



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Parks and Recreation
Parks & Environmental Conservation Division



**Guidance on Establishing a Partner Group and
Drafting Operating Procedures for DPR Community Gardens**

DC Department of Parks and Recreation (DPR) Community Gardens are designed to provide DC residents with an opportunity to enjoy all the health and social benefits that community gardening has to offer. Community gardens are run by volunteer Garden Managers who are also members of the garden. In many cases the Garden Manager is part of a larger volunteer Community Garden Partner Group (the ‘Partner Group’). The Manager/Partner Group is responsible for the smooth operation of the garden through the development and enforcement of rules and procedures specific to their garden and ensuring compliance to their Cooperative Agreement with DPR.

Establishing a Community Garden Partner Group

- I. Organizational Structure of a Partner Group
 - A. DPR does not require the Partner Group to be incorporated however, unincorporated gardens may not collect membership fees for plot use.
 - B. If a garden chooses to collect membership fees one of the following must be set up and approved by DPR prior any fees being solicited or accepted:
 1. The Partner Group must be an incorporated entity in the District of Columbia. Incorporation can be achieved through the DC Department of Consumer and Regulatory Affairs (DCRA): <https://dcra.dc.gov> (202) 442-4432, 1100 4th St. SW, Washington DC 20024. The incorporated garden must establish proof of:
 - a) Articles of Incorporation
 - b) A business bank account in the incorporated gardens name
 - c) An Employee Identification Number (EIN) which can be obtained from the IRS: <https://www.irs.gov/businesses/small-businesses-self-employed/employer-id-numbers>
 - d) A ‘Clean Hands Certificate’ from the Office of Tax and Revenue if the garden has been incorporated for more than a year <https://otr.cfo.dc.gov/page/online-clean-hands-application>
 2. Alternatively, a Partner Group may choose to engage in a fiscal sponsorship agreement with an existing organization. In this case, the garden must establish proof of:
 - a) A fiscal sponsorship agreement between the garden and the sponsoring organization
 - b) A business bank account in the sponsoring organizations name
 - c) The EIN of the sponsoring organization
 - d) A ‘Clean Hands Certificate’ from the Office of Tax and Revenue if the sponsoring organization has been incorporated for more than a year <https://otr.cfo.dc.gov/page/online-clean-hands-application>

II. Leadership Structure of the Partner Group

- A. DPR Community Garden Partner Groups are required to be made up of, at minimum, one Garden Manager.
- B. Additional leadership roles including other Partner Group positions, sub-committees etc., are strongly encouraged as a means to promote broader participation by and representation of garden members and engagement with the community at-large.

Establishing Operating Procedures for Your Garden

Garden rules and procedures are put in place to govern each garden. The Community Garden Cooperative Agreement between DPR and the Garden requires that all Community Garden Partner Groups submit their Operating Procedures document to DPR for review and approval. The Operating Procedures can be individualized for each DPR garden and amended when needed. The below guidance is meant to serve as an example to help Community Garden Partner Groups develop garden operating procedures that make sense for your garden.

Garden operating procedures must address the following, at minimum:

- All additional rules and procedures for the garden that are not accounted for in the DPR Code of Conduct and the Community Garden Cooperative Agreement (which apply to all DPR Community Gardens)
- Current governance structure of the Partner Group
- Seasonal Maintenance plan
- Process to amend the operating procedures
- Transitional process for leadership roles on the Partner Group
- Community Inclusion and communication plan

Example Garden Operating Procedures

I. Community Garden Partner Group Structure

A. Garden Manager (Mandatory)

1. Must serve as the main point of contact with DPR. The Managers mailing address, phone number and email will be included in the cooperative agreement.
2. Manages the day to day responsibilities of the garden:
 - a) Manages public garden email account
 - b) Manages waiting list
 - c) Responds to garden plot requests (all garden plot requests must receive a response from the garden manager confirming an open plot or a confirming a position on the waiting list)
 - d) Assigns new gardeners to open plots
 - e) Removes derelict gardeners and reassigns plots throughout the year
 - f) Assures any maintenance needed is carried out
 - g) Coordinates with DPR on maintenance or other issues
 - h) Schedules and plans a yearly public meeting

- B. Additional Garden Managers (Optional)
 - 1. Divide garden manager roles among several managers
 - 2. If the Manager role is divided, one Manager will be designated as the DPR point of contact.
- C. Treasurer (Optional)
 - 1. If garden is collecting plot membership dues and/or fundraising a treasurer is needed to manage finances.
 - 2. Must provide an annual income and expense report to DPR upon request
- D. Communications (Optional)
 - 1. Coordinate communication efforts among gardeners
- E. Outreach (Optional)
 - 1. Coordinate public outreach efforts

II. Assigning/Election of Roles

- A. Managers
 - 1. For new community gardens, garden managers must be chosen or approved by the DPR Community Garden Manager.
 - 2. For gardens with managers already, those managers may continue their roles.
 - 3. If a manager vacates the position, the previous manager will choose a new manager.
 - a) If that manager fails to do so an election must be held within 30 days or DPR may close the garden until a new manager is picked.
 - 4. If gardeners are having trouble with a garden manager any member may call for a public meeting to discuss the situation. If no resolution is found the meeting participants may vote (with a simple majority to win) for an election for a new manager that will start the following calendar year after the election.
 - 5. If there is an immediate problem with the garden manager, gardeners may contact the DPR Community Garden Specialist to resolve the problem.
- B. Other Roles-Gardens may determine their selection/election process and articulate it in their Operating Procedures document.

