

MAKIKI COMMUNITY GARDEN ASSOCIATION

Honolulu's First Community Garden

Established 1975

RULES AND REGULATIONS

(Revised June 2018)

All gardeners of the Makiki Community Garden (MCGA) agree to be subject to and abide by the *City and County of Honolulu Department of Parks and Recreation 1984 Amended Rules and Regulations for Community Recreational Gardening Program*, and any additional Rules and Regulations adopted by the Makiki Community Garden Association.

I APPLICATION FOR GARDEN PLOT

- A. Available garden plots are awarded on a first-come, first-served basis after completion and acceptance of a garden plot application form.
- B. Applicants:
 1. Must be 18 year or older.
 2. In the same family or household that intend to garden must all be listed on the original application form.
 3. That are non-family or household members may sign-up to a garden provided they sign the original application when it is first submitted.
- C. An application form must be completed in person at a monthly meeting of the MCGA.
- D. Applicants are assigned a number and must be present and identify themselves at monthly MCGA meetings to affirm their continued interest in a garden plot.
- E. Applicants that miss three consecutive months of the applicants' roll call at MCGA meetings will be removed from the applicant pool and must re-apply as a new applicant to again be placed on the applicant list.
- F. Applicants must be present at a monthly meeting of the MCGA to be assigned a garden.
- G. MCGA gardens are limited to one garden per family/household or for non-related gardeners signed up together for a garden plot per I.B.3 above.
- H. Gardeners are limited to one garden per family or household within the City and County Community Gardens Program.

II ASSIGNMENT OF GARDEN PLOT

- A. Upon notification at the MCGA meeting that a garden is available, the applicant should immediately inspect the garden and indicate whether the garden plot will be accepted.
- B. If garden is accepted the applicant will:
 1. Complete any applicable forms to finalize acceptance;
 2. Pay annual MCGA dues and city and county user fee to MCGA treasurer or authorized MCGA official;
 3. Receive rules and regulation and agree to read and abide by such rules; and
 4. Commence working the assigned garden within one week after assignment.
- C. If garden is **not** accepted, applicant may remain on the list of applications in the same priority order for the next available plot prior to declining the plot offered.
- D. Gardens are **not** transferable. A garden given up for any reason reverts to the MCGA for reassignment. Gardens cannot be assigned or passed on to others by an individual gardener.
- E. Garden Transfers
 1. Existing gardeners wishing to change garden plots must submit a request in writing to the MCGA President.
 2. Requests for transfers will be in the order of receipt of the request.

3. Gardeners on the request for transfers list will be given preference over new applicants to select a newly available garden plot. An existing gardener's plot becomes available as a new garden if a transfer of garden plots takes place.
4. Gardeners, including newly assigned gardeners, are limited to one change per calendar year.

III RETURN OF GARDENS

The city may require return of a garden plot when needed for another use. A 30-day notice for return of the garden plot will be issued after which the garden must be surrendered.

IV GARDEN DUES

- Annually, at the start of each fiscal year, gardeners pay a \$15.00 fee for a garden plot, consisting of:
- A. \$5.00 MCGA membership fee; and a
 - B. \$10.00 City and County of Honolulu Annual Usage fee.
 - C. Dues are normally collected each fiscal year starting in July of each year, regardless of the month in which a garden was assigned.
 - D. The MCGA will collect the annual \$15.00 garden plot fee and forward the usage fee collections to the city and county.
 - E. A \$5.00 late charge is assessed for any dues payment **not** received by September 30th of each year.
 - F. Failure to pay annual dues by October 31st of each year will result in revocation of the garden.

V GARDENER RESPONSIBILITIES

A. A gardener becomes a member of the MCGA upon assignment of a garden plot. Gardeners agree to abide by the following rules and requirements.

B. MCGA Monthly Meetings

1. All gardeners, unless specifically exempted, are required to attend a minimum of four MCGA meetings per year.
2. Monthly meetings are held on the second Tuesday of each month, in a designated room in the Makiki Park Arts and Crafts Building, starting at 7:00 p.m.
3. MCGA recommends that four meetings, one per calendar year quarter be attended.
4. All members must sign-in to receive credit for attending a meeting. It is the gardener's responsibility to sign-in.
5. A gardener may send a representative to a meeting if the gardener is unable to attend.
6. Gardeners unable to attend the required number of monthly meetings must contact the MCGA President to request to be excused or exempted from the requirement.

