

PENNINGTON COUNTY, SOUTH DAKOTA
ADOPT-A-HIGHWAY PROGRAM POLICY

PURPOSE:

The purpose of this policy is to allow organizations, businesses and individuals to volunteer to pick up litter in the right-of-way of Pennington County Roads and to recognize their efforts with signs.

POLICY:

This program is strictly a voluntary program. Pennington County invites the following to participate in the Adopt-A-Highway litter clean up program:

- Service clubs
- Community organizations
- Government organizations
- Lodges
- Veterans' groups
- Businesses
- Business employee groups or associations
- Youth groups
- Fraternal organizations
- Churches
- Religious groups
- Individuals
- Families

Groups or individuals can adopt sections of Pennington County Roads. Most sections are two (2) miles long. The adoption period is for a minimum of one (1) year and is perpetual until the adopting group or individual informs the Pennington County Highway Department of their intention to cancel or until the Pennington County Highway Department voids the adoption due to non-performance and/or non-compliance with program rules and regulations.

Groups or individuals interested in adopting a section of Pennington County roads shall contact the Pennington County Highway Department. A list of available roads, a map showing the location of available roads, a copy of the current policy and an application for adoption will be provided to the interested group or individual. Once the application has been received, the Highway Department requests authorization for adoption from the Pennington County Board of Commissioners on behalf of the group or individual. After approval, the Highway Department erects signs recognizing the efforts of the group or individual and a notice of approval is mailed to the group or individual. The Pennington County Highway Department reserves the right to approve the lettering on the signs. Group or individual recognition signs will be removed when an adoption has been canceled or voided.

The Pennington County Highway Department conducts an annual review of all Adopt-A-Highway groups and individuals. This review allows the group or individual an opportunity to inform the County of their intention to continue their adoption for another year, update contact information and to recognize them for their efforts. Certificates of appreciation are presented to groups and individuals attending the designated Pennington County Board of Commission meeting. Groups and individuals not attending the designated Board of Commission meeting receive their certificates by mail.

Adopting groups or individuals are responsible for removing litter from both sides of the roadway at least twice a year; however frequency may depend on the type of road and time of year. Clean up efforts are strictly at the

discretion of the group or individual, however, would preferably be in the spring before grass gets tall and in the summer and/or fall, after the grass has been mowed. Clean ups must be done during daylight hours. The Pennington County Highway Department will furnish trash bags and remove the collected trash if requested and upon notification of the group or individual.

By Federal Regulation, all individuals participating in the Adopt-A-Highway program are required to wear an ANSI Class II Safety Vest while in the public right-of-way. These safety vests as well as two litter signs can be borrowed from the Pennington County Highway Department for Adopt-A-Highway participants. Only the ANSI Class II Safety Vests are required for clean ups. Groups or individuals are asked to call in advance to reserve the above safety items and promptly return them after the clean up is completed.

The Pennington County Highway Department requires that all Adopt-A-Highway groups or individuals inform them of their scheduled litter clean up days. In addition, each participant is required to complete the “Release and Waiver of Liability, Assumption of the Risk and Indemnity Agreement and Consent to Medical Treatment” form annually prior to occupancy of the right-of-way for Adopt-A-Highway activities. There is a form for adults over the age of eighteen (18), as well as minors who are under the age of eighteen (18), which must be signed by the minor’s parent or legal guardian. These forms are available at the Pennington County Highway Department and will be distributed each year with the annual review information as well.

DISCLAIMER:

All individuals participating in the Pennington County, South Dakota Adopt-A-Highway Program shall indemnify and hold the County of Pennington, South Dakota, its Highway Department, its officers, agents, and employees, harmless from and against any and all actions, suits, damages, liability or other proceedings of any kind or nature brought because of any injuries or damage received or sustained by any person or property on account of the use or occupancy of right-of-way designated by the Adopt-A-Highway Program.

Adopted this 6th day of October, 2009

Pennington County Board of Commissioners

Brenda Young, Chairperson

SAFETY SUGGESTIONS FOR PENNINGTON COUNTY ADOPT-A-HIGHWAY ACTIVITIES

When engaging in clean up on sections of Pennington County roads, groups and individuals are encouraged to follow these safety tips and guidelines.