III. Annual Public Meetings

- A. DPR requires one public meeting organized by the garden manager or other member of the Partner Group for plot holders and the community at large prior to the start of the growing season. The purpose of this meeting is to remind everyone of the garden rules and to address any concerns.
- B. Additional meetings may be organized by the garden manager or any gardener to address any concerns.

IV. Public Plots (if applicable)

- A. Public plots are defined as free plots that can be shared, maintained, and harvested by anyone in the community, including community organizations, as a way to promote community inclusion, increase garden access, and increase benefits to the community.
- B. Public plots must be accessible to the community. If the public plots are in a gated and locked area, there must be at least 10 hours a week of scheduled time where the garden is unlocked

and the public plots are accessible.

V. Garden Membership

- A. Each gardener with a personal plot is considered a member of the garden. Community members and gardeners of public plots and garden programs do not require a membership with the garden.
- B. Members are required to live within the boundaries of the District of Columbia for the duration of their use of a garden plot.

VI. Membership fees (Optional)

- A. If a garden chooses to have membership fees no fee may exceed \$30 a year.
- B. Any community garden that has over 10 personal garden plots must make at least one personal garden plot available for free to a low-income gardener.
 - 1. If any personal garden plots reserved for low-income gardeners are still open by June 1st, the Partner Group may make the open personal plot(s) a communal plot or give it to the next person on the waiting list for the remainder of the year.
 - 2. The following year the plot(s) previously reserved for low-income gardeners must become open and available again for any new low-income gardeners until June 1st. The previous gardener may return to the top of the waiting list.

VII. Communication

- A. All gardeners must provide to the garden manager an email and/or a phone number that is checked at least once a week. It is the gardener's responsibility to update the garden manager with any new contact info.

VIII. Membership waiting list

- A. A structured waiting list for future members will be established to ensure vacated plots become available in an equitable manner. The waiting list must include the first and last name, phone number and/or email address, home address, the date they were added to the list and the date they were assigned a plot.
- B. Preference is given to individuals who can provide proof that they live within a mile of the garden. Documented proof includes, but is not limited to, a driver's license, a bill in their name, or a lease. This preference will move local community members to the top of the waiting list behind any previous local resident on the waiting list.
- C. DPR may request a copy of the waiting list at any time.
- D. All people requesting to get on the waiting list must receive a response from the garden manager within 30 days of the request either assigning them a plot or notifying them that they have been put on the waiting list.

IX. Membership Requirements

- A. All members must volunteer a certain number of hours, determined by the garden manager, dedicated to maintaining common areas or attend a certain number of volunteer events every year to keep their garden plot. Common areas can include, but are not limited to public plots, fences, area around the garden border, garden isles, and tool shed.
- B. The Garden Partner Group determines the volunteer requirement and how to monitor each person's contribution.
- C. All gardeners must sign, verifying they have read, understand, and accept, the DPR liability form and the DPR Garden Code of Conduct. A hard copy of the garden operating procedures and DPR Garden Code of Conduct must be kept on site of the garden at all times. If the Community Garden Partner Group maintains a website, the garden operating procedures and DPR Garden Code of Conduct must be present on any website.
- D. All members must abide by all garden rules, Garden operating procedures, DPR rules, and DC laws. Failure to follow any of these rules and laws may result in the loss of the member's garden plot, determined on a case-by-case basis, by either the Garden manager or DPR.
- E. All members may only garden on one personal garden plot per household.
- F. All members are restricted to one garden plot per household at one DPR community garden. Members cannot garden a personal plot at more than one DPR community garden.
- G. If there are multiple people gardening in one plot, all members must sign a waiver and code of conduct.

X. Membership Duration

- A. The maximum plot duration for gardens with 15 plots or less shall not exceed three (3) years. At the end of the three years their plot will be given to the next person on the waiting list. Some considerations include, but are not limited to, the following:
 1. Garden plot duration limits are more practical for small gardens with large waiting lists to ensure community members eventually get plots. Small gardens will have low garden plot turnover rates.
 2. Large gardens with high turnover rates may not need duration limits.
 3. Exceptions to duration limits for members taking on leadership roles may help the sustainable governance of the garden.
 4. DPR reserves the right to implement garden duration plans to ensure equal access to community gardening opportunities to the public.
- B. Members voluntarily leaving their plot
 1. If members wish to leave their garden plot they must contact the garden manager as soon as possible.
 2. Members cannot assign their plots to a person of their choice.
 3. The garden manager will assign the plot according to the waiting list.

