

ADOPT-A-HIGHWAY PROGRAM AGREEMENT

This Adopt-A-Highway Agreement (hereinafter the "Agreement") is made and entered into on this ____ day of _____, 20__, by and between **the City of Wilmington, an Illinois Municipal Corporation (hereinafter the "City")** and

(Business/Organization/Person) (hereinafter the "Group").

Hereby enter into this Adopt-A-Highway Program Agreement.

WHEREAS, the City and Group recognize the need and the desirability of litter-free and visually improved roads in the City of Wilmington;

WHEREAS, the Adopt-A-Highway Program (Program") has been established for community and civic organizations as well as private businesses to contribute toward the effort of maintaining cleaner and more beautiful roadways.

WHEREAS, after the application by the Group, the City approves the Group for the Adopt-A-Highway program for the following Adopted Section:

(Road)

(From what point to what point)

THEREFORE, In furtherance of the Adopt-A-Highway Program for the City, the parties agree as follows:

I. PURPOSE. The City of Wilmington Adopt-A-Highway Program exists to support the City's litter abatement efforts, consistent with the Illinois Adopt-A-Highway Act (605 ILCS 120/1).

II. DEFINITIONS:

Adoption	An agreement by an individual or group to pick up litter and trash from a specified section of road Right-Of-Way.
Adopt-A-Highway Program	A public participation program of the City designed to assist in the control and reduction of litter on City maintained right-of-way.
Adopted Section	A length of municipal, township, county, or state right-of-way identified by the City as a safe, adoptable section of right-of-way for adoption by a group. Sections of rights-of-way may be determined inappropriate for adoption for safety reasons. No interstate highway shall be an Adopted Section.
City	City of Wilmington

Director	Public Works Director, or his or her designee
Group	Individuals, members or employees of civic or not-for-profit organizations, and commercial or private enterprises, who have requested to participate, or are participating, in the Adopt-A-Highway program.
Group Coordinator	The individual selected by a group to serve as its liaison with the City.
Group President	The individual is the group's recognized leader, president, or chairman.
Program	The Adopt-A-Highway Program
Litter	Any unsightly or offensive matter that may include, but is not limited to, disposable packaging, containers, cans, bottles, paper, ashes, and cigar and cigarette butts. LITTER does not include hazardous, heavy, large items, or carcasses.

III. PARTICIPATION IN ADOPT-A-HIGHWAY PROGRAM

The adoption of an Adopted Section is a privilege in consideration for public service that may be granted by the City to individuals and/or groups who would assist the Adopt-A-Highway Program in achieving its purpose of a clean roadside.

Only individuals and/or groups determined by the City to be responsible and to exhibit in good faith the willingness and the capacity to perform the responsibilities of the program will be allowed to adopt a road.

The City may refuse to grant a request to adopt a section of the road if, in its opinion, granting the request would jeopardize the Program be counterproductive to its purpose, or create a hazard to the safety of the public. Roadway safety is a principal concern in all decisions related to the Program.

The group must assume responsibility for their own safety. They are not afforded insurance coverage under any of the City's insurance policies.

They are not entitled to worker's compensation coverage. By entering into this Agreement, the group acknowledges that they are aware of the potentially hazardous nature of the work, and they agree to hold the City and the City employees harmless for any injuries that they may cause or suffer or damages that they may cause or suffer as a result of participation in the Program.

This Agreement shall be for an initial Term of a period of two years from the date of execution of this Agreement, and shall automatically renew for additional one-year terms unless either party terminates this Agreement in writing with at least thirty (30) day notice.

Groups are encouraged to recycle materials collected from the Adopted section when it is feasible to do so.

