

400-26: TOLL BOOTH/VOLUNTARY BOOT DRIVE POLICY

(Adopted 3/26/12- Amended 8/7/17; Amended 9/17/18)

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 shall obtain permission from the Board of Selectmen. The request shall be made in writing on the approved Town form not less than 21 days prior to the event to allow the Board a satisfactory amount of time to take action on the request and to arrange for provision of any Town services that may be required in connection therewith.

The organization must commit that the proceeds of the boot drive shall be used for charitable purposes for the residents of Winchendon.

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

- 1) NO inappropriate coercion during the collection of donations.
- 2) Persons in the road shall be at least 18 years of age and all persons under 18 shall remain on the sidewalk.
- 3) All persons in the road shall 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.
- 4) Appropriate signage, providing notice of the upcoming boot drive and identifying the name of the charitable organization, shall be employed at least 100 yards in advance of the collection location.
- 5) Orange highway cones shall be co-located with the signage and at the collection location.
- 6) Submit to the Town Manager a completed hold harmless/waiver of liability form for **each** participant no later than the Thursday prior to the event.
- 7) Attend a follow-up meeting with the Board of Selectmen for review and feedback of the permitted boot drive. Provide a written summary to the Town Manager within thirty days. Said summary will be provided to the Board at their next meeting.

Failure to comply with these requirements shall be grounds for denial of a permit, immediate suspension of fundraising activity, and potentially for 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.

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)

TOWN OF WINCHENDON

OFFICE OF THE TOWN MANAGER

109 FRONT STREET , WINCHENDON, MASSACHUSETTS 01475-1758

Telephone: (978) 297-0085

Facsimile: (978) 297-1616

manager@town.winchendon.ma.us

LICENSE/PERMIT/RENEWAL APPLICATION

Date: _____

Name: _____ Telephone: _____

Address: _____

IF BUSINESS:

Business Name: _____ Telephone: _____

Address: _____

Social Security or Business ID number: _____

Assessor's Map _____ Parcel _____ (obtain from Assessor's Office)

Type of License/Permit Requested: Voluntary Toll Booth/Boot Drive

Additional Information: _____

Signature of Applicant: _____

☐ Non-Profit

OFFICE USE ONLY

Fee: _____

Date: _____

To: Police Department, Fire Department, Building Commissioner/Zoning Enforcement Officer,
Conservation Commission, Board of Health, Tax Collector, Planning Director, Town Clerk

Please offer your comments regarding the above application. A hearing is scheduled before the Board of
Selectmen on _____. Your response is requested by _____.

Signed: _____