

LAKE COUNTY ADOPT-A-HIGHWAY ORDINANCE

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LAKE COUNTY ADOPT-A-HIGHWAY ORDINANCE

ARTICLE I: Title and Purpose

1.1 Title

This Ordinance shall be known as and may be referred to as the "Lake County Adopt-A-Highway Ordinance" and the ~~program~~programs it establishes may be referred to as the Lake County Adopt-A-Highway ~~Program~~and Adopt-A-Path programs.

1.2 Purpose

The Lake County Adopt-A-Highway Ordinance establishes a program that allows private citizens to support the Lake County Division of Transportation's anti-litter efforts by allowing groups to adopt a section of County Highway or Path for ~~the purpose of~~ litter collection ~~and environmental stewardship~~. The following Articles set forth the uniform guidelines and requirements for ~~the administration of~~administering the Lake County Adopt-A-Highway ~~Program~~and Adopt-A-Path programs.

ARTICLE II. ~~_____~~: Definitions

2.1 Purpose

It is the purpose of this Article to define words, terms, and phrases contained in this Ordinance.

2.2 General Word Usage

In the interpretation of this Ordinance, the following provisions shall be observed and applied except when the context ~~clearly~~ requires otherwise:

- A. Words used or defined in one tense or form shall include other tenses and derivative forms.
- B. Words in the singular shall include the plural, and words in the plural shall include the singular.
- C. The masculine gender shall include the feminine, and the feminine gender shall include the masculine.
- D. The word "shall" is mandatory.

E. The word "must" is mandatory.

F. The word "may" is permissive.

G. The word "should" is advisory.

2.3 Definitions

The following words, terms, and phrases are hereby defined and shall be interpreted as such throughout this Ordinance.

Adopt-A-Highway Program: The program encompasses both the Adopt-A-Highway and Adopt-A-Path programs, which shall be collectively referred to as the Adopt-A-Highway Program throughout this ordinance, including all appendices, agreements, exhibits, and related documents.

Adopt-A-Highway Program Coordinator: The person or persons designated by the County Engineer to administer the day-to-day operations of the Adopt-A-Highway Program on their behalf.

Adopted Section: A ~~length~~section of County Highway or Path right-of-way approved by the ~~Public Works and Lake County Division of Transportation Committee~~ for adoption by a group. Sections of rights-of-way may be determined inappropriate by the County Engineer for adoption for safety reasons.

Application Form for Participation: The form or forms developed by the County Engineer in accordance with ~~Article 4.2~~Article 4.2 on which groups may apply for participation in the Lake County Adopt-A-Highway Program.

County: Lake County, Illinois.

County Board: The County Board of Lake County, Illinois.

County Engineer: The County Engineer of Lake County, Illinois.

County Highway: A public road as defined by the Illinois Highway Code as part of the County Highway System.

Director: The designee or designees for the County who has responsibility for the administration of the Lake County Adopt-A-Highway Program. For the Lake County Adopt-A-Highway Program the Director shall be the County Engineer.

~~Director of Transportation: The County Engineer of Lake County, Illinois.~~

Frontage: The front property boundary line of a lot or parcel of land at the right-of-way line of a County Highway.

Group: Members, ~~single or multi-family, volunteers~~ or employees of civic, or not-for-profit organizations, and commercial or private enterprises, who have requested to voluntarily participate, or are voluntarily participating in the Adopt-A-Highway program.

Group Coordinator: The individual selected by a group to serve as its liaison with the Lake County Division of Transportation.

~~Group President: The individual who is the recognized leader, president, or chairman for the group.~~

Highway: Any public way as defined by the Illinois Highway Code.

Highway Section: A length of County Highway.

Illinois Adopt-A-Highway Act: Public Act 87-1118, Illinois Compiled Statutes, Chapter 605, Act 120, as amended.

Illinois Highway Code: The laws of the State of Illinois relating to roads, streets and highways.

Lake County Division of Transportation: The Department of Lake County charged with the management of the County Highway System by and through the County Engineer.

Litter: Any unsightly or offensive matter that may include, but is not limited to, disposable packaging, containers, cans, bottles, paper, ~~ashes, and cigar~~ and cigarette butts. Litter does not include hazardous, heavy, large items, or carcasses.

~~Open Application Time Period: The time period during which Application Forms for Participation in the Lake County Adopt A Highway Program will be processed.~~

Path: A designated public pathway located within the County's jurisdiction that is used for non-motorized travel.

Public Works and Transportation Committee: The Public Works and Transportation Committee of the County Board, or its successor committee.

