



## Woodbridge Village Association Garden Club Rules

Adopted December 2, 2009

Effective March 1, 2010

The Rules listed below were adopted by the Woodbridge Village Association Board of Directors on December 2, 2009, and are effective as of March 1, 2010. Please contact the Recreation Department at 949/786-1800 if you have any questions regarding the Garden Club or these Rules.

### **Chapter 6. Article VI. GARDEN AREA WITHIN THE WOODBRIDGE RETENTION BASIN**

**Section 6-173. General.** The following Rules shall apply to the use and operation of the garden area by Members within the Woodbridge Village Association Community Facility known as the Retention Basin. The Association shall establish a certain number of garden plots within the Retention Basin, for the use and enjoyment of the Members, in accordance with the following Rules. The use thereof by the Members shall be subject to their compliance with the Rules, and their prior written Agreement to abide by such Rules.

**Section 6-174. Use Agreement.** Each Member, in order to be eligible to use a garden plot for gardening purposes shall have a valid Woodbridge photo ID access card and shall have signed an Association Garden Plot Use Agreement. The Use Agreement shall contain those terms and conditions as specified from time to time by the Association, and shall be for periods of not more than one year, starting in March of each year. The right to use the garden plot shall also be subject to suspension or revocation pursuant to the procedures stated in Sections 6-180 and 6-181, below.

**Section 6-175. Fees.** The Association, through its Board of Directors, shall annually establish, at the time of its adoption of the Annual budget, the amount of any registration fee, if any, to be charged each year to the Member for each of the garden plot's use for that year. In addition, the Member shall pay to the Woodbridge Community Garden Club ("WCGC") the fees established by the WCGC for its functions in administering the Garden Club's activities.

#### **Section 6-176. Assignment of Plots within the Garden Area.**

(a) One (1) garden plot may be assigned to one or more Members, for each Lot or unit owned who meet the above stated requirements, in the order of receipt of the Application, together with the fees, if any, and the Association's Use Agreement. Each Member requesting a joint plot assignment shall be on title to the same Lot or Unit.

(b) Members, including those who are requesting a joint plot assignment, who have been assigned an additional plot prior to these new Rules being adopted by the Board of Directors in 2009 may have one (1) additional plot assigned for a period of three (3) years from the effective date of these new Rules, only as long as the Member otherwise remains eligible for a plot assignment. Under no circumstances will any of those Members be assigned more than two (2) plots, jointly or individually. As those Members lose or forego their eligibility, there will be no further priority for the assignment of an additional plot.

(c) A Registered Tenant or Tenants under an Assignment of Privileges from an Owner of a Lot or Unit shall be eligible for a plot assignment for that Lot or Unit, and the Owner of that Lot or Unit shall not

be for that Lot or Unit; provided, however, that Owner of a Lot or Unit shall be eligible for an assignment of a plot for another owned Lot or Unit, subject to the same restrictions on the number of plots.

(d) Under no circumstances shall any Member be entitled to more than two (2) Plots, regardless of the number of Lots or Units owned in Woodbridge or otherwise entitled to use, including if that additional plot has been awarded to that Member in accordance with the procedures specified below in Section 6-177 for assignment of excess plots.

(e) Priority of the location of the plot shall be given to the returning Member who was assigned a plot and is requesting the same plot again.

#### **Section 6-177. Assignment of Additional Plots.**

(a) If there are plots still available after the above initial assignments, and there are more Members seeking an additional plot, up to the maximum of two (2), than the number then available, those remaining plots will be assigned by a lottery, utilizing fair and equitable procedures, as determined by the Association, and conducted by the WCGC and open to those Members who have been assigned less than two plots wishing to be assigned an additional plot.

(b) After all available Garden Plots have been assigned to Members who have submitted the necessary documents and met the requirements as detailed above, and there are Members still desiring to be assigned a Plot, a waiting list will be maintained by the Association and Members will be notified when their name comes to the top of the list and a plot is available. A Member not accepting an available Garden Plot within 2 weeks will have his or her name removed from the waiting list.

**Section 6-178.** Members assigned a Plot, including those jointly assigned, must do their own gardening and cannot turn over their plot to someone else to work, except on a temporary basis with the approval of the Association Representative, and a Woodbridge Community Garden Club representative. A person requested to work a plot for a Member, in the Member's absence, must have written verification from the Member, and which is approved in writing by the WCGC which includes a valid reason why the Licensee is temporarily unable to garden the assigned plot. This written approval, if necessary, must be renewed after 90 days. If an extension beyond this additional 90 days is requested, the matter will be considered by the WCGC for a recommendation to the Association, who will make the final decision.

**Section 6-179.** The enforcement of these Rules and the imposition of any fines or penalties shall be the responsibility of the Board of Directors of the Woodbridge Village Association, sitting as the Fine/Appeals Panel. The Board of Directors of the Woodbridge Village Association may, by Resolution, appoint the WCGC as its Committee to monitor the conformance of Members to these Association Rules and their Garden Plot Use Agreement. The WCGC may make periodic checks of all garden plots to insure plots are being cared for properly and actively gardened year round. If the WCGC believes that a violation of Association Rules is occurring, the WCGC will make recommendations to the Community Relations Director, who will handle the matter as a Rule violation, to be handled in accordance with the Association's previously adopted and published procedures.

**Section 6-180.** In addition, the WCGC may recommend to the Association the revocation of the right to use the garden plot for (1) the violation of the Association Rules, including the failure to properly maintain his or her assigned Plot or who abandons his or her Plot, and/or (2) the violation of WCGC Rules which have not been corrected by a Member, after the WCGC had taken all of the specified actions in the WCGC Rules and Regulations with respect to violations, and which, in the view of the WCGC Board constitutes, as a whole, material grounds sufficient for the Board to consider the revocation of the right to use the garden plot in question by the Member.

**Section 6-181.** In the event of Rule violations, the Association, through the Board's Fine/Appeals Hearing process, may take appropriate actions including fines, suspension of privileges, and/or revocation of the right to use the garden plots.