

## AGREEMENT

1. Property owner (either private or public) agrees that his, or its, property may be used in connection with the Community Gardens Project, a program coordinated by the City of Portland which encourages the use of unimproved property for gardening. The extent and location of the property to be used for such purposes shall be agreed upon by the property owner, the City and the participant.
2. The City agrees to have the property involved in the project maintained in a neat and orderly condition through the efforts of participant gardeners.
3. Gardener participants agree to keep his or her garden plot weeded and in a neat and orderly condition. If a two week period elapses with the plot not being so maintained, the participant shall have one week thereafter to bring the plot into satisfactory condition. The plot shall be forfeited in the event of non-compliance with the above conditions.
4. Participant agrees to hold harmless the Bureau of Parks, the Public Recreation Community Gardens Project, the City of Portland and its officers, agents and employees, and/or the property owner, from and against all damages, claims, demands, suits, actions resulting from, or because of, any damage to property or bodily injury or death of any person arising out of the occupancy and/or use of the property by participant.

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 Date

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 Participant

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 Date

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 Property Owner

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 Date

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 City of Portland

# ORDINANCE No. 139598

An Ordinance authorizing agreements between the City, property owners and participants in the Community Gardens Project relating to use of property by the gardening participants in the project, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that the Bureau of Parks Community Gardens Project desires to conduct a program whereby vacant or unimproved properties will be made available to participants for the purpose of gardening; that the City through the Bureau of Parks will coordinate the project by finding and making available the vacant property and will assign participants to such properties for the purpose of gardening; that an agreement should be entered into between the property owner and the participant to regulate the use of the property and provide conditions in connection therewith and to hold harmless the city and the property owner from any damage or claims because of the use of such property for the gardening project purposes;

NOW, THEREFORE, the Superintendent of the Bureau of Parks or the Assistant Superintendent of the Bureau of Parks are hereby authorized to enter into agreements on behalf of the City of Portland with various property owners, either public or private, and participants in the Community Gardens Project, the form of such agreement shall be substantially in accordance with the form of agreement attached to the original only of this ordinance and by this reference made a part of this ordinance.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that the agreements for use of property for the Community Gardens Project, as described in Section 1 of this ordinance may be authorized and the project commenced without undue delay, therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council. MAR 13 1975

Com'r. Schwab  
RLH:rl 3/5/75

*George Yerkovich*  
Mayor of the City of Portland

Attest: GEORGE YERKOVICH

By *Charles Spear*  
Auditor of the City of Portland  
Chief Deputy

Calendar No. 676

ORDINANCE No. 139598

Title

An Ordinance authorizing agreements between the City, property owners and participants in the Community Gardens Project relating to use of property by the gardening participants in the project, and declaring an emergency.

COMMISSIONER SCHWAB

DRAWN BY

RLH:r1

Date March 5, 1975

NOTED BY THE COMMISSIONER

Finance and Administration

Safety

Utilities

Works

City Attorney

NOTED BY THE CITY AUDITOR

APPROVED

Date

By

City Engineer

Date

By

THE COMMISSIONER FOLLOWS

Name	Year
Ivanic	/
Jordan	/
McCreedy	/
Schwab	/
Goldschmidt	/

FOUR-FIFTHS CALENDAR

Ivanic	
Jordan	
McCreedy	
Schwab	
Goldschmidt	

Filed MAR 7 1975

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By Gordon Lovell  
Deputy