Renewal: The replacement of an existing Lake County Adopt-A-Highway Program Agreement upon its termination with a new Agreement with the same group for the same section of County Highway or Path.

Right-of-Way: A strip of land occupied or intended to be occupied for public roadway

purposes.

Rolling Application Period: Applications shall be accepted, reviewed, and processed year-round, with the effective agreement date set as the first day of the month following approval.

Sponsoring Jurisdiction: The County of Lake, Illinois.

State's Attorney: The State's Attorney of Lake County, Illinois.

State Highway: A public road as defined by the Illinois Highway Code as part of the State Highway System.

ARTICLE III: Administrative Provisions

This Article sets forth the administrative provisions for this Ordinance.

3.1 Authority

The Illinois Compiled Statutes, as amended, provide for the County Board and the County Engineer to have authority over and supervision of County Highways. The Illinois Compiled Statutes (Illinois Adopt-A-Highway Act, 605 ILCS 120/1), as amended, ~~sets set~~ forth the authority for the County Board to establish the terms, requirements, and procedures that groups must follow in applying for participation, and participating in, the Lake County Adopt-A-Highway Program. Such terms, requirements, and procedures contained herein are ~~not inconsistent~~ consistent with the Illinois Adopt-A-Highway Act.

3.2 Jurisdiction

This Ordinance shall apply to the right-of-way of any County Highway or Path after the enactment of this Ordinance by the County Board. The terms and conditions of this Ordinance shall apply to all rights-of-way of County Highways or Paths in any township or municipality located partially or entirely within the County ~~of Lake, Illinois~~.

This Ordinance shall not be construed in any manner or form whatsoever to limit or restrict the power or authority of the County or the County Engineer to maintain, operate, improve, supervise, construct, reconstruct, widen or perform any other work on any County Highway as is best determined as provided for by this or other County Ordinance and as provided for by law.

3.3 Enactment

This Ordinance shall be in full force and effect from and after its date of passage by the County Board.

3.4 Interpretation and Separability

3.4.1 Interpretation

~~The Public Works and Transportation Committee shall~~ The County Engineer may render any interpretations of this Ordinance ~~which are necessary to promote efficient administration of its powers and duties under this Ordinance. The County Engineer may also render any interpretations of this Ordinance which~~ that are necessary to promote efficient administration of the County Engineer's powers and duties under this Ordinance.

Whenever any provision of this Ordinance overlaps, contradicts, or covers the same subject matter as any other provision of this Ordinance or any other County

Ordinance regulation or rule, the more restrictive or higher standard shall control.

3.4.2 Separability

Each article, subdivision section, subsection, paragraph, subparagraph, sentence, clause, phrase, word, provision, term, and condition or restriction established by this Ordinance or any amendments thereto are hereby declared to be separable and independent, in accordance with the following.

3.4.2.a If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any remaining provision of this Ordinance not specifically included in the judgment.

3.4.2.b If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular group, such judgment shall not affect the application of the provisions to groups not specifically included in the judgment.

3.5 Amendments

This Ordinance may be amended from time to time by the County Board.

3.6 Powers and Duties

By authority of the County Board and adoption of this Ordinance, through powers vested through the Illinois Compiled Statutes, as amended, and other applicable laws, statutes, orders, and regulations of the State of Illinois and the County of Lake, the County Board of Lake County hereby grants to the ~~Public Works and Transportation Committee, the~~ County Engineer and the Lake County Division of Transportation the following powers and responsibilities regarding this Ordinance:

~~3.1.1 Public Works and Transportation Committee~~

~~The Public Works and Transportation Committee shall have the powers and duties as assigned to it throughout this Ordinance.~~

3.6.1 County Engineer and Lake County Division of Transportation

The County Engineer and the Lake County Division of Transportation shall have the powers and duties as assigned to ~~it~~them throughout this Ordinance and, in addition, shall have the following powers and duties:

3.6.1.a The County Engineer is hereby designated the Director as set forth in Section 10 of the Illinois Adopt-A-Highway Act (605 ILCS 120/1) as amended, who has the responsibility to administer the Lake County Adopt-A-Highway Program. The County Engineer may appoint a designee or designees to assist in such administration.

3.6.1.b The County Engineer shall have the authority to ~~have developed~~develop and ~~to~~ distribute an informational brochure about the Lake County Adopt-A-Highway Program.

3.6.1.c The County Engineer may have maps, including electronic or online versions, prepared showing the sections of County Highways or Paths in the Lake County Adopt-A-Highway Program.

3.6.1.d The County Engineer is authorized to have printed the Lake County Adopt-A-Highway Ordinance, as revised.

