

# **BYLAWS AND GUIDELINES OF “VAMOS SEMBRAR” COMMUNITY GARDEN**

## **MISSION**

The purpose of the Vamos Sembrar community garden is to provide a green, restful, beautiful and safe space for gardening. This space is for the community to enjoy. The garden will be open as often as possible and will be made available to serve as a public space for neighborhood meetings, social gatherings and other activities.

## **BY-LAWS**

- I. To become a member of the garden one must volunteer 50 hours to the garden and attend 3 garden meetings. These hours may be fulfilled during any open hours or garden events. A sign-in sheet will be available in the garden shed for documenting these hours. They may also be reported directly to a member of the steering committee. After completing 50 volunteer hours and attending 3 garden meetings, members will receive a key to the garden gate, and access to the tool shed. Members may not share, loan or give their keys to those who are not garden members. Existing members must participate in a minimum of 3 meetings and volunteer a minimum of 10 hours per season to maintain membership.
- II. For all votes taken at regular garden meetings which pertain to any garden issue or business, a quorum of members must participate. A quorum is defined as "50% plus one" of the general garden membership at the time an election is held or a vote is taken, in order for the results to be valid. (By-Laws and Guidelines votes are excepted; see below.) Results of any vote will be determined by a simple majority of those voting. For any given vote, the general membership may cast votes via email or by proxy, if someone cannot attend a meeting. "Proxy" is defined as a Garden member in good standing giving permission for another Garden member to cast their vote. This proxy vote may be cast via email to a designated Steering Committee member (see below) or in person.
- III. There will be one official meeting per calendar year--the Annual Meeting--to elect the Garden's Steering Committee. The date of this meeting will be determined by the Steering Committee. Members must attend this Annual Meeting. Regular Garden meetings for the general Garden membership and interested community members, will be held monthly, April through October. Meeting times and dates will be posted on the Garden bulletin board, and members will be notified by email and phone at least 7 days in advance of any meeting.

Up to eight Garden members in good standing will be elected by a majority vote of general Garden members in good standing to serve on the Steering Committee for a term of two years. Any member may sit on the Committee for a total of three consecutive terms. Any Garden member can be a candidate. New Committee members will be nominated at a regular monthly Garden meeting, at least thirty days before the Garden's Annual Meeting. The list of nominees chosen by general Garden members will serve as the ballot. The ballot will be available in the Garden within three days following the nominations.

Members will vote by checking off the names on the ballot. The ballots will be submitted, and the votes counted, at the Garden's Annual Meeting. Board members are elected by a simple majority vote, and members can also vote by proxy

The Steering Committee will decide how often it needs to meet to effectively coordinate and oversee the work of the Garden. At a minimum, the Steering Committee agrees to meet once a month throughout the season, and also in advance of the general Garden meetings. If a member misses more than three meetings in a given season, that member is subject to be removed from the Steering Committee, according to the removal procedures in Item VI below.

III. The responsibilities of the Steering Committee include, but are not limited to:

- Maintaining a list of Garden members in good standing;
- Maintaining a list of Garden assignments;
- Organizing monthly Garden meetings and creating those agendas;
- Calling special meetings, and setting the date for the Annual Meeting;
- Acting as liaison with the City, with other gardens or greening groups, or with any other entity that seeks a relationship with the Garden;
- Coordinating proxy votes;
- Arranging clean-ups after meetings or social events;
- Adjudicating disputes between Garden members;
- Enforcing the By-Laws and Guidelines;
- Issuing warnings and reviewing grounds for possible expulsion of Garden members, or members of the Steering Committee, who violate the By-Laws and Guidelines;
- Coordinating Garden activities (one public event yearly is required by Green Thumb);
- Taking meeting minutes;
- Maintaining a book of previous minutes and other Garden information;
- Overseeing and executing all Green Thumb requirements;

If a Garden member volunteers to take responsibility for a Steering Committee task, the Steering Committee, with approval of the general Garden membership at a regular monthly meeting, may assign such task to such member-volunteer.

Any Garden member may call a special meeting as deemed necessary, but any one member may not call a special meeting more than once in a 3-month period.

V. The Steering Committee will consist of up to 8 community garden members. Tie votes on any given issue, or unresolved conflict on the Steering Committee, will be decided by the general Garden membership in simple-majority voice vote at the next regularly scheduled monthly Garden meeting, or at a specially scheduled meeting, if necessary.

If any part of the general Garden membership feels that one Steering Committee member is not carrying out responsibilities adequately, the general Garden membership may choose to remove this Steering Committee member. The member or members moving to remove this Steering Committee member would have to make the case before the general Garden membership at a regular monthly Garden meeting, and the general Garden membership would then be allowed to ask questions. The Steering Committee member being challenged will be given time to respond. A vote for removal would take place at the next regularly scheduled monthly Garden meeting or at a specially scheduled meeting if

scheduled monthly Garden meeting, or at a specially scheduled meeting, if necessary. Members may vote by proxy.

If any part of the general Garden membership feels that the Steering Committee as a body is not carrying out responsibilities adequately, the general Garden membership may choose to disband the entire Steering Committee. The member or members moving to disband the Steering Committee would have to make the case before the general Garden membership at a regular monthly Garden meeting, and the general Garden membership would then be allowed to ask questions. The Steering Committee will be given time to respond. A vote to disband would take place at the next regularly scheduled monthly Garden meeting, or at a specially scheduled meeting, if necessary. Members may vote by proxy. Any member of a disbanded Steering Committee would be eligible to run again once three planting seasons, over the course of three years following the disbanding, had passed.

- VI. By-Laws and Guidelines may only be changed at the Annual Meeting. The required quorum for purposes of voting to amend the By-Laws and Guidelines must be a minimum of two-thirds of the general Garden membership. Results of this vote will be determined by a simple majority of those casting votes. Motions to amend the By-Laws and Guidelines must be made at the regular monthly meeting prior to the Annual Meeting. These proposed amendments will be posted in the Garden and will be announced in an email to all Garden members at least ten days prior to the Annual Meeting. Members may cast votes via email or by proxy if they cannot attend the meeting.
- VII. All motions made at a regular monthly Garden meeting will be voted on at the next monthly meeting. The motions must be announced to the general Garden membership by being posted in the Garden or sent via email.
- VIII. A contract will be signed by each Garden member whereby she/he agrees abide by the By-Laws and Guidelines of the Garden. Members also agree to keep the Garden open ("open hours") for a minimum of two sessions or 10 hours each season. A session can include a weekend session, up to five hours, or a weekday session, up to four hours. A member may opt out of their open-hours obligation by getting another Garden member to cover this responsibility.
- IX. Members agree to protect the independence of the Garden. Garden members agree to be stewards of this property, to assume the legal right to make Garden decisions and to take on the responsibilities for maintaining the Garden's autonomous status as a legally registered GreenThumb garden. Should a Garden member threaten or challenge this independence, they will be subject to expulsion. Actions that compromise, threaten or challenge the Garden's autonomy include, but are not limited to, advocating a merger of the Garden with any other New York City community garden or green space.
- X. If any Garden member charges a fellow garden member with violating any part of the By-Laws and Guidelines, this member would have to make the case before the general Garden membership at the next regular monthly Garden meeting, and the general Garden membership would then be allowed to ask questions. The person charged with the violation will be given time to respond. A vote for expulsion would take place at the next regularly scheduled monthly Garden meeting, or at a specially scheduled meeting, if necessary.
- XI. Should the garden decide to incorporate at any point as a non-profit entity, the Garden will create an official Board of Directors, and/or assign officer titles, if necessary, to satisfy legal requirements for incorporation. The decision to incorporate will be voted on by the general Garden membership, which vote will follow the same

voting procedures as outlined above in Paragraph 7.

XII. In case of an emergency, the Steering Committee can make interim decisions, which are not binding. Final decisions will be made at the next monthly Garden meeting through a vote by the general Garden membership.

