

ALLOTMENT GARDEN REGULATIONS OF THE CITY OF HANNOVER

(Resolution of 15 August 2024)



The Hannover Allotment Garden Regulations apply within the area of the City of Hannover, form an annex to the sublease agreement and constitute an integral part of it.

1) Use

1.1. The tenant of an allotment garden in Hannover may be any natural person who can provide proof of permanent residence in Hannover. In addition, authorised representatives of clubs, associations or institutions may lease an allotment garden on their behalf, subject to approval by the Bezirksverband Hannover der Kleingärtner e.V. (Hannover District Association of Allotment Gardeners).

1.2. The tenant must use their garden exclusively for allotment gardening. Allotment gardening is defined as the use of the allotment garden for the cultivation of horticultural produce for personal use and for leisure, with the cultivation of horticultural produce taking precedence.

Fruit, shrubs, vegetables, flowers and lawns should be maintained in a balanced proportion. Commercial horticultural use and monocultures are prohibited.

1.3. As part of the public green space, the gardens must be visible from the association paths.

1.4. The garden may only be cultivated by the tenant, alone or together with persons authorised by them. Assistance with garden maintenance by third parties is permitted.

1.5. The tenant is liable – regardless of the legal basis – for any damage caused by themselves, their relatives or any third parties commissioned by them.

1.6. Any commercial activity or any trade – including the sale and serving of drinks, irrespective of any business licence that may exist – as well as company signs and any form of external advertising installations, are prohibited in the allotment garden.

1.7. Sculptures and objects intended for artistic design or stemming from other gardening traditions may be installed.

2) Planting

2.1. Woody plants may be planted in permissible quantities in accordance with the Richtlinie zur Ermittlung des Wertes eines Kleingartens bei Pächter*innenwechsel (Guidelines for Determining the Value of an Allotment Garden upon Change of Tenancy).

Planting or allowing the growth from the self-seeding of park and forest trees (such as lime (linden), birch, poplar, willow, oak, spruce, pine, fir, etc.) as well as of walnut trees is not permitted in the garden plots.

2.2. When planting free-standing shrubs, only species that can be kept at a maximum height of 3.50 m through pruning and normal maintenance may be chosen. Hedge plants may grow to a maximum height of 1.20 m. Section 1.3 of the Allotment Garden Regulations must be adhered to.

For trees, shrubs and tall-growing grasses, the minimum distances from neighbouring properties or neighbouring gardens, paths and communal areas in accordance with [§50 of the Niedersächsisches Nachbarrechtsgesetz](#) (Lower Saxony Neighbour Relations Act) must be observed. These are:

a) up to 1.20 m in height:	0.25 m
b) up to 2.00 m in height:	0.50 m
c) up to 3.00 m in height:	0.75 m
d) up to 5.00 m in height:	1.25 m
e) up to 15.00 m in height:	3.00 m
f) over 15.00 m in height:	8.00 m

2.3. Woody plants and trees that are diseased or dead and pose a risk of infection must be removed. The association may order their removal within a reasonable period if there is a risk of infecting adjacent healthy crops (such as infestation by bark beetles, canker, fire blight, etc.). Dead trees may remain, provided they are structurally sound and reduced to a maximum height of 4 m, due to their distinctive form and ecological function.

2.4. Upon termination of the tenancy, compensation will only be provided for plantings permissible under the Richtlinie zur Ermittlung des Wertes eines Kleingartens bei Pächter*innenwechsel (Guidelines for Determining the Value of an Allotment Garden upon Change of Tenancy). Compensation will only be provided for fruit trees upon handover of the garden if they have been pruned regularly and appropriately.

2.5. Woody plants designated for removal in the valuation report, including stumps or root balls, must be removed by the outgoing tenant or at their expense.

3) Fencing and Communal Facilities

3.1. The perimeter fencing and communal facilities must be kept in good condition. Fences and hedges forming the external boundary of the site should not exceed a height of 2 metres. If guidelines or orders regarding fences, hedges or the planting of communal facilities have been issued in the interest of the association or to maintain the overall

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appearance of the site, or if corresponding resolutions have been adopted by the association's governing body, these must be brought to the attention of the tenants and complied with.

