

# **Statutes on the garden regulations for the allotment garden sites in the City of Kiel**

**from 11 December 2024**

On the basis of § 4 Para. 1 Sentence 1 and Para. 2 of the Municipal Regulations (GO) in the version dated 28 February 2003 (GVOBl. p. 57), last amended by Art. 64 LVO dated 27 October 2023 (GVOBl. p. 514), the following statutes are issued following a resolution by the council meeting on 21 November 2024.

## **1. Scope of application and acting parties**

These garden regulations apply to all garden sites according to the Federal Allotment Garden Act owned by the City of Kiel. These regulations are based on the Federal Allotment Garden Act (BKleingG) as amended in each case.

Actors within the meaning of these garden regulations are

- The City of Kiel as landlord
- If applicable, the allotment garden associations as intermediate tenants
- The allotment gardeners as individual tenants

## **2. Allotment gardens and allotment garden sites**

### **2.1. Term allotment gardens**

Allotment gardens are gardens that are used for non-commercial horticultural purposes, in particular for the production of horticultural products for personal use, and for recreation (allotment garden use) and are located in an allotment garden site in which several individual gardens with communal facilities are grouped together. The allotment garden sites are part of the city's green system and must be kept open to the public all year round.

### **2.2. Allotment gardening**

The preservation and maintenance of the allotment garden sites and allotment gardens as well as the protection of soil, water and the environment are the object of allotment gardening activities. The protection of species and biotopes is to be promoted as far as the allotment garden utilisation is not impaired.

### **2.3. Basics**

The legal provisions for soil, plant and environmental protection, as well as order, safety and fire protection and the resulting requirements apply to the allotment garden sites without restriction, unless the BKleingG and local regulations and provisions stipulate otherwise.

The individual tenant is obliged to fulfil these requirements. The landlord or intermediate tenant shall provide guidance and control in coordination with the responsible authorities.

### **3. The use of the allotment garden**

#### **3.1. Individual tenant and user of the allotment garden**

The allotment garden is managed exclusively by the individual tenant and persons belonging to the household. In the event of e.g. holidays or illness, the use of first-degree relatives is also permitted. Sub-letting and other permanent transfers by the individual tenant are not permitted. Neighbourly help with garden management is permitted.

#### **3.2. Management of the allotment garden**

The allotment garden must be properly cultivated. Allotment garden use is given if the allotment garden is used for the production of fruit, vegetables and other horticultural products for personal use and for the recreation of the individual tenant and his/her relatives and if the allotment garden is regularly maintained.

At least one third of the area of the allotment garden is reserved for growing fruit and vegetables. A second third is reserved for beds and lawns. The last third is used for recreation (arbour, seating) and infrastructure (paths). In questions of allotment garden use, the individual tenant is recommended to continuously educate himself/herself and to make use of the expert advice of allotment garden associations and/or suitable umbrella organisations.

#### **3.3. Fouling**

Some plant species may not be cultivated in allotment gardens for various reasons, for example due to vigour, disease transmission or invasiveness

##### **3.3.1. Growth vigour**

The planting of woody (except fruit trees) that are naturally higher than 3.00 metres, such as forest and park trees, is not permitted (Annex 01).

In the case of pome and stone fruit trees, low stems that can be grown as a bush, spindle or espalier tree are appropriate for allotment garden use.  
Half-trunk fruit trees can be planted to provide shade.

##### **3.3.2. Planting and boundary distances**

Planting distances are recommended when planting fruit trees and berry bushes (Appendix 02); the boundary distances to the plot boundaries are binding. It should be noted that the distance is measured from the boundary to the centre of the trunk. The intermediate tenant can specify larger distances.

When planting and maintaining topiary hedges, it is also important to observe the boundary distances, the correct selection of plants and the prescribed maximum height.

### **3.3.3. Diseases**

Woody plants that are considered to be host plants or intermediate hosts for e.g. fire blight, pear rust or blackcurrant rust are not permitted (Annex 01).

### **3.3.4. Neophytes**

In accordance with § 41 of the Federal Nature Conservation Act, the planting of invasive neophytes is prohibited (Annex 03). If invasive neophytes are found in the allotment gardens, they must be removed immediately.

## **3.4. Flora and fauna**

The native flora and fauna, in particular beneficial insects, must be promoted and protected by all suitable measures (e.g. protection of birds and beneficial insects by setting up and hanging up nesting boxes, insect hotels, bird baths and breeding aids, erection of dead wood piles). Such aids may only be set up and hung up within the allotment garden sites and not in public areas.

## **3.5. Garden management**

The principles of integrated plant cultivation (high soil fertility, optimal design of all cultivation and care measures, targeted and needs-based implementation of fertilisation and plant protection measures, mixed cultivation) must be applied in garden management.

