

Yates St. Community Garden Constitution and Bylaws

CONSTITUTION

1. NAME OF THE SOCIETY:

The Yates Street Community Garden (YSCG)

2. PURPOSES OF THE SOCIETY:

- To provide an inclusive, welcoming community garden within the Downtown and Harris Green neighbourhoods;
- To provide allotment garden space for the residents of the City of Victoria and the Capital Region District (CRD);
- To provide allotment garden space for charitable organizations in the City of Victoria and the CRD;
- To increase food security and food literacy in Victoria and the CRD;
- To enhance partnership, collaboration and cooperation among YSCG stakeholders; and
- To foster and develop communal engagement in the Downtown and Harris Green neighbourhoods.

3. INCLUSIVITY:

In all of its activities, the YSCG shall not discriminate against any person or persons on the basis of gender, gender identity, religion, creed, color, age, citizenship, place of origin, sexual orientation, marital status, appearance or physical or mental ability.

4. DISSOLUTION OF THE SOCIETY:

Upon winding up or dissolution of the YSCG, any assets remaining after the satisfaction of its debts and liabilities shall be given or transferred to the Victoria Downtown Residents' Association or the City of Victoria in that order. This article is alterable.

BYLAWS

1. INTERPRETATION

- 1.1. "AGM" shall refer to Annual General Meeting.
- 1.2. "The Garden" shall refer to the Yates Street Community Garden.
- 1.3. "Good standing" shall refer to the membership status of any member(s) who has upheld their duties as outlined in the members agreement, and who has paid their respective Fee to the YSCG, as per bylaw 2.3.
- 1.4. "Members agreement" shall refer to the Yates Street Community Garden members guidelines and agreement in Appendix I.
- 1.5. "Ordinary resolution" shall refer to a resolution that passes with a simple majority (fifty percent [50%]).
- 1.6. "Special resolution" shall refer to a resolution requiring two-thirds ($\frac{2}{3}$) majority vote to succeed.
- 1.7. "Victoria" shall refer to the City of Victoria, British Columbia, Canada and the Capital Region District.

2. MEMBERSHIP

2.1. General Membership

- 2.1.1. General members shall include those registered with The Garden who are in good standing.
- 2.1.2. Membership is limited by the number of garden allotments on-site.
- 2.1.3. Membership shall be offered on a first-come first-served basis and a waiting list shall be maintained by the YSCG Steering Committee.
- 2.1.4. A prospective member of The Garden who has been offered a garden box assignment must sign a gardening agreement and submit the associated plot fee to become a member of The Garden.
- 2.1.5. Members shall be entitled to access to a standard 48x40 box.

2.2. Non-profit Membership

- 2.2.1. Non-profit Members shall include those organizations given allotment garden space in The Garden.
- 2.2.2. Non-profit Membership may be granted to an organization by an ordinary resolution of the YSCG Steering Committee.
- 2.2.3. Membership agreement for non-profit organization, agreement maintained by Steering Committee

2.3. Membership Fees

- 2.3.1. Membership fees shall be set by the Steering Committee and must be paid in full by February each year.
- 2.3.2. The membership fees shall be public and communicated to all members.
- 2.3.3. Changes in membership fees shall only occur with the start of the membership cycle, in February.

- 2.3.4. Notice of changes of membership fees shall be given to all members no less than one (1) month in advance of the membership cycle in which they take effect.
- 2.3.5. The Steering Committee may set a separate fee for General Members and Non-profit Members.
- 2.3.6. In the case of a membership starting part-way through a cycle, the member shall be charged the appropriate prorated fee.
- 2.3.7. No person or group shall be turned away from membership due to lack of funds.
- 2.3.8. The Steering Committee may, by special resolution, set the membership fee for an individual member or organization to any value below the nominal fee, including zero dollars.

2.4. Rights of Members

- 2.4.1. All members shall be entitled to voice and vote in Annual General Meetings, Special General Meetings, and elections of the YSCG.
- 2.4.2. Charitable Organization Members shall receive one vote on behalf of the organization for all voting events specified in 2.4.1.

2.5. Cessation of Membership

- 2.5.1. A member shall cease to be a member of the YSCG:
 - 2.5.1.1. Upon request;
 - 2.5.1.2. If a member or member organization does not pay their respective membership fee. A reasonable timeframe for late fees shall be established by the Steering Committee; and
 - 2.5.1.3. If a member violates the YSCG member agreement.
- 2.5.2. Members have a right to notice of consideration for removal of membership and a right to respond. **This does not apply in cases of harassment, assault, or serious harm to the grounds or other members.**
- 2.5.3. A decision on termination of membership shall be determined by a special majority vote of the Steering Committee.
- 2.5.4. Notice of termination of membership and reason for termination shall be given to any member whose membership is terminated.

3. GENERAL MEETINGS

3.1. Annual General Meetings

- 3.1.1. The YSCG shall hold an Annual General Meeting between the months of March and April. The date and location of the meeting shall be set by the Steering Committee.
- 3.1.2. Notice, via direct communication to members, of no less than one week shall be given for all Annual General Meetings.

