



# City of Hamilton Community Garden's

Policy/Application/Liability  
insurance an overview

# Outline

- Application process
- Guidelines for Selecting New Community Garden Sites
- Conditions for use of City-owned property
- User Agreement
- Liability insurance
- Current Gardens and new for 2015
- Community Partners
- Questions??



# Application

- **Applicants information**
- **Garden Collective 4-6 individuals not-for-profit organization**
- **Property information**
- **Site plan of garden with plots and size**
- **Determined that the location is available and suitable for use via Environmental Services & City of Hamilton Property Manager**
  - **Portfolio Management Committee**
  - **Ward Councillor**
  - **Possible community consultation**



# Conditions once approved

- Developed, managed and maintained at no direct cost to the City
- Garden Collective agree to develop, manage and operate in accordance with a License Agreement between garden Collective and the City
- No chemical pesticides are to be used
- Ensure unallocated plots are available to public
- Provide public access to the site
- Raised beds may be required by the City and costs will be borne by the Garden Collective
- Collective agrees to cover cost to restore the lands to original condition on termination of Licence Agreement
- Required to take out and maintain Commercial General Liability Insurance in the amount of 2 million



# License Agreement

- All produce grown shall be grown for personal consumption and not for private profit
- The Licensee assumes any and all risks relating to the physical condition of the Premises, including the surface and subsurface conditions thereof
- If set up and using City of Hamilton water the Licensee agrees to pay the annual water consumption charge to be determined by size of garden
- Not to introduce or allow the introduction or use of beer or other alcoholic beverages or liquors upon the Premises
- Not to introduce or permit the introduction or use of illegal narcotics upon the Premises



# Licence Agreement Continued

- Before commencing any work on the Premises, the Licensee shall have proof of the insurance
- Licensee will incur the cost of the insurance and include the payment of all deductibles
- The Licensee shall use the Premises at its sole risk, and the City shall not be liable for any loss, injury or damage caused to persons using the Premises or to any property
- Commercial General Liability Insurance, including but not limited to bodily and personal injury liability and property damage, and having an inclusive limit of not less than \$2,000,000. The Certificate shall reference the use of the City's lands by the Licensee for the purposes of a Community Garden
- Insurance through City of Hamilton

# Liability Insurance

- \$6 a plot annually for City of Hamilton Game day Insurance through Recreation Department
- Licensee accepts personal responsibility for any actions, causes of actions, arising out of, or by reason of, the Applicant's use of the land
- Licensee ensures that all participants park in designated areas only
- No beverages containing alcohol is allowed
- No sub-leasing is allowed

# Current Gardens

CURRENT COMMUNITY GARDENS	YEAR FOUNDED	LOCATION
Dundas Community Garden	1978	70 Olympic Drive (behind Olympic Arena)
North Hamilton Community Health Centre Paradise Community Garden	1995	240 Burlington Street East
Churchill Park Community Garden	1996	Churchill Park - 85 Oak Knoll Drive
Stoney Creek Municipal Service Centre Community Garden	early 2000's	777 Hwy 8 (off Jones Rd)
North Hamilton Community Health Centre Keith Neighbourhood Garden	2004	100 Burton Street
Hill Street Community Garden	2010	26-28 Hill Street
Victoria Park Community Garden	2010	Victoria Park - 516 King St West Gage Park - 1000 Main St E. (off Lawrence Rd b/w tennis & lawn bowling clubs)
Gage Park Community Garden	2011	
Binbrook Community Garden	2012	4300 Binbrook Road, Glanbrook Municipal Service Centre
Powell Park Community Garden	2012	53 Birch Avenue
Shamrock Spiral Garden	2014	105 Walnut Street South



# Coming 2015

<b>NEW COMMUNITY GARDENS FOR 2015</b>	<b>LOCATION</b>
<b>Rosedale Community Garden</b>	Behind Rosedale Arena 100 Greenhill Ave
<b>Sunset Cultural Garden/ Simcoe Tot Lot</b>	344 Bay St N
<b>Riverdale/Lake Ave Community Garden</b>	140 Lake Ave

# Community Partners

- We are well networked with many different experts in our community and to name a few collaborators
- Hamilton Community Garden Network
- Green Venture
- Neighbour-2-Neighbour
- Victory Gardens

# Questions

