

# Bylaws for Dowling Community Garden

## Article I – Name and Purpose of The Garden

**Section 1.00, Name** — The organization described here is officially named "Dowling Community Garden." This name can be changed only by a vote of two thirds of the Steering Committee. For the remainder of this document, Dowling Community Garden will be known as The Garden.

**Section 2.00, Purpose** — The Garden was originally established as a Victory Garden for the purpose of providing garden space for people. Its primary purpose continues to be to provide garden space to people who are interested in gardening.

The Garden's secondary purpose is to be of benefit to the community.

## Article II – Membership

**Section 1.00, Definition** — A *member* is someone who has been granted rights to a particular plot or plots and who agrees to and abides by the rules and requirements of The Garden as defined by its Steering Committee.

**Section 2.00, Prospective Members** — Membership is available on a first-come first-served basis and is open to anyone regardless of gender, race, creed, color, or sexual orientation. If all garden plots are occupied, prospective members' names are placed on a waiting list. A prospective member of The Garden who has been offered a plot assignment must sign a gardening agreement and submit the associated plot fee to become a member of The Garden.

**Section 3.00, Current Members** — A current member in good standing may retain the assigned plot and remain a member of The Garden the following year by signing the agreement and paying the required fee by the deadline set for renewal. Further information on membership responsibilities is contained in the Garden Rules supplied with the agreement. These Garden Rules may change from year to year at the discretion of the Steering Committee. Additionally, members are further categorized as Plot Holder and Plot Partners. The Plot Holder is responsible for all communication with the Steering Committee, including completing the annual renewal form, submitting the required plot fee, and addressing any rules violation notices.

**Section 4.00, Termination of Membership** -- Membership and plot privileges may be revoked by The Committee for violation(s) of the rules established by The Committee. Rules and enforcement procedures will be distributed at renewal and enrollment. Members are required to sign a document accepting these rules and procedures. Additionally, these rules and procedures are published in such a manner that they are available to all members at any time.

## Article III – Governance

**Section 1.00, Definition** — The Dowling Community Garden Steering Committee, known throughout this document as The Committee, is responsible for decisions regarding the membership and also current and future Garden activities. Committee members develop, interpret, and enforce the Garden Rules (a separate document). Only Garden members may join The Committee.

The Committee determines its meeting schedule and method. Meeting times and changes in the meeting schedule are decided by majority vote. The number of Committee members is

determined by The Committee and may change depending on retirement and on the needs of The Garden as viewed by The Committee.

**Section 2.00, Voting Rules** — Votes may be taken at Committee meetings only in the presence of a quorum. A quorum is defined as at least 50 percent of the current Committee membership. Only Committee members may vote on proposed motions. Proposals put before The Committee must be accepted by a majority of those attending to pass. Decisions to remove a Committee Member or amend the Bylaws require a majority vote of current Committee members in favor to pass. All Committee Members must be notified before any action to vote on rule changes, Bylaw changes, or Committee member expulsions. Generally, voting will take place at face-to-face meetings. However, if expedient in special circumstances, voting can also be effected through e-mail polling or postal mail polling or conference call polling, if a majority of The Committee agrees to these methods. A special Committee meeting may be convened at any time by a majority of Committee members.

**Section 3.00, Committee Responsibilities** — As mentioned in Article III, Section 1.00, The Committee is responsible for developing, interpreting, and enforcing the Garden Rules (a separate document). It is the obligation of The Committee to review The Garden Rules together with the Bylaws on a regular basis, to be certain that both documents are fair, consistent, and up-to-date.

A Committee member is not an officer as in a traditional board of directors. However, a member may hold the position of Coordinator, which mimics the position of officer in that a Coordinator is responsible for a particular function in The Garden organization.

The Committee has the responsibility for negotiating and entering into lease or rental agreements with the Minneapolis School District and/or any other entity with suitable property.

Additionally The Committee is responsible for:

- Developing long-range plans for the continuation and improvement of The Garden and The Garden organization. The Committee may implement these plans when feasible.
- Planning and arranging any Garden sponsored activities intended for the benefit and enjoyment of its membership and the surrounding community.
- Defining positions of responsibility, called Coordinators, and recruiting Members to fulfill these responsibilities.
- Amending the Bylaws, if necessary.

Committee members meet on a regular basis (Article III, Section 1.00) to discuss problems in The Garden and find solutions to these problems.

**Section 4.00, Committee Membership** — Membership in The Committee is voluntary and open to Garden members in good standing who have been members of The Garden for at least one gardening season. Committee members do not serve a fixed term. Continued membership is contingent on fulfilling the requirements of Committee membership as defined by The Committee.

Prospective Committee members who meet the above criteria may nominate themselves or be nominated for invitation by a standing member of The Committee. To become a member of The Committee, a prospective member must be approved by a majority vote of the standing Committee.

To retain membership on The Committee, a member must meet the following requirements:

- Remain a member in good standing of The Garden. Good standing is defined as having no more than one citation for rule violations within any 12 month period.
- Attend Committee meetings regularly—no more than one unexcused absence or four excused absences per year (an absence is excused by notifying other members in advance by email, mail, or telephone and also fulfilling any commitments scheduled for completion by the time of the meeting)
- Assume responsibility for one or more recurring Committee tasks or functions beyond attending meetings

Although the final requirement above may be waived for new Committee members during an initial period of no more than one year, Committee members are expected to assume responsibility for functions beyond attending Committee meetings. This responsibility may include serving as Coordinator for one or more Garden functions or services.