3.6.1.e The County Engineer shall have developed the Application Form for Participation and have said Application Form amended from time to time.

3.6.1.f The County Engineer may coordinate the Lake County Adopt-A-Highway Program with other jurisdictions and agencies.

3.6.1.g The County Engineer shall ensure that notifications for scheduled cleanup dates are processed through the Adopt-A-Highway Program Coordinator, who may develop and have distributed postcards and other materials suitable to receive updates via email, phone call, or voicemail to provide for facilitate the administration of the litter ~~pick-up~~pickup provisions of the Lake County Adopt-A-Highway program ~~Agreement~~.

~~3.1.1.a The County Engineer may develop and have distributed participation plaques for members or employees of groups when parking on County Highways.~~

3.6.1.h The County Engineer may have developed and distributed appropriate plaques/certificates of appreciation to be presented to various groups ~~having~~that have participated in the Lake County Adopt-A-Highway Program.

3.6.1.i The County Engineer shall have developed, as authorized by the Illinois Department of Transportation, an aesthetic sign for use in the Lake County Adopt-a-Highway Program.

3.6.1.j The County Engineer is authorized to extend, for a short period of time for good cause, the effective date of the Lake County Adopt-A-Highway Program Agreements for approved groups. Said extension shall not act to extend the duration of the agreement beyond two years ~~of from~~ the effective date listed in **Article 4.6**~~Article 4.3.~~

3.6.1.k The County Engineer shall keep suitable records of the notice submitted by groups on their litter collection efforts and the actual removal

of filled trash bags and receptacles.

3.7 Annual Report

Applications that are complete shall be reviewed and approved directly by the Lake County Division of Transportation. An annual staff report, providing an update summarizing new adoptions, renewals, and any changes, shall be prepared by the County Engineer and presented to the Public Works and Transportation Committee during the Annual Department Update. The annual report shall include the following:

3.7.1 Total number of applications received, approved, denied, and currently active.

3.7.2 A graphical representation highlighting adopted sections.

3.7.3 Any issues encountered or relevant review by the State's Attorney's Office requested by the County Engineer.

3.7.4 The name, or acronym, of the group, as submitted to be placed upon the Adopt-A-Highway sign.

3.7.5 Identification of the Group as a Civic, Single or Multi-family, Not-for-profit, or Private Enterprise/ Commercial Group.

ARTICLE IV. —: Participation in the Lake County Adopt-A-Highway Program

The following terms, requirements, and procedures shall govern the participation of groups in the Lake County Adopt-A-Highway Program.

4.1 Applications

Any group may apply for consideration for participation in the Lake County Adopt-A-Highway Program by ~~completely~~ filling out an Application Form for Participation and submitting it to the Lake County Division of Transportation for highway sections or paths as defined in **Article 4.5.2**~~Article 4.5.2~~ that may become available. Applications will ~~only be reviewed and processed during the Open Application Time Periods~~ as defined by **Article 4.3 through Article 4.6**~~Article 4.3.~~

4.2 Application Form ~~for Participation~~

The Application Form for Participation shall be that form or forms developed by the County Engineer for the efficient administration and review of groups applying for consideration for participation in the Lake County Adopt-A-Highway Program. The form shall contain, as a minimum, the following information:

4.2.1 Information to be Supplied by the Group

~~4.1.1.a~~ 4.2.1.a Name of the Group

and Address of the Group

~~4.1.1.b~~ ~~Name of the Group President~~

4.2.1.b Name, Mailing Address, Email address and Phone Number of the Group Coordinator

4.2.1.c Dated Certification by the Group Coordinator regarding correctness of submitted information and conformance to the Ordinance requirements.

4.2.1.d Identification of the Group as one of the following types:

- Civic Group
- Single or Multi-family Group
- Not-for-profit Group
- Private Enterprise/Commercial Group

4.2.1.e Indication if the group has a financial interest in property fronting on their primary or secondary choices for adopting a highway section or path.

4.2.1.f Indication if the application is for renewal of a Lake County Adopt-A-Highway Program Agreement.

4.2.1.g The group's primary choice for a highway section or path to adopt.

4.2.1.h The group's secondary choice, if any, for a highway section or path to adopt.

4.2.1.i An indication if the group would be willing to consider another section determined by the County if their primary and secondary choices are not available.

4.2.1.j The name or acronym of the group desired to be placed upon their Adopt-A-Highway sign that would fit in the size available as determined by the County Engineer. No logos or graphic depictions will be allowed. If the group is single or multi-family, the last name of any family member who currently holds, or intends to run for, any County, Municipal, State, Township or otherwise elected official position during the duration of the contractual agreement will not be allowed on the sign. If the last name of a single or multi-family group is depicted on the sign and a member of the family places his/her name on an official ballot for any County, Municipal, State, Township or otherwise elected position during the duration of the contractual agreement the sign shall be removed.

