

**MUNICIPAL GUIDELINE
FOR THE MANAGEMENT OF SOCIAL VEGETABLE GARDENS**

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THE CITY COUNCIL APPROVED WITH DECISION N. 37 OF 26.09.2012

ART.1 – SUBJECTS AND GOALS

1. The present Guideline defines the assignment of land plots used as vegetable gardens, in order to promote meetings, exchanges and cooperation between the citizens of the Municipality of Cadoneghe and their participation to the life of the local community.
2. The social gardens are non-profit, they provide products for family consumption, aim at spending leisure time, meeting people and being involved in recreational, cultural and social activities, encourage an active and close contact with nature and the transmission of horticultural know-how.
3. The present Guideline defines fundamental rules to manage and assign the gardens, according to transparency rules for the selection of the assignees and their liabilities.

ART. 2 - SOCIAL VEGETABLE GARDEN AREAS

1. The areas selected as vegetable social gardens are a municipal property or, in any case, under municipal availability.
2. The areas selected as vegetable social gardens are chosen by the Municipality which reserves the right, in any area, to give a land plot to Associations enrolled in the Municipal Register (*Albo Comunale delle libere forme associative*) or to educational activities suggested by the social-cultural services and designed for children and minors of the territory.

ART. 3 – ASSIGNEES

1. The land plots within the garden areas will be assigned to people aged over 18 resident in the Municipality of Cadoneghe who will apply for it, according to the rules indicated in the present Guideline.
2. The plots cannot be assigned to people who own or have already in use, for any reason, land fit to cultivation or, in any case, larger than 100 square meters and located in the territory of the Cadoneghe or in neighboring Municipalities.
3. The following people are not entitled to apply for the land plots:
 - a. People whose assignment was cancelled in the 6 years before the procedure for new assignments;
 - b. People who are not compliant with the tariff payment.

ART.4 - STANDARD SIZE AND AREAS OF THE PLOTS

1. The land plots are individual and limited by the competent municipal offices, who define the orientation and partition of the areas in small available lots.
2. The area of every plot is about 40 square meters.
3. Within the area, besides the single gardens and related pedestrian crossing, there are some social common spaces for:
 - main pedestrian ways;
 - tool sheds;
 - social activities and meetings, upon agreement with the competent municipal office.

ART. 5 - ASSIGNMENT DURATION

1. The assignment is intended as an administrative grant and has a 4-year duration. The assignments indicated in article 6 paragraph 8 deal with grants with a residual duration, until the new ranking list is published.
2. At the expiration date, the assignee must leave the plot free from personal properties; eventual improvements to the plot made during the assignment period, will give no right to compensation by the Municipality.
3. The land plot is not transferable, in any way, to third parts. The assignee is not allowed to rent out the lot he has had as a grant. The lot can be exclusively cultivated by the assignee and by his family.

ART. 6 – RANKING LIST

1. The assignment ranking list will be issued within the 30 September of the expiration year of the 4-year grants. The applicants can exclusively receive the garden area indicated in the application form.
2. Each garden area has a specific ranking.
3. The grants are given according to the ranking obtained after the procedure of assignment and are effective since the 11 November of the current year.
4. The rankings are calculated according to the following scores:

<i>Age over 60</i>	<i>points 2</i>
<i>Disability (minimum 33%) certified by a competent Medical Commission</i>	<i>point 1</i>
<i>Living in a flat (apartment house)</i>	<i>point 1</i>
<i>Availability to make composting</i>	<i>point 1</i>

5. If two or more people have the same score, the applicant with lower revenue (ISEE) will be privileged. In case of further equality, the assignment will be decided according to the date of application at the Municipal Register (*Ufficio Protocollo*).
6. In case of death of an assignee, a family member can be allowed to harvest the products for a 3-month period after the death date.
7. The ranking lists will be used to grant the plots, until they are exhausted.
8. If some plots are free and available while the ranking lists are effective, the new assignments will be made according to the list order. If a ranking list is complete, the plot will be assigned to new applicants, according to the application date at the Municipal Register (*Ufficio Protocollo*).
9. The assignments, made as indicated in the previous paragraph, are effective until the expiration of the ordinary ranking list.

