

**TOWNSHIP OF LUMBERTON**

**RESOLUTION 2016-079**

**AUTHORIZING PERMITTING RULES AND REGULATIONS FOR THE  
COMMUNITY GARDEN IN ADVANCE OF FORMAL ORDINANCE ON  
PERMITTING**

**WHEREAS**, the Township of Lumberton is proud to open a new community garden on April 16, 2016; and

**WHEREAS**, the garden will provide residents with the opportunity to grow plants and vegetables for private use; and

**WHEREAS**, the Township has developed modest rules and regulations to ensure the peace and good order of the garden area, including permitting for individual spaces; and

**WHEREAS**, the Township is working on a comprehensive ordinance for permitting and rules and regulations for all park areas and opportunities in the Township and these rules and regulations will be incorporated into that ordinance once finalized;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Lumberton, County of Burlington, State of New Jersey that the Community Garden Rules and Regulations attached hereto and incorporated herein, shall be made available to all members of the public wishing to use space at the community garden to keep peace and good order of the facility.

**CERTIFICATION**

I, Brandon E. Umba, Deputy Municipal Clerk, hereby certify that the foregoing resolution was duly adopted by the Township Committee at its Regular Business Meeting held on the 12<sup>th</sup> day of April, 2016.



\_\_\_\_\_  
Brandon E. Umba  
Township Administrator/Deputy Municipal Clerk

**MAYOR**  
SEAN EARLEN

**TOWNSHIP COMMITTEE**  
Jim Conway  
Mike Dinneen  
Lewis Jackson  
Mike Mansdoerfer



**Township Administrator**  
Brandon E. Umba

**CFO**  
Robin Sarlo

**Township Clerk**  
Brandon E. Umba, Acting

---

**2016 VILLAGE GREEN PARK COMMUNITY GARDEN APPLICATION**

**DATE** \_\_\_\_\_

**NAME** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

**CITY, STATE, ZIP** \_\_\_\_\_

**PHONE** \_\_\_\_\_

**EMAIL** \_\_\_\_\_

**GARDEN PLOT #** \_\_\_\_\_

*Lumberton Township shall be held harmless from any liability, damages or loss it may suffer as a result of claims, demands, costs, or judgments against it arising out of the use of this garden plot area; including, but not limited to, any personal or professional claims brought against the Township, its employees or representatives, relating to the use of the garden plot.*

**Applications accepted between April 16, 2016 and May 27, 2016**

**Please include a \$30 fee with this form. (Checks or money order payable to Lumberton Twp.)**

-----**Official Use Only**-----

**Name** \_\_\_\_\_ **Plot #** \_\_\_\_\_

---

**Received by** \_\_\_\_\_ **Check #** \_\_\_\_\_ **Date** \_\_\_\_\_

**Please return this form, a signed application & payment to:**  
**Vicky Freeman, Tax Collector's Office, Lumberton Township**  
**35 Municipal Drive, Lumberton, NJ 08048.**

*35 Municipal Drive, Lumberton, NJ 08048*  
*Phone (609)267-3217 Fax (609)267-5566*

**VILLAGE GREEN PARK  
COMMUNITY GARDENS  
SITE RULES**

The Village Green Park Community Gardens are located off of Main Street in Lumberton, New Jersey 08048. Our garden has 32 regular garden plots & 4 able gardening plots for interested Township residents, groups, classrooms, organizations. Our “Able Gardening” section is offered for any individuals with disabilities to be able to experience gardening. Township residents interested in renting a plot must agree with and abide by all of the Community Gardens Site Rules. Gardeners that do not honor these site rules may be required to relinquish their garden(s).

**I. PLOTS (Rentals, Service Hours, Rules, Maintenance and Forfeiture)**

**A. RENTALS (The location of each plot will be specified on the site map)**

Regular Plot 18’x12’ plot: \$30.00 per year

Able Gardening plots: \$30.00 per year.

