



Town of Ayer

Toll Booth/Boot Drive Permit Application

Guidelines

Any group or organization who wishes to obstruct a public way for any amount of time for the purposes of fundraising must obtain permission from the Town Manager. A request must be made in writing, by filling out the attached form, not less than 30 days prior to the event.

The organization shall be a charitable or non-profit group and the proceeds of any such "boot drive" or "toll booth" 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 years of age 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/toll booth and identifying the name of 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) Any group intending to hold a boot drive/toll booth event shall submit a completed permit application for the event to the Town Manager's Office at least 30 days prior to the event;
- 9) Such group shall submit a completed hold harmless/indemnification/waiver of liability form for each participant to the Town Manager's Office, no later than the Thursday prior to the event.

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

Instructions

- #1 Read and agree to Guidelines for “Toll Booth/Boot Drive” fundraising events on public ways.**
- #2 Submit completed application to the Town Manager’s Office at least 30 days prior to the event.**
- #3 Plan to attend a meeting with various Town departments to discuss event logistics and safety plan, if requested by the Town’s Public Safety Personnel.**
- #4 Submit a completed Hold Harmless/Waiver of Liability form for each participant to the Town Manager’s Office, no later than the Thursday prior to the event.**

Application

Today’s Date: _____

Charitable/Non-Profit Organization Name: _____
Please provide a copy of 501 (c) 3 recognition or Non-Profit Status

Purpose of Fundraiser: _____

Contact Name: _____ Phone Number: _____

Email Address: _____

Event Date: _____ Event Time: _____

Event Location: _____

Space to Provide Additional Information, if needed:

Applicant, in consideration of the Town of Ayer permitting the operation of a boot drive/toll booth event as specified in this Application, and for other good and valuable consideration hereby acknowledged, do hereby agree to forever RELEASE, INDEMNIFY, REIMBURSE, DEFEND, and HOLD HARMLESS the Town of Ayer, its employees, agents, officers, and volunteers (the "Releasees"), from any and all claims, actions, rights of action and causes of action, damages, costs, loss of services, expenses, compensation, legal claims and proceedings of any description, and attorneys' fees that may have arisen in the past, or may arise in the future, directly or indirectly, from known and unknown any injury, to persons or property, to any party in connection with said participation in the aforementioned activities.

Applicant hereby further covenants for itself, its successors and assigns, not to sue the said Releasees on account of any such claim, demand or liability.

Witness my hand and seal this day of ,20 .

Name (Printed)

Title

Signature

Town Use Only

This application has been approved / disapproved by the Town Manager on recommendation of the Chief of Police, Fire Chief, and DPW Superintendent.

Town Manager

Date

Copy: Ayer Police Department
 Ayer Fire Department
 Ayer Department of Public Works

Waiver of Liability/Indemnification/Hold Harmless Agreement

*Submit completed form for **each** participant to the Town Manager's Office, no later than the Thursday prior to the event.*

- I understand and acknowledge that participation in a "Toll Booth/Boot Drive" or similar charitable activity involves risk and the potential for bodily or property 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 and my personal property.
- 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 or protection of law enforcement traffic control.

For myself, my heirs, executors, administrators, legal representatives, assignees, and successors in interest (Collectively the "Releasing Party or Successors"),

I, (print full name) _____

hereby waive, release, discharge, hold harmless, promise not to sue and indemnify, the Town of Ayer, 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, and causes of action which I have or may have or which hereafter accrue to me and from any and all damages to my person or property 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 and from this event.

Signature (Required) _____

(If under 18, parent or guardian must sign)

Date: _____