IV. RESPONSIBILITIES OF GROUP AND CITY

The Group in the Adopt-A-Highway Program will be subject to each of the following requirements and responsibilities:

1. Appoint or select a Group Coordinator and Group President to act on behalf of the group;
2. Obey and abide by the Illinois Adopt-A-Highway Act, the City's Adopt-A-Highway Ordinances, all laws and regulations relating to safety, City's guidelines, safety suggestions and requirements, and other terms and conditions set forth in the Agreement;
3. Provide one adult supervisor for every 5 youths when persons under age 18 present on an Adopted Section;
4. Not allow any person under the age of 10 to be a member of the Group who would be volunteering for the purposes of litter collection;
5. Require the Group Coordinator, or designee, to conduct Group safety meetings and to receive safety training as required by the City;
6. Require all Group members to attend a safety meeting conducted by the Group, view the City's safety video, and sign the Agreement acknowledging the Group attended such safety meetings before participating in the litter collection along the Adopted Section;
7. Adopt a section for a minimum of two years;
8. Pick up litter a minimum of once month, and more often as necessary to maintain a clean Right of Way;
9. Require the Group Coordinator to provide prior notice, as required by the Director, whenever the group intends to collect Litter along its adopted section;
10. Require Group members to properly wear any safety apparel provided by the City while collecting litter on an Adopted Section, including but not limited to wearing an ANSI class 2 compliant safety vest or shirt;
11. Ensuring that each individual Program participant of the group wears clothing or apparatus that will not impair vision, hearing, or movement during the litter collection. Example: MP3 players, cell phones, earbuds;
12. Ensuring that attire that might divert the attention of motorists is not worn by Group during collection activities;
13. Be responsible for prohibiting members from possessing, consuming, or being under the influence of alcohol or drugs while on an Adopted Section;
14. Maintain a first-aid kit and an adequate supply of drinking water while members are collecting Litter along an Adopted Section;
15. Place Litter in trash bags provided by the City and place filled trash bags at a location on the Adopted Section as designated by the Director;
16. Not subcontract or assign its duties or responsibilities to any other group or organization;
17. Ensure that no signs, posters, or other display material that might distract motorists are brought to the Adopted section by group members during or between pick-ups;
18. File reports, as prescribed by the City, after each litter collection.; and
19. Ensuring that all provisions of the Agreement are fully performed.

V. THE CITY'S PARTICIPATION IN THE ADOPT-A-HIGHWAY PROGRAM WILL INCLUDE THE FOLLOWING:

1. Work with the individuals and/or group to determine the specific section of City road Right-of-Way to be adopted;
2. Provide safety vests, trash bags, and safety information;
3. Erect two signs, one at each end of the Adopted section, with the individuals and/or group name or acronym displayed, unless, in the opinion of the City, erecting signs would jeopardize the Program, be counter-productive to its purpose, or create a hazard to the safety of the public;
4. Removal of filled trash bags and bulky items;
5. Removing litter from the Adopted Section under unusual circumstances; i.e., removal of large, heavy or hazardous items;
6. Monitoring to ensure the objectives of the Program are being met and gauge its effectiveness; and
7. Develop the safety training programs that are to be utilized by group coordinators in compliance with Section 25 of the Act (605 ILCS 120/25). Safety training programs shall be appropriate for the various types of roadways that may be adopted within a jurisdiction.

VI. GENERAL LIMITING CONDITIONS

Administrative, legislative, and financial constraints subject the Adopt-A-Highway Program to certain limitations.

The Program may, at any time and for any reason, be modified in scope or altered in any manner at the discretion of the City.

The City may consider any factors it deems appropriate in determining what roads will be and will not be eligible for adoption.

The City of Wilmington must approve names, Titles or words placed on Adopt-A-Highway signs.

VII. MODIFICATION/RENEWAL/TERMINATION OF THE AGREEMENT

The Adopt-A-Highway Agreement may be modified in scope or altered in any other manner at the discretion of the City. The Adopt-A-Highway Program is subject to change at any time by the City of Wilmington.

The group will have the option of renewing the Agreement, subject to the approval of the City and the continuation by the City of the Program. Information concerning the group is to be updated at the time of renewal.

The City may terminate the Agreement and/or remove the Adopt-A-Highway signs bearing the Program participant's name or acronym if it finds and determines that the Program participant is not meeting the terms and conditions of the Agreement, that one or more members of a participating group are not responsible, that the Program participant is acting contrary to the guidelines of the Program, that the adoption is proving to be counter-productive to the program's

purpose, that thefts are resulting from the Adoption, or that Group have engaged in irresponsible conduct at the adopted Section.