3.2. Quorum

- 3.2.1. Quorum at Annual General Meetings shall be fifteen (15) members of The Garden.

3.3. Procedures at Annual General Meetings

- 3.3.1. Annual General Meetings shall be conducted in a manner that promotes fair and equitable discussion and decision-making. The procedure for meetings shall be decided upon by the Steering Committee, and shall be explained at the start of each Annual General Meeting.

4. STEERING COMMITTEE

4.1. Composition

- 4.1.1. The Steering Committee shall be composed of:
 - 4.1.1.1. Up to two (2) appointees by the Victoria Downtown Residents' Association;
 - 4.1.1.2. Up to one (1) appointees by the Victoria Cool Aid Society's Downtown Community Centre;
 - 4.1.1.3. Seven (7) members of The Garden or larger community elected by the members at the AGM;
 - 4.1.1.4. The Garden Coordinator as a non-voting member.

4.2. Duties

- 4.2.1. The Steering Committee shall:
 - 4.2.1.1. Manage the affairs of The Garden;
 - 4.2.1.2. Strike working groups as necessary;
 - 4.2.1.3. Oversee the communications of The Garden;
 - 4.2.1.4. Be responsible for the finances of The Garden, ensuring The Garden remains fiscally responsible;
 - 4.2.1.5. Set the membership fees for The Garden;
 - 4.2.1.6. Be responsible for approving all expenditures and purchases of The Garden;
 - 4.2.1.7. Recommend the hiring of The Garden Coordinator;
 - 4.2.1.8. Supervise The Garden Coordinator;
 - 4.2.1.9. Maintain a document containing the terms of reference for The Garden Coordinator position;
 - 4.2.1.10. Be responsible for the long-term and short-term management of The Garden;
 - 4.2.1.11. Be responsible for ensuring compliance with all regulatory, funding reporting and other reporting requirements, including but not limited to those called for in the Licence of Occupation Agreement, and Victoria's Community Gardens Policy; and
 - 4.2.1.12. Produce and present a budget for approval at the Annual General Meeting.

4.3. Meetings of the Steering Committee

- 4.3.1. The Steering Committee shall meet at least once per annual quarter.
- 4.3.2. Quorum shall be half of the members of the Steering Committee plus one (1).

- 4.3.3. Votes of the Steering Committee may be conducted electronically as necessary.
- 4.3.4. Meetings of the Steering Committee will normally be open to members as observers.
- 4.3.5. Members of the Steering Committee may invite guests to attend meetings as observers.
- 4.3.6. Members of associate organizations or other stakeholders may attend meetings as observers.
- 4.3.7. Members of the Steering Committee may designate an alternate to attend a meeting in their stead.
- 4.3.8. Monthly meetings of the Steering Committee shall be held at the Victoria Cool Aid Society's Downtown Community Centre, when possible.

5. FUNDS OF THE YSCG

- 5.1. All spending of the YSCG must be approved by the Steering Committee by a simple majority.
- 5.2. All funds of the YSCG, with the exception of petty cash, shall be held and disbursed by the Victoria Downtown Residents' Association. This shall be done in keeping with all applicable processes and rules of the Victoria Downtown Residents' Association.
- 5.3. Petty cash stored outside of the Victoria Downtown Residents' Association account shall not exceed one hundred dollars.
- 5.4. The annual budget shall be put forward for approval at the Annual General Meeting.
- 5.5. All donations and grants shall be recorded in the official receipt book.
- 5.6. The YSCG shall not take out any loans or debt.
- 5.7. Fiscal year shall be DRA year

6. GARDEN COORDINATOR

- 6.1. The Garden Coordinator shall carry out duties and tasks assigned to them by the Steering Committee, which shall be in compliance with the terms of reference set out for the position at the time of hiring.

7. WORKING GROUPS

- 7.1. Working groups shall be struck with a terms of reference that outlines at minimum:
 - 7.1.1. The purpose of the working group;
 - 7.1.2. The composition of the working group;
 - 7.1.3. The expected timeframe for the existence of the working group or that it is to be ongoing; and
 - 7.1.4. Whether the working group is to perform a set of tasks and/or make recommendations to the steering committee for decision;

- 7.2. Working groups, unless otherwise specified in their terms of reference, shall normally be open to membership from all members of The Garden.
- 7.3. Meetings of working groups, unless otherwise specified in their terms of reference, shall normally be open to all members of The Garden.
- 7.4. Working groups shall keep and make available, in an accessible and timely manner, minutes of their meetings.

8. RECORDS

- 8.1. Minutes of Steering Committee meetings, working groups, and AGMs shall be recorded and shall be posted on the website of The Garden and/or made accessible to members of The Garden.

9. AMENDMENTS

- 9.1. Amendments to the constitution and bylaws shall be made by special resolution at a General Meeting.