

**COMAL COUNTY
ROADWAY CLEAN SWEEP AGREEMENT**

WHEREAS, Comal County, a political subdivision of the State of Texas (“County”), and the Group known as “_____” (“Group”), recognize the need and the desirability of litter free roadways; and

WHEREAS, the Roadway Clean Sweep program (“Program”) has been established for civic minded volunteers to contribute toward the effort of maintaining litter free roadways; and

WHEREAS, “_____” is aware of the hazardous nature of the work which is to be performed and agrees to abide by the following terms and conditions; and

THEREFORE, “_____” accepts the responsibility of picking up litter on their assigned section of roadway and promoting a litter free environment in the community.

The Group agrees to the following terms and conditions:

- Agree to hold the County harmless and agree to indemnify the County, its elected officials, officers and employees for any injuries that the Group may suffer or damages that the Group may cause or suffer as a result of participation in the Program.
- Obey and abide by all laws and regulations, including those related to safety and such other terms and conditions as may be required by the County Commissioner for special conditions on a particular adopted section of roadway.
- Clean a section of roadway from the official Adopt-A-Roadway map or other roadway section the County Commissioner determines is in the best interests of the County.
- Pick up litter along such section of a roadway one time as determined by the Group and approved by the County Commissioner.
- Appoint or select an authorized representative and an alternate to serve as spokesperson for the Group, both representatives must be over 18 years of age. If the Group is a school program then there must be a teacher, counselor or administrator named as the representative and alternate. The Group is responsible to update their records with Comal County when any authorized representative changes, or address or phone number of any representative changes.
- Furnish adequate supervision by one or more adults for minor participants of the Group who are 15 years of age and older, with at least one (1) adult for every two (2) children who are 7 to 14 years of age. Children under the age of 7 may not participate in the Program.
- Conduct or attend safety meetings before each cleanup and ensure all participants attend a safety meeting before participating in a cleanup of the adopted section.
- Set up traffic control signs during a cleanup and return them to the closed position (or removed in the case of detachable signs) after the cleanup.
- Abide by County issued safety guidelines and wear County-furnished safety vests during the trash pickup.
- Place litter in trash bags furnished by the County, place filled bags at the sign base, and contact the assigned maintenance person on the first working day after the cleanup for removal of the bags.
- The Group may pick up litter in only the mowed areas of the right-of-way, if the Group is truly concerned about the hazards of walking in the unmowed areas. However, large pieces of litter in the unmowed areas, that would be visible from the roadway, should also be removed by the Group.
- Return unused materials and supplies to the County within one week following each cleanup.
- Do not consume alcoholic beverages or illegal drugs before cleanup or while working on the adopted section; do not possess alcoholic beverages or illegal drugs while on the adopted section; do not smoke while on the adopted section.
- Maintain a first-aid kit and adequate drinking water for the Group while working on the adopted section.

- Do not subcontract or assign its responsibilities to any other Group, organization or enterprise without the expressed written authorization of the County.

Comal County agrees to the following:

- Work with the Group to determine the specific section of the roadway right-of way to be adopted.
- Erect a temporary sign at each end of the Clean Sweep section with the Group's name or acronym displayed. Signs will not state the full name or official title of an elected official. Phone numbers, website addresses, embedded messages, etc., are not permitted.
- Provide traffic control signs, safety vests, trash bags, and safety information to the Group.
- Remove the filled trash bags the first workday after the pickup.
- Remove litter from the Clean Sweep section only under unusual circumstances, i.e. to remove large, heavy or hazardous items or if the Group has not fulfilled its responsibilities.

The following terms and conditions apply to Comal County's Clean Sweep Program:

- To be eligible the Group must be located or reside in Comal County.
- This agreement is terminable by either party at will by the giving of actual, written notice to the other party.
- No provision of this agreement shall affect or waive any sovereign or governmental immunity available to the County and/or its elected officials, officers, employees and agents under Federal or Texas law nor waive any defenses or remedies at law available to the County and/or its elected officials, officers, employees and agents under Federal or Texas law.
- This agreement constitutes the entire agreement of the Parties and supersedes any and all prior understandings and agreements between the Parties respecting the subject matter hereof. Neither this agreement nor any of its terms may be changed or modified, waived, or terminated (unless as otherwise provided hereunder) except by an instrument in writing signed by an authorized representative of the Party against whom the enforcement of the change, waiver, or termination is sought.

By signing below, I attest that I am authorized on behalf of the Group to sign this Agreement and that by signing this Agreement the Group, individually and as a whole, agrees to and is bound by the above stated terms and conditions.

Signature of Authorized Representative

Printed name of Authorized Representative

Group Name

Date

Accepted by County

Signature of County Commissioner

Date

**ROADWAY CLEAN SWEEP PROGRAM
APPLICATION
FOR PARTICIPATION**

Comal County will work with the adopting Group to determine the specific section of roadway right-of-way to be cleaned. The County may consider such factors as width of right-of-way, geometrics, congestion, and sight distance of roadways in determining what sections of road shall be eligible for a Clean Sweep.

(Name of Organization)

(Date of Application)

(Mailing Address and City, State, Zip Code)

(Estimated Number of Volunteers Participating)

(Printed Name of Authorized Representative)

(Signature of Authorized Representative)Electronic means

(Mailing Address and City, State, Zip Code)

(Day Phone Number)

(Email Address)

(Evening Phone No., Fax No., or Cell Phone)

(Printed Name of Alternate Representative)

(Signature of Alternate Representative)Electronic

(Mailing Address and City, State, Zip Code)

(Day Phone Number)

(Email Address,)

Evening Phone No., Fax No., or Cell Phone)

Highway section you are interested in adopting (or let us know which part of the County):

*******(Please do not write below this line. To be completed by Comal County only.)*******

Description of adopted section (to be completed by County):

>>>>>> **Return this form and signed Agreement to:** <<<<<<<<
Comal County
150 N. Seguin Ave.
New Braunfels, TX 78130