VIII. ACKNOWLEDGMENTS AND AFFIRMATIONS.

The following individuals will participate in one or more litter collections. By his or her signature, each Group member affirms and understands the following:

1. Each Group member has read, and agrees to be jointly and severally bound by, and to comply with, the terms and conditions set forth in the Adopt-A-Highway Program Agreement;
2. Each Group member shall abide by the City’s Adopt-A-Highway Regulations and safety suggestions;
3. Each Group member shall attend a safety meeting and viewed the City’s safety video;
4. Each Group member acknowledges and is aware of the potentially hazardous nature of the work to be performed when participating in the Adopt-A-Highway program, and acts at his/her own risk;
5. Each Group member assumes all liability for and holds the State and the State’s agents or employees harmless from any and all claims of action resulting from the Group member’s work in the program, except for the negligent acts of the State, and the State’s agents or employees;
6. Each Group member assumes all liability for and holds the City and the City’s agents or employees harmless from any and all claims of action resulting from the Group member’s work in the program, except for the negligent acts of the City and the City’s agents or employees;
7. Each Group member agrees to follow the City’s Adopt-A-Highway Regulations and safety suggestions, which are attached hereto and incorporated herein as Exhibit A;
8. Each Group member acknowledges and understands that they are not afforded insurance coverage under any of the City’s insurance policies; and
9. Each Group member understands that he/she is not a City employee, and not entitled to Worker’s Compensation Coverage.

NAME	SIGNATURE	ADDRESS	CELL PHONE

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first above written.

CITY:

CITY OF WILMINGTON,

BY: _____
Ben Dietz, Mayor

GROUP:

Group's Name

BY: _____
Group President's Signature

Group President's Name Printed

Group Contact Information:

Street Address: _____

Group Phone Number

Group Email Address

EXHIBIT A

ADOPT-A-HIGHWAY REGULATIONS AND SAFETY SUGGESTIONS

REMEMBER: You are working in a dangerous environment a public road.

Crew members should possess the following minimum qualifications:

1. Good common sense
 2. Good physical condition, including sight and hearing
 3. Mental alertness
 4. A sense of responsibility for the safety of the public and crew
 5. Must be at least 10 years old
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SAFETY TIPS:

- Do not attempt to compact (squeeze) trash sacks to gain room for more trash. Injuries from broken or jagged objects often result from this practice.
 - Fill the sack with what goes in easily and then get another bag.
 - Park all vehicles well clear of the roadway and at least ten feet from the shoulder's surface.
 - Keep vehicles on same side of the road as volunteers.
 - Work one side of the road at a time. Car pool to site to reduce number of vehicles.
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TO PROTECT YOURSELF AND OTHERS, DO THE FOLLOWING:

- Whenever possible, face oncoming traffic while you work. Be prepared to move out of the way of vehicles in an emergency.
- Discontinue work in inclement weather, especially in times of reduced visibility and wet/icy roads.
- Work during daylight hours ONLY.
- Avoid overexertion. Drink plenty of water, especially on warm, humid days.
- Post a lookout to be aware of traffic situations.
- Have a refresher session on safety awareness each time a crew goes out.
- Do not cross traveled sections of roadway.
- Avoid using headsets! Headsets will interfere with hearing oncoming traffic or other potential hazards.

WHAT TO WEAR:

- Wear light-colored clothing and safety vest at all times when working on the highway right-of-way.
 - Wear heavy gloves. **Do not pick up discarded syringes or hypodermic needles.**
 - Watch your footing and wear substantial leather shoes or boots with ankle support. Stay off riprap and steep slopes.
 - Wear a hat and long sleeves to avoid sunburn. On sunny days, you may wish to use sunscreen on exposed skin.
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SOME THINGS TO STAY AWAY FROM:

- Do not touch or attempt to remove known or suspected toxic/hazardous substances. Notify Public Works or the local Police of the location of such items immediately.
- Avoid contact with poison ivy, poison oak, and other noxious weeds.
- Do not attempt to pick up items on bridges, in tunnels, or on overpasses. These areas are especially dangerous to pedestrian workers.
- Stay well clear of all mowing, maintenance, or construction activities.
- Do not enter roadway or shoulder areas, paved or unpaved, to pick up trash.