(Garden Plots for seniors or individuals with disabilities)

The first name to appear on the Community Gardens application signed at the time of rental is considered the “Primary Gardener”. All gardeners on the application are collectively and severally bound by the Site Rules. Gardeners on multiple gardener applications agree that the first name on the application form is the designated contact for all business correspondence from the Township regarding the garden plot. Any new gardener must be added to the application before being allowed to garden the plot.

No more than 2 regular plots may be rented by any individual or group. Only one “Able Gardening” plot may be rented by any individual or group. Additional plots may be rented on the recommendation of the Community Gardens Coordinator, if plots are still open and available as of June 15th.

Plots will be provided on a first come, first served basis. The Community Gardens Coordinator will maintain a ‘waiting list’ for interested individuals/groups who will be notified if/when a plot becomes available for rent.

Mandatory orientation sessions for all gardeners with plots will be held at the beginning of the season to provide an opportunity to meet your gardening “neighbors”, review the site rules, discuss approved fertilizers and pest management materials, hours of operation, volunteer service events calendar, etc.

**B. VOLUNTEER SERVICE HOURS**

To keep the garden area well-maintained and available for interested gardeners, the Community Gardens may hold volunteer service events during the year. Service events are NOT required but gardeners are encouraged to participate at these events. Your help is greatly appreciated!

**C. RULES**

1. The Community Gardens area is open from 7am to dusk, year-round.
2. No illegal plants, trees, bamboo, cacti, castor beans (or other poisonous plants) may be planted. No plant product maybe grown which is prohibited by law in the State of New Jersey.

3. Diseased and pest-ridden plants must be actively treated or removed from the site or placed in the dumpster to prevent spreading.
4. Smoking and chewing tobacco is prohibited. Tobacco carries the mosaic virus which is deadly to some plants.
5. No permanent structures may be placed on the plot. Temporary structures should not shade a neighbor's plot without the approval of that neighbor.
6. Organic nutrients and pest controls are encouraged for use in the garden. When in doubt about a product or method, check with the Burlington Township Master Gardener Helpline (609-265-5050), Community Gardens Coordinator, or a fellow gardener.
7. Gardeners are responsible for bringing their own tools, hoses, and other gardening materials to the site. Some "community" tools/equipment may be provided, but gardeners should not rely on their availability.
8. The use of chemically treated wood (i.e. wolmanized wood) is not allowed. These products contain arsenic, hexavalent chromium and other toxic substances, which may leach into the soil.
9. Tools should be used only for the purpose for which they were intended. "Community" tools should be returned clean to their proper place. Only gardeners over 14 years of age are allowed to use power tools.
10. The community shed is for tool storage only. Pesticides and chemicals of any kind are not allowed to be stored in the community shed. The Township is not responsible for lost or stolen tools that are kept in the shed.
11. Gardeners must be present on-site when watering their plots. Unattended watering is not allowed. Gardeners using sprinklers or hoses should take into account wind and temperatures to ensure as little waste as possible.
12. Do not leave vehicles and tools unattended on stone drive.
13. Pets must be restrained on leashes at all times.
14. Each gardener is responsible for disposal of trash. Do not place any trash in common areas or roadways. Only organic, compostable material is to be placed in the composting area. No trash from off the property may be placed in the dumpster.
15. No alcohol or illegal substances may be consumed on the entire site.
16. No gardener may:
  - a. Use a sign or name with reference to Village Green Park Community Gardens in conjunction with for-profit sale of produce or flowers in any venue (without the express written permission of the Township of Lumberton).
  - b. Use the property at Village Green Park Community Gardens in conjunction with for profit sale of produce or flowers.

17. This is a community garden. Other gardeners are our neighbors. Any disagreements should be resolved using pleasant language and a reasonable problem solving approach. There shall be no harassment, threats, verbal abuse or acts of violence by any person against any other person. Such acts should be reported to the Community Gardens Coordinator. If necessary, proper authorities will be called. Any person committing such acts may be asked to forfeit his/her gardening plot(s).
18. Corn should not be planted as it increases the risk of potential garden pests and casts shadows on neighboring plots.
19. At the end of the season, gardeners are responsible for removing all personal items and preparing the plot for the winter.
20. If gardener has been in compliance during the season, that gardener will be offered the use of the same plot the following year, pending receipt of an updated application and fees.