C. Monthly Garden Cleanups

1. All gardeners, unless specifically exempted by the MCGA, must attend two garden cleanups during the calendar year. MCGA recommends a minimum of one cleanup per quarter.
2. Monthly cleanups are scheduled for one hour on the first Saturday following the monthly meeting, between 7:00 a.m. and 8:00 a.m.
3. Gardeners must sign-in with the Cleanup Coordinator between 7:00 a.m. and 7:30 a.m. to receive credit for attending a cleanup session.
4. The one hour clean-up period starts when the gardener signs the sign-up sheet.
5. Any variation to the cleanup time must be approved by the cleanup coordinator.
6. Gardeners attending monthly cleanups must work on common areas of the gardens only. No credit will be given for gardeners found to be working in a private garden plot, unless authorized by the garden cleanup coordinator(s).
7. Trash bags for cleanup are provided. It is recommended that gardeners bring their own tools and protective gloves to assist with cleanup chores.

8. If it necessary to cancel cleanup due to rain or other circumstances, credit for showing up will be recorded by the cleanup coordinator.
9. MCGA Officers and members of the Garden Inspection Committee are excused from monthly garden cleanups.
10. A gardener that is unable to attend required cleanups is responsible for notifying the Cleanup Coordinator and/or MCGA President to make alternative arrangements.
11. A gardener seeking to be excused or exempted from the monthly garden cleanup requirement must contact the MCGA President to request approval.

D. Illegal Acts

1. Any gardener found to have falsified a garden application form or otherwise misrepresented the condition of the use of his/her garden is subject to immediate revocation of the garden plot.
2. Gardeners have right to quiet enjoyment of the garden plot. Any gardener that has a **confirmed** threat of violence to any other gardener is subject to immediate garden revocation.
3. Gardeners that have their gardens revoked are prohibited from applying for a garden in the City and County Community Gardens Program for one year from the date of the revocation.

E. Notification Requirements

1. Gardeners are responsible for ensuring the MCGA is, at all times, provided current contact information and notified of any condition that may affect the status of their gardens.
2. Gardeners should inform the MCGA president of any known extended absences due to illness or other reason that will affect maintenance of their gardens.

VI GARDEN USE RULES

The MCGA has adopted the following rules pertaining to the use of Garden plots.

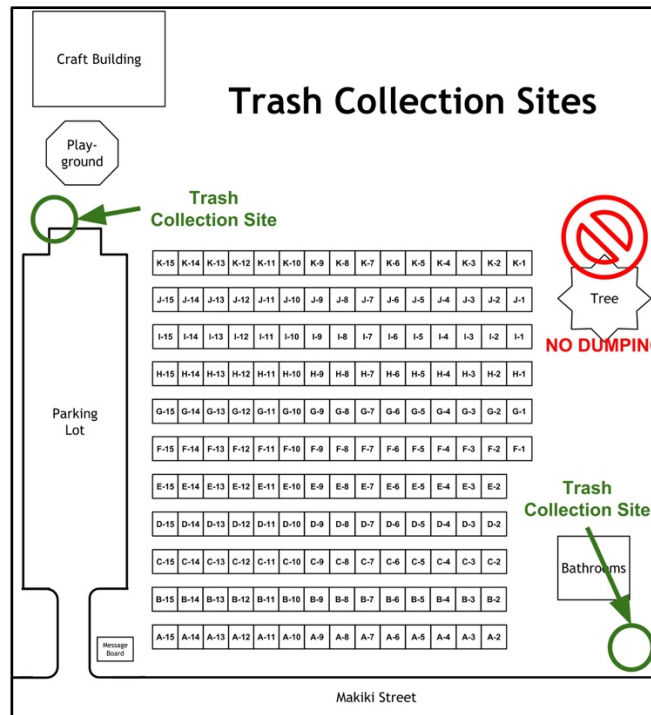
A. Garden Usage

1. Gardens are to be used for the continuous enjoyment and recreation of individual gardeners.
2. No garden may be used for commercial purposes.
3. No produce grown in gardens shall be sold.
4. No illegal plants such as marijuana or coca shall be grown.
5. No more than one fourth of the garden may be used for potted plants without permission of the MCGA.
6. A minimum of four different kinds of plants must be planted.
7. Vegetables, flowers, ornamentals or a combination of such plants are permitted.
8. Individual gardener plants and vines may not encroach into a neighboring garden without explicit approval of the neighboring gardener.
9. Gardens should be consistently utilized and kept in good condition.

