

Temple Terrace Community Garden, Inc.

BYLAWS (Rev. C: 7/19/2015)

I. NAME

The name of this organization shall be the Temple Terrace Community Garden, Inc.

II. OBJECTIVE

The objective of the Temple Terrace Community Garden (TTCG) is to have fun while we promote and support gardening in the Temple Terrace and Tampa Bay area. The TTCG will actively support community-building edible gardening initiatives and projects, and participate in community garden networks in Temple Terrace and the greater Tampa Bay area. The TTCG will promote organic gardening by teaching raised bed gardening, sustainable gardening methods, water conservation and alternatives to non-organic pesticides, herbicides, and fertilizers. The TTCG will also promote training and education fostering a climate of sharing and caring among members, leading to a stronger and more effective local community.

III. GENERAL MEMBERSHIP

Membership in the TTCG is open to all persons interested in community gardening. The TTCG is a community project that welcomes everyone willing to participate. Full membership benefits are extended to everyone regardless of race, color, religion, familial status, national origin, age, sex, sexual orientation, gender identity, disability, or anything else.

A membership is for a single household.

Membership is available to any household that agrees to subscribe to the By-Laws of TTCG.

Memberships run from September 1 through August 30, but members may join at any time during the year. Dues are paid on a yearly basis.

Each membership is entitled to one vote in matters concerning revisions to the By-Laws, Rules and Regulations, or other issues put before the general membership of TTCG for approval.

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 fees 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 Planning Committee. Members are responsible for all communication with the Planning

Committee, including completing the annual renewal form, submitting the required plot fee, and addressing any rules violation notices.

Termination of Membership -- Membership and plot privileges may be revoked by the Planning Committee for violation(s) of the rules established by the Planning 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.

IV. PLANNING COMMITTEE

The Planning Committee will serve as the governing board and will have fun while managing the affairs of the TTCG. The Planning Committee will be elected from the TTCG members. The number of the Planning Committee members is set by resolution of the Planning Committee. The number of Planning Committee members may be decreased to no fewer than five. Each garden location is encouraged to have representation in the Planning Committee.

The Planning Committee is elected from the TTCG members at the annual election held in May each year. Nominations for members of the Planning Committee are solicited by garden members in good standing in March in anticipation of the May election.

Each member of the Planning Committee has no more than one vote.

Planning Committee members, if willing, continue to serve until a successor has been elected and qualified at a PC meeting. One person may hold two (2) or more offices, with the exception that one person may not hold the offices of President and Secretary.

Election of Replacement of Planning Committee Members – Whenever a vacancy occurs in the Planning Committee, such vacancy may be filled by election by the remaining PC members, for the remainder of the unexpired term. The Planning Committee shall have the authority to fill additional seats on the PC which are newly created or which have remained unfilled.

Compensation – PC members shall not be entitled to compensation by virtue of their office as PC members of the TTCG. Reasonable expenses incurred by a PC member in the interest of the TTCG may be reimbursed upon approval of the Planning Committee.

Indemnification of Planning Committee Members, officers and other agents – TTCG shall have the power, (and hereby exercises its power) to indemnify every Planning Committee Member, officer, employee and other agent of the TTCG under the circumstances and conditions of the non-profit corporation statute of the State against all expenses and liability, including counsel fees, reasonably incurred by or imposed upon such person in connection with any action or Planning Committee Member, officer, employee or agent of the TTCG, or any settlement thereof, whether or not they are Planning Committee Member, officer, employee or agent at the time such expenses are incurred, except in cases wherein the Planning Committee Member, officer, employee or

agent is adjudged guilty of willful misfeasance or malfeasance in the performance of their duties; provided that in the event of a settlement the indemnification herein shall apply only when the Planning Committee approves such settlement and reimbursement as being in the best interests of the TTCG. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such person may be entitled. The TTCG shall have the power to purchase insurance for any or all its Planning Committee Member, officers, employees or agents against any liability asserted against or incurred by such person in such capacity or arising out of the Planning Committee Member's, officer's, employee's or agent's status as such and such insurance may extend beyond the person's rights hereunder.

V. OFFICERS

The Officers of the TTCG shall be the President, Vice-President, Treasurer and Secretary, and such other officers as the Planning Committee may from time to time deem necessary. Officers shall be elected annually from the Planning Committee by the Planning Committee following the May election.

The duties of the respective officers shall be:

A. President: The President shall preside at all official meetings of the TTCG. The President shall have all general powers and duties which are generally vested in the office of the president, including the power to make appointment to all committees from time to time as in his or her discretion may be deemed appropriate to assist in the conduct of the affairs of the TTCG.

B. Vice-President - Membership: The Vice-President - Membership shall maintain 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 Planning Committee. The Vice-President – Membership shall also be 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 Planning Committee.

C. Secretary: The Secretary shall ensure that all minutes and records are properly kept and available for TTCG purposes, and other duties as determined by the Planning Committee.