#### **D. MAINTENANCE AND FORFEITURE**

Plot maintenance is defined as regular attention to and removal of weeds, grasses and other invasive plants and regular harvesting.

1. When a garden is out of compliance, the Community Gardens Coordinator will flag the garden and send written notice to the address on file to bring it into compliance within 14 days. Non-compliance will result in forfeiture.
2. A garden will be considered as abandoned based on the following:
  - a. No evidence of plot maintenance in the preceding 30 days; and
  - b. Telephone is disconnected or calls are not returned within 7 days; and
  - c. E-mail is not answered within a 7 day period, or U.S. Mail directed to the address on file is not answered within 14 days of mailing.

The plot may then be re-rented.

#### **II. COMMON AREAS**

The Common Areas include the surrounding park which includes a Dog Park, Playground and Tennis Court located around the Community Gardens space, permanent planting areas surrounding the plots, and the seating areas.

#### **III. PARKING**

Park only in the areas identified for parking. The handicap accessible parking space is only to be used by gardeners renting gardening space in the “able gardening” section.

#### **IV. SAFETY AND SECURITY**

- A. Please drive slowly and be aware of pedestrians and other gardeners while driving on the stone lanes within the community gardening area.

- B. The property is open from 7am to dusk, year-round. Gardening activities may occur only during those times. Irrigation will generally be activated in April and deactivated in November.
- C. Gardener may use garden fencing to protect their plots with the approval of the Township. Fencing should not exceed 24 inches in height and the acceptable materials for the fence are non-pressure treated wood, steel and vinyl. Please consult the Township prior to purchasing the fence to ensure it will be approved. All items will need to be removed from your plot not later than November 15<sup>th</sup>.
- D. All children under 12 must be under adult supervision at all times.
- E. BY SIGNING THE COMMUNITY GARDENS APPLICATION, YOU, THE APPLICANT/GARDENER, AGREE TO ABIDE BY AND BE BOUND BY THE VILLAGE GREEN PARK COMMUNITY GARDENS SITE RULES, AND TO INDEMNIFY, HOLD HARMLESS AND DEFEND THE TOWNSHIP, ITS EMPLOYEES, ASSIGNS, LESSEES, CONTRACTORS AND AGENTS FROM ANY AND ALL CLAIMS, SUITS OR ACTIONS OF WHATEVER KIND, FOR ANY PERSONAL OR OTHER TYPE OF INJURY, PROPERTY DAMAGE, THEFT, AND/OR ANY OTHER LOSS OF ANY KIND INCLUDING ATTORNEY'S FEES AND EXPENSES INCURRED IN THE DEFENSE OF ANY SUCH SUIT OR ACTIONS THAT ARE BROUGHT AGAINST THE TOWNSHIP, ITS EMPLOYEES, ASSIGNS, LESSEES, CONTRACTORS AND AGENTS, RESULTING FROM OR ARISING FROM ACTIONS OR ACTIVITIES ENGAGED IN BY APPLICANT/GARDENER, RELATING TO USE OF THE COMMUNITY GARDENS AT PENNINGTON PARK BY APPLICANT/GARDENER AND/OR HIS/HER FAMILY MEMBERS, FRIENDS AND/OR ASSIGNS.

**V. AMENDMENTS**

Amendments to these Site Rules can be made subject to adoption by the Township Committee of the Township of Lumberton.

Date: \_\_\_\_\_

Applicant: \_\_\_\_\_

*Lumberton Township shall be held harmless from any liability, damages or loss it may suffer as a result of claims, demands, costs, or judgments against it arising out of the use of this garden plot area; including, but not limited to, any personal or professional claims brought against the Township, its employees or representatives, relating to the use of the garden plot.*