4.2.1.k The approximate number of eligible participant members.

4.2.2 Information to be supplied by the Lake County Division of Transportation for the submitted applications.

4.2.2.a Date received.

4.2.2.b An indication if the primary and secondary choices for sections to adopt are appropriately described or not.

4.2.2.c An indication if the primary or secondary choices have been determined inappropriate by the County Engineer for adoption for safety reasons.

4.2.2.d. An indication if the application has been judged by the Lake County Division of Transportation to be complete.

4.2.2.e An indication if the primary or secondary choices are unavailable due to being an adopted section by another group.

4.2.2.f An indication if the primary or secondary choices are unavailable due to conflicting on-going or pending highway maintenance or construction, or to conflicting on-going or pending utility maintenance or construction.

4.2.2.g An indication when records show a lack of performance of litter pickup for a group seeking renewal.

~~Open~~ 4.3 Application ~~Time~~-Period

~~Applications and for participation in the Adopt-A-Highway Program, including renewals can, shall be submitted at any time but will only be processed twice a accepted year in accordance with the following schedules: -round.~~

Spring Schedule

~~-Beginning date for reviewing submitted applications: January 2.~~

~~-Ending date for reviewing submitted applications: last Friday in January.~~

~~-Ending date for staff review: February 8~~

~~-Effective date for approved agreements: April 1st.~~

Fall Schedule

~~-Beginning date for reviewing submitted applications: August 1.~~

~~-Ending date for reviewing submitted applications: last Friday in August.~~

~~-Ending date for staff review: September 13.~~

~~-Effective date for approved agreements: November 1st.~~

Division of Transportation 4.4 Application Review

~~The~~ Upon receipt of an application, the County Engineer ~~or designees, designee~~ shall have ~~the sole authority to determine if applications received~~ whether the application is complete and eligible for participation in the Lake County Adopt-A-Highway Program ~~are complete.~~ Only complete applications shall be processed further ~~processed.~~ Complete applications shall be reviewed within fifteen (15) working days of receipt.

4.5 General Provisions

In addition to being judged complete, applications shall meet the following criteria to be further processed:

4.5.1 Renewals shall be granted for additional terms ~~,~~ unless a group has not met the terms, requirements, and procedures of this Ordinance.

4.5.2 The sections of County Highways or Paths available for adoption shall be determined by the County Engineer and shall be the lengths of County Highways or Paths as defined below:

4.5.2.a Lengths between adjacent intersections of County Highways with other County Highways, streets ~~or~~ roads, or State Highways provided that lengths should not be over 2 miles in distance and shall not be less than 0.5 miles in distance.

4.5.2.b Lengths not including sections of County Highways or Paths determined by the County Engineer to not be appropriate for adoption for safety reasons.

4.5.2.c Lengths that are determined to be shorter than that required by **Article 4.5.2.a**~~Article 4.5.2.a~~ should end at intersections where possible.

4.5.2.d Lengths not to be made available due to conflicting or on-going or pending road maintenance or construction, or to conflicting on-going or pending utility maintenance or construction as determined by the County Engineer.

4.5.2.e Lengths not already adopted.

4.5.3 Only one application from each ~~individual~~ group shall be processed. The County Engineer or designee shall determine which one of any multiple applications that may have been submitted by the same group shall be further processed.

~~4.2 Division of Transportation Report~~

~~Applications that are complete shall be reviewed and a staff report prepared for the Public Works and Transportation Committee and presented by the County Engineer showing the following:~~

~~4.2.1 The names of the groups desiring to adopt each available section of County Highway for their primary choice ranked in the following order:~~

~~4.2.1.a Groups desiring to have a renewal of the section they currently have adopted and that meet the requirements of Article 4.5.1. Renewals shall only be considered in the applicable application cycle.~~

~~4.2.1.b Groups having a financial relationship to property frontage along the section. (sorted by lottery, if necessary).~~

~~4.2.1.c Civic Groups (sorted by lottery, if necessary).~~

~~4.2.1.d Single or Multi-family Groups (sorted by lottery, if necessary).~~

~~4.2.1.e Not-for-profit Groups (sorted by lottery, if necessary).~~

~~4.2.1.f Private Enterprise/Commercial Groups (sorted by lottery, if necessary).~~

~~4.2.2 Any relevant review by the State's Attorney's Office requested by the County Engineer.~~

