



COMMUNITY GARDEN PERMIT APPLICATION

<p>For Office Use Only Date of filing with City: _____ Rec'd by: _____</p>

A *Community Garden Permit Application* is required to request permission to start a community garden in the City of Kemp. The application shall include:

- List of garden members including contact information along with duties assigned
- Site Plan for the garden
- Operating rules
- Proof of comprehensive general liability insurance
- Community Garden Permit fee of \$25.00
- Signature stating that Ordinance pertaining to Community Gardens was received and agreed

Applicant Information

Name: _____
Address: _____
Phone Number: _____
Email: _____

Land Owner Information

Name: _____
Address: _____
Phone Number: _____
Email: _____

Garden Coordinator Information

Name: _____
Address: _____
Phone Number: _____
Email: _____

Community Garden Address: _____

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be compiled with whether specified or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating community gardens.

Signature of Applicant: _____ Date: _____

	Approved By	Date	Comments
Building Department			
City Secretary			



COMMUNITY GARDEN PERMIT APPLICATION

For Office Use Only
Date of filing with City:

Rec'd by: _____

ARTICLE IV. – COMMUNITY GARDENS.

Sec. 16-200. - Definitions.

The following words and phrases, when used in this Article, shall have the meanings respectively ascribed to them in this section:

Community Garden means an area of land used to grow and harvest food crops by individuals or collectively by members of a group for non-commercial purposes.

Community Garden Permit means a permit issued by the City Secretary for the operation of a Community Garden.

Sec. 16-201. – Permit Required.

- (a) A person may not operate a Community Garden under this Article unless the person obtains and possesses a Community Garden Permit and any other permit required by this chapter or the city, and pays any required fees.
- (b) The fee for a Community Garden Permit shall be \$25.00.

Sec. 16-202. - Regulations.

Upon receipt of a Community Garden Permit, Community Gardens are allowed in all zoning districts, subject to the following regulations:

- (a) Written consent of the property owner shall be required.
- (b) Site users must:
 - (1) have an established set of operating rules addressing the governance structure of the garden, hours of operation, maintenance and security requirements and responsibilities;
 - (2) have a garden coordinator to perform the coordinating role for the management of the community garden; and
 - (3) assign garden plots in a fair and impartial manner according to the operating rules established for that garden.

The operating rules along with a site plan of the Community Garden shall be kept on file with the City Secretary's Office and shall include the name and telephone number of the garden coordinator.

- (c) All plots shall be tended to on a minimum weekly basis. Gardens shall be maintained in a weed-free condition and produce must be harvested and not allowed to go to seed.
- (d) *Hours of Operation.* Hours of operation shall be limited to daylight hours.
- (e) *Permitted Structures.* Accessory structures, such as storage sheds for tools and other supplies or greenhouses, may be allowed in a community garden pursuant to meeting zoning setback requirements and shall not exceed ten percent of the garden site lot area or one hundred twenty square feet, whichever is less. Accessory structures shall be compatible with the neighborhood and shall be approved by the City Administrator or designee.
- (f) *Parking.* A minimum of two graveled parking spaces with approved access shall be provided on the lot when there is no on-street parking allowed adjacent to the community garden property.
- (g) *Utilities.* Proposed connection to public utilities shall require permits from the City and shall meet any required City of Kemp utility requirements.
- (h) *Insurance.* For so long as a permit holder maintains a Community Garden Permit, permit holder shall take out and maintain without interruption comprehensive general liability insurance naming the City of Kemp as an additional insured, affording coverage for bodily and personal injury liability, including liability for death, and property damage, or a combination thereof, in an amount not less than One Million Dollars (\$1,000,000). Coverage shall be made on an "occurrence" basis and not a "claims made" basis.



COMMUNITY GARDEN PERMIT APPLICATION

For Office Use Only
Date of filing with City:

