

ORDINANCE NO. 2024-06

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

ORDINANCE REGARDING HOLMDEL COMMUNITY GARDEN

WHEREAS, the Township of Holmdel seeks to codify certain regulations governing the use of the Holmdel Community Garden.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Holmdel in the County of Monmouth, State of New Jersey, as follows:

SECTION 1. Chapter 13 of the Revised General Ordinances, titled “Parks and Recreational Facilities” is hereby supplemented as follows:

Chapter 13, Parks and Recreational Facilities

§ 13-6 Holmdel Community Garden

§ 13-6.1 Establishment.

a. There is hereby established a Holmdel Community Garden (“Community Garden”).

b. The Community Garden shall be and is located on lands owned by the Township of Holmdel, situated between the Senior/Community Center and Post Office at or near 6 Crawfords Corner Road.

§ 13-6.2 Community Garden Plots.

Plots shall be made available in the Community Garden for license to individuals, subject to the following requirements:

a. The Community Garden season shall be from March 1 to November 30 with access permitted from dawn to dusk.

b. Each season, plot rentals shall be assigned by the Director of Recreation to applicants. Such assignments shall initially be limited to Township residents, with one plot per family household. If plots are still available after April 1 in a given year, rentals may be extended to non-Township residents.

c. The fee for each plot shall be \$25.00.

d. A plot in the Community Garden shall be a maximum size of 4' x 8 ½'.

e. Any gardener that participates in the Community Garden shall advise the Township by February 1 of the ensuing year if they wish to return for that new calendar year. Plots will be offered to returning gardeners by February 15 of each subsequent calendar year. Open plots shall be assigned to applicants from the waiting list.

§ 13-6.3 Limitation of Liability.

All Community Garden users and their guests shall first enter into an agreement agreeing to hold harmless the Township of Holmdel and any Community Garden volunteer for any liability, personal injury, damage, loss, or claim that may result from the use of the Community Garden, and further acknowledging that Township of Holmdel makes no guarantee or warranty as to the suitability of the soil in the Community Garden for the growth of a particular crop, plant, or piece of vegetation, or the composition thereof.

§ 13-6.4 Rules and Regulations.

The Township Administrator and Director of Recreation shall each have the authority to impose reasonable regulations for the use of the Community Garden, which shall be memorialized in a use agreement that must be signed by the individual renting a plot in the Community Garden.

SECTION 2. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

LEGAL NOTICE

Publication by Summary Pursuant to N.J.S.A.40:49-2

This Ordinance addresses the use of the Holmdel Community Garden within the Township of Holmdel.

CERTIFICATION

The foregoing ordinance was introduced and passed on the first reading at a meeting of the Township Committee of the Township of Holmdel held on February 27, 2024 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on March 19, 2024 at Township Hall, 4 Crawfords Corner Road, Holmdel, NJ at 7:30 PM at which time and place all persons desiring to be heard thereon will be given full opportunity.

Rocco Impreveduto, Mayor

Attest:

Wendy L Patrovich, RMC/CMR
Township Clerk

I certify that this is a true copy of an ordinance that was adopted at the March 19, 2024 Township Committee Meeting.

Wendy L Patrovich, RMC/CMR
Township Clerk