B. Trash, Rubbish and Storage

1. Gardeners are permitted to place bagged trash only in common trash collection site:
 - a. One site is located t the end of the tennis courts/community garden parking lot next to the trash containers.
 - b. Another site is located on the Makiki Street side of the outdoor restroom.
2. All trash is to be bagged. Bags will be provided to gardeners by the MCGA.
 - a. All bulky items need to be disposed by gardeners, unless it can be broken down and into bags.
 - b. Bulky trash items should be cleared of sharp edges and nails before being bagged and disposed.

- c. Bagged trash should not be unreasonably heavy in weight.
3. Excessive storage of trash or other materials are not permitted in gardens.
4. Gardens may not be used for storage of non-garden related materials.



C. Mulching

Due to recent issue with the coconut rhinoceros beetle, mulching of more than 3” to 4” is prohibited in the individual gardens until further notice.

D. Fences

1. Gardeners may construct fences around their individual plots.
2. Fences may not exceed five feet in height.
3. Non-metal portions of the fence shall be painted green.
4. No sharp or otherwise hazardous attachments shall be installed or maintained on fences.
5. Fences should be kept in good condition; any hazardous condition shall be immediately rectified.
6. Gardens may be locked but gardeners agree that should the MCGA or the city and county require access to a garden, the lock may be removed (i.e., broken or cut) if the gardener is not available in a timely manner to provide access to the plot.

E. Pesticide and herbicide use

1. No pesticides which are poisonous to humans or are in poisonous concentrations before or after application are permitted.
2. Herbicide use, such as *Roundup*, is not permitted.
3. Organic pesticides such as *Safer Soap*, *Concern*, or products containing *Rotenon*, *Neem Oil*, or *Pyrethrum*, are permitted.
4. Snail, slug bait use is permitted.

F. Trees

1. Trees are not to be planted directly in the garden (includes papaya, citrus, banana, and ornamentals such as plumeria).
2. Trees may be planted in planters provided there is a barrier between the planter and soil to prevent root growth into the soil.
3. Trees in planters may not exceed five feet in heights.

G. Plant height limits

1. Permanent plants and trees in planters may not exceed five feet in height.
2. Temporary (non-perennial) plants such as corn, pole beans, and sunflowers may exceed five feet as part of the normal growing cycle.

H. Aisles

1. Each gardener is responsible for one half of the aisle surrounding his/her garden.
2. Aisles on all sides of the garden must be kept free of debris, weeds, vines, any other obstructions.
3. Aisles shall be kept clear of any item that may create a safety hazard.

I. Water Usage

1. City and county water is made available for garden use only.
2. Car washing, watering of park grass or other non-garden use is not permitted.
3. Gardeners are to practice water conservation measures including but not limited to:
 - a. Not leave hoses running unattended;
 - b. Not using badly leaking hoses, attachments or connections; and
 - c. Not washing vegetables or plants under running water.

J. Standing Water

1. Standing water is not permitted in gardens.
2. The use of water elements such as ponds is discouraged. However, any gardener electing to use water elements **must** incorporate small fish or other mosquito larvae controlling steps at all times.

K. Soil Treatments

1. Natural soil treatments are permitted.
2. No human waste of any type may be used as a fertilizer.
3. It is recommended that gardeners refrain from use of soil treatments that other gardeners may find offensive due to odor or other detrimental factor.

VII GARDEN INSPECTIONS

A. Garden Inspection Committee

1. A Garden Inspection Committee composed of MCGA garden volunteers shall inspect the gardens on a regular basis to ensure that gardeners follow the rules of MCGA and the City and County *Community Garden Handbook*.
2. The MCGA Vice President shall be in charge of the Garden Inspection Committee.
3. Garden inspections are currently conducted once a month. Twice monthly inspections may be performed if inspectors are available.
4. If a gardener is cited for a first warning violation, the gardener has 14 days from the date of the citation or until the next inspection to correct the violation.
5. If a violation has not been corrected by the next inspection, a second warning is issued. The gardener must correct a second violation within 14 days or before the next garden inspection or be subject to revocation.
6. A gardener that receives warnings of violation six or more times in a given calendar year may be considered a chronic violator and is subject to garden revocation.

VIII GARDEN REVOCATION

A. Any gardener who knowingly and continuously violates the rules and regulations for community recreational gardening and/or the MCGA may be subject to garden plot revocation and be prohibited from re-applying for a period of up to one year from the date of the revocation.