~~4.2.3 The name, or acronym, of the group, as submitted to be placed upon the Adopt-A-Highway sign.~~

~~4.2.4 The names of those groups assigned to their second choice highway sections also ranked in accordance with Article 4.6 .1.~~

~~4.6.5. Recommendations on offers to suggest to be made to particular groups regarding their assignment to other available highway sections, if the groups are not ranked at the top of the list for their primary or secondary choice.~~

~~4.6.6 Identification of the Group as a Civic, Single or Multi-family, Not for profit, or Private Enterprise/ Commercial Group in a consistent manner.~~

~~4.3 Consideration of the Public Works and Transportation Committee~~

~~4.3.1 The Public Works and Transportation Committee shall consider the report of the County Engineer prepared in accordance with Article 4.6. The Public Works and Transportation Committee may also request, for its consideration, a relevant review by the State's Attorney's Office.~~

~~The Public Works and Transportation Committee shall have the sole responsibility, and complete discretion in determining whether a completed application is rejected or accepted and shall endeavor to act to reject or accept all completed applications as reported in the report of the County Engineer within two weeks after the ending date for staff review as set forth in Article 4.3 as its regular meeting schedules shall allow.~~

~~4.3.2 Variations~~

~~4.3.2.a The Public Works and Transportation Committee shall have the authority to grant any variations to this Ordinance that it deems necessary and appropriate to further the purposes of this Ordinance including but not limited to the following General Provisions of Article 4.5.~~

~~4.3.2.a.1 Number of renewal terms (Article 4.5.1).~~

~~4.3.2.a.2 More than one section per applicant if the section is otherwise available (Article 4.5.4).~~

~~4.3.2.b The Public Works and Transportation Committee shall not have the authority to grant any variances to this Ordinance and thereby accept any application that would violate any of the following provisions of this Ordinance:~~

~~4.7.2.b.1 Sections not to be made available for safety reasons (Article 2.3 and Article 4.5.2.b)~~

~~4.7.2.b.2 Section lengths less than 0.5 miles (Article 4.5.2.a)~~

~~4.7.2.b.3 Sections unavailable due to maintenance or construction conflicts (Article 4.5.2.d)~~

~~4.7.2.b.4 Adopt-A-Highway Program Agreements not in accordance with Appendix I (Article 4.7.4.c. and Article 4.9).~~

~~4.3.3 Alternate Sections~~

~~The Public Works and Transportation Committee may authorize the County Engineer to offer to groups not receiving approval of their primary choice or secondary choice one alternate section that is otherwise available. The offer may be either as contained in the County Engineer's report or as revised by the Public Works and Transportation Committee.~~

~~4.3.4 Notification~~

~~4.3.4.a The County Engineer shall prepare a listing showing the final action of the Public Works and Transportation Committee regarding the completed applications. The listing shall show the following:~~

~~4.3.4.a.1 The groups for the approved sections.~~

~~4.3.4.a.2 The groups not approved for their primary section applied for.~~

~~4.3.4.a.3 The groups approved for their~~

~~secondary choice of sections.~~

~~4.3.4.a.4 The groups not approved for their
secondary choice of sections.~~

~~4.3.4.a.5 The sections that are offered to each group otherwise not approved.~~

~~4.3.4.a.6 The groups whose applications were not approved.~~

~~4.3.4.a.7 The name, or acronym, of the group for the approved sections that would appear on the Adopt-A-Highway signs.~~

~~4.3.4.b The action of the Public Works and Transportation Committee shall be final.~~

~~4.3.4.c The County Engineer shall request those groups that were approved to sign and return the Adopt-A-Highway Program Agreement. The Agreement shall be as contained in Appendix I.~~

Accepted Applications

~~For those applications approved by the Public Works and Transportation Committee in accordance with Article 4.7, the County Engineer or~~ designee is authorized, and ~~hereby directed,~~ to execute, on behalf of the County of Lake, the Lake County Adopt-A-Highway Program Agreement ~~with that group (as contained set forth in Appendix I Appendix I)~~ with the intent that approved group. The signed agreement is must be received by the Division of Transportation prior to its effective date.

Effective Date: ~~The effective date of Article~~ the agreement for accepted applications shall be the first day of the month following the date on which the agreement has been fully executed by the approved group and the County. If the agreement is executed by the parties on different dates, the date of full execution shall be the later of the two signature dates.

~~4.3. If an alternate section is approved by the Public Works and Transportation Committee the County Engineer is authorized, and hereby directed, to execute the Lake County Adopt-A-Highway Program Agreement with that group as contained in Appendix I with the intent that a completed application form for the alternