



## City of Rochester 2014 Garden Permit Terms and Provisions

**Complete & Submit to:**  
City of Rochester / Garden Permits  
30 Church St., Room 125B  
Rochester, NY 14614  
Fax (585) 428-6137

I/We, the Garden Permit Holder(s) hereby release the City of Rochester, its officers, agents, servants, and employees from any and all damages and claims sustained by reason of the use of said property for a garden, in consideration of the City of Rochester granting the free use of said land for said use. The City makes no representations as to the condition of the soil in the area or of the prior use of said property. Accordingly, no vegetable or fruit gardening should be done on the property except in raised planters or containers with soil from other sources.

I/We agree to use said land solely for a garden, and understand that a separate permit shall be required for special events. I/We agree to prevent damage to the property and to indemnify and save harmless the City of Rochester from all loss, cost, damages or expense or resulting directly or indirectly by reason of such occupation by the Garden Permit Holder(s).

I/We understand that Garden Permit authorizes use of the City owned land for the current growing season, which extends from March 1<sup>st</sup> through December 15<sup>th</sup>. I/We further understand that this Permit expires December 15th and, I/We must make an application to the City for renewal of the Garden Permit on an annual basis to continue using the same City owned land from year to year. I/We acknowledge that said permit may be revoked by the City of Rochester at any time, and agree that notice by letter addressed to the address set forth in this Permit shall be sufficient notice of such revocation.

I/We understand that I/We, as Garden Permit Holder, will be contacted for immediate action by the City of Rochester if the garden exhibits 40% weed coverage or grass height more than 5 inches. Suggested mowing height is three inches. I/We further understand that all litter and leaf debris must be disposed of properly and all equipment, such as plant supports, chairs, storage bins, netting and containers, shall be stored out of view when not in use. I/We agree to not use pesticides, **including Round-Up**, without a current New York State Pesticide License and that all New York State Department of Environmental Conservation and Monroe County laws must be followed.

**I/We understand that it is the responsibility of the Garden Permit Holder(s) to follow all applicable City codes and obtain any necessary permits.**

### Garden Permit Application

*Please print clearly and complete all areas. Applications missing information will be returned.*

Name of Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_  
(Print clearly)

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

Location of Garden (exact street address must be included): \_\_\_\_\_

Organization: \_\_\_\_\_

**\*\*Please note\*\*:** After issuance of this garden permit, any issues or concerns with this vacant lot should be directed to your Neighborhood Service Center – call 311.

***The undersigned have read and understand and accept the Terms and Provisions and the Gardening Permit Guidelines provided by the City. I/We understand the responsibilities and time commitment necessary to plan, establish, and properly maintain a garden.***

\_\_\_\_\_  
Signature & date

\_\_\_\_\_  
Signature & date

\_\_\_\_\_  
Signature & date

\_\_\_\_\_  
Signature & date

Office use only

SBL#: \_\_\_\_\_

Approved by: \_\_\_\_\_  
Division of Real Estate Signature

\_\_\_\_\_  
Date



## City of Rochester 2014 Garden Permit Guidelines

Gardening Guidelines are established to ensure acceptable aesthetic and sanitary conditions for neighboring homes and community. They are as follows:

- Soil testing is the responsibility of the Garden Permit Holder. For information on soil condition, analysis, or composition, call Monroe County Cornell Cooperative Extension at 461-1000.
- Installation of landscaping features such as walkways, retaining walls, fountains and trellises may be acceptable. Installation of permanently affixed structures such as gazebos or garden sheds is not allowed.
- All fencing is subject to City Zoning approvals.
- Permanent signage cannot be installed, and any signs installed are subject to removal by the City if the sign is improperly maintained OR blighting OR upon termination of the garden permit.
- The City reserves the right to remove any of these features if they are deemed hazardous by City staff. An attempt will be made to contact the Garden Permit Holder prior to removal.
- Before digging call for a utility stake out (1-800-962-7962).
- Containers, including water bins, and planters, shall not hold standing water unless they are completely covered.
- **Compost, mulch** and cultivating may be available through the Department of Recreation and Youth Services. (Contact 428-8820 for Horticultural Technician). Please call at least 2 weeks in advance of your needs to coordinate properly. The City does **not** approve use of City compost for growing fruits and vegetables. Composting of vegetative matter is allowed (leaves, plants, wood chips, etc.); composting of meat, human or pet waste is prohibited.
- **Seasonal plants** are available through the City's Rochester Blossoms Flower City Looking Good Program. Local Neighborhood Associations and Community Garden organizers can register each spring and fall. Call for information at 428-8820.
- Advice and **training sessions** on pruning, insects, diseases, plant selection, design layout and other gardening tips are available. Contact 428-8820.
- The City does not have the resources to provide **watering** of community gardens. Please plan accordingly. *In the event that arrangements are made with the Water Bureau for a water supply at this location, it is the responsibility of the Garden Permit Holder to pay all water bills and associated charges. Failure to make payment will result in revocation of the Garden Permit.*
- Any Garden Permit Holder in violation of any terms set forth in this Permit may have their Garden Permits revoked. The City also reserves the right to prohibit issuance of future Garden Permits.