

M. Community Garden

The Community Garden is a designated area allocated by the Minnesota Airstream Park and managed by the Community Garden Committee. The Community Garden Committee's goal is to provide Members the opportunity to learn and participate in a community gardening effort that reflects the values of the Minnesota Airstream Park.

M.1 Licenses

Members in good standing, who remain in good standing, may apply for and retain a license to participate in the Community Garden. Once the license has been approved, a "Garden Plot(s)" will be assigned to the Member ("Licensee" or "Sublicensee"). The annual license and sublicense fees will be established in the Park's fee schedule. Garden license and sublicense fees are due by April 15 of each calendar year. Non-payment of license and/or sublicense fees by May 15 will result in immediate revocation and reassignment of a Garden Plot(s). Written notice will be given to the Licensee or Sublicensee, by electronic communication, of any delinquency or revocation.

M.1.1 The license is revocable at the pleasure of the licensor (the Minnesota Airstream Park).

M.1.2 The terms of the license include a Waiver of Liability.

M.1.3 While the Community Garden Committee may choose to allocate funds for maintenance and repair, they are not required to reimburse Licensees or Sublicensees for personal investment nor are they responsible for personal structures or plant material grown in the garden area. If a Licensee or Sublicensee spends money in connection with an assigned Garden Plot(s), they do so at their own expense. Furthermore, Licensees and Sublicensees who choose to relinquish their license(s), and Licensees or Sublicensees who have their license(s) revoked, may not remove their Garden Plots, or the

soil contained therein. With the exception of M.2.3 under Grandfathered Considerations, said Garden Plots and soil become the property of the Minnesota Airstream Park when they are established. Annual and perennial plants within a Garden Plot(s) may be removed, or left, at the discretion of the Licensee or Sublicensee. One day following relinquishment or revocation, any plants left within a Garden Plot(s) becomes the property of the Minnesota Airstream Park, and may be utilized or disposed of by a future Licensee or Sublicensee of said Garden Plot(s).

M.1.4 The Community Garden Committee will maintain two lists of all interested gardeners and utilize these lists to assign Garden Plots: one wait list for licenses as they become available, and a second wait list for gardeners wishing to sub-license unplanted Garden Plot(s) each individual season.

M.1.5 Garden Plots are assigned by the Community Garden Committee on a first-come, first-served basis when a Garden Plot becomes available.

M.1.6 Licensees, not sub-Licensees, who complete a license term in a current season shall have the same assigned plot(s) in the following season, unless they notify the Community Garden Committee in writing. The annual Licensee fee is paid so that a Licensee may use the land, and retain the use of a specific Garden Plot(s), from year to year. The annual Sublicensee fee is paid so that a Sublicensee may use the land in a Garden Plot(s) for a given year.

M.1.7 Garden Plots may not be used for commercial or illegal purpose; however, flowers and produce grown by the Licensee or Sublicensee are not regulated and may be grown, harvested, and removed at the Licensee or Sublicensee's discretion. Marijuana/ cannabis plants are not allowed in the Community Garden Plot(s). (Note Sublicensee exception regarding plants in M.3.3.4)

M.2 Grandfathered Considerations

M.2.1 Licensees currently assigned and actively gardening in an assigned Garden Plot will retain the use of that Garden Plot(s). However, all gardeners must sign, and agree to comply with, the license terms and the Community Garden rules.

M.2.2 Licensees with multiple Garden Plots shall pay the annual fee for each assigned plot.

M.2.3 Existing Elevated Garden Plot(s) may be removed, at the discretion of the Licensee, upon termination of the lease.

M.3 Assignment Management

M.3.1 Garden Plot assignments will be managed by the Community Garden Committee to ensure all shareholders have equal opportunity to participate in the Community Garden.

M.3.2 Because Garden Plots are licensed to shareholders through the process established by the Community Garden Committee, and are the property of the Minnesota Airstream Park, they may not be sold with Airstream Park shares or transferred between members except through the licensing process established by the Community Garden Committee.