ART. 7 – LOTS ASSIGNMENT PROCEDURE

1. The assignment of single lots within the social garden areas is made according to the progressive order of lots available. At the end of the 4-year period, the assignee who has an expiring grant can require the same lot.

ART. 8 – MUNICIPALITY'S OBLIGATIONS

1. The Municipality has the following prerogatives:
 - a) selection, orientation and partition of the areas in small lots;
 - b) assignment of the single plots by means of administrative grant;
 - c) initial setting of the area: leveling, plowing and cropping;
 - d) installation of eventual precast buildings used as collective tool sheds and notice boards;
 - e) the area fence;
 - f) digging artesian wells with water pumps to irrigate the gardens (if necessary, new pumps must be authorized by the competent municipal offices);
 - g) planting trees and hedges to preserve the biological equilibrium;
 - h) the delivery of keys to the assignees, in order to access to the area and the tool sheds.
2. The operations indicated in the paragraphs a) and g) will be made with the cooperation of the assignees.

ART. 9 – ASSIGNEES' OBLIGATIONS

1. The assignees are individually compelled to respect all laws and the rules indicated in the present Guideline, and in particular, they have:
 - a) to use exclusively water coming from artesian wells or, anyway, in observance of hygienical rules;
 - b) not to bring pets/animals;
 - c) to pull up weeds and keep clean the pedestrian ways between the lots;
 - d) not to build sheds or other buildings and use exclusively the collective services provided by the Municipality;
 - e) not to deliver the key to access the area or the tools to third parts, unless they have expressed authorization by the Municipality;
 - f) not to cultivate illegal plants;
 - g) not to use chemicals, pesticides/fungicides or atomized fertilizers, unless they have previously informed the social managing organizations (see article 14), and, in any case, with certified know-how about the products;
 - h) to use techniques of natural, biological or biodynamic farming, which can improve the soil fertility adopting the crop rotation.
 - i) not to sell products to third parts, but use it just for family consumption;
 - j) to use personal tools, that can be stored in the tool shed.
 - k) to allow the free circulation of pedestrians along the main and secondary ways;
 - l) not to change the orientation of the small lots and of the secondary ways between the lots;
 - m) not to bother the neighbors;
 - n) to lay the fertilizer underground during summertime in order to prevent the proliferation of insects;
 - o) to promptly inform the competent office of an eventual request of temporary or definitive renunciation to the plot;
 - p) to promptly give back the key at the end of the grant period or after the definitive renunciation to the plot;
 - q) to communicate to the competent office when and why the lots cannot be cultivated;
 - r) to cooperate in order to organize social activities involving the assignees, in particular the celebration of St Martin, even sharing part of the garden products;
 - s) to respect the decisions taken by the managing organizations in the garden areas (see art.14);
 - t) to respect the Guideline approved by the City Council and the rules of the City Administration;
2. the assignees are responsible and committed to solve the common problems in the vegetable garden, and they have:
 - a) to pull up weeds and keep clean the main and secondary ways and the areas used for the compost-boxes;
 - b) to ensure the ordinary and extraordinary maintenance of collective tool sheds (painting, small repairs...), using materials provided by the City Administration;
 - c) to trim the fence hedges and the trees installed, and upkeep the wire fence;
 - d) to make a yearly lab test of the ground water used to irrigate the gardens;
3. All costs derived from the activities indicated in the previous paragraph (2) will be shared proportionally among all assignees, with reference to the number of small lots assigned.
4. The City Administration will support the ordinary maintenance of common areas, as indicated in a) and c) of the previous paragraph (2), and will provide every year a grant aid decided by the Municipality. All costs exceeding the grant aid will be shared proportionally and paid by the assignees. The Management Committee (see art. 14) is entitled to provide them a financial report of all costs and related receipts.

5. The assignees are invited to use the composting technique in order to make the waste disposal and to fertilize the soil.