XI. Termination of Membership

A. Safety Violation

1. If a garden member violates a DC law or a DPR Code of Conduct that affects the safety of the garden, that member may lose their membership and garden plot. Each case may be determined by DPR and/or the Garden Manager on a case-by-case basis.
 - a) Safety rules include but are not limited to:
 - (1) No physical or verbal behavior that's aggressive, intimidating, threatening, harassing or violent in any way.
 - (2) No Alcohol within garden or any part of DPR property
 - (3) No Smoking within the garden or any part of DPR property
 - (4) No pets in garden
 - (5) No non-organic fertilizer, pesticide, herbicide, or fungicide.
 - (6) Do not harvest or disturb other people's personal garden plots.
 - (7) Gardeners must not erect any structures that the garden manager deems a hazard or that could impede the success of another plot.
2. Procedure for Safety violation
 - a) Immediate threat
 - (1) If anyone's safety is at risk please contact MPD using 911.
 - (2) If immediate assistance is needed (by staff or gardeners) to remove someone from the premise that does not require calling MPD, please call the Park Rangers at 202-441-2605.
 - b) Non-immediate threat
 - (1) All staff members, garden managers, gardeners who witness any safety violation must fill out an incident report as soon as possible and submitted to DPR.
 - (2) Based on the incident reports collected DPR will determine the following course of action(s) that could include, but not limited to:
 - (a) Request for follow up information
 - (b) Document incident with no further action
 - (c) Issue a warning
 - (d) Require mediation
 - (e) Remove a gardener from their personal plot
 - (f) Ban a gardener from a garden
 - (g) Report incident to MPD

B. Garden violations

1. If a garden member violates a non-safety related garden rule that person will get three chances to remediate the violation or they may lose their garden membership and garden plot immediately or at the start of next growing year.
 - a) Non safety rules include by not limited to:
 - (1) All gardeners must plant their plots within a month of receiving the plot. (weather permitting)
 - (2) All returning gardeners must plant their plots by June First
 - (3) All gardeners must maintain their plot which entails
 - (a) Controlling weeds and pests in and around their plot
 - (b) Harvesting ripe vegetables before they rot
 - (4) All gardeners must complete their volunteer requirement set by the garden manager.
 - (5) Gardeners must not erect any permanent structures or structures that block sun from another garden plot.

C. Three-Step Warning System

1. The garden manager must make a documented attempt by the usual contact method to issue a warning.
2. After waiting a week if the problem still persists, the garden manager must make another documented attempt by a different form of contact, stating clear consequences
3. After waiting another week, the garden manager must make a documented attempt over the phone or in person to make contact. If contact is made, the member who committed the violation must create an action plan to remediate the problem with the garden manager. If there is no contact after a week or if the remediation plan fails, the garden manager may ask the garden member to leave their plot.

XII. Community Inclusion Plan

The Community Inclusion Plan (CIP) outlines the Community Garden's ongoing attempt to outreach and include the local community. Each CIP will be unique to each garden and designed by the Community Garden Partner Group. DPR will offer suggestions and consultation on the development of each CIP.

Both the local community and the community garden benefit through the Community Inclusion Plan. The community gains by increased access to the garden and its many benefits. The community garden benefits by reducing possible sources of tension between gardeners and neighbors, increasing participation in the garden, and increasing cooperation between users with a shared interest in a space.

Inclusive Practice Examples

The Community Inclusion Plan may include, but is not limited to, any of these DPR recommendations:

1. Establish garden and/or outreach programs with local community partners.
2. Provide outreach to communities for garden plots, events, and programs using a variety of methods. Community Garden Groups can use both social media and methods that bridge the digital divide such as:
 - a. Door to door flyers
 - b. Place posters in high traffic areas including a visible public space at the garden.
 - c. Use preexisting community networks and partners including schools, churches, community centers, and civic associations.
3. Organize garden events that are open and advertised to the local community (e.g. - fall and spring festivals, garden events, workshops, etc.).
4. Organize and advertise a seasonal set weekly or monthly time for an Open House where garden volunteers can interact and host community members.
5. Create public plots as a way to engage the community and create an inclusive environment for community members who don't have plots. Public plots can be a common area, requiring garden members to help maintain the plots. This will allow greater partnership possibilities. For example, the Group may work with schools and community organizations unable to maintain a garden plot but still be involved. This will also encourage a culture of giving back to the community.
6. Reserve free garden plots for low-income residents and reach out to the community to fill these plots.
7. Organize and advertise adult garden education classes open to the public.
8. Organize youth garden programming and host school fieldtrips.
9. Organize a train the trainer program to train local community members to eventually maintain and govern the garden.
10. Organize volunteer days for gardeners to volunteer outside the garden to help other community partners to build community connections outside the garden.
11. Organize gleaning days to glean unpicked over ripe vegetables to donate for people in need.