

90 FAIRLIE CONDOMINIUM ASSOCIATION

Rooftop Gardening Policy and Guidelines

January 2018

POLICY

The rooftop landing and terrace are the 90 Fairlie condominium building's primary common-space amenity and one of its greatest assets. The 90 Fairlie Homeowners Association (HOA) will allow residents to grow and maintain potted plants in this area in accordance with this policy and guidelines. The purpose of the policy is to ensure an orderly, aesthetically pleasing, and sanitary environment in the common area. The HOA reserves the right to remove any plants, pots or other materials not in compliance with this policy and the following guidelines.

In addition, the HOA may elect to appoint a Garden Coordinator, who may or may not be a member of the HOA Board of Directors, to serve as a representative of the Board on matters related to the garden and to help keep garden participants informed of news and information.

GUIDELINES

1. **Registration.** Residents wishing to keep plants in the garden shall notify the HOA or Garden Coordinator that they intend to use the garden. The purpose of this is to maintain a contact list of all gardeners and contact them as needed.
2. **Pots and drainage.** All plants shall be placed in clay or ceramic pots (or other such durable, permeable material) with at least one hole in the base of each pot allowing drainage. Plastic pots shall generally not be allowed due to the tendency of this material to degrade with prolonged exposure to sun and heat.

Plastic pots may only be used for any hanging plants located under the stairwell (see item 3 below). If these are used, they should extend a reasonable length from their hanging hook as not to interfere with potted plants located below them.

3. **Placement on slatted surfaces.** Potted plants shall be placed on one of the slatted surfaces that the HOA has provided for residents. These surfaces are constructed with spacing between beams to allow drainage and airflow under the base of potted plants and are raised off of the concrete paver surface of the terrace area to remove plants from reflected heat from this surface in warmer months.

The HOA has provided these slatted surfaces in two general areas of the landing: an uncovered area along the railing intended for full-sun plants and an area under the stairwell to the upper terrace for shade plants. The covered area under the stairwell features a limited number of hooks allowing hanging plants. Residents are encouraged to locate plants accordingly based on each plant's sun and shade preferences.

4. **Reasonable use.** There is no limit to how many plants a resident may keep and space in the garden area is available on a first come, first served basis. However, residents are asked use reason and neighborly judgment in how many plants they keep. Save space for others, or be willing to remove some of your plants in the event several residents would like to use the garden.

5. **Maintaining plants.** Plants shall be kept to a reasonable height and growth. In general, plants should not grow to be over 6 feet tall and should not grow runners or vines that extend well beyond their pots. Residents should take care to ensure that their plants do not encroach on other residents' plants in a way that is invasive to a plant's growth.

The garden area includes a water faucet with a hose and hand-sprayer. Residents keeping plants shall keep plants appropriately watered and maintained, taking care to shut off the faucet fully after use. In the spirit of the garden being a community resource and amenity, residents are encouraged to water all plants, especially in warmer months, to maintain an overall positive appearance to the garden.

6. **Maintaining the overall space.** Residents using the garden shall commit to keeping the area free of plant debris, trash, and other litter. The Board will provide an ash urn for cigarette ashes and butts. Take pride in this space – the entire building is grateful for it!
7. **Nuisance plants and illegal substances.** Residents shall not maintain any plants that may reasonably be considered a nuisance or a danger to health and safety, such as poison plants or flowers; plants with needles, sharp edges, or blades; or plants emitting foul odors. Residents shall not maintain plants of controlled or illegal substances.

Pursuant to items 2 and 3 above, pots unable to drain properly and/or that regularly keep standing water at their surface shall be considered a nuisance due to potential for rot or to risk of mosquitoes or other insects.

8. **Non-compliance.** If the Board or Garden Coordinator determines that any plants, pots or other materials do not follow these guidelines, the Board or Garden Coordinator shall make reasonable attempts to contact the resident responsible for the non-compliance. If that resident is not responsive after two (2) weeks of attempt to contact, the Board or Garden Coordinator may take action, which may include removal of the plant or material.

The intent of these guidelines is not to impose burdensome regulation, but to help document the HOA's expectations for the garden space and create a common understanding of a good standard of maintenance. The HOA wishes for 90 Fairlie residents to enjoy this building amenity, to beautify this special part of our building, and to take advantage of an outdoor space for keeping plants.