XIII. When in the Garden (or communicating over email), all Garden members, Board members and visitors must behave in a manner that is respectful toward adults and children. Disrespectful behavior that will not be tolerated includes spitting, yelling, pushing and hitting people, throwing things, or any behavior that reasonably constitutes verbal or physical abuse, (including written insults.) Should someone in the garden (or over email) be engaged in disrespectful behavior as defined here, they will be asked to leave the Garden (and stop communicating with members over email). A Garden member accused of disrespectful behavior is subject to expulsion.

## **GARDEN GUIDELINES**

All Garden members agree to abide by the following:

- In order to encourage as much participation in the Garden as possible, only one area for planting will be assigned per household. These will be assigned on a case by case basis and must be proposed and approved of at a garden meeting by a garden majority. Unassigned space will be treated as common area.
- Gardeners must maintain the walkways around the areas of planting, keeping them free of weeds and trash.
- Personal belonging may not be stored in the Garden during any season. Anything left in any communal area becomes community property.
- Members should have their assigned areas planted by June 1st. The Steering Committee has the discretion to extend this date, due to personal-schedule or work hardship, or poor weather conditions, for any given member. Members agree to keep their areas maintained throughout the season. If there is a waiting list for assigned areas, members who have not planted by June 1st, or who didn't maintain their assigned areas during the previous season, or who are not maintaining their assigned areas in the current season, may forfeit their assigned areas. Garden members on the waiting list have priority for assigned areas. Areas given up permanently by garden members revert to the Garden.
- Garden members must not weed, pick or harvest in anyone else's assigned areas without the permission of the Garden member assigned to that area.
- Members agree to decide collectively how communal areas of the garden are planted, how and which Garden structures are built and how the garden is designed.
- Should we construct a compost pile, only compostable items may be put inside. Bricks are not allowed. Meat and such are only allowed if bokashi composting is in effect. Private compost piles are not permitted. Use of the group compost is strongly encouraged.

- No worm should be removed from the soil at any time.
- In good faith, Garden members agree to help with community work in the garden every year. This work can include building and repair, general cleaning and maintenance, or helping with social gatherings or other cultural events.
- If a member wants to have a party or a meeting in the Garden, she/he is required to post a notice with a contact name and telephone number a week before the planned date on the Garden bulletin board and via email to garden membership. Parties and meetings must not restrict uninvited Garden members' use of the Garden. All trash from the gathering must be disposed of, and noise should be kept to a minimum.
- Children under 18 visiting the garden must be accompanied and supervised at all times by a responsible guardian.
- Any member who is in the Garden must keep the gate open at all times, day or night. Public access to the Garden must be maintained, at the least, during the Garden's official open hours.
- Dogs are not allowed in the garden.
- Clippings and other organic matter including branches should be immediately be cut up and scattered on garden floor.
- No animal of any kind may be brought into the garden to live.
- No use of drugs or other illegal substances, or selling of drugs or other illegal substances, will be permitted in the garden. Any Garden member using or selling drugs, or other illegal substances, faces immediate expulsion through a vote by the general Garden membership. This vote can take place at a regular meeting or at an emergency meeting, if necessary. If a member is present for open hours, and there is drug use or drug selling in the Garden, the member should ask the perp. to leave the garden and notify the steering committee.
- Every garden member must participate in 3 garden meetings per season.
- The Garden is committed to diversity in ethnicity, race, gender, class, sexual orientation and physical capacity in its general Garden membership and on its Steering Committee. The Garden will not condone any act of discrimination, be it based on ethnicity, race, gender, class, sexual orientation and physical capacity toward any garden member, by any garden member or Steering Committee member, or toward any visitor to the garden. A Garden member or Steering Committee member who engages in any act of discrimination will be subject to expulsion by a vote of the general garden membership.
- When in the Garden, all garden members, steering committee members and visitors must behave in a manner that is respectful toward adults and children. Disrespectful behavior that will not be tolerated includes spitting at, yelling at, pushing and hitting people, or throwing things, or any behavior that reasonably constitutes verbal or physical abuse. Should someone in the garden be engaged in disrespectful behavior as defined here, they will be asked to leave the garden. A garden member accused of disrespectful behavior is subject to expulsion.