Resistant fruit and vegetable varieties and resistant ornamental plants should be favoured. Plant waste should be composted and returned to the soil as organic matter.

Plants infected with infectious diseases must be disposed of properly.

The use of peat should be avoided.

The application of fertilisers containing nitrate and phosphate is only permitted on crops during the vegetation period in the most sparing manner. The use of other chemical fertilisers is not permitted.

## **3.6. Use of chemical agents**

The use of pesticides (insecticides, fungicides, herbicides) and harmful salts in any form must be avoided. Weedkillers and pesticides may only be used in justified exceptional cases if major damage cannot otherwise be avoided, in compliance with federal and state nature conservation legislation. The application regulations must be observed and a specialist advisor must be consulted. The products used must be authorised for use in allotment gardens.

## **3.7. Water protection areas**

The specifications resulting from water protection area requirements must be publicised by the landlord or the intermediate tenant. The intermediate tenant must document the stipulations and, if necessary, integrate them into existing internal association regulations.

## **4. Development in allotment gardens**

### **4.1. Garden arbour**

In the allotment garden an arbour of simple design with a maximum surface area of 24 m<sup>2</sup> including a covered outdoor seating area is permitted. It must not be suitable for permanent living in terms of its nature, in particular its equipment and furnishings. The installation of washbasins, showers, kitchen facilities etc. is not permitted. The letting of summerhouses/special buildings is not permitted, even temporarily. A possible toleration according to the Kiel model remains unaffected (Annex 04).

### **4.2. Special buildings**

In allotment garden plots, only the special buildings listed below may be erected in addition to the arbours. Special buildings are to be used according to their purpose. When the garden is handed over, the special buildings must be demolished by the individual tenant without compensation if the subsequent individual tenant does not continue to use the garden. The neighbouring plot must not be impaired by the erection of special buildings.

#### **4.2.1. Greenhouses**

A free-standing small greenhouse may be erected with the consent of the landlord or intermediate tenant. Foil tents must be adapted to the size of the garden. The greenhouse may not exceed a maximum area of 10 m<sup>2</sup> and must have a foundation. A point foundation is preferable.

The greenhouse must be removed if it is used for any other purpose.

#### **4.2.2. Pergolas and privacy screens**

Pergolas and screens up to a height of 1.80 metres may only be erected in conjunction with the pergola, i.e. as a design element for the patio or as a screen and windbreak. These are to be made of wood. The same boundary distances apply as for arbours.

#### **4.2.3. Ponds / ornamental pools**

In the allotment garden, an artificial pond, which should be designed as a wetland biotope, is permitted up to a maximum size of 10 m<sup>2</sup> including a shallow edge area. The excavated soil remains on the plot and must be included in the pond design. The maximum depth is limited to 1.10 metres. Either clay, clay liners or suitable plastics are to be used to construct the pond. The intermediate tenant can further restrict these size specifications via internal club regulations. Measures must be taken to protect children. The individual tenant is responsible for the safety and responsibility (duty of care) for all water facilities on the plot.

#### **4.2.4. Children's play equipment**

Children's play equipment is not part of allotment garden use. They can be authorised by the landlord or the temporary tenant during the gardening season. The intermediate tenant can further restrict the sizes and/or the time period listed below by means of internal association regulations.

The installation of play equipment for children is limited to a maximum of three pieces of play equipment per allotment garden. The following play equipment is permitted:

- Swing scaffold up to 2.50 m high and max. two swing units.
- Sandpits, simple construction without the use of concrete up to a Size of 4.00 square metres.
- Slides up to a height of 2.00 metres.

- Playhouses with a floor area of up to 3.00 square metres and a height of 1.70 m.
- Goal wall, basketball hoop, table tennis table - mobile equipment only.
- Transportable bathing pools/ paddling pools with a diameter of 2.50 m and a maximum filling height of 0.50 m. Chemical water additives are not permitted.
- Trampolines up to a diameter of 3.00 metres.
- Play combinations, e.g. swing frame with slide or climbing frame with slide. Playhouse, up to an area of 10 square metres (calculation without slide area) and a height of 3.00 m. Play combinations are counted as two pieces of play equipment.

A minimum distance of 5.00 metres must be maintained between playhouses and play combinations and other combustible structures due to the risk of fire.

Children's play equipment must be adequately secured. Trampolines must be dismantled in the winter months so that no danger can arise from storms or similar. The individual tenant is responsible for any damage caused by children's play equipment with their private liability insurance.

The noise level must be reduced to a tolerable level for the neighbourhood during the statutory quiet periods.

Upon termination of the individual lease, the children's play equipment must be dismantled. If the next individual tenant takes over the play equipment, the obligation to dismantle it is also transferred accordingly.

Further restrictions of the intermediate tenant via internal association regulations are permitted.