M.3.3 If a Licensee is unable to plant for an upcoming season, they need to notify the Community Garden Committee of their intentions by June 1. In the event that they are unable to plant for that season, the Community Garden Committee will loan the Garden Plot(s), for one season, to a Member on the sublicensing wait list. That Sublicensee must sign a Waiver of Liability and pay the annual garden sublicense fee.

M.3.4 If a Licensee continues to pay their annual licensing fees, regardless of usage, and follows the rules related to assignment management, they will retain use of their assigned Garden Plot(s).

M.4 Maintenance

To ensure the Community Garden reflects the values of the community and contributes to the aesthetic appearance of the Minnesota Airstream Park:

M.4.1 Every Licensee agrees to maintain their assigned Garden Plot(s). This includes annual planting of at least 60% of their Garden Plot(s), regular weeding, maintenance of personal structures, and maintenance around their Garden Plot(s).

M.4.2 Licensees may place seasonal growing structures and ornamental objects inside their assigned Garden Plots. Structures must be secure and stable, and removable at the end of the season.

M.4.3 Structures may not be attached or placed on the outside of the bed parameters. If the structure falls resulting in damage to another Garden Plot, the Licensee may be asked to remove the structure permanently.

M.5 Garden Bed Physical Parameters

M.5.1 Garden Plots must be raised and are not to exceed exterior dimensions of 5' x 10'. Garden Plots should be built using a quantity of three 2" x 12" x 10' dimensional lumber.

M.5.2 Elevated Garden Plots are allowed at the discretion of the Community Garden Committee.

M.5.3 Some locations may require a custom size, as approved by the Community Garden Committee.

M.5.4 All new Garden Plot construction must be approved by the Community Garden Committee prior to building.

M.6 General Rules

M.6.1 Garden gates must remain closed at all times.

M.6.2 No pets are allowed inside the garden area at any

time. **M.7 Funding**

M.7.1 The Community Garden is a recognized committee by the Minnesota Airstream Park Board of Directors and eligible to request funds through the Park's annual budgeting process.

M.7.2 The proceeds from the Community Garden licensing fees will be used to fund the Park's general operating fund, with the assumption that licensing funds, collected annually, will be used to set the budget parameters of the Community Garden Committee.

M.8 Enforcement

M.8.1 Enforcement of the Community Garden rules will be managed by the Community Garden Committee.

M.8.2 Any Licensee found in violation of the Community Garden rules will receive written notice of the infraction by electronic communication.

M.8.2.1 Notification regarding planting by the June 1 deadline:

- The day after Memorial Day, the Community Garden Committee will send out a friendly reminder, by electronic communication, to each Licensee with an unplanted Garden Plot(s) who has not notified the Community Garden Community of their intentions to plant by June 1.
- On June 5 of each calendar year, the Community Garden Committee will send out a First Warning, by electronic communication, to each Licensee with an unplanted Garden Plot(s) who has not notified the Community Garden Community of their intentions to plant by June 1.
- On June 12 of each calendar year, the Community Garden Committee will send out a Second and Final Warning, by electronic communication, to each Licensee with an

unplanted Garden Plot(s) who has not notified the Community Garden Community of their intentions to plant by June 1.

- On June 15 of each calendar year, the license(s) of any Licensee with unplanted Garden Plot(s), who has not notified the Community Garden Community of their intentions to plant by June 1, will be reassigned to a Sublicensee for the season. The Licensee will receive written notice, by electronic communication, of the seasonal sublicensing arrangement. The Sublicensee will not relocate, nor remove, and will tend to any existing plants in the Licensee's Garden Plot(s), to the best of their ability.

M.8.3 Upon two infraction notices, the Garden Plot assignment of the Licensee will be revoked, the license cancelled, and the Garden Plot reassigned by the Community Garden Committee. There will be no financial reimbursement to the gardener. Any Licensee, with two consecutive years of infractions of the June 1 planting rule, will have their license(s) revoked and their Garden Plot(s) reassigned.

Last Update: June 9, 2023