

OCEANA GARDEN CLUB “STANDING RULES” and PROCEDURAL GUIDELINES

Adopted by unanimous vote on Thursday October 10, 2019

- I. **Membership:** Oceana residents interested in gardening should contact the Chair of the Garden Club for information regarding how to apply for a plot/membership, and to have their name put on the waiting list.
- II. **Fiscal Year:** The Club’s fiscal year is January 1 to December 31.
- III. **Meetings:** The Club holds three, (3), meetings per year: Additional meetings can be held at the discretion of the OGC Chair. At the first meeting of the year, the dues are paid, and officers are elected for the current fiscal year.
- IV. **Officers:** The officers of the Club consist of a Chairperson, a Secretary, and a Treasurer, who shall share duties as needed.
 - a. Garden Club Officers must be fully paid Garden Club Members in good standing and have tended their plots for a minimum of one, (1), growing season out of four, (4) seasons, to be elected to office.
 - b. There shall be no more than one (1) Garden Club Officer per plot at anyone (1) time.
 - c. Garden Helpers are NOT Plot members and are ineligible to hold office.
- V. **Duties of Officers:**
 - a. The Chairperson shall call and conduct all meetings of the Club in accordance with Roberts Rules of Order and shall receive and respond to all club correspondence. The Chairperson shall facilitate the operation of the garden club and, as needed, appoint assistants or committees to share in the duties. The Chairperson shall have full authority to realign the footprint of all vacant gardens and to reassign water supply sources as needed.
 - b. The Secretary shall record and maintain the minutes of all club meetings and submit a copy to the Garden Club Chair and Members within five, (5), days of the meeting. If there are any corrections, they should be sent back to the secretary within five, (5), days of receipt of the minutes.
 - c. The Treasurer shall collect all dues, key deposits, and membership fees when they are due, and maintain an account of all funds received and disbursed by the Club. The Treasurer shall submit a detailed written report at each scheduled meeting showing all income and expenditures.

VI. **Membership Fees and Dues:**

- a. Each New member shall pay a one-time non-refundable Membership Fee of \$20, a \$5 refundable Key Deposit, a \$3 a month prorated annual fee and a refundable cleaning deposit of \$30 due at time of assignment of the garden plot, that will be refunded upon leaving a clean garden plot free of weeds, trash and garden items. All fees are due at time of garden plot assignment.
- b. The Garden Club annual dues shall be set by the officers of the Club and approved by a majority vote of the members in attendance at the first meeting of the year. (*Dues for 2019 will be \$36.00.*) Payment is due by the first meeting of the year and is delinquent on March 1. If the dues are not paid for by March 1, the plot will be taken back and given to the next applicant on the list. Gardeners joining after the start of the fiscal year shall pay a prorated number of dues. A grace period will be considered for those who provide a written request to the Garden Club Chairperson.

VII. **Allotment of Garden Plots:**

- a. All Oceana Residents seeking to join the Garden Club shall fill out an application and submit it to the OCA office. Upon receipt of the application, the Garden Club Chair shall add the applicant's name and information to the waiting lists.
- b. Allotment of garden plots as they become available shall be made by the Club's Chairperson on a first-come, first-serve basis, according to the designated waiting lists:

Three lists (considered in order) for acquisition of a garden plot by Oceana Residents ONLY (must provide legal ID and pay all dues, deposits and fees):

- 1) Internal list of gardeners waiting to exchange garden plots.

Current Garden Plot Holders from the chronological exchange request list who want to change plots, leaving their assigned plot vacant for someone on the waiting list. Plot Holders must have made a prior written request to the Garden Club Chair to be placed on the exchange list if they want the option to change plots.

- 2) Internal list of Garden Helpers waiting for a garden plot of their own.

Plot holder to sign approval of the assigned helper with an understanding that they will maintain their membership as the plot holder.

- 3) External list of Residents waiting for a garden plot of their own.

No gardener shall have gardening privileges to more than one garden plot at a time. New plot gardeners will have 30 days to begin working their plots. If health issues arise and the gardener cannot start within 30 days, a call to the chair must be made to hold the plot.

VIII. Member Voting Privileges and Majority Vote.

- a. There is one vote per plot, which shall be cast by the Plot Holder. When one plot is shared by two, (2), Plot Holders, they share one, (1), vote to represent the plot.

Garden Helpers are not Plot members and are ineligible to vote.

