



January 24, 2022  
Notice of Rules Updates

### **Blair Road Community Garden Association (BRCGA) Membership Rules**

Promulgated by the Board of Directors and adopted as Authorized by Members of the Association at the Meeting on November 7, 2015. Per BRCGA bylaws, rules may be amended following 10 days written notice to garden members.

### **National Park Service (NPS) Conditions for Permit**

The NPS has directed that each member of BRCGA be informed of the conditions under which the permit for the use of the garden area was issued to the BRCGA, as follows:

1. Each Gardener assigned a plot will save the United States of America harmless from any claim or liability resulting from the permitted use of the area for gardening purposes.
2. The regulations of the NPS are adopted by the BRCGA as "Basic Rules" for the use of the garden plots.
3. The cooperation of each member in the observance of these conditions is required.

### **Blair Road Community Garden Additional Specific Membership Rules**

**Shaded Topics Include Changes for 2022 Garden Season**

<b>Topic</b>	<b>Rule</b>
<b>Membership</b>	Membership in the BRCGA is by permit agreement and annual from March 1 until the last day of February the following year
<b>Annual Permit Agreement</b>	<ul style="list-style-type: none"><li>● Gardener must submit complete and accurate information on Permit Agreement.</li><li>● Gardener must sign a new Permit Agreement each gardening season.</li><li>● Renewals are subject to a review of the gardener's compliance with BRCG rules and NPS guidelines throughout the previous garden season.</li><li>● Gardener must return their signed agreement with a check or money order (include plot #) to the BRCGA postal address or the garden shed mailbox (preferred) so that it is postmarked/received in the garden shed mailbox by March 1. A late fee will be incurred if received after this date. The Board will reassign the plot if this deadline is missed.</li></ul>

<b>Topic</b>	<b>Rule</b>
<b>Payment</b>	<ul style="list-style-type: none"> <li>● Gardener will make checks or money orders (no cash payments) payable to the “Blair Road Community Garden Association”.</li> <li>● Written notice for voluntarily relinquishing a plot must be postmarked on or before April 1 for a full refund. After this date, no refunds will be given.</li> </ul>
<b>Plot Assignments</b>	<ul style="list-style-type: none"> <li>● One (1) plot per household.</li> <li>● Gardeners may not increase or decrease the size of the assigned plot nor should they move the fiberglass markers indicating the plot borders.</li> <li>● Assignments shall be made on a first come, first served basis, without respect to race, creed or color.</li> <li>● Priority placement may be given to senior citizens, residents who live in close proximity to the garden and those who possess skills deemed to be important for the operation of the BRCGA.</li> </ul>
<b>Community Service</b>	<p>All Gardeners are required to complete at least three (3) hours of community-wide service in the garden on any one of the four (4) scheduled community workdays during the garden season or complete a substitute assignment that is approved by a BRCGA Executive Board member.</p>
<b>Membership Meetings</b>	<p>Attendance and participation in the Fall (annual elections) and Spring membership meetings is required.</p>
<b>Contact Information</b>	<p>Gardener will submit to the BRCGA and keep up-to-date all their contact information. Contact information: full name of all gardeners on the Permit Agreement, address, email address, and phone number.</p>
<b>Organic Gardening</b>	<ul style="list-style-type: none"> <li>● Garden plots must use organic gardening and management practices.</li> <li>● Use of synthetic chemical fertilizers, pesticides, herbicides or rodenticides (e.g., Sevin-5, MiracleGro, Roundup (Glyphosate), etc.) in plots and paths or adjacent land is strictly forbidden. Use of any of these poisons is grounds for immediate termination from BRCG.</li> </ul>
<b>Plant Diversity</b>	<p>In keeping with NPS rules regarding organic gardening, monoculture is not permitted. No single type of plant can take up more than 50% of any plot.</p>
<b>Gardening Hours</b>	<p>Gardening is only permitted during daylight hours.</p>