#### **4.2.5. Bathing pool**

Fixed bathing pools are not permitted. Transportable bathing pools with a diameter of 2.50 m and a filling height of 0.5 m may be authorised by the landlord or the temporary tenant during the garden season. The intermediate tenant can further restrict the sizes and/or the time period by means of internal club regulations. Chemical water additives are not permitted.

### **4.3. Erection or extension of buildings**

The erection or extension of garden arbours or other structures and ancillary structures (with the exception of special structures) in the allotment gardens is governed by § 3 BKleingG and requires the consent of the landlord, who must ensure compliance with the building regulations.

The person wishing to build is responsible for obtaining all necessary authorisations. An application form will be provided by the temporary tenant. Construction work may only begin once the building permit has been issued. The landlord is responsible for further specifications such as spacing, external dimensions and roof shapes of the arbour.

#### **4.3.1. Location**

The location of the garden arbour and its orientation are determined by the general plan drawn up for the allotment garden site in question. If no such general plan exists, the location must be agreed with the landlord.

#### **4.3.2. Building boundary distances**

A distance of at least 1.50 m must be maintained between the arbour or special building and the boundaries of the plot. If the plot is adjacent to a main path, the distance to this plot boundary must be at least 3.00 metres.

#### **4.3.3. Foundations**

When using foundations, the upper edge must not be more than 10 cm above ground level on average. Only strip foundations (maximum width 0.30 m) up to frost-free depth (0.80 m) and point foundations are permitted.

#### **4.3.4. Ridge height**

The ridge height of the pergolas (Annex 04) may not exceed 2.80 metres. Special buildings in accordance with 4.2. may not exceed a ridge height of 2.25 metres.

#### **4.3.5. Materials**

Only wood is permitted as a building material for arbours. The use of materials containing asbestos is prohibited. Sheet metal, tarpaper or plastic may be used for the roof covering. Seating and path surfaces may not be made of poured concrete.

### **4.4. Electrical supply**

With the exception of the supply of electrical energy to the clubhouses and facility centres, allotment garden sites are not connected to public supply lines or telecommunications facilities.

#### **4.4.1. Photovoltaics**

The construction, operation and maintenance of systems that are suitable for generating electrical energy (direct use) by utilising solar energy with the aid of photovoltaics is permitted. The solar modules may only be installed on the roof of the respective arbour and may not protrude above the roof surface.

Feeding into the public grid is prohibited. The electricity generated may only be consumed on the plot on which the solar modules are installed on the roof of the associated arbour. Cross-plot power lines are prohibited. If storage media (batteries) are used, they must be protected against leakage and damage. It is recommended that rechargeable battery devices be used in preference to petrol devices.

#### **4.4.2. Small wind turbines**

The construction, operation and maintenance of installations capable of generating electrical energy by utilising the natural power of the wind are prohibited on allotment garden sites.

### **4.5. Water supply**

There is no obligation on the part of the landlord and the intermediate tenant to connect an allotment garden site to the water network and to provide water to the individual tenant.

The installation and maintenance of water pipes including the water meter shafts within the allotment garden site is the responsibility of the intermediate tenant. The implementation of measures on the water pipes and shafts must be agreed in advance with the landlord. In the case of allotment garden sites leased directly to individual tenants, the landlord is responsible.

Rainwater must be drained exclusively on your own plot.

#### **4.6. Operating and handling fireplaces**

The construction and operation of fireplaces (e.g. ovens, cookers and fireplaces) is not permitted in the allotment garden and the structures located therein. Existing fireplaces must at least be rendered permanently unusable. This does not apply to gas-fuelled appliances that are approved for indoor use with a corresponding certification

#### **4.7. Permanently installed fireplaces**

Permanently installed fireplaces (barbecues and smoking appliances) may not be erected. The use of mobile appliances is recommended in order to avoid disturbing the neighbourhood by changing the location depending on the wind direction. The greatest possible distance from arbours is also recommended in order to minimise the risk of flying sparks.

#### **4.8. Liquefied gases**

When handling liquid gas (e.g. propane gas) and operating liquid gas systems in the building, the applicable legal regulations must be observed.

The landlord or the intermediate tenant must be informed that there is liquid gas in the allotment garden. The recurring acceptance certificates or test certificates must be presented.

The legal regulations must be observed when storing gas cylinders. The fire brigade recommends storing a maximum of two 11 kg cylinders or one 33 kg cylinder per allotment and not stockpiling gas cylinders.

#### **4.9. Dismantling**

If structures have been erected that violate applicable legal provisions, they must be dismantled immediately by order of the landlord or intermediate tenant.

### **5. Animal husbandry**

The keeping of animals is generally not part of allotment garden use and is therefore not permitted on the allotment garden sites. Beekeeping is exempt from this under certain conditions.