- b. A GARDEN CLUB MEMBER/PLOT HOLDER is defined as a gardener who has reached the top of the waiting list, accepted assignment of a plot, paid the onetime \$20 joining fee, signed and abides by the Standing Rules, pays full annual dues, tends a plot, and accepts full responsibility for doing a "Member's Share" of the common garden work.

Plot Holder Partners are married couples or, if not married, designate in writing, at the time the plot is assigned, that they both will share as equal Plot Holder Partners, with a limit of two, (2), sharing a plot. The Partners shall inform the Garden Club Chair, which Partner is the designated contact person. Plot Holder Partners shall mutually agree how to share the responsibility and the privileges for their shared plot.

- c. A quorum is required when making changes to the Charter or Standing Rules, and when electing Garden Club officers. A quorum is established when a majority of occupied garden plot members are represented at a meeting, and/or when a quorum of occupied garden plot members agrees to allow voting by absentee ballot in lieu of voting at a meeting. A quorum is not required to conduct other Garden Club business or to vote on seconded motions that are not part of the Charter or Standing Rules or part of an election. Plot Holders present at the scheduled meeting, may approve seconded motions by a majority of yes votes. A majority in this case is defined as greater than half of the votes cast.

The annual election of Garden Club officers shall require a quorum. Votes shall be cast by Secret Ballot. The nominee with the greatest number of votes cast,

wins election to that office. In the case that no nominations are made by Plot Holders and accepted by the nominee, or if no one wins election to the office, the Oceana Activities Committee Chair shall appoint the Garden Club Officer(s), to be approved by the OCA Board of Directors President.

IX. Responsibilities

- a. An Oceana resident who is invited by a Plot Holder to share a plot as a Helper, shall have privileges as a Helper as long as the Plot Holder requests their help and continues membership. Plot holder must maintain membership, pay dues, and be in good standing. Plot holder must sign the helper application form maintaining membership. Helpers shall arrange with the Plot Holder how to share the responsibility of the plot care, plot dues, and the common garden area work requirement for that plot. The Helper shall read and agree to the Standing Rules (signature required) before receiving a key and tending the plot.
- b. The Helper may join the HELPERS' WAITING LIST if they wish to have their own plot. The membership fee of \$20 becomes due only when the Helper becomes a full member.

Plot Holders who privately enlist PAID OR VOLUNTEER WORKERS shall have each worker sign the HOLD HARMLESS AGREEMENT because the work is being performed on Oceana Community Association (OCA) common ground. The Plot Holder or Helper shall be present while the work is performed or arrange for another Plot Holder or Helper to be present and responsible for the worker. Construction materials and tools may not be stored in common areas. All projects must be completed within two (2) weeks of commencement; extensions may be granted with the officers' approval.

- c. Abiding by that same OCA requirement, when the GARDEN CLUB hires or engages the help of non-resident volunteer or paid workers on behalf of the Club, each worker must sign the Hold Harmless Agreement and at least one responsible Plot Holder or Helper shall be present while the work is performed. The Plot Holder shall notify the Garden Club Chair of the work to be done, by whom and when. In addition, prior to hiring, the Garden Club Chair shall confirm with OCA management that the Garden Club is in compliance with current OCA regulations regarding hiring.

BEFORE ANY WORK COMMENCES, the signed Hold Harmless Agreement(s) must be DELIVERED to the Oceana Community Association business office. (can be deposited into the off hours slot).

- d. OCA residents are welcome to work/visit in the Garden at the discretion of Garden Club member(s), only when a responsible Garden Club member is present to assure that Garden Club Standing Rules are not violated and proper procedures are followed (lock up, water off, proper tool storage, etc.). Keys are for Garden Club members only and must **NOT** be copied.
- e. The Garden Club is responsible for the exterior fencing and orchard area, in addition to everything inside the fence, the graveled paths, the storage sheds, the hose connections to the spigot, all main common garden entry gate padlocks, keys, and the enforcement of the responsibilities of the individual gardeners. Garden Plots shall have a separate gate for each plot number, to ensure each Gardener shall have control over their plot. Each individual Garden Plot holder is responsible for their own gate lock.
- f. Each Plot Holder shall supply and maintain their plot fence, plot gate and hose. They are responsible for their assigned garden plot and must make every effort **NOT** to allow TALL weeds to mature and go to seed inside their own plot, as this affects all our gardens.
- g. No permanent structures shall be installed in any garden plot except plant beds built on the ground. Plot 12 structures are grandfathered in.

Portable structures may be erected and are limited to 72" in height and may not obstruct the sunshine of the neighboring plots. The following plots are grandfathered in; 1a, 2, 3, 5, 12, 13b and 16b. No storage of any material is allowed on top of structures.