Topic	Rule
<b>Commercial Gardening</b>	<p><b>Strictly Forbidden. According to NPS rules:</b></p> <p>Garden produce is only for household use, educational purposes, or charity. Any business or commercial activity by Gardeners is prohibited. Specifically, the sale of plants, vegetables, fruits, or flowers grown on National Park Service land is a violation of <b>federal law</b> (36 CFR § 5.3 “Business operations.”) and grounds for not only removal of any Gardener but also potential <b>federal prosecution</b>.</p>
<b>Assistance in/absence from Plot</b>	<ul style="list-style-type: none"> <li>● Plots can only be worked by the person who is the registered member/plot holder. If someone other than the plot holder works in the garden, the plot holder needs to be present.</li> <li>● If a Gardener requires someone to care for their garden for a short period of time (e.g., due to travel or sickness), the Gardener must contact the board of directors immediately to work out a suitable arrangement</li> <li>● The board reserves the right to request identification to verify only approved gardeners are working in the garden.</li> </ul>
<b>Subletting</b>	<p>No subletting, sharecropping, lending or sharing of an assigned plot space. The name on the permit is the name of the person who is authorized and responsible for all gardening within the plot.</p>
<b>Planting Schedule</b>	<p><b>By June 1:</b> Gardener must start planting in their plot.</p> <p><b>June – August:</b> Gardener will have at least 75% of the plot planted.</p> <p><b>Mid-November/not later than 2 weeks after 1<sup>st</sup> killing frost:</b></p> <ul style="list-style-type: none"> <li>● Gardener will clear plot of excess growth and debris,</li> <li>● Gardener will plant cover crop/winter greens or have leaves, compost or manure spaded-in.</li> </ul>
<b>Placement of Plants</b>	<ul style="list-style-type: none"> <li>● Tall-growing plants (those that grow taller than 18 inches, like corn) will be planted no closer than 2 feet to the edge of the plot.</li> <li>● Gardener will move or prune any plants (especially perennials) that grow past this inner-plot growth perimeter.</li> <li>● Low-growing plants may be planted within the 2-foot inner border.</li> <li>● For tall-growing or trellised plants, space must be left between plants to allow people to see all the way through the plot.</li> </ul>

Topic	Rule
Weeds	<ul style="list-style-type: none"> <li>● Plot and paths must be kept weed-free and neat in appearance.</li> <li>● Each gardener is responsible for maintaining weed-free and passable, the entirety of the <b>southern</b> (in the direction of Greater St Paul Baptist Church) and <b>eastern</b> paths (in the direction of the railroad tracks) surrounding their plot.</li> </ul>
Structures	<ul style="list-style-type: none"> <li>● No structures are allowed in the garden, with the exception of certain NPS approved structures needed to grow vegetables.</li> <li>● NPS-approved vegetable growing structures, such as bean poles, must be 8 feet or less in height.</li> </ul>
Paths	<ul style="list-style-type: none"> <li>● A path of 2 ½ feet (30 inches) wide is required on each side of each plot.</li> <li>● No planting of anything in the pathways.</li> <li>● Paths must be covered with leaves, wood chips or low grass (less than four (4) inches tall) to ensure that the paths are safe and accessible.</li> <li>● Gardeners are responsible for these paths adjacent to their plot: <ul style="list-style-type: none"> <li>○ The south path (in the direction of Greater St Paul Baptist Church)</li> <li>○ The east path (in the direction of the railroad tracks)</li> <li>○ If a garden plot does not share a north or west border with another plot the gardener is responsible for this edge path as well.</li> </ul> </li> </ul>
Trenches	<p>If Gardener installs a trench in their garden:</p> <ul style="list-style-type: none"> <li>● it must be installed and retain water within the plot’s boundaries.</li> <li>● it cannot be deeper than four (4) inches <b>or</b> it must be covered in <b>wood chips or green waste</b>.</li> <li>● trench shall not direct run-off into the pathway or neighbors’ plot.</li> </ul>
Fencing Restrictions	<p>Gardeners must receive BRCGA approval before building/installing a fence of any kind around their plot.</p> <ul style="list-style-type: none"> <li>● no more than 8 feet tall</li> <li>● non-permanent (no cement footings/bases)</li> <li>● made of fencing material neutral in color (black, green, silver)</li> <li>● not visually intrusive</li> <li>● no fences should be used as a support for tools, equipment or plants</li> <li>● Fence posts must be inside the plot boundaries</li> </ul>
Trellis or other Plant Supports	<p>Plants or weeds are not allowed to grow on any trellis, fence or other support so that it creates a visual obstruction.</p>