#### **5.1. Dogs and cats**

Dogs and cats may not be kept on allotment garden sites. Dogs must be kept on a lead within the allotment garden sites. If cats are brought along, the protection of birds must be ensured. Pets must not be left in the allotment garden or the allotment shed when leaving the allotment garden site.

In addition to the owner, the person exercising actual control over the animal is liable for any damage caused by the animal. Feeding other people's cats is prohibited in the allotment garden sites.

#### **5.2. Bees**

Beekeeping is permitted provided the beekeeper can prove a liability insurance.

Apiaries may have a maximum size of 10.00 m<sup>2</sup>. The apiary must be set up in such a way that the bees can quickly reach a flight height of 1.80 metres (foraging height).

The neighbourhood must be consulted. If necessary, an expert should be consulted to grant authorisation.

According to §1a of the Bee Disease Ordinance, beekeeping must be reported to the responsible citizens' and public order office at the latest at the start of the activity, stating the number of bee colonies and their location.

## **6. Paths and enclosures**

As part of the city's green system, the allotment garden sites should be designed in such a way that the general public also has access to the gardens and that they are therefore also used for communication and recreation. The allotment garden sites must be freely accessible to the public.

### **6.1. Enclosures**

The plots should be enclosed by uniform planting with hedges or a 1.00 m high wire mesh fence can be erected, which is concealed from the path by a hedge or free-growing flowering shrubs. The maximum hedge height is 1.20 m with a boundary distance of 0.70 m.

In exceptional cases, e.g. if plots border on busy roads, directly on car parks or at the end of the allotment garden site, the landlord or the intermediate tenant can permit a hedge height of up to 2.00 m with a border distance of 1.00 m. At railway crossings and road junctions, the special instructions of the landlord must be observed to ensure road safety. This applies both to the external fencing and to the fencing within the site. Barbed wire, natural wire, spikes on the fences and electric fences are not permitted.

Boundaries between the plots are not required. If fences or similar are permitted between the individual plots, they must not exceed a height of 0.80 metres. The landlord or the intermediate tenant can decide on the manner of demarcation of the individual gardens in the allotment garden site and their maintenance.

### **6.2. Hedges**

Locations, shapes and pruning times of hedges and shrubs planted close to the borders are to be determined by the landlord or the intermediate tenant in such a way that roads, paths and squares inside and outside the allotment garden site as well as neighbouring plots are not impaired by natural growth.

A hedge arch above the garden gate is permitted.

The heights (see 6.1.) also apply to fences if they are permitted in the respective garden regulations of the intermediate tenant. The right-hand side of the allotment garden (view from the access path) is to be maintained by the individual tenant, unless otherwise agreed.

Screening plantings must not block the view into the individual gardens and may only be created to protect the privacy of terraces.

According to §39 of the Federal Nature Conservation Act, it is forbidden to cut, prune or remove trees, hedges, living fences, bushes and other woody plants in the period from 1 March to 30 September. Careful shaping and maintenance pruning to remove the growth of plants or to keep trees healthy is permitted.



### **6.3. Maintenance work**

Each individual tenant is obliged to contribute to the maintenance of the allotment garden site, including the paths and the external fencing

### **6.4. Communal paths and areas**

Each individual tenant must maintain the paths adjacent to the individual garden. No artificial obstacles may be created on common areas. The storage of equipment, building materials, rubble, earth, manure etc. on common areas of the allotment garden site is only permitted for a limited period with the consent of the landlord or the intermediate tenant. The storage area must be adequately labelled, secured and cleaned after use. Bicycles, pushchairs, transport equipment etc. must be parked within the allotment site.

## **7. Composting and disposal**

### **7.1. Composting**

Compostable plant waste must be properly composted in the allotment garden. The composting area must be located at least 1.00 m from the plot boundary. Exceptions are permitted with the agreement of the landlord or the intermediate tenant and the immediate neighbourhood.

Communal composting areas within the allotment garden sites are recommended. The creation and management of communal compost areas is regulated by the landlord or the intermediate tenant.

Compost pits are not permitted. To contain plant diseases, special attention must be paid to the effective isolation of infectious plant material. Infected plant parts must be disposed of with household waste.

### **7.2. Waste disposal**

The individual tenant is responsible for the proper disposal of non-compostable waste. If no disposal facilities are available on the allotment garden site, such waste must be disposed of outside the allotment garden site in accordance with the applicable legal provisions and local regulations.

The (green) areas adjacent to the allotment garden sites must not be contaminated by garden waste, green cuttings, building rubble, etc.. It is strictly forbidden to use these areas.

Small sewage treatment plants/septic tanks are prohibited. Any discharge of waste water into the ground is prohibited. Dishwashers and washing machines may not be installed and operated in the allotment garden. The disposal of animal and human faeces by composting is permitted. It is not permitted to collect human faeces in leaky containers, to allow it to seep away and to spread it directly on the plants.

