is terminated, he/she may reapply for the Community Gardens Program a year from the date of termination and will be on a 6-month probation. If there are any violations the garden privileges will be revoked without appeal. The decision of the Board of Directors is final.

### **VIOLATIONS WARRANTING IMMEDIATE TERMINATION BY THE BOARD OF DIRECTORS**

1. Theft or vandalism of tools, equipment, and/or Garden property
2. Disclosure of the garden gate combination to non-authorized individuals
3. Theft of produce and/or plants
4. Sale of garden produce or crops
5. The use of foul language and offensive behavior including but not limited to threats, intimidation, violence, racial/ethnic slurs and sexual harassment
6. The use of alcoholic beverages and/or illegal drugs of any kind in MHCG

7. Receiving 3 written warnings
8. Failure to maintain a 12-month garden
9. Failure to pay registration fee or failure to submit fully completed registration documents by the deadline
10. Violation of privacy of Gardener contact information

## **VII. At the Community Garden**

1. **Hours of Operation:** The MHCG is locked but accessible to all plot holders who have the combination to the lock from sunrise to sunset.
2. **Behavior:** Foul language or offensive behavior is prohibited.
3. **Gates:** Garden gates must be kept closed and locked when gardeners are not on site. If you are the last car leaving from inside the gate, you are responsible for locking the gate.
4. **Motor Vehicles:** Unauthorized motorized vehicles are not allowed in the garden with the exception of motorized wheelchairs. Vehicles can be used with prior Board approval for specific projects.
5. **Water:** The amount of water used determines future gardening fees. **No unattended watering is allowed.** All gardeners are authorized **to turn water off if it has been left unattended.**
6. **Smoking:** Smoking in the community garden is prohibited.
7. **Controlled Substances:** No alcoholic beverages or illegal drugs of any kind allowed. It is prohibited to enter the garden under the influence of alcohol or drugs.
8. **Hostile Person/Situation:** If you encounter a hostile person/situation, walk away and notify the Garden Management Team immediately, and if you feel threatened immediately dial 911.
9. **Bathrooms:** Proper bathroom facilities must be used. Urinating or defecating in the community garden is prohibited.
10. **Garbage:** You must deposit any garbage you generate into the **gray** receptacles. Discarding of garbage on the ground or in compost, green waste, or recycling carts is prohibited.
11. **Green Waste:** We highly encourage members to chop unwanted green waste into small pieces and compost within the garden plot as much as possible. Please chop green waste before placing in the compost bins. **NO HOUSEHOLD WASTE, PLEASE.** Bindweed and weeds with seeds should go directly into the gray garbage containers.
12. **Recycling:** Only **CLEAN** paper and beverage containers are recycled at our site. Do not dispose any food-soiled or dirt-soiled items in the Recycling cart. **NO PLASTIC BAGS** are allowed since we cannot clean and bag them all together as required by Recology.
13. **No Selling:** Produce from community gardens is primarily for family consumption. Excess food can be preserved for future use, shared with friends or neighbors, or donated to local food banks. **You may not sell items grown in your plot.**
14. **Harvesting:** Harvest only from your own plot. The unauthorized taking of produce from another gardener's plot will result in the immediate revocation of your garden plot.
15. **Leaky Hoses:** Leaky water hoses should be reported to the Garden Management Team. Hoses must be replaced or repaired.
16. **Standing Water:** To reduce the breeding of mosquitoes and the spreading of West Nile Virus, no stagnant/standing water allowed, including but not limited to water in containers and buckets.