<p><b>General Maintenance</b></p>	<ul style="list-style-type: none"> <li>● Tools, wheelbarrows, garden hoses and garden debris will be stored so that paths remain clear at all times.</li> <li>● The BRCGA has the discretion of relocating water hoses, tools, etc. found in common areas for use by other Gardeners.</li> </ul>
<p><b>Children and Guests</b></p>	<p>Guests and children must be supervised at all times. Members will assume all responsibility for the actions and safety of their guests.</p>
<p><b>Visiting other Plots</b></p>	<p>Members and/or their guests shall not enter into another person's plot without permission of the plot owner.</p>
<p><b>Containers of Water</b></p>	<p>No open container(s) of water are allowed in plots. They are a public health hazard that provides breeding areas for mosquitoes and pests.</p>
<p><b>Tools and Equipment</b></p>	<p>Equipment can be stored within a plot in a manner that does not create a public hazard, visual intrusion and/or habitat for pests.</p>
<p><b>Trash/Garden refuse</b></p>	<p>Gardener will not deposit trash along paths, near the bulletin board, or roadways except in coordination with the BRCG periodic cleanup day.</p>
<p><b>Compost Piles</b></p>	<p>Gardener will establish their own compost pile or arrange to use a neighbor's or dig under garden refuse.</p>
<p><b>Water Conservation</b> <i>Call 202-643-8570 or notify a Section Captain right away for leaks!</i></p>	<p>Gardener will practice smart organic watering techniques:</p> <ul style="list-style-type: none"> <li>● water roots deeply rather than other parts of plants.</li> <li>● be present when watering.</li> <li>● limit watering to 15 minutes when others are waiting to water.</li> <li>● use hoses that do not leak.</li> </ul> <p>When not in active use, Gardener will:</p> <ul style="list-style-type: none"> <li>● disconnect hose.</li> <li>● place hose so that it does not extend across or otherwise obstruct any garden pathway or road.</li> </ul>

## **Non-Compliance/Violation of a Rule**

### **Termination of Plot Assignment**

1. BRCG has a right to terminate a plot for failure to comply with BRCGA and/or NPS rules. No refunds will be issued for plots that have been terminated.
2. There are two types of violations:
  - Those that follow the ***Notice of Violations & Probation Process*** (see process below);
  - Those that warrant immediate termination (see list below).

### **Immediate Termination:**

A Gardener will forfeit their right to their assigned plot immediately, if they:

1. Submitted false information on the permit agreement.
2. Were observed by a member of the BRCGA Board selling vegetables and other plants produced at BRCG.
3. Were observed by two or more members putting their hands upon, shoving, striking, threatening or causing bodily harm to any member of the BRCGA or to a Gardener's property.
4. Were observed or it is determined by the BRCGA Board that the Gardener has applied synthetic chemical fertilizers, pesticides, herbicides or rodenticides in the BRCGA plots, paths and adjacent land.
5. Performed lewd, indecent, or obscene acts as defined by DC laws.

### **Immediate Termination Notification:**

An immediate Termination email and letter specifying the violation(s) will be sent to the Gardener stating that they have 14 days to remove all personal property from the garden plot. All items that remain in the plot after 14 days become the property of BRCG and will be disposed of, donated or left for a new Gardener.

### **Dispute of Violation:**

A Gardener who feels they unfairly received an **Immediate Termination** can contact the BRCGA Board of Directors via email or letter within 14 Days of the termination notice. The Gardener must prove that they are not out of compliance with the rules and guidelines. All cases will be reviewed on an individual basis with the BRCGA Board of Directors making the final decision.

## ***Notice of Violation and Probation Process***

### **Step 1**

#### When a violation is noticed:

The gardener is given a warning from their BRCGA Section Captain by way of a conversation (verbally and/or via email). Info to include: the violation, a description of how it breaks BRCGA rules, specific deadline date (Deadline #1) by which the violation must be corrected (usually 1 week).

### **Step 2**

#### If the violation is not corrected by the deadline (Deadline #1):

- The BRCGA Executive Board prepares and sends a *Notice of Violation & Probation* (via email and USPS certified mail with return receipt) to the gardener.
- The notice indicates a new deadline (Deadline #2). A copy is also sent to the Section Captain who places the notice into the garden plot of the violator.

### **Step 3**

#### If the violation is not corrected by the stated timeline in the *Notice of Violation & Probation* (Deadline #2):

- BRCGA Executive Board sends termination letter (via USPS certified mail with return receipt) to the gardener.
- The termination letter indicates that the Gardener has 14 days (from Deadline #2) to remove all personal property from the garden plot. All items that remain in the plot after 14 days become the property of BRCGA and will be discarded, donated or left for a new Gardener.
- Once the termination letter has been sent, a laminated notice indicating the plot is terminated and no gardening is allowed is posted in the garden or on the garden fence.

If a termination occurs, and the Gardener disputes this action, they may contact the BRCGA Board of Directors via email or letter within 14 Days of the termination notice. The Gardener must prove that they are not out of compliance with the rules and guidelines. All cases will be reviewed on an individual basis with the BRCGA Board of Directors making the final decision.