Organic toilets should preferably be used. The use of chemical toilets in the allotment garden is not permitted (chemical additives are hazardous waste). It is forbidden to bury building rubble, scrap metal, plastics, asbestos and similar materials. It is forbidden to bury building rubble, scrap, plastics, asbestos and similar materials as well as non-compostable waste in the allotment garden.

### **7.3. Burning**

Burning is generally not permitted; exceptions must be authorised by the landlord.

Burning fresh green material, e.g. plant material, but also treated wood, e.g. construction timber, furniture and other waste is prohibited.

Fire bowls and portable barbecues may be operated with natural, seasoned firewood.

The resulting smoke must not cause a nuisance to the neighbourhood.

### **7.4. Handling asbestos**

It is forbidden to mechanically process, coat or seal building elements containing asbestos, or to use them as veneer for bed borders, composters, screens or similar, to store them in the allotment garden, to bury them or to place them on the market.

Defective and misused components must be dismantled and disposed of properly in compliance with the existing safety regulations.

## **8. Water and flood protection**

When constructing buildings, facilities and planting, a 5.00 metre wide distance strip (bank area) must be maintained along watercourses and standing waters.

## **9. Other provisions**

### **9.1. Personal labour / community work**

Each individual tenant who has leased from an intermediate tenant is obliged to participate in the design, maintenance, preservation, conversion and new construction or replacement of communal facilities through financial contributions and personal labour in accordance with the resolutions of the general meeting of the allotment garden association.

Each individual tenant is entitled to use the communal facilities, equipment and devices of the allotment garden association in accordance with the resolutions of the general meeting.

He\*she is liable for all damage caused by family members and guests and must report any damage to the landlord or the intermediate tenant.

### **9.2. Behaviour in allotment garden sites**

The individual tenant, relatives and authorised third parties must behave at all times in such a way that the neighbourhood and third parties are disturbed more than is unavoidable under the circumstances. Noise causing a nuisance to the neighbourhood and impairing the recreational value must be refrained from. Children's noise is not noise.

The Federal Immission Control Act and the Equipment and Machine Noise Protection Ordinance, as amended, must be observed. Devices and machines may not be operated on working days between 1:00 and 3:00 p.m. and from 8:00 p.m. to 7:00 a.m..

Operation is also prohibited on Sundays and public holidays. The temporary tenant may impose further restrictions by means of internal regulations.

### **9.3. Motor vehicles in allotment garden sites**

Driving on the paths with motor vehicles of any kind is prohibited. Possible exceptions in individual cases are permitted by the landlord or the intermediate tenant at the request of the individual tenant. The individual tenant is liable for any damage caused by him/her.

The parking of motor vehicles is only permitted on the developed areas designated for this purpose by the landlord or the temporary tenant for the duration of the stay on the allotment garden site. Washing, care and maintenance of motor vehicles within the allotment garden sites and on the associated parking areas are prohibited.

The setting up and parking of caravans, mobile homes, trailers, construction trailers and camping within the allotment garden sites is not permitted.

### **9.4. Obligations of all individual tenants**

#### **9.4.1. Official orders**

The individual tenant is obliged to comply with all official orders for the care and protection of nature and the environment as well as the observance of public order and cleanliness at his own expense.

The individual tenant must manage the allotment garden in accordance with allotment gardening principles and maintain it in a clean and tidy condition. This includes the regular mowing of the grass, the removal of wild growth, the pruning of bushes and hedges and the disposal of green waste and rubbish.

#### **9.4.2. Significant changes**

The individual tenant undertakes not to make any significant changes to the allotment garden (e.g. filling, laying of pipes) without the prior consent of the landlord or the intermediate tenant.

#### **9.4.3. Arbour insurance**

If there is an arbour in the allotment garden or if such an arbour is built subsequently, the individual tenant should take out an arbour insurance at his/her own expense, which also covers the disposal costs in the event of a total loss (e.g. due to fire). The intermediate tenant can make further provisions through internal regulations.

#### **9.4.4. Duty to clear and grit**

The individual tenant is obliged to participate in the landlord's obligations or the intermediate tenant's obligations with regard to clearing and gritting if this is stipulated in the lease agreement or by local regulations (e.g. street cleaning statutes).

#### **9.4.5. Garden gate**

The individual tenant is obliged to affix the plot number to the garden gate so that it is clearly visible from the outside. The garden gate and the fencing must be kept in a roadworthy condition. Spikes on the garden gate are not permitted.

#### **9.4.6. Locking the garden gate**

The individual tenant is obliged to keep the allotment garden locked at all times when absent.

#### **9.4.7. Access to the plot**

The individual tenant is obliged to allow the landlord or the intermediate tenant access to the garden after giving reasonable notice. In the event of significant disruption or imminent danger (e.g. damage to the water pipe, burglary), access is also permitted in

the absence of the individual tenant. The same applies to a person authorised by the landlord or intermediate tenant, the responsible officer and employees of the authorities.