- 3.2. Unless other orders have been issued, the height of fences within the site may not exceed 1.20 metres. Hedges or naturally growing shrubs forming boundaries along paths should not exceed a height of 1.20 metres. They must be professionally trimmed at least once a year. Gates and posts should not be higher than the fences.

Hedge plants should be species suitable for trimming. They must be planted and maintained in accordance with the requirements of their species.

The prescribed path widths must be maintained.

- 3.3. Boundaries with neighbouring plots may consist of plantings or structures made of wood or steel up to a height of 2.00 metres, but only along one-third of the garden length and subject to the boundary distances specified in section 2.2 of the Allotment Garden Regulations.

The tenant must keep the paths surrounding their garden free from debris and vegetation at all times. Care must be taken to maintain the safety of these paths.

- 3.4. Barbed wire is not permitted within the site. In addition, under the current version of the [Verordnung über die öffentliche Sicherheit und Ordnung in der Landeshauptstadt Hannover \(SOG-VO\)](#) (Regulation on Public Safety and Order in the City of Hannover), the installation of barbed wire on fences lower than 2.40 metres above ground level is prohibited along public paths and roads.

- 3.5. To protect against wildlife damage, close-mesh netting (such as chicken wire) may be used to a height of up to 1.00 metre; the netting should be buried 0.20 metres into the ground and must not exceed an above-ground height of 0.80 metres. It must be installed in such a way that any existing hedges can grow through it.

- 3.6. In the event of boundary disputes with a neighbouring gardener, the [Niedersächsisches Nachbarrechtsgesetz](#) (Lower Saxony Neighbour Relations Act) shall apply.

- 3.7. The garden number must be clearly displayed at the entrance to the plot.

- 3.8. The existing perimeter fence of the overall site is the property of the allotment gardeners' association and may not be interfered with or otherwise altered

by the tenant for the purpose of creating individual entrances or exits.

4) Environmentally-friendly garden management

- 4.1. Tenants must ensure that they garden in an environmentally sustainable way. In the spirit of an ecological, nature-oriented and sustainable allotment gardening culture, the tenant is obliged to maintain garden plants, trees and soil in a healthy condition through appropriate measures (such as using healthy planting material, selecting the correct location for planting, crop rotation, cover cropping, mulching, compost additives, mechanical soil cultivation, etc.).

The use of peat or soils or products that contain peat is prohibited.

- 4.2. Only a sound combination of environmentally-friendly methods of integrated pest management may be used. The methods used should prioritise biological and biotechnical measures combined with sound plant breeding and cultivation choices and principles. The use of chemical plant protection products must be limited to the absolutely necessary minimum.

For fertiliser and plant-strengthening additives, organic materials or environmentally-friendly minerals (such as algae lime, rock dust, bentonite dust, etc.) should be prioritised over synthetic/chemical substances or mineral fertilisers.

The use of chemical pest control products (herbicides, insecticides, fungicides, etc.) as well as vinegar and salt for weed control is prohibited. In serious cases, the City of Hannover's Environmental and Urban Greenery Department, in consultation with the Plant Protection Office and the Hannover Region Authority, may grant exceptions. In such cases, only pest control products approved for domestic and allotment garden use may be applied, in compliance with the statutory provisions of the Pflanzenschutzgesetz (Plant Protection Act).

The [Verordnung über die Anwendung bienengefährlicher Pflanzenschutzmittel \(Bienenschutzverordnung\)](#) (Regulation on the Use of Pest Control Products Harmful to Bees) must be observed.

All pest control measures must take account of neighbouring crops. Anyone who uses pest control products or allows them to be used on their allotment is liable for all resulting damage.

- 4.3. The protection of birds, hedgehogs and other wild animals should be promoted. Nesting sites, wetland biotopes and water features belong in an environmentally-friendly garden and are encouraged.

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4.4. Ornamental shrubs must be pruned correctly and in accordance with the requirements of the species. The removal or cutting back of any woody plants to ground level is prohibited between 1 March and 30 September under [§39 of the Bundesnaturschutzgesetz](#) (Federal Nature Conservation Act). The annual pruning of shaped or topiary hedges, as set out in Section 3.2 of the Allotment Garden Regulations, is permitted throughout the year provided that special species are protected, in particular with regard to the nesting sites of European bird species.