**Section 5.00, Removing a Committee Member** — Although members of The Committee serve no fixed term, a member may under certain circumstances be removed by a majority vote of the full Committee. Differences of opinion are expected and respected and do not, of themselves, constitute grounds for dismissal of a member. If a member fails to meet the requirements of Committee membership (Section 4.0), is unable to meet individual and group responsibilities, or demonstrates illegal or unethical behavior or a pattern of disruptive behavior, other members may request a discussion of the particulars and a vote for removal of the member.

**Section 6.00 Sub-committees** — The Committee may decide to form sub-committees to research proposals before a decision is made on these proposals by the larger Committee.

## Article IV – Coordinators

**Section 1.00, Definition** — Coordinators serve to manage specific functions of The Garden's organization.

Certain core functions are basic and essential to the continued operation of The Garden. Coordinators who manage these functions must be members of The Committee. These core functions include oversight of The Garden's finances, membership, and records.

Beyond these core functions, The Committee may decide that The Garden should provide Coordinators for other services or functions on behalf of its membership or the community at large. Coordinators of these functions may be members of The Committee or of the general Garden membership.

**Section 1.01, Finance Coordinator** — The Finance Coordinator serves as the Treasurer for the Garden. The Finance Coordinator is responsible for receiving bills and requests for expense reimbursement and for paying these, pursuant to policies and procedures established by The Committee. The Finance Coordinator is responsible for receiving, depositing, and accounting for all funds received by The Garden. The Finance Coordinator shall receive and retain all account statements for accounts held by The Garden and balance and reconcile statements from these accounts with internal accounting records. The Finance Coordinator shall maintain records of all expenses and receipts in accordance with good bookkeeping practice and in adherence to

guidelines, procedures, and policies established by The Committee. The Finance Coordinator shall provide to The Committee a report on the current status of all accounts, receipts, and expenditures on a schedule established by The Committee. The Finance Coordinator must provide access and copies of any and all Garden financial materials, in original form, to The Committee when requested. The Finance Coordinator shall follow guidelines, procedures, and policies established by The Committee to ensure that key Garden financial records are preserved and accessible in the event that the Finance Coordinator is unable to perform his or her duties.

**Section 1.02, Membership Coordinator** — The Membership Coordinator maintains a waiting list of prospective members and their contact information and offers membership to new gardeners through assignment of available plots according to precedence and policy established by The Committee. This Coordinator is also responsible for reassignments to accommodate members' requests for moves as appropriate plots become available and to fill temporary vacancies created by leaves of absence approved by The Committee.

**Section 1.03, Database Coordinator** — The Database Coordinator maintains the essential membership and plot data—in other words, contact information, plot assignments, plot sizes, service assignments, and violation records. The Database Coordinator is responsible for safekeeping The Garden's membership data and distributes requested information only to other Coordinators, and only on a need-to-know basis. As part of these responsibilities, the Database Coordinator shall maintain regular backups of the data and shall provide copies of the database to certain other Committee members strictly for backup purposes. The Database Coordinator (and those Committee members charged with maintaining backup data) shall provide an environment that is as secure as reasonably practical for safeguarding membership information.

## Article IV — Records

**Section 1.00, Definition** — Official records of The Garden include the bylaws (this document) as currently amended, current Garden rules as approved by The Committee, legal agreements, policy and action documents approved by The Committee, financial statements, and minutes of Committee meetings.

**Section 1.01, Other Documents** — All other documents related to the operation of The Garden, including but not limited to bank statements, receipts, correspondence, and drafts are not automatically available to all members, but may be made so generally or on a case-by-case basis by a vote of The Committee.

**Section 2.00, Availability** — Official records of The Garden shall be made available for inspection by any Garden member upon request. The Committee may publish any or all official records in any manner.

**Section 4.00, Data Privacy** — Names, contact information, payment information, and other personal data necessary for the collection of plot fees and the operation of The Garden shall not be distributed to any outside organization nor to Garden Members outside of The Committee and Coordinators. Contact and other personal information shall be distributed internally to Committee members and Coordinators on a "need to know" basis.

**Section 5.00, Security** — The Committee may establish procedures to ensure that all records and documents of The Garden are secure from loss.

## **Article V — Financial Administration**

**Section 1.00, Fiscal Year** — The fiscal year of The Garden shall be January 1 through December 31.

**Section 2.00, Financial Records** — All financial records of The Garden, including but not limited to checks, statements, receipts, check registers, and electronic records of any type shall be available for inspection and copying by all members of The Committee at any time. The Committee may establish written policies concerning the manner in which payments are made and/or how financial records are kept. The Committee may establish procedures to ensure that financial records are secure from loss.

**Section 3.00, Accounts** — All outside financial accounts opened on behalf of The Garden shall have at least two Committee members as registered signatories.

## **Article VI — Dissolution**

**Section 1.00, Disbursal of Records and Assets** — If Dowling Community Garden should be dissolved, its property, funds, and other assets shall be transferred by decision of The Committee to an organization or organizations whose purpose is to promote community gardening.