No extension in the height of an existing fence beyond the 72" limit, (height of outside chain link fence).

ALL garden additions including fencing, gates, etc. made to garden plots shall remain with the garden when the gardener vacates their plot and shall become the property of the Garden Club.

- h. Gardeners who vacate their plot shall notify the Garden Club Chair of their intent in writing and, indicate their desires as to the disposition of produce/plantings left behind. A two (2) week grace period shall be given to the vacating gardener for the purpose of determining their choice of what is to be done with any remaining plants and/or produce.
- 1. All gardeners are encouraged to attend work parties in order to maintain the common garden areas. THE COMMON GARDEN AREA includes common use areas inside the fence AND the buffer zone extending beyond the common fence. It includes the ground in the orchard area, but excludes actual care of the individual fruit trees, which shall be tended by Orchard Volunteers.

2. The Garden Club “**Rules and Procedural Guidelines**” is a dynamic document and therefore shall be reviewed by a Rules Committee consisting of three (3) or more gardeners including the Chair person, **every two, (2), years** or less, for conformance with newly established laws, Garden Club needs and/or OCA determinations. A vote shall take place at the last meeting of the year and accordingly shall trigger applicable updates to the CHARTER to be submitted to the OCA Board. A quorum of occupied gardens is required.

X. **General Restrictions and Maintenance:**

VIOLATIONS OF THESE RULES MAY CONSTITUTE LOSS OF GARDEN PRIVILEGES

- a. Orchard Volunteers shall maintain the fruit trees in a disease-free state. Removal of current fruit trees shall only be allowed after review by the Garden Club Chair, and the team of Orchard Volunteers. The Garden Club Chair shall submit a WORK ORDER to the OCA business office requesting tree removal. As per order of the OCA Board of Directors, no additional tree planting is allowed, unless, in the future, there is a change in the OCA Board of Directors policy and specific approval is granted for tree planting.

There shall be no additional trees planted in the garden or exterior common areas, including the orchard area. Trees in pots with saucers underneath, to prevent rooting in the soil, may be kept in garden plots, except for the plum tree in plot #24, which was “grandfathered in”.

- b. Gardeners shall keep plantings pruned within their plot confines. Any plant which invades a neighboring plot must be removed.

Plants that send out UNDERGROUND RUNNERS shall only be planted in pots with saucers to prevent growth into the ground of common areas and other plots. Plants with underground runners currently growing will be “grandfathered in” if the owner of the plant(s) takes responsibility for invasion of the roots beyond their plot and removes the “renegade” roots if such growth creates a problem in the common area or in other plots. When the Plot Holder eventually retires or gives up their plot, they shall remove the plant and roots.

Gardeners shall **NOT** plant/grow any variety of Marijuana in their garden even with the State Law legalization as of 01-1-2018, per the OCA BOD.

- c. Gardeners shall keep the paths and the area adjacent to the common fencing free of tools, equipment, debris, and weeds. Storage of light weight folding or stacking chairs, may be allowed in common garden areas and dead-end

pathways when it does not impede passage or interfere with other gardener's access as needed to tend their plots and weed the paths. Gardeners shall keep the accessible portion of the path adjacent to their plot fence weed free.

There shall be **NO** storage of personal items outside of their own garden plot.

Gardeners shall **NOT** engage in open air composting of any kind due to bad odors and creating an open and accessible "Attractive Nuisance" for the ants and other varmint population.

Gardeners adjacent to the exterior fencing shall keep that fencing clear of items that may be too heavy and cause damage to the fencing, and, shall refrain from storing items on the exterior side of the fence.

Plants of any kind shall **NOT** be allowed to permanently entwine into the exterior fence except for light weight trellised seasonal vegetables, i.e. green beans, peas, etc.

- d. Gardeners shall place all waste materials in containers provided. They shall follow the necessary procedures to assist in the rotation and proper use of trash barrels and green waste barrels, i.e., place green vegetation in containers with the green painted rim, and place other trash items in the containers with red bands. Gardeners shall move FULL containers to the front curb for pickup and bring EMPTY containers back into the garden area. Please do your share.

Gardeners shall NOT place soil or mulch in waste barrels due to excessive weight for maintenance workers. (Inquire of chairperson where to place materials.)

Barrels without wheels are not for use inside the garden area. They are to be stored in a designated space for surplus barrels in the orchard area between plots #23 and #24.

Personal tightly lidded barrels may be kept in garden plots.