4.5. Instead of a frequently mown ornamental lawn, meadows or low-maintenance lean turf may be planted. Grass cuttings should be composted within the garden.

5) Structural installations

5.1. The construction or alteration of any structural installations requires the approval of the Bezirksverband Hannover der Kleingärtner e.V. (Hannover District Association of Allotment Gardeners). The Richtlinien zur Errichtung baulicher Anlagen in Kleingärten der Landeshauptstadt Hannover (Guidelines on the Construction of Structures in Allotment Garden Sites of the City of Hannover) apply.

5.2. The use of chemical or camping toilets is prohibited.

5.3. Structures erected without the approval of the Bezirksverband Hannover der Kleingärtner e.V. (Hannover District Association of Allotment Gardeners) or the City of Hannover are unlawful.

5.4. Water connections may not be installed in or on summer houses.

5.5. Water containers must be installed in accordance with the 'Guidelines on the Construction of Structures in Allotment Garden Sites of the City of Hannover'.

5.6. New well systems must, prior to construction, be approved by the Hannover Region Authority in accordance with the applicable regulations of the [Wasserhaushaltsgesetz](#) (Water Resources Act). Furthermore, Section 11b of the [Guidelines on the Construction of Structures in Allotment Garden Sites of the City of Hannover](#) applies.

All electrical installations in the allotment garden must – without prejudice to any necessary approvals from the association, the electrical supply group, the property owner and the electricity supply

company – be constructed and operated in accordance with the applicable VDE (German Association of Electrical Engineers) regulations.

5.7. All liquefied gas systems in the allotment garden must be installed and operated in accordance with the Technische Regeln Flüssiggas – TRF (Technical Rules for Liquefied Gas). Cylinder systems (11 kg to 33 kg) must be inspected upon installation and thereafter every two years by a certified gas technician (such as the gas supplier). Larger systems (tank systems) are not permitted in allotment gardens.

The tenant is liable for all damage caused by themselves, their relatives or third parties commissioned by them in relation to the installation or operation of a gas or electricity supply.

5.8. Decorative ponds are permitted provided they do not come into contact with groundwater and are no larger than 8 m² including the marginal shelf.

5.9. Surfaced areas outside the summer house must not exceed 15 m².

Paths must not exceed the length of the garden and a width of 1 metre. Paths and surfaced areas must not be constructed using poured concrete. Gravel gardens are prohibited.

6) Animal keeping

6.1. The permanent keeping of animals of any kind is generally not permitted, except for bees and ornamental fish.

6.2. Before setting up an apiary, the tenant must obtain specialist advice from the Bezirksverband Hannover der Kleingärtner e.V. (Hannover District Association of Allotment Gardeners) and provide proof of this to the association, as well as obtain written authorisation for beekeeping from the Department of Environment and Urban Greenery of the City of Hannover. In addition, the beekeeping must be reported to the Consumer Protection and Veterinary Service of the Hannover Region.

A maximum of eight colonies of Carniolan bees may be kept. An apiary must be at least 5 m away from summer houses and the seating areas of neighbouring gardens and must be surrounded on all sides by shrubs or a protective wall at least 2 m high. The bees must be provided with sufficient water.

If immediate neighbours or their family members are demonstrably particularly allergic to bee stings, the association must prohibit beekeeping and ensure the removal of the bees.

7) Driving on paths

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| <p>7.1. Motor vehicles are generally prohibited from the paths in allotment garden sites. Further provisions are determined by association resolutions and announced by appropriate signage.</p> <p>7.2. Where the paths are sufficiently load-bearing and wide, the association may grant an exemption for larger deliveries (such as fertiliser or building materials). The tenant must obtain this exemption in advance.</p> <p style="padding-left: 20px;">In such cases, the paths may only be used for short-term loading and unloading. Delivered materials must be removed from the paths within 24 hours. In darkness, any material not yet removed must be secured to prevent accidents.</p> <p style="padding-left: 20px;">The tenant is liable for all damage caused by driving on the paths and by material obstacles left by third parties commissioned by them.</p> <p>7.3. Cycling in allotment garden sites is generally permitted unless otherwise determined by the association.</p> <p>8) Waste disposal</p> <p>8.1. Garden waste must be composted wherever possible. Composting must not cause a nuisance to neighbouring tenants and should be at least 5 m away from the neighbour's seating area and summer house.</p> <p>8.2. Non-compostable waste as well as food waste, diseased plant material, construction debris, junk, etc., must be removed from the site immediately and must not, under any circumstances, be buried in the garden or stored there in any other way.</p> <p>8.3. Waste water and faeces, etc., must be disposed of properly. This must not cause contamination of the groundwater. The emptying of toilets and disposal of faeces must not cause avoidable nuisance to others.</p> <p>8.4. The statutory provisions and the special regulations of the City of Hannover apply to the disposal of pest control product residues and other harmful or toxic substances.</p> <p>8.5. The burning of wood, garden waste, etc., in the garden is not permitted. The operation of stoves and ovens in summer houses, as well as barbecues, fire bowls and similar equipment, must not cause a smoke or odour nuisance to others.</p> <p>9) Other provisions</p> | <p>9.1. The tenant, their family members and any third parties engaged by them must at all times behave in such a way that no other persons or the community are disturbed more than is unavoidable under the circumstances.</p> <p>9.2. Order and safety in the allotment garden site must not be endangered.</p> <p style="padding-left: 20px;">Disturbances of the peace, such as those caused by using radios, amplifiers, televisions, etc., are prohibited and may be reported to the authorities.</p> <p>9.3. The use of machines is permitted, except on Sundays and public holidays, from Monday to Friday between 8:00 and 13:00 and between 15:00 and 19:00, and on Saturdays between 8:00 and 13:00. Consideration must be shown to neighbours. Associations may adopt different rules within the limits permitted by law (§7 of the 32nd BimSchV (Ordinance on the Implementation of the Federal Emissions Control Act), Geräte- und Maschinenlärmschutzordnung (Ordinance on Noise Emissions from Equipment and Machinery)).</p> <p style="padding-left: 20px;">The use of garden equipment with combustion engines is generally prohibited in individual allotments (lawnmowers, pumps, etc.).</p> <p>9.4. The washing and other maintenance of motor vehicles within the allotment garden sites and in the associated parking spaces is prohibited.</p> <p style="padding-left: 20px;">Caravans are not permitted within allotment garden sites. Temporary tents or marquees for a period not exceeding seven days is permitted.</p> <p>9.5. Allotment garden sites are public green spaces and must, in principle, remain accessible to the public throughout the day. The applicable regulations of the City of Hannover, in particular the Hannoversche Straßenordnung (Hannover Street Ordinance), must be observed.</p> <p>9.6. The installation of telephone connections in allotment gardens is not permitted.</p> <p>9.7. External antennas of any kind are prohibited.</p> <p>9.8. The tenant is advised to make use of the experience and advice of the expert advisors of the association or the district allotment gardeners' association in all horticultural and gardening matters.</p> <p>10) Breaches</p> <p style="padding-left: 20px;">In the event of breaches of the provisions of these Allotment Garden Regulations, the tenant may – independently of any potential regulatory, civil or</p> |
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criminal consequences – have their tenancy terminated in accordance with the provisions of the Bundeskleingartengesetz (Federal Allotment Garden Act) of 28 February 1983, specifically under §8 para. 2 of the Act without notice, and under §9 para. 1 no. 1 of the Act following an unsuccessful warning, with effect from 30 November of that year, provided that the notice of termination is issued no later than the third working day in August.

11) **Validity**

- 11.1. These Allotment Garden Regulations were adopted by the General Assembly of the Bezirksverband Hannover der Kleingärtner e.V. (Hanover District Association of Allotment Gardeners) on 15 August 2024, approved by the City of Hanover as the landlord and replace the previous garden regulations.
- 11.2. The 'Guidelines on the Construction of Structures in Allotment Garden Sites of the City of Hannover' and the 'Guidelines for Determining the Value of an Allotment Garden upon a Change of Tenant', each in their currently applicable version, form part of these Allotment Garden Regulations and the sublease agreement.