

CITY OF BOISE

Resolution NO. RES-428-15

BY THE COUNCIL

CLEGG , JORDAN, LUDWIG, MCLEAN,  
QUINTANA, AND THOMSON

**A RESOLUTION APPROVING AN UPDATED BOISE CITY COMMUNITY GARDEN POLICY TO ESTABLISH BEST PRACTICES FOR NEW AND EXISTING COMMUNITY GARDENS ON CITY-OWNED AND MANAGED PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:**

**Section 1.** That the updated Boise City Community Garden Policy, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, be, and is, approved as to both form and content.

**Section 2.** That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Council of Boise City, Idaho, on September 1, 2015.

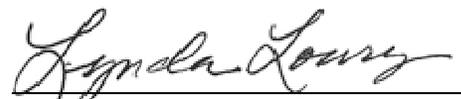
APPROVED by the Mayor of the Boise City, Idaho, on September 1, 2015.

APPROVED:

ATTEST:



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David H. Bieter, Mayor



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Lynda Lowry, Ex-Officio City Clerk

## **Boise City Community Garden Policy**

### **Purpose**

Boise City recognizes Community Gardens as a valuable recreational activity that contributes to community development, environmental awareness, and positive social interaction that supports increased local food production and food security. To encourage the development and maintenance of Community Gardens, Boise City's Department of Parks and Recreation will collaborate with Qualified Entities to develop Community Gardens on select City owned property.

### **Definitions**

For purposes of this Policy, the following terms are defined:

- **Qualified Entity** ("QE") - A group of two (2) or more people belonging to, or affiliated with, a non-profit organization or registered neighborhood association within Boise City ("City").
- **Community Garden** - A defined area of Boise City-owned or managed real property that is gardened by a Qualified Entity or Entities to produce any combination of fruit, vegetables, and ornamental flowers for the personal use of the participants of the Qualified Entity.

### **City Support for Community Gardens**

Boise City will support the development of Community Gardens on eligible parcels of property selected and authorized by the Department, in its sole discretion, using the following process and standards:

- Make information publicly available on the development and operation of Community Gardens.
- Assist QEs to evaluate and determine appropriate and eligible properties that are suitable for the development of Community Garden. Approval of land owned by the City for a Community Garden will be on a case-by-case basis, subject to approval by the Boise City Parks and Recreation Commission. To be eligible for selection as a Community Garden site, property shall:
  - Be located at a Mini or Neighborhood Park location.
  - Have sufficient parking capacity to accommodate community gardeners and park visitors.
  - Have an adequate irrigation system currently installed, or have capacity for the installation of an irrigation system.
  - Have sufficient population density surrounding the potential Community Garden location to support minimum Community Garden participation.
- Provide limited staff support for the design and development of Community Gardens.
- Draft, negotiate, and approve User Agreements for each Community Garden.
- Use Boise City websites, social media, and publications to identify, promote and raise public awareness of existing Community Gardens.
- Assist QE members who are affiliated with recognized Neighborhood Associations in applying for neighborhood reinvestment grant funds to pay for general liability insurance.
- Monitor compliance with QE and Boise City User Agreements.

## **Community Garden Responsibilities**

The following rules and conditions shall apply to all Community Gardens:

- The Community Garden is operated by a QE, as defined above.
- A renewable User Agreement is required, with a minimum term of 3 years.
- The QE will be required to obtain general liability insurance covering the Community Garden under its care.
- No commercial, industrial, or retail uses of a Community Garden are allowed, and no QE (or participant of a QE) shall sell any fruit, vegetable, or other produce from a Community Garden, except as expressly agreed upon in writing by an authorized representative of Boise City.
- Only trees pre-approved by the Boise City Community Forestry Division may be planted.
- A Community Garden shall be developed, maintained, and expanded using funds from the QE.
- Any costs of operation of the Community Garden may be shared among and between QE members. Costs of operation may include those for watering, maintaining, and improving the Community Garden, including those to fund the purchase of supplies and amenities for the Community Garden. In no event shall any QE member's share of the costs of operation be excessive or serve to exclude or deter a member of the community from participating in the Community Garden.
- A QE shall not have authority to enter into contracts on the City's behalf, and shall not have authority to appropriate City funds for any purpose.
- A QE must have a Community Garden participation policy that it is open and available, for Community Garden purposes, to any resident of the city of Boise City, pursuant to Boise City Code Chapter 6-02.
- No unapproved pesticides, herbicides, or fertilizers shall be used in any Community Garden.
- The construction of obstructive features, such as fencing and locking gates, is discouraged. Only obstructive features pre-approved by City staff may be installed.
- Every QE having responsibility to develop, care for, and maintain a Community Garden shall obtain a signed Community Garden Participation Agreement from each member. The Participation Agreement shall include terms of use for individual garden plot, management responsibilities, proportional costs of operation, maintenance and aesthetics standards, a liability waiver, and the behavior and conduct standards for the Community Garden.
- The QE, the Community Garden, or the QE members shall pay for the design, construction, and installation of any and all signs indicating the garden's purpose, the design and locations of which shall be subject to approval by the Parks Department. No QE member shall place any unapproved sign or item within any Community Garden, including within their individual garden plot.
- It is the QE's responsibility to manage the general upkeep, irrigation, maintenance, and garden waste disposal at the Community Garden for which it is responsible.