Rec'd by: _____

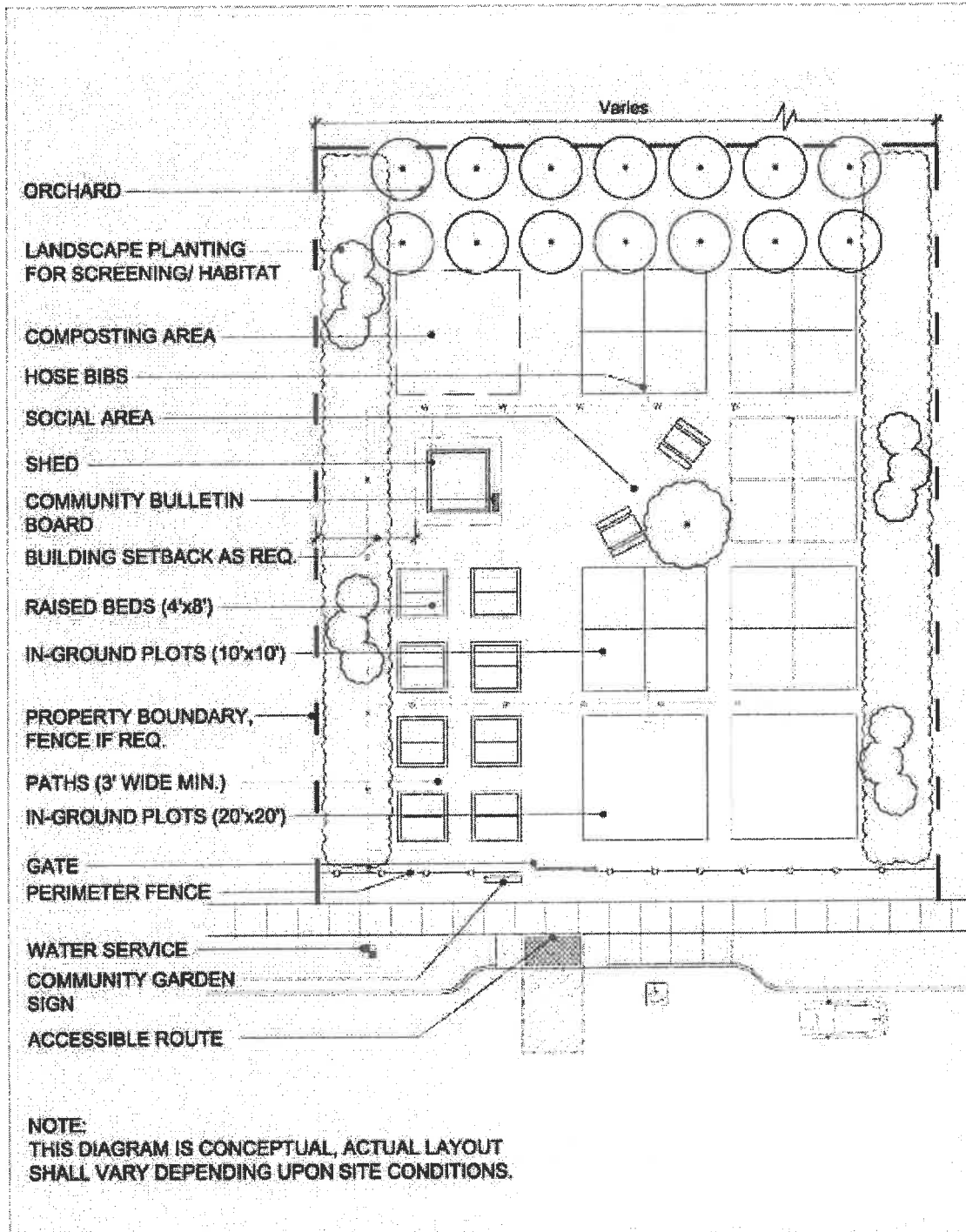
- (i) *Addresses.* If the property on which the Community Garden is located does not have assigned to it a designated street address, then addresses shall be assigned to vacant parcels for Community Gardens. The property address shall be identified using four-inch address numbers displayed in a visible location.
- (j) *Perimeter Fencing.* Perimeter fences shall not exceed six feet in height, shall be subject to any setback requirements of the zoning district in which the community garden is located, shall be at least fifty percent open if they are taller than four feet, and shall be constructed of wood, vinyl, or ornamental metal. Chain link shall be permitted for community gardens.
- (k) *Drainage.* The Community Garden site shall be designed and maintained so that water and fertilizer do not drain onto adjacent property.
- (l) *Water Use.* Water efficient irrigation techniques such as drip irrigation and timers to control watering times are encouraged. All hoses shall be equipped with a trigger nozzle. Mulching of planted areas is encouraged to retain plant moisture.
- (m) *Composting.* Composting may be performed onsite within a composting container subject to all of the following:
 - (1) Composted materials shall be only those materials generated onsite or contributed by active members of the community garden;
 - (2) Composting containers shall be located a minimum of three feet from the property lines; and
 - (3) Odors and/or fly-breeding shall not be greater than customarily found at a well-maintained residence.
- (n) *Organic Gardening.* Organic gardening is strongly encouraged.
- (o) *Trash/Recycling Receptacles.* Trash and recycling receptacles shall be provided onsite for the proper disposal of refuse. The receptacles shall be screened from adjacent properties by six-foot high solid fencing. Refuse shall be removed from the site weekly so that the receptacle area and the lot are kept free from litter.
- (p) *Personal Use Only.* Food crops grown and harvested are for personal use only. Commercial sale of produce is not permitted and the garden shall not be run as a profit-making venture.
- (q) *Prohibited plants.* Planting illegal or invasive plants shall be prohibited. Plants grown must be food crops for personal consumption. Planting and cultivation of plants or crops for use as illegal drugs, such as marijuana, shall be prohibited.

All other applicable codes and ordinances shall apply to Community Gardens, including but not limited to grading and noise ordinances. Applicable permits from other departments may be required.

Sec. 16-202. –Violations.

An offense under this Article shall be considered a Class C Misdemeanor, punishable by a fine upon conviction not to exceed \$500.00. Proof of culpable mental state is expressly waived. Each and every occurrence of violation of this section shall constitute a separate offense, which offense is considered a daily offense.”

DESIGN LAYOUT TEMPLATE



TYPICAL COMMUNITY GARDEN LAYOUT

Scale: 1" = 20'
0 10' 20'