

Toll Booth/Voluntary Boot Drive Policy
March 26, 2012

Policy Regarding "Boot Drives" or other Fundraising Events on Public Ways

Any group or organization who wishes to obstruct a public way for any amount of time for the purposes of fundraising in any manner must obtain permission from the board of Selectmen. The request must be made in writing on the approved form not less than 30 days prior to the event to allow the Board a satisfactory amount of time to take action on the request.

The organization shall be a charitable or non-profit group and the proceeds of the boot drive must be used exclusively for charitable purposes.

Organizations conducting such activity **must** adhere to the following requirements:

- 1) NO inappropriate coercion during the collection of donations.
- 2) Persons in the road must be at least 18 years of age and all persons under 18 are to remain on the sidewalk.
- 3) Activities shall be conducted no earlier than ½ hour after sunrise and end no later than ½ hour before sunset.
- 4) All persons in the road must wear DOT (ANSI 107 compliant Class II vest, Class III Highway Safety garment, or ANSI 207 Public Safety vest) approved reflective clothing to minimize danger while they are in the roadway.
- 5) Appropriate signage, providing notice of the upcoming boot drive and identifying the name of the charitable organization, must be employed at least 100 yards in advance of the collection location.
- 6) Orange highway cones must be co-located with the signage and at the collection location.
- 7) If public safety vehicles are to approach, the collectors are to expeditiously but safely move out of the way.
- 8) Submit a completed permit application for the event to the Board of Selectmen's Office at least 30 days prior to the event.
- 9) Submit a completed hold harmless/waiver of liability form for **each** participant to the Town Manager no later than the Thursday prior to the event.

Failure to comply with these requirements may be grounds for denial of a permit, immediate suspension of fundraising activity, and potential denial of permit for future events. The Chief of Police and all other police officers of Winchendon Police Department are authorized by law, and hereby appointed as agents of the Board for purposes of enforcing this policy.

TOWN OF WINCHENDON, MASSACHUSETTS

“Boot Drive” permit application instructions:

- 1) Read and agree to below rules and regulations for “Boot Drives” fundraising events on public ways.
- 2) Submit completed application to the Board of Selectmen’s Office at least 30 days prior to the event.
- 3) Plan to attend the meeting at which the application is to be addressed by the Board.
- 4) Submit a completed hold harmless/waiver of liability form for each participant to the Town Manager no later than the last business day prior to the event.

WAIVER OF LIABILITY/HOLD HARMLESS
AGREEMENT

I understand and acknowledge that participation in a “boot drive” or similar charitable activity involves risk and the potential for injury. I understand that fundraising on and in public ways containing motor vehicle traffic involves risk of injury to any and all parts of my body. I hereby certify that I am aware that I will be placing myself in a potentially hazardous traffic situation and that I will not have the assistance of law enforcement traffic control at any location.

For myself, my heirs, executors, administrators, legal representative, assignees, and successors in interest (collectively the “Releasing Party or Successors”,

I, (PLEASE PRINT) _____,

HEREBY WAIVE, RELEASE, DISCHARGE, HOLD HARMLESS, PROMISE NOT TO SUE AND INDEMNIFY the **Town of Winchendon**, its agents, servants, employees, officers, and directors; (collectively, the “Released Parties”) FROM ANY and all rights and CLAIMS INCLUDING CLAIMS ARISING FROM THE RELEASED PARTIES’ OWN NEGLIGENCE, which I have or which may hereafter accrue to me and from any and all damages which may be sustained by me directly or indirectly in connection with, or arising out of, my participation in or association with this event, or travel to or from this event.

Signature (required): _____ Date: _____

(If under 18, parent or guardian must sign)