City of Rochester

Garden Permits
30 Church Street, Suite 223B
Rochester, New York 14614
diane.powell@cityofrochester.gov

Daisy Rivera Algarin
Director of Neighborhood
Service Centers

2023 One Season Garden Permit Application

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

Name of Primary Applicant:_____ Phone:_____
(Print clearly)

Mailing Address:_____

E-Mail:_____Alternate Phone:_____

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

Organization Name (if Applicable): _____

List Two Other People Willing To Stand In For Permit Holder As Needed. Include mailing & email addresses, and phone number.

1._____

_____

2._____

_____

TERMS AND PROVISIONS

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 growing of food items (fruit, vegetables or herbs) should be done on the property except in raised planters or containers with growing medium/topsoil brought in from offsite locations.

I/We agree to use said land solely for a garden, and understand that a separate permit shall be required for special events (such as block parties, family reunions, tent meetings, etc.) or different uses (such as outdoor dining, outdoor classrooms, games & sports, play space, parking of vehicles, overnight sleeping, etc.).

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 have read the Garden Permit Guidelines/Landscape Features section on page 2 and understand that any permanent fixtures installed on the site become property of the City at the end of the permit unless arrangements for removal were agreed upon when installed.

I/We understand that on the last day of the term, or upon the sooner termination of the term, agree to peaceably and quietly surrender and deliver the Property to City free of all personal property and equipment, unless City consents, in writing, to such personal property and equipment to remain after the term has expired. Licensee shall also restore the lot, which may be damaged due to the Work after the term has expired but not later than one month after the end of the term unless the City consents, in writing, to such extension.

I/We understand that Garden Permit authorizes use of the City owned land for 1 growing season (defined as March 1st through December 15th annually). New applications to the City are required for subsequent season use upon expiration of term. Right of first refusal for garden permit use will be offered to the prior season permit holder in February of the new calendar 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.

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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.

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.

_____ _____

Applicant Signature Date

Office use only

_____

SBL Number

Approved by:_____ _____

Director of Real Estate Signature Date

Garden Permit Guidelines

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

- **LANDSCAPE FEATURES.** The installation of features such as walkways, retaining walls, fountains, trellises may be acceptable. Call 428-6807 for more information. The use of tires in the garden is not allowed; as well as installation of permanently affixed structures such as gazebos, permanent garden sheds, etc.
  NOTE: *Landscape features that are installed in violation of this permit are subject to removal by the City of Rochester.*
- **FENCING.** All fencing is subject to City Zoning approvals. Give us a basic plan for where on the lot you intend to put the fence, what material it is made of, its height, how it will be set up, etc., before you install it.
- **GARDEN SIGNS.** 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. Signs installed at the garden site cannot be used to advertise a business, neither can they be permanent (no steel, concrete footings, etc.) nor greater than 15 square feet in area.
- **STANDING WATER.** Containers such as water barrels and planters shall not hold standing water unless they are completely covered. Standing water provides breeding grounds for mosquitoes and creates a public health concern.

The City reserves the right to remove any of the above features if they are deemed hazardous by City staff. An attempt will be made to contact the Garden Permit Holder prior to removal.

These Guidelines are provided as a reference.

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Questionnaire

To better assist you, the City asks that you fill out the following questionnaire:

1. Address of lot you are applying to get a garden permit for: _____

2. Do you intend to utilize the permitted lot for a garden?
   - YES
   - NO

   If NO, provide a description of how you intend to utilize this lot permit (i.e., mowing, maintain for looks, etc.):

   _____

3. If the lot will be used for a garden, please answer the following questions:
   a. Proposed Garden Name: _____

   b. Is this a private garden or a public/community garden?
      - Private
      - Open to the Public/Community

   c. If a community garden:
      i. What is the estimated number of members/garden volunteers? _____
      ii. Will there be beds available for adoption/rental?
         - YES
         - NO

   d. Check all that will apply to your garden this season:
      - Contains raised beds for growing food
      - Has a rain barrel(s)
      - Contains flower beds
      - Has a community bulletin board
      - Hosts a compost bin
      - Has benches for seating
      - Hosts a Little Free Library
      - Includes stepping stones, walkways, etc.

4. Do you own/have access to a lawn mower and a have a way to get it to the site?
   - YES
   - NO

5. Would you like to be a contestant in the Flower City Flourishing garden contest this year?
   - YES
   - NO

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6. Would you like free garden help and email updates from our partner, Taproot Collective, about gardening and gardening resources in Rochester?
   - YES
   - NO

7. Water barrels (includes delivery, converter hardware and water to fill) are available for free through Taproot Collective. Would you be interested in getting one?
   - YES
   - NO

8. What's the best way to reach you if we need to follow-up with any information on this questionnaire? ***Please print clearly.***

   Name: _____

   Address: _____

   Phone: _____ E-Mail_____