Gardeners shall remove plant materials and discard produce from their plot once cut and harvested. Gardeners may place plant materials and discarded produce in green striped waste barrels or in approved personal compost bins within the confines of their plot.

- e. Gardeners shall **NOT** use any type of poison to control varmints in any garden plot or on garden club property. Traps only may be used. Gardeners should make every effort to use cage type containers on top of (over) snap traps to protect birds and other wildlife.

Gardeners shall use only garden safe chemicals within the garden plot areas and in the immediate garden vicinity and orchard area. Gardeners shall **NOT** use chemical weed killers and pesticides, including systemic pesticides (soil treatments), and chemical formulas that make use of neonicotinoids.

Please understand and follow safe use practices with any product, including homemade treatments. Natural or organic products can also be harmful when used without knowledge of when and how to use such products and the implications. "CAUTION" on the product label indicates the product is low toxicity and generally safe when used according to label instructions. Such products can, however, kill beneficial predators and pollinators. Alternate methods are preferred whenever possible. Products labeled with "WARNING" are highly toxic and should be avoided.

As a first line of defense, gardeners shall use manual methods such as water spray/mild soap spray, hand removal, cages, row cover, etc. and avoid killing beneficial predators. It is beneficial to practice methods that will invite natural predators of harmful insects.

- f. Because our mild climate allows growing through all seasons, gardeners shall maintain their plot year-round. This includes planting, harvesting and weeding regularly.
- g. All government mandated water restrictions shall be followed by all gardeners.

Gardeners shall turn off the water supply at the spigot and hose end before leaving the garden.

Gardeners shall **NOT** install timed/automated water systems as water main shall be shut off when **NOT** in attendance per OCA Board agreement.

Wherever possible, gardeners shall maintain their hose within the confines of their plot. Gardeners who must maintain their hose outside of their plot shall keep their hose rolled up and hung off the ground when not in use, to prevent entanglement and tripping of other gardeners.

- h. Gardeners shall return all Common Garden Club tools to the garden tool shed before leaving the garden so that other gardeners may make use of them as needed.
- i. **Respect for fellow gardener provisions.**

Gardeners shall **NOT** enter another Gardener's plot without permission.

Gardeners shall **NOT** place any type of item in another Gardener's plot without permission.

Gardeners shall **NOT** harvest or remove produce or plantings, personal tools, garden supplies or equipment from another Gardener's plot without permission.

Bullying, aggressive behavior, theft and vandalism will **NOT** be tolerated in the Garden and Common Area. Webster defines bullying as an action to harm physically or emotionally or to intimidate others. Engaging in these behaviors will result in the loss of garden privileges at the discretion of the Garden Club Chair.

No additional individual garden plots shall be established outside of the fenced common garden area.

The common area outside of the west garden gate shall have sections set aside adjacent to the maintenance yard ditch for the storage of gravel and mulch.

Items left in the Garden Club common area outside of the fencing will be considered Garden Club property and disposed of accordingly.

Dogs may be brought into the common garden area PROVIDED they are ON A LEASH and the owner cleans up any mess or droppings left by the dog.

Smoking is **NOT ALLOWED** anywhere in the gardens or the common areas.

XI. **Inspections:**

Periodically, officers will conduct inspections of all gardens. Corrective action must be taken within 10 days. Plot holders will be notified of any violations via telephone, email, text messaging and/ or USPS mail.

XII. **Enforcement:**

Any violation of the Standing Rules not corrected within 10 days is cause for terminating the offending member's gardening privileges. A Notice of Reassignment of that Plot will be sent to said garden member by email, hand delivery to garden plot and/ or by US Mail.

Plot Holder receiving 3 violation notices within a 12-month calendar year, (despite the Plot Holder's corrective actions in each of the 10-day periods) shall

have their gardening privileges terminated upon the 4th violation in the same 12month period. The 4th violation notice does not allow 10 days to correct the problem. The 4th notice in the same 12-month period, constitutes a notice to relinquish the plot. The Chair shall re-assign the plot to the next person on the waiting lists.

Please sign declaration below to indicate that you have received and read the Standing Rules of the Oceana Garden Club. Return this signed form to the Garden Club Secretary, Treasurer, or Chairperson. Thanks, and enjoy gardening with us!

I have received and read the revised 2019 Oceana Garden Club Standing Rules and agree to abide by them.

Printed Name _____

PHONE#'s (Home)_____ (Cell)_____

Email: _____

ADDRESS _____

SIGNATURE _____ Date _____