

RELEASE AND INDEMNIFICATION AGREEMENT FOR ADULTS

PECAN STREET COMMUNITY GARDENS

Participant: (Name and Address)

Institution:

The City of Pflugerville

The above named participant will be entitled to use of the Pecan Street Community Gardens and its associated facilities and equipment from the City of Pflugerville for a nominal fee as identified in the Pecan Street Community Gardens Site Rules and Application. The Participant is responsible for making improvements to the garden plots without assistance from City employees.

DATE(s):_____

I, the above named PARTICIPANT, am eighteen (18) years of age or older and have voluntarily applied to participate in the Pecan Street Community Gardens. I acknowledge that the nature of working in a community garden may expose me to hazards or risks that may result in my illness, personal injury or death and I understand and appreciate the nature of such hazards and risks. In consideration of my participation in the Pecan Street Community Gardens, I hereby accept all risk to my health and of my injury or death that may result from such participation and I hereby release the above named City of Pflugerville, its governing board, officers, employees and representatives from any liability to me, my personal representatives, estate, heirs, next of kin, and assigns for any and all claims and causes of action for loss of or damage to my property and for any and all illness or injury to my person, including my death, that may result from or occur during my participation in the Pecan Street Community Gardens, whether caused by negligence of the City of Pflugerville, its governing board, officers, employees, or representatives, or otherwise. I further agree to indemnify and hold harmless the City of Pflugerville and its governing board, officers, employees, and

2018 Pecan Street Community Gardens Site Rules and Information

The Pecan Street Community Gardens are available to City of Pflugerville Residents and Pflugerville ETJ Residents only. As a voluntary participant, gardeners agree to comply with the following site rules:

1. **SEASONS:** The Spring season is from February 1st to July 31st. Fall season is from August 1st to January 31st
2. **OPERATING HOURS:** The gardens will follow the hours of operation for North East Metro Park, which are generally: 8:00 AM to 10:30 PM, seven days per week.
3. **FEES:** Garden plots are based on type, quantity, duration, and season.

Full Plot (20'x 20'):	Full Year (\$50)	Half Year (\$25)
Half Plot (10'x 10'):	Full Year (\$25)	Half Year (\$12.50)
Accessible Plot* (2'x 20'):	Full Year (\$25)	Half Year (\$12.50)

Students (18 and under), Seniors (55 and over) and Veterans are one half of the above listed prices.

*Accessible Plots will be raised beds and available to seniors and friends with physical disabilities which may not otherwise be able to utilize the other garden plots.

4. **ACCESS:** The Pecan Street Community Gardens shares vehicle access with a wastewater treatment facility. Caution and respect shall be utilized by participants when entering and leaving the site.
5. **ORGANICS:** Only organic pest controls or nutrients are allowed within the Pecan Street Community Gardens. A list of acceptable fertilizers and weed killers is up at the kiosk at garden or call Parks & Recreation Office with any questions.
6. **PLANTS:** Gardeners are encouraged to be creative with plant selection to create an attractive, aesthetic garden with a bountiful harvest. No illegal or poisonous plants may be planted (i.e. castor beans, cacti, drug-producing plants).
7. **WEEDS AND GRASS:** Gardeners are responsible for weeding their garden and paths adjacent to their plots on a regular basis. Specific attention must be paid to Bermuda and encroaching field grasses. As a reminder, the use of weed control chemicals that are not organic are not permitted. When in question, contact the Parks & Recreation Office.
8. **TREES AND SHRUBS:** No trees or shrubs are permitted to be planted on garden plots. Community fruit trees and shrubs will be planted along the border of the garden for community use.
9. **WATER:** Water is provided free of charge by the City of Pflugerville for gardener use. Unattended watering with anything but a soaker hose is not allowed. No sprinkler should run for more than 2 hours. Water hoses are not provided.

- 10. EDGING:** Edging materials may be used, provided they are limited to cedar wood or masonry products such as cinder blocks or manufactured stone. Under no circumstance will the use of chemically treated wood be allowed.
- 11. TRASH AND COMPOSTING:** Trash and other discarded items must be removed from the garden area. A dumpster is provided within the garden area for trash; however all organic material that cannot be harvested should be composted in the provided compost bins.
- 12. TOOL SHED:** A community tool shed containing hand tools is available for gardeners' use. Users are required to return them in a clean condition. If damage should occur, please contact Parks & Recreation Office.
- 13. RESTROOM:** A restroom facility will be provided throughout the season for gardener use.
- 14. PETS:** No pets are allowed at the garden site.
- 15. CHILDREN:** Children are encouraged to participate, but must be supervised at all times.
- 16. SAFETY:** Gardeners are responsible for ensuring the tool shed and garden area are closed and locked at the end of the day to prevent potential vandalism and theft. Gardeners are encouraged to use standard safety precautions with tools, equipment, and vehicles to maintain a safe and healthy environment. Please recognize that no other individual or group, including the City of Pflugerville, is responsible in the event of illness or injury.
- 17. PLOT RENEWAL:** Gardeners shall have the opportunity to renew their plot each year through the submittal of a new application and fee. Renewals must be received by January 31st for the spring season and July 31st for the fall season, or by January 31st for the full year.
- 18. ABANDONED PLOT:** Any plot recognized by the Parks & Recreation Office to be unattended for 30 days or more during the growing season may be declared abandoned, resulting in the remaining produce, improvements and plot use to be forfeited.
- 19. NUISANCE:** Profanity, smoking, chewing tobacco and consuming alcohol or illegal substances is prohibited.
- 20. GARDEN WORK DAYS:** In an effort to keep costs down and maintain a community atmosphere, gardeners are requested to support Garden Work Days. We will hold at least one work day per season.
- 21. LEGAL:** All gardeners shall submit and have on file with the City of Pflugerville a signed application, rules agreement and signed release and indemnification form prior to participation in the Pecan Street Community Gardens.

Participant Signature

Date