

M. St. Pierre

May 20, 1943

TO: Jerrold Owen
Administrator

FROM: Northwest Sector
Ninth Civilian Defense Region

SUBJECT: VICTORY GARDENS

Attached is a first draft of proposed ordinance on Victory Gardens issued by the National Institute of Municipal Law Officers and sent to us by our Regional office.

Since local Victory Garden Committees operate as committees of local Defense Councils, we think you may wish to make the attached information available to local Councils.

Although it is likely that the actions made illegal by this ordinance are in many communities already illegal by existing ordinances, there appears to be a psychological value in having a special ordinance on Victory Gardens passed by local County and City governments.

We have been told that many people have hesitated to plant, particularly in community garden plots, for fear someone would steal their crops. The passage of local legislature making interference with another person's Victory Garden illegal, should stimulate alertness of local law enforcement officers and reassure those who fear losing their crops.



Helen Schreiner
Assistant Director
Civilian Mobilization

cc: Mrs. E. W. St. Pierre with attachments
ES/ks
Attachment

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Y

NATIONAL INSTITUTE OF MUNICIPAL LAW OFFICERS
730 Jackson Place, N.W.
Washington, D.C.

FIRST DRAFT OF
MODEL ORDINANCE ON VICTORY GARDENS

An Ordinance Providing Penalties for Damaging, Trespassing upon or Stealing from "Victory Gardens," or any other Vegetable Garden or Orchard, Repealing Ordinances in Conflict therewith and Declaring an Emergency.

WHEREAS, An Emergency exists by reason of war-time conditions now prevailing which have diminished the national and local food supplies; and

WHEREAS, As a part of the War Program, the development, cultivation, and maintenance of "Victory Gardens," or any other vegetables garden or orchard is being encouraged and fostered as a means of increasing the national and local food supply; and

WHEREAS, The efficient operation, maintenance, and use of "Victory Gardens," or any other vegetable garden or orchard located in the City of _____ will be impeded by unauthorized acts of persons who steal from, damage, or trespass upon aforesaid gardens or orchards, now therefore,

Be it ordained by the Council of the City of _____

SECTION 1. TRESPASSING UPON GARDEN PROPERTY OR ORCHARDS. It shall be unlawful for any person to enter any enclosed or unenclosed "Victory Garden," or any other vegetable garden or orchard located with the City of _____ without consent of the owner, or tenant, or his or her agent, and there cut down, injure, damage, destroy, eat or carry away any portion of said garden, including any growing thing, crop, tree, timber, grass, seed, soil, fertilizer, water supply, tool, implement, fence, or any other protective device or any other thing useful for the development, cultivation, maintenance and use of the aforesaid gardens or orchards.

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All existing ordinances of the City of _____ are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

SECTION 3. SEPARABILITY OF PROVISIONS. It is the intention of the City Council that each separate provision of this Ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provisions herein of this Ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 4. FINDING OF EMERGENCY. This ordinance is passed as an emergency measure, and the Council does by the vote by which this ordinance is passed, hereby declare that an emergency exists, which makes it imperative that this ordinance shall become effective forthwith, the nature of said emergency being as follows: War-time conditions have created not only a national but a local shortage of food for the residents of the City of _____ so that it is necessary to protect the public health and promote the general welfare by encouraging and protecting the raising of vegetables and fruits by making this ordinance effective immediately.

SECTION 5. PENALTY FOR VIOLATIONS. Any person violating the provisions of this ordinance shall upon conviction thereof be fined not less than _____, nor more than _____, for each offense.

Adopted this _____ day of _____, 194__.