

MARION COUNTY ADOPT-A-ROAD PARTICIPATION AGREEMENT

MARION COUNTY, by and through the Marion County Department of Public Works ("County"), and _____ ("Sponsor"), agree to the following terms and conditions governing Sponsor's participation in the Marion County Adopt-A-Road program ("Program"):

SPONSOR'S RESPONSIBILITIES:

1. Application for Program

1.1 The Sponsor has provided an Adopt-A-Road Application to the County, which is attached and made a part of this Agreement, which provided the following information.

1.1.1 The name and mailing address of the individual, family, group, business, or organization making an application to become a Sponsor.

1.1.2 A primary contact person who resides in Marion County, including the contact person's telephone number (during both daytime and evening or weekends), and address. If the application is for a group, business or organization, the Sponsor provided a letter that designates the contact person as having authority to act on behalf of the group, business or organization (preferably on letterhead).

1.1.3 For a group, business, or organization, the Sponsor supplied evidence of the existence of the group, business, or organization and its operations in Marion County.

1.1.4 The requested County Road and limits of the section of road for which it wishes to become a Sponsor.

1.1.5 The name requested to be placed on the Adopt-a-Road sign when installed.

1.1.6 The date submitted and signature of the primary contact person.

2. Participation

2.1 Sponsor will collect trash along both sides of the approved section of a county road at least once between January and June and again between July and December. More frequent cleanups are encouraged.

2.2 Sponsor shall notify the County of any change of the primary contact person's address, phone numbers, or replacement. If the Sponsor is a group, business, or organization, the Sponsor shall promptly notify the County of the primary contact person's disassociation with the Sponsor.

2.3 Sponsor shall ensure that all persons who will be cleaning up litter:

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- 2.3.1 Sign a Waiver of Liability and Indemnification form and submit each signed form to Marion County Public Works prior to each participant's participation in a cleanup.
 - 2.3.2 Are ten years of age or older. Participants who are under 18 years of age must have their parent or guardian sign the Waiver of Liability and Indemnification form. A parent or guardian must accompany participants who are ten or eleven years of age. All minors shall have adequate adult supervision present at all times during the cleanup (at least one adult per group of 5 minors).
 - 2.3.3 Wear a safety vest provided by the County at all times while picking up litter on the roadway.
 - 2.3.4 Use the cleanup supplies provided by the County: Rubber gloves, yellow bags for trash, tongs to pickup small debris, "Litter Patrol Ahead" signs, to make traffic aware of your presence on the roadway, and flags to mark any chemicals or other hazardous materials, large animals, or appliances while performing cleanup.
- 2.4 Sponsor will designate a person-in-charge during each clean up event who shall:
- 2.4.1 Notify the Public Works Department at 503-588-5304, no less than 7 days prior to any planned cleanup to schedule use of equipment.
 - 2.4.2 Schedule a time to pick up forms and other materials that the County supplies and assigns to the group for a scheduled cleanup event.
 - 2.4.3 Return the signed Waiver of Liability and Indemnification forms for all persons who will be participating in the cleanup event before the event takes place.
 - 2.4.4 Distribute the safety guide brochure provided by the County to all participants in the cleanup, insure that all participants read it and sign the acknowledgement form, and that the form is returned to Public Works Department when returning other assigned equipment.
 - 2.4.5 Return all assigned equipment within 7 days following the date of equipment checkout.
 - 2.4.6 Place necessary traffic warning signs during cleanup provided by the County at each end of roadway to alert citizens of the Sponsor's presence of the right-of-way.
 - 2.4.7 Complete and return to the Public Works Department the form showing the number of participants and hours they spent at the cleanup event. The maximum number of participants allowable on the right of way at one time is fifteen.

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COUNTY'S RESPONSIBILITIES:

2. Application Review/Approval

- 3.1 The County has reviewed the Sponsor's application and found it acceptable.
- 3.2 The section of roadway on _____ between _____ and _____ has been approved for the Sponsor and found to meet the following qualifications.
 - 3.2.1 Is one mile or longer in length unless along a residential or business area within an Urban Growth Boundary, then it shall be one-half mile or longer.
 - 3.2.2 Is not being sponsored by another Sponsor.
 - 3.2.3 Is defined as a county road.
 - 3.2.4 Has a paved surface.
 - 3.2.5 Has a minimum of 5 feet of distance from edge of paved road to right-of-way line or fence line that will be cleaned.
- 3.3 The County has verified, to the best of its ability, that the information submitted on the application is true and correct.

4. Approval of the Application

- 4.1 The County has found the application conforms to the applicable criteria and the Sponsor has agreed to abide by the provisions of this Agreement through the contact person's signature below. By the acceptance of this Agreement the Sponsor agrees to set up a time with the County for County training, as it deems necessary for participation under this program.

5. Placing of Adopt-a-Road Signs

- 5.1 The County shall (in an effort to recognize those Sponsors who have made a long-term commitment to the Adopt-a-Road program) place an Adopt-a-Road sign, along with a Sponsor's name sign, at each end of the section of road approved for sponsorship.
- 5.2 Initial placement of signs will not occur until after the Sponsor has completed a minimum of one year of participation and two scheduled cleanups. The signs shall conform to the following standards:
 - 5.2.1 The Sponsor signs will have only the individual, family, group, business or organization name on it as follows:
 - 5.2.1.1 Individual - First and last legal name

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- 5.2.1.2 Family – Family’s legal last name and if space allows their legal first names
- 5.2.1.3 Group – Official name commonly recognized in the community
- 5.2.1.4 Business – Documented name of business
- 5.2.1.5 Organization – Documented name of organization

- 5.3** Should the Adopt-a-Road or Sponsor signs be vandalized beyond repair or stolen, Marion County will cover the cost of replacement unless the Sponsor name sign is the only piece missing, then the cost of replacement is the responsibility of the Sponsor. An invoice will be sent to the Sponsor’s primary contact prior to replacement and only after verification of payment will signs be replaced.

GENERAL PROVISIONS:

6. Term of Agreement

- 6.1 This Agreement shall be effective a minimum of one year from the date that the last authorizing signature is obtained and remain in effect until such time that it is terminated under the provisions of the termination clause of the Agreement.

7. Termination

- 7.1 If the Sponsor fails to comply with any terms of this Agreement, the County shall terminate this Agreement and the Sponsor will no longer be part of the Adopt-a-Road program.
- 7.2 Should the Sponsor no longer wish to participate in the Program, the Sponsor shall provide written notification to the County stating the date upon which the termination shall become effective.
- 7.3 When the Agreement is terminated the County will remove, if one has been placed, the Adopt-a-Road sign that had identified the Sponsor.

8. Communication

- 8.1 All notices and other communications under this Agreement shall be in writing. Notices shall be deemed to have been properly given on the date postmarked by the U.S. Mail, or the date received, if delivered in any other manner. Notices regarding this Agreement should be sent to:

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Marion County:

Adopt-A-Road Coordinator
Marion County Public Works
5155 Silverton Rd. NE
Salem, OR 97305

Sponsor:

Name _____
Address _____
Phone _____
Email _____

9. Subcontracts and Assignment

9.1 The Sponsor shall not enter into any sub-agreements or transfer their responsibilities to any other party without the County's prior written consent. If, at any time, the Sponsor wishes to relinquish responsibility for the duties listed in this Agreement to another party, the Sponsor shall terminate this Agreement under the termination clause contained herein. The County shall then make that section of road available for other interested parties to adopt in accordance with existing policies and procedures.

10. Non-Waiver of Rights

10.1 The failure of County to enforce any provision hereof shall not constitute or be construed as a waiver of such provision or of the right to enforce it at a later time.

10.2 This Agreement constitutes the entire agreement between the parties. Any prior agreements (oral or written) relating to the subject matter of this Agreement are void.

Marion County Public Works

Sponsor

Name Date

Name Date