D. Treasurer: The treasurer shall be the principal accounting and financial officer of the TTCG. The treasurer shall:

- (1) have charge of and be responsible for the maintenance of adequate books of account of the TTCG;
- (2) have charge and custody of all funds and securities of the TTCG, and be responsible therefore, and for the receipt and disbursement there of;
- (3) provide to the Planning Committee a report on the current status of all accounts, receipts and expenditures in a form agreed to by the Planning Committee;

(4) perform all duties as incidents to the office of treasurer and such other duties as from time to time may be assigned by the president or Planning Committee.

If required by the Planning Committee or State law, the treasurer shall give a bond for the faithful discharge of duties in such sum and with such surety as the Planning Committee shall determine.

Term of Office – Officers shall be elected for a one year term or until their successors have been duly elected.

Resignation – Any officer may resign at any time by giving written notice to the Planning Committee, and such resignation shall take effect at the time specified therein or, if no such time is specified, upon acceptance by the Planning Committee.

Vacancy – A vacancy in any office may be filled by the Planning Committee for the unexpired portion of the term.

Removal – Any officer elected or appointed by the Planning Committee may be removed from office by majority vote of the members of the Planning Committee, other than the officer to be removed.

VI. COMMITTEES

The President of the TTCG, with the advice of the Planning Committee, shall appoint and remove such committees and committee chairs as are deemed necessary.

The President may act as ex-officio member of all committees. The Planning Committee shall be kept apprised of all programs.

VII. MEMBERSHIP MEETINGS

General member meetings time and location shall be as determined by the Planning Committee, with the frequency of the meetings to be at least two per year. Members of the Planning Committee will meet prior to any regularly scheduled general meeting, or more often as needed.

In Planning Committee meetings, official decisions will require only a simple majority of the Planning Committee members present, as long as a quorum of a majority of the Planning Committee is present.

Notice of Meetings of the Planning Committee - Notice of any meetings shall be given in accordance with any then applicable State law or as provided herein by bylaws. Neither the business to be transacted at, nor the purpose of, any regular or special meetings need be specified unless requested by State law or by these bylaws.

Acting Without a Meeting - Any action required or permitted to be taken by the Planning Committee may be taken without a meeting if all the members of the Planning Committee shall individually or collectively consent in writing to such action. Such

written consents shall be filed with the minutes of the proceedings of the Planning Committee.

Waiver of notice – Whenever any notice is required to be given under the provisions of law, the articles of incorporation or these bylaws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated or required, shall be deemed equivalent to the giving of such notice.

Robert’s Rules of Order, Newly Revised, will be the guide for General Member and Planning Committee meetings.

At general membership meetings, decisions shall be made by a simple majority of the members present. When the place and time of a general meeting is announced to the members with at least two weeks prior notice, no fixed quorum is required. When less than two weeks’ notice is given, a quorum shall consist of at least one-third of the eligible voting membership.

VIII. FISCAL YEAR

The fiscal year for the TTCG shall be January 1 to December 31.

IX. GARDENING RULES AND REGULATIONS, AND MEMBER APPLICATIONS AND DUES

The Planning Committee shall be responsible for determining gardening rules and regulations, and member applications and dues.

X. FINANCIAL AFFAIRS

All books and records of the TTCG, and all funds thereof, shall be audited as may be required from time to time by applicable law.

XI. POLITICS

The TTCG is a non-profit and non-political organization.

XII. AMENDMENTS TO BYLAWS

These Bylaws may be amended at any general meeting of the TTCG by a majority vote, provided that the amendment has been submitted in writing or electronically to the Planning Committee and is included in the notice of the meeting.

XIII. HOLD HARMLESS AGREEMENT AND LIABILITY INSURANCE

Members in the TTCG hereby agree to hold harmless and indemnify the Temple Terrace Community Garden, the Planning Committee, the City of Temple Terrace, the School District of Hillsborough County, all members of the Temple Terrace Community Garden, jointly and individually, and the landowners for any liability, damage, loss or claim that

occurs in connection with use of TTCG gardens by the member or any of their guests. It is the intent that the Board will maintain Liability Insurance.

XIV. CORE PRINCIPLES OF THE TEMPLE TERRACE COMMUNITY GARDEN

The Planning Committee of Temple Terrace Community Garden has taken these Green Florida core principles as its own.

• Respect for Individuals

We are committed to treating people with respect both inside and outside the organization. We do not discriminate based on race, color, national origin, ethnicity, disability, sex, religion, class, sexual orientation, gender identity or expression or age.

• Protecting the Environment

We use organic and other sustainable practices that conserve and protect water and other resources. We adopt specific policies and programs aimed at conserving Florida's unique ecosystem.

• Building Stronger Communities

We are committed to strengthening our community through community organizing, with the goal of broad based community engagement in creating a green economy
Adopted:

TTCG President _____ Date _____

TTCG Vice President _____ Date _____

TTCG Secretary _____ Date _____

TTCG Treasurer _____ Date _____