17. **Tools:** Garden-owned tools are for garden use only and should be cleaned and returned to the toolshed after use. Tools must be kept locked in the tool shed and should never be left out in garden plots or pathways or taken off the garden premises.
18. **Personal Items:** Personal items shall not be stored in the common areas or pathways.
19. **Pests/Rodents:** **The pest removal committee will trap and dispose of pests**, such as gophers, moles and ground squirrels. The use of chemicals, including over the counter smoke bombs, is PROHIBITED. If anything in a gardener's plot provides a habitat for rodents, including but not limited to rats, mice, and ground squirrels, the gardener must remove the habitat.
20. **Animals:** Pets are not allowed in community gardens unless the animal is identified as a Service Animal and any official documentation, which identifies the animal as a disability-related need, is provided to Garden Management Team

Garden Products Allowed on Next Page-



## VIII. Garden Product Policy Guidelines

Any organic substance for use in the Morgan Hill Community Gardens must be approved by the U.S. Department of Agriculture’s (USDA) National Organic Program or by the Organics Materials Review Institute (OMRI). To see if a substance is allowed in a community garden check the USDA National Organic Program National List, Subpart G, 205.601 and 205.602 or the OMRI Web site, [www.omri.org](http://www.omri.org)

Organic Gardening: The form of agriculture that relies on techniques such as crop rotation, green manure, compost and biological pest control. Organic Gardening uses fertilizers and pesticides but excludes the use of manufactured (synthetic) fertilizers, pesticides (including herbicides, insecticides and fungicides), plant growth regulators, sludge and nanomaterials.

The following table includes, but is not limited to, some substances that are allowed and prohibited.

PEST AND DISEASE CONTROL	<p style="text-align: center;"><b>ALLOWED</b></p> <ul style="list-style-type: none"> <li>- bacillus thuringiensis(Bt)</li> <li>- soap spray</li> <li>- Horticulture pepper/onion spray</li> <li>- sulfur</li> <li>- wood ashes</li> <li>- sour milk solution</li> <li>- lace wings</li> <li>- dormant oils</li> <li>- micro-cop or equivalent (orchard use only)</li> <li>- diatomaceous earth (DE)</li> </ul> <p>* Pyrethrin: <b>It is a naturally occurring</b> insect-killing chemical taken from chrysanthemum flowers. In the flowers, these bug-killers exist as a mixture of six separate chemicals that together are called <b>pyrethrum</b> or <b>pyrethrins</b>. Pyrethrins (without piperonyl butoxide or other enhancers) are permitted for use on organically grown crops.</p>	<p style="text-align: center;"><b>PROHIBITED</b></p> <ul style="list-style-type: none"> <li>- rotenone</li> <li>- pyrethrate, pyrethroids</li> <li>- nicotine sulfate</li> <li>- malathion</li> <li>- diazinon</li> <li>- sevin</li> <li>- organophosphates</li> <li>- Roundup</li> <li>- Finale</li> <li>- Dursban</li> <li>- organ chlorides</li> <li>- chlorpyrifos</li> </ul>
	<p style="text-align: center;"><b>ALLOWED</b></p> <ul style="list-style-type: none"> <li>- cotton seed</li> <li>- kelp</li> <li>- compost</li> <li>- manure</li> </ul>	<p style="text-align: center;"><b>PROHIBITED</b></p> <ul style="list-style-type: none"> <li>- ammonium sulfate</li> <li>- ammonium nitrate</li> <li>- muriate of potash</li> <li>- superphosphates</li> <li>- highly soluble chemical fertilizer</li> <li>- Ozmicote</li> <li>- Non organic Miracle</li> </ul>
FERTILIZERS	<p style="text-align: center;"><b>ALLOWED</b></p> <ul style="list-style-type: none"> <li>- blood, horn, and hoof meals</li> <li>- liquid fish or seaweed</li> <li>- fertilizers classified as “organic”</li> </ul>	<p style="text-align: center;"><b>PROHIBITED</b></p> <ul style="list-style-type: none"> <li>- ammonium sulfate</li> <li>- ammonium nitrate</li> <li>- muriate of potash</li> <li>- superphosphates</li> <li>- highly soluble chemical fertilizer</li> <li>- Ozmicote</li> <li>- Non organic Miracle</li> </ul>