



APPLICATION
City of Dunkirk
Community Garden Program - 2012

The City of Dunkirk, in order to provide an opportunity to the public to enhance the character of our community, has created a **Community Garden Program** whereby interested City individuals and groups are allowed to utilize various parcels of City property to establish and to maintain community gardens.

This Application must be returned to the Dunkirk City Clerk's Office for review.

Applicant/Organization Name	
Responsible Party/Manager Name	
Address	
Phone Number(s)/e-mail	
Number of volunteers/members	
Location(s)/Size of lot requested	
Intended purpose/use	
Are mechanized (gas, electric, etc.) tools/equipment to be used on site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are edible foodstuffs to be grown on site?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Not every City-owned vacant lot is available to be utilized in the **Community Garden Program**. Any lot(s) requested must not be needed for a public purpose or development.

No permanent structures may be erected on any City parcel being utilized under the **Community Garden Program**.

If the requested parcel is available for community gardening use, the request will be reviewed by the City. The City of Dunkirk specifically reserves the right to reject any Application and to terminate this Program and/or the permission to utilize any parcel at any time and for any reason and with no prior notice thereto.

Applicant must comply with each and every rule, regulation, law and requirement imposed by the State of New York or other applicable regulatory/licensing authority, and shall insure that any activities are in conformance with each and every rule, regulation, law and requirement imposed by

the State of New York or other regularly/licensing authority in such regard. All statutory provisions applicable to this Agreement are hereby incorporated by reference.

If any mechanized tools/apparatus are to be used on site or if edible foodstuffs are being grown, the Applicant shall provide to the City proof of general comprehensive liability insurance naming the City as an additional insured, in an amount no less than \$1,000,000.00.

Applicant is solely responsible for the means and manner of all such activities contemplated hereunder and shall be solely responsible to insure compliance with each and every applicable rule, regulation, law and/or requirement.

Applicant shall, and hereby agrees to, in addition to the other requirements hereunder, indemnify and insure the City against any and all claims, costs and damages arising out of the performance or non-performance of activities contemplated hereunder.

Approval of this Application in no way confers any permanent legal right, title or interest in or to any property; approval and use by the Applicant of any such property does not and shall never ripen into or become a right to own or to use any portion of the premises in a manner inconsistent with the terms herein. Upon approval, the Applicant shall have a non-exclusive, revocable right to use the premises solely upon the terms and conditions contained herein.

By executing this Application, the undersigned acknowledges that it has been reviewed and understood and the undersigned accepts to comply with each and every term, condition and obligation contained herein.

Applicant

Name (date)

State of New York }
City of Dunkirk } ss.:

On this ___ day of _____, 2012, before me personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in his capacity, and that by her/his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in the City of Dunkirk and State of New York.

Notary Public

The Application for the use of the property located at _____ by
the within Applicant is hereby APPROVED DENIED.

Anthony J. Dolce, Mayor (date) _____
Lacy Lawrence, City Clerk (date)