### **9.5. Behaviour in breach of contract**

If the individual tenant or the intermediate tenant does not fulfil the obligations arising from these garden regulations, the landlord or the intermediate tenant is entitled to have this obligation fulfilled at the expense of the individual tenant after issuing a written warning and warning.

Violations of the garden rules must be warned in writing. Reasonable deadlines must be set for the elimination of violations. Continued violations shall entitle the holder to terminate the contract with due notice in accordance with § 9 (1) No. 1 BKleingG due to behaviour in breach of contract.

## **10. Final provisions**

These garden regulations were issued by the City of Kiel.

The intermediate tenants have the right to adopt their own garden regulations or internal regulations on the basis of these garden regulations; these may not contradict the provisions of these garden regulations. The regulations may, however, be more narrowly defined by the intermediate tenant.

All existing garden regulations and internal regulations of the intermediate tenants must be checked for any contradictions with these garden regulations and adapted if there are any contradictions.

The Articles of Association come into force on 01 January 2025.

Kiel, 11 December 2024

The Lord Mayor  
Dr Ulf Kämpfer  
(city seal)

## Annex 01 to the garden regulations

### Growth vigour and diseases

Selection of woody plants that may not be planted in the allotment garden because they exceed a certain height or offer various pathogens and harmful insects the opportunity to survive.

This is not an exhaustive list.

Forest and park trees that naturally exceed a height of 3.00 metres:	
Deciduous trees	Conifers
Maple	Yew tree
Birch	Fir trees (all species)
Beech	Douglas fir
Oak	Spruce (all species)
Ash	Pines (all species)
Alder	Cypresses (all species)
Mountain ash	arborvitae (only as a hedge)
Ginkgo	Sequoia
Chestnut	Cedars (all species)
Poplar	Juniper (all species)
Pasture	
Walnut	
Cover and flowering shrubs that naturally exceed a height of 2.50 metres	
	<u>Pathogens</u>
Blood Hazel ( <i>Corylus avellana</i> )	
Pea bush ( <i>Caragana arborescens</i> )	
Dogwood ( <i>Cornus sanguinea</i> )	
Laburnum up to 7.00 m in height	
Vinegar tree ( <i>Rhus typhina</i> ) up to 8.00 m Growth height and root runners Buckthorn ( <i>Lycium barbarum</i> )	
Blackthorn ( <i>Prunus spinosa</i> )	Scharka disease
Barberry buckthorn ( <i>Berberis vulgaris</i> )	Rust
Firethorn ( <i>Pyracantha coccinea</i> )	Fire blight
Rock pear praline tree ( <i>Amelanchier levis</i> )	Fire blight
Rock medlar ( <i>Cotoneaster</i> )	Fire blight
Mock quince ( <i>Chaenomelis japonica</i> )	Fire blight
Redthorn and hawthorn ( <i>Crataegus laevigata/monogyna</i> )	Fire blight
Cotoneaster ( <i>Cotoneaster horizontalis</i> )	Fire blight
Corkscrew willow ( <i>Salix matsudana Totuosa</i> )	Pear drill
Weymuth pine 5-needled ( <i>Pinus strobus</i> )	Currant, columnar and blister rust
Juniper, medium-high ( <i>Juniperus sabina/pfitzerina</i> and others)	Pear lattice rust
Sugar loaf spruce ( <i>Picea glauca "Conica"</i> )	Red spider

## Annex 02 to the garden regulations

### Planting and boundary distances for trees and shrubs permitted in the allotment garden

It is generally recommended to choose a slightly larger distance so that there are no discrepancies.

This is not an exhaustive list.

	Recommended planting distance	Binding Boundary distance (from the centre of the trunk)
<b>Pome fruit</b> (low trunks, trunk height up to 60 cm)		
Apple	3 m	2 m
Pear	3 - 4 m	2 m
Quince	3 - 4 m	2 m
Quarter and half trunks	4,00 m	3 m
<b>Stone fruit</b> (low stems or bush)		
Sour cherry	4,00 m	2,00 m
Plum	4,00 m	3,00 m
Peach	3,00 m	3,00 m
Apricot	3,00 m	3,00 m
Sweet cherry on GiSel A 5 rootstock	Single tree	3,00 m
Columnar fruit	2,00 m	2,00 m
High-growing varieties	3,00 m	3,00 m
<b>Soft fruit</b>		
Blackcurrant	1,50 -2,00 m	1,25 m
Red and white currants (bushes and stems)	1,00 -1,25 m	1,00 m
Gooseberries	1,00 -1,25 m	1,00 m
Raspberries (on the trellis)	0,40 -0,50 m	1,00 m
Blackberries (on the trellis)	2,00 m	1,00 m
Blackberries(upright)	1,00 m	1,00 m
Blueberries	1,00 m	1,00 m
May berries	1,20 m	1,00 m
Vines	1,30 m	1,00 m
<b>Ornamental shrubs</b>		
Stand-alone	3,00 m	2,00 m
standing in a free hedge	1,00 m	2,00 m
<b>Topiary hedges</b>	0,20-0,50 m	half height

