

SowNashville Floodplain Property Agreement

Property permitted for community garden use between the Sow Nashville Consortium, The Metropolitan Government of Nashville and Davidson County, Metro Water Services Stormwater Division, Metro Codes Administration, and the Community Garden Permittee will be held to several conditions of permit. For brevity, Sow Nashville Consortium will be hereinafter referred to as “**SN**”; Metropolitan Water Services will be hereinafter referred to as “**MWS**”; Metro Codes Administration will be hereinafter referred to as “**CODES**”; and the community garden permittee referred here will be hereinafter referred to as the “**CGP**”.

Portions of the permitted property are within the 100-year floodplain as defined by the Federal Emergency Management Agency (FEMA). Homes that existed on the property were purchased and demolished using funds from FEMA grant programs. As a condition of receiving federal funding, certain requirements must be applied to activities on the permitted property.

The floodplain property **must remain as open space in perpetuity in order to protect and preserve natural floodplain values. Filling of the property is not allowed. The construction of fences is not allowed.**

Additionally, no structures may be erected on the floodplain property besides the exceptions listed below in line Item 2.

FEMA, MWS, and CODES, and SN reserve the right to enter the property at any time for inspection of the property to ensure compliance with the terms of this agreement.

In accordance to the restrictions of floodplain property, the community garden accepts the following terms:

1. The **CGP** acknowledges that this land may have flooded in the past and that it may do so in the future. The **CGP** acknowledges that The Metropolitan Government of Nashville and Davidson County, **MWS, CODES, and SN** are not responsible for any damages resulting from such an occurrence.
2. All improvements constructed or installed by **CGP** on the subject property shall be subject to the prior approval of **MWS** and, in some cases, **CODES** and **SN**. Such improvements may not include the installation of permanent structures. Temporary structures such as rain barrels, port-a-potties, etc., may be allowed if they are previously approved by **MWS** and **SN** and are correctly anchored down to the ground. Additionally, the best intentions should be made to ensure that in the event of a flood, any of the materials from the garden would not wash away.
3. Parking, repair work or other similar use of the land is strictly prohibited. Additionally, paving land with asphalt, concrete, or gravel to make areas for parking or structures is prohibited.
4. No chain or barricade which would prohibit 24 hour access by Metro government will be permitted.