Art. 10 – TARIFFS

1. The tariff of grants to use the garden is yearly established by the Municipality, when all tariffs for individual services applications are determined.
2. The assignee must pay the amount within a month since the date of receipt of the payment notice.

ART.11 – ASSIGNMENT CANCELLATION

1. The assignment can be cancelled in the following cases:
 - a) whenever the assignee is clearly and surely unable to keep on cultivating the garden;
 - b) if the tariff is not paid;
 - c) if the garden products are traded;
 - d) if the assignee doesn't take care of the plot assigned for a period over 3 months, without a written and reasoned communication to the Municipality;
 - e) in case of noncompliance with the rules and obligations indicated in the present Guideline.
2. Moreover, the Municipality can cancel or suspend the assignments for unexpected situations of public interest, by informing the assignees with at least a 3-month period of advance, without any charge or compensation for eventual hanging fruits or products.

ART. 12 – RENUNCIATION

1. The assignee who intends to renounce to the land plot assigned, must inform the City Administration by written communication within the month of August, in order to allow a new assignment before the seeding season.

Art. 13 – LIABILITY

1. The City Administration denies any liability for any injuries, damages or thefts occurred to people and/or things within the social gardens, caused by activities carried out by the assignees, by their own tools or by the presence of pets/animals (see art. 8).

ART. 14 - SOCIAL MANAGEMENT ORGANIZATIONS

1. The following management organizations work in all social garden areas, in order to comply with the present Guideline, to solve common problems in the garden areas, ensure correct and respectful relationship among the assignees and neighbors, to organize social, cultural and recreational events:
 - a) The ASSEMBLY OF ASSIGNEES consists of all assignees. The Councilor and/or a municipal representative have the right to participate to the Assembly, without voting rights. The convocation of assembly, at least six-monthly, is called by the PRESIDENT (see below), even when requested by the assignees. The convocation, including the agenda, will be posted on the bulletin board at least 7 days before the meeting date. The Assembly shall be considered legitimate if 1/3 of assignees are present. The deliberations will be effective when approved by a simple majority, expressed by open ballot voting. The President will deliver eventual requests or suggestions, in written form, to the municipal offices.
The Assembly has the following functions:
 - election of the Managing Committee;
 - discussion and approval of common activities and eventual proposals that must be examined by the City Administration, related to the maintenance and development of social gardens, cultural social

and recreational happenings — in particular, the management organizations and the Culture Office are committed to organize the celebration of St Martin's feast.;

- definition of eventual charges, individually shared among the assignees, for activities approved by the Assembly within its competence.
- b) The MANAGEMENT COMMITTEE consists of 4 assignees elected by the Assembly. The Committee remains in office for 4 years. The Councilor and/or a municipal representative have the right to participate to the Management Committee, without voting rights. The Committee has the following functions:
- election of the President;
 - submitting proposals to the Assembly;
 - organization of common activities for the correct managing of gardens; cleaning common areas and pedestrian ways; trimming the grass in areas not yet assigned or non-cultivated for long periods of certified and justifiable absence, etc.;
 - implementation of the Assembly's decisions;
 - definition of activities and shares of horticultural production to be donated to social-recreational activities organized or promoted in cooperation with the City Administration;
 - managing all costs of ordinary maintenance for the social garden's common services.
- c) The PRESIDENT is elected by the Management Committee, with the exception of people who had the same role or the role of unique coordinator in social garden areas in the previous 6 years. The President has the following functions:
- convocation and moderation as chairman of the Assembly and of the Management Committee;
 - reporting the Assembly's requests in written form;
 - implementation of operations intended to ensure civilness and full compliance of rules indicated in the present Guideline;
 - reporting any breach and violation to the related municipal offices;
 - suggesting social and recreational activities.

ART. 15 - VIGILANCE

1. The competent municipal offices are committed to all activities of vigilance and control concerning the rules indicated in the present Guideline.

ART. 16 – FINAL RULES

1. Whenever not explicitly indicated in this Guideline, the laws and rules are those in force in the Municipality.
2. This Guideline substitutes and cancels the previous Guideline approved by the Town Council with deliberation n. 60, 27.10.2008 and further modifications and integrations.