B. Gardeners are subject to revocation of their gardens for any of the following:

1. Failing to correct a violation after a second violation notice is issued for violation of *VI. Garden Use Rules*.
2. Being classified as a chronic violator for violation of *VI. Garden Use Rules*.

3. Any violation of MCGA Rules and Regulations other than *VI Garden Use Rules*, is subject to immediate revocation.
- C. Appeals to garden revocations must be made **in writing** to:
Foster Botanical Garden
ATTN: Community Gardens Coordinator
50 North Vineyard Blvd
Honolulu, HI 96817

IX MCGA OFFICERS

- A. In accordance with the City and County *Community Garden Handbook*, the officers of MCGA shall be a: President, Vice-President, Secretary, Treasurer, and Applications Officer.
- B. The MCGA has elected to add the following additional officers: Awards Officer and Cleanup Coordinator.
- C. Officer Duties
 1. Duties are in accordance with the City and County Community Garden Handbook and any additional job description duties specified by the MCGA.
 2. Officers are permitted to spend up to \$50 from the MCGA account on behalf of the MCGA, subject to availability of funds.
 3. Any proposed expenditure of MCGA funds exceeding \$50 must have prior approval of a majority of the MCGA membership present at the meeting in which the proposal is presented.
- D. Officer Elections
 1. Officers will be elected annually in November of each calendar year.
 2. Names of gardeners interested in an officer position should be submitted by the October MCGA meeting each year.
 3. Nominations for office positions may be made during the November MCGA meeting when officers are to be elected.
 4. For any officer position that fails to be filled during the November meeting, the current officer may continue in that position until a replacement is found.
 5. Special elections may be held in the case of an office position vacancy for any reason.
- E. Removal of Officers
 1. Officers may be removed for cause by a majority vote of the MCGA membership present at the meeting where the motion is made.
 2. Officers may be removed from office by decision of the city and county's Community Gardens Coordinator.

X BULLETIN BOARD

- A. A bulletin board is located near the makai side of the gardens and adjacent to the parking lot facing Makiki Street.
- B. MCGA meeting minutes shall be posted on the MCGA bulletin board prior to the garden's general monthly meeting.
- C. Other garden and general information may be posted on the bulletin board.
- D. Garden members are responsible for regularly checking and reading the bulletin board for any updates and notices.

XI PERIMETER GARDENS

- A. Perimeter gardens or *beautification areas* are flower and ornamental beds that are planted and maintained by member of MCGA to beautify the area surrounding the garden.
- B. The perimeter gardens are common areas and these areas and all the plants within the areas belong to the MCGA and not *owned* by any gardener.

- C. Consideration for care of a perimeter garden is given to any member or *caretaker* who purchases plants, and /or otherwise maintains a perimeter garden.
- D. Any gardener may request permission from the MCGA to assume care of a perimeter garden. A gardener in a plot that borders a perimeter garden may take care of that area, but it is not required and permission to care for a perimeter garden should be obtained from the MCGA.
- E. A gardener newly assigned to plot with an adjacent perimeter garden does not automatically become caretaker of a perimeter garden even if the previous gardener for that plot was assigned as caretaker.
- F. Existing/continuing caretakers are given deference to maintenance of a perimeter garden but a cooperative arrangement is encouraged between new and existing gardeners that want to maintain a common perimeter garden area.

G. PERIMETER GARDEN RULES

- 1. All gardeners who wish to maintain a perimeter garden must be registered with the MCGA.
- 2. No gardener can *own* a perimeter garden
- 3. All plants in a perimeter garden are the property of MCGA and gardeners understand that any plant placed in a perimeter garden becomes the property of MCGA.
- 4. Gardeners are limited to a 10 foot length for a perimeter garden unless permission is granted by the MCGA.
- 5. Only flower, herbs, and ornamental plants are permitted – no vegetables may be planted.
- 6. No poisonous or hazardous plants (i.e., cactus) shall be planted in perimeter areas.
- 7. Perimeter plants may not exceed five feet in height.
- 8. Permission must be obtained from a MCGA officer or caretaker before taking cuttings, picking flowers, etc.
- 9. Any proposed significant change made to a perimeter garden must be approved by at least two of the MCGA officers.
- 10. Perimeter gardens which are not specifically assigned to a gardener for trimming and maintenance may be assigned by the Cleanup Coordinator during monthly cleanups.