## Annex 03 to the garden regulations

### Neophytes in the allotment garden

Invasive neophytes are introduced plants with a high potential for spreading and displacement. Some species, such as the giant hogweed, are also dangerous to humans. Touching them can cause skin reactions similar to burns. For this reason, the cultivation of all invasive alien plant species is prohibited in the entire allotment garden area. Wild growth must be removed immediately. This currently applies to the plant species listed below. Further invasive species may be listed in the future. This is therefore not an exhaustive list.

Frequently occurring neophytes	
Tree of God	<i>Ailanthus altissima</i>
Giant hogweed/Herkules perennial	<i>Heracleum mantegazzianum</i>
Japanese hops	<i>Humulus scandens</i>
Himalayan balsam	<i>Impatiens glandulifera</i>
Flooding hayweed	<i>Ludwigia peploides</i>
Karolina hair mermaid	<i>Cabomba caroliniana</i>
Water hyacinth	<i>Eichhornia crassipes</i>
Narrow-leaved waterweed	<i>Elodea nuttallii</i>
Various-leaved milfoil	<i>Myriophyllum heterophyllum</i>
Annoying floating farm	<i>Salvinia molesta</i>
Sakhalin knotweed	<i>Fallopia sachalinensis</i>
Japanese knotweed	<i>Fallopia japonica</i>
Canadian and giant goldenrod	<i>Solidago canadensis</i> and <i>Solidago gigantea</i>
Creeping knotweed	<i>Fallopia baldschuanica</i>
Bamboo plants	<i>Bambusoideae</i>
Common clematis	<i>Clematis vitalba</i>
Mugwort leafy ragwort	<i>Ambrosia artemisiifolia</i>
Potato rose	<i>Rosa rugosa</i>
French herb/small-flowered buttonwort	<i>Galinsoga parviflora</i>
Wood sorrel	<i>Oxalis corniculata</i>
Vinegar tree	<i>Rhus typhina</i>
Rarely occurring neophytes	
Common silk plants	<i>Asclepias syriaca</i>
Large-flowered haywort	<i>Ludwigia grandiflora</i>
Yellow mock calla	<i>Lysichiton americanus</i>
Large pennywort	<i>Hydrocotyle ranunculoides</i>

Waterweed	Lagarosiphon major
Brazilian milfoil	Myriophyllum aquaticum
<b>Potentially occurring neophytes</b>	
Willow leaf acacia	Acacia saligna
Alligator weed	Alternanthera philoxeroides
Bluestocking broom sedge	Andropogon virginicus
Cross bush	Baccharis halimifolia
Balloon wine	Cardiospermum grandiflorum
Pink pampas grass heads	Cortaderia selloana
Steppe grass	Ehrharta calycina
Chilean giant rhubarb	Gunnera tinctoria
False water lily	Gymnocoronis spilanthoides
Persian hogweed	Heracleum persicum
Sosnowsky hogweed	Heracleum sosnowskyi Humulus scandens
Chinese bush clover	Lespedeza cuneata
Japanese climbing fern	Lygodium japonicum
Japanese stilt grass	Microstegium vimineum
Carrot herb	Parthenium hysterophorus
African lamp cleaner grass	Pennisetum setaceum
Knotweed	Persicaria perfoliata
Mesquite tree	Prosopis juliflora
Kudzu	Pueraria lobata
Chinese tallow tree	Triadica sebifera
Chinese reed	Miscanthus
Common mahonia	Mahonia aquifolium
Ranukel shrub	Kerria japonica



## Annex 04 to the garden regulations

### Kiel model

The "Kiel model" is used for oversized arbours.

- 1.) This means that all arbours built before 1983 are protected.

A temporary home or an arbour (whether erected with or without a building permit/building licence) can remain in its existing (possibly approved) form until its "demise" - even if there is a change of tenant.

Residential use by tenants is not permitted.

Drainage systems must be dismantled.

Existing fireplaces can only remain if it can be proven that they have been regularly swept. If they have been out of operation for 1 year, they must be dismantled.

- 2.) Arbours built between 1983 and 1999 will henceforth be tolerated by the state capital up to a floor area including covered outdoor seating of 40 m<sup>2</sup> until their demise.

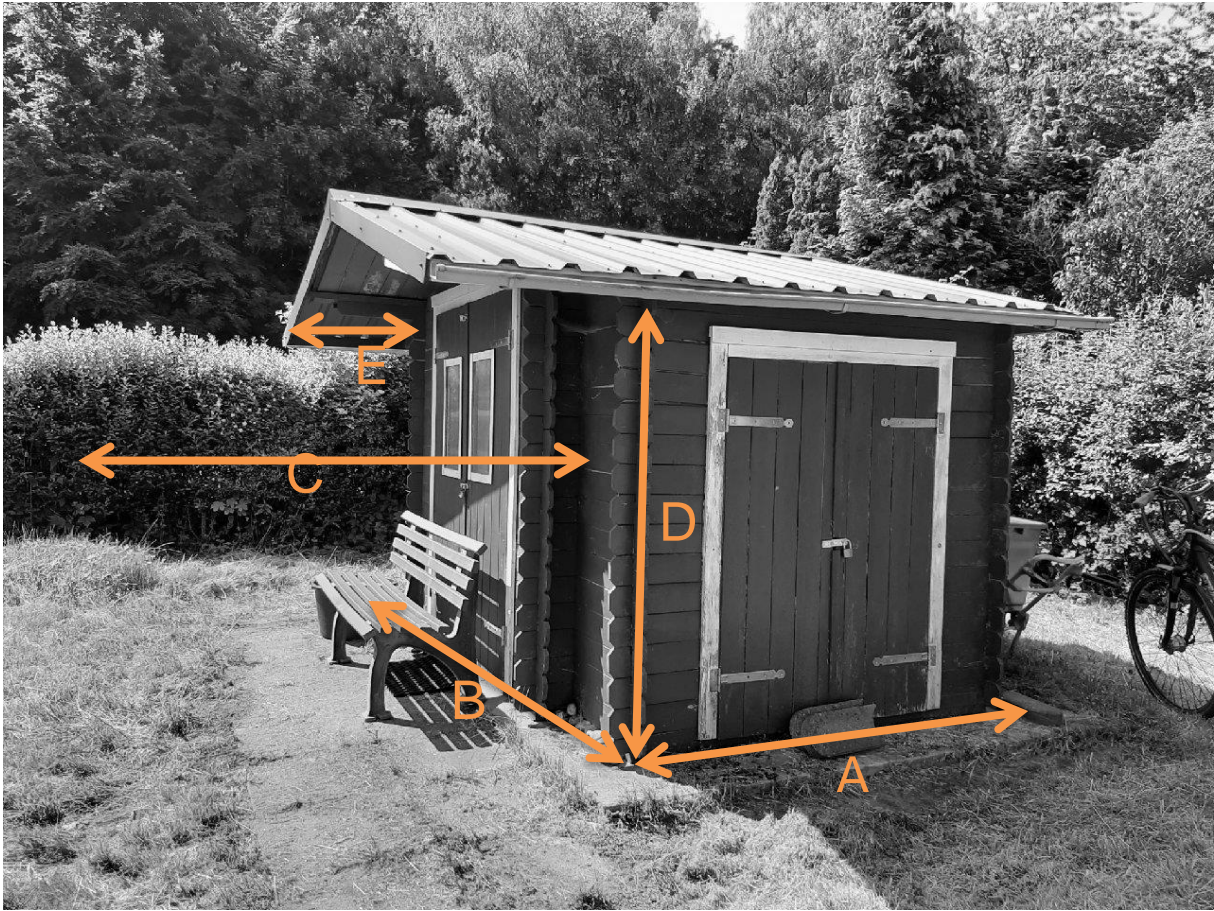
If an arbour from the period 1983 to 1999 has a floor area of significantly more than 40 m<sup>2</sup>, it must be dismantled to a maximum of 40 m<sup>2</sup>. If it is only an enlargement through an extension, this must be dismantled. If dismantling to a maximum of 40 m<sup>2</sup> is not possible due to the construction method, then a reduction / dismantling to a stable unit is required. The Office for Building Regulations, Surveying and Geoinformation will review and coordinate each individual case. The addressees of the demolition request are the tenants of the arbours, or alternatively the respective associations.

- 3.) All arbours or extensions that have been built too large in contravention of the regulations since 2000 are generally not protected.

Arbours that have been built too large since 2000 without a documented building permit and/or have been significantly altered since then must be reduced to the size required by the Federal Allotment Garden Act (§3 para. 2) (24 m<sup>2</sup> floor area including covered outdoor seating). Extensions must be removed without replacement. A maximum of 1 building and, if applicable, a 2m x 2m compost toilet room and a greenhouse may be present on the plot.

## Annex 05 to the garden regulations

### Dimensions of the arbour



- A= Length
- B= Width
- C= Ridge height
- D= Eaves height
- E= Width of the roof overhang

The building is measured at the base. At the points that mark the outermost corners of the building on the ground.