DO:

- Wear a safety vest at all times when you are within the right-of-way
- Provide proper supervision for participants
- Have a safety briefing with group participants before starting litter pick up activities
- Have an adequate first-aid kit and plenty of drinking water with you
- Have a cellular phone or other means of communication with you in case of an emergency
- Wear a hat and long sleeves for protection from sun and/or insects
- Wear sturdy soled footwear or boots for protection
- Wear heavy gloves
- Be alert for places that harbor snakes and other undesirable creatures. Avoid areas around culverts and long grasses
- Be alert for stinging insects
- Pay close attention to your surroundings
- Stay off steep slopes
- Face oncoming traffic
- Work only during daylight hours
- Park all vehicles completely off the roadway and shoulders
- Keep vehicles and participants on the same side of highway
- Carpool to site to eliminate the number of parked vehicles

DO NOT:

- Do not wear headsets. You may not be able to hear oncoming traffic or other potential hazards
- Do not work in inclement weather during times of reduced visibility, or when roads are wet or icy
- Do not go near mowing operations or maintenance/construction activities
- Do not go onto roadways or shoulders to pick up trash
- Do not squeeze trash bags when full. Jagged or broken objects can cause injuries. Fill bag with what goes in easily and then get another bag.
- **Never pick up, touch or remove any toxic or hazardous items such as:**
 - Syringes or hypodermic needles
 - Known or suspected hazardous substances
 - Abandoned barrels
 - Broken automotive batteries
 - Weapons
 - Herbicide containers
 - Paint cans
 - Sharp objects
 - Antifreeze
 - Chemical containers
 - Unidentified containers
 - Containers leaking unknown substance
 - Pesticide containers
 - Narcotics
 - Dead animals
 - Gas cans

Notify the Pennington County Highway Department or local law enforcement authorities if known or suspected hazardous substances are found.

**PENNINGTON COUNTY, SOUTH DAKOTA
RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF THE RISK AND INDEMNITY
AGREEMENT AND CONSENT TO MEDICAL TREATMENT**

(For use by adults)

By my signature below, I acknowledge that I am aware of, appreciate the character of, and voluntarily assume the risks involved in participating in the Pennington County Adopt-A-Highway Program.

By my signature below, on behalf of myself, my heirs, next of kin, successors in interest, assigns, personal representatives, and agents, I hereby:

1. Waive any claim or cause of action against and release from liability the County of Pennington, South Dakota, its officers, employees, and agents for any liability for injuries to my person or property resulting from my participation in the activity listed above.
2. Agree to indemnify and hold the County of Pennington, South Dakota, its officers, agents and employees, harmless from and against any and all actions, suits, damages, liability or other proceedings that may arise as the result of performing the activity listed above; and
3. Consent to receive any medical treatment deemed advisable during my participation in the activity listed above.

I HAVE READ THIS RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF THE RISK AND INDEMNITY AGREEMENT AND CONSENT TO MEDICAL TREATMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND HAVE SIGNED IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT, ASSURANCE, OR GUARANTEE BEING MADE TO ME AND INTEND MY SIGNATURE TO BE A COMPLETE AND UNCONDITIONAL RELEASE OF ALL LIABILITY TO THE GREATEST EXTENT ALLOWED BY LAW.

Organization Name _____

Name _____ Date of Birth _____
PLEASE PRINT

Signature _____

Address _____

Date _____

**PENNINGTON COUNTY, SOUTH DAKOTA
PARENTS OR GUARDIANS RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF THE
RISK AND INDEMNITY AGREEMENT AND CONSENT TO MEDICAL TREATMENT**

(For use by adults and minors, if the participant is under 18 years of age)

By our signatures below, we acknowledge that we are aware of, appreciate the character of, and voluntarily assume the risks involved in participating in the Pennington County Adopt-A-Highway Program.

By our signatures below, on behalf of ourselves, our heirs, next of kin, successors in interest, assigns, personal representatives, and agents, we hereby:

1. Waive any claim or cause of action against and release from liability the County of Pennington, South Dakota, its officers, employees, and agents for any liability for injuries to person or property resulting from my participation in the activity listed above.
2. Agree to indemnify and hold the County of Pennington, South Dakota, its officers, agents and employees, harmless from and against any and all actions, suits, damages, liability or other proceedings that may arise as the result of performing the activity listed above.
3. Consent to receive any medical treatment deemed advisable during participation in the activity listed above; and
4. Acknowledge that we are signing below as a minor child and as the parent or legal guardian of the minor child named below.

I HAVE READ THIS RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF THE RISK AND INDEMNITY AGREEMENT AND CONSENT TO MEDICAL TREATMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND HAVE SIGNED IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT, ASSURANCE, OR GUARANTEE BEING MADE TO ME AND INTEND MY SIGNATURE TO BE A COMPLETE AND UNCONDITIONAL RELEASE OF ALL LIABILITY TO THE GREATEST EXTENT ALLOWED BY LAW.

Organization Name _____

Minor's Name _____ Date of Birth _____
PLEASE PRINT

Signature _____ Date _____

Address _____

Parent/Guardian's Name _____ Date of Birth _____
PLEASE PRINT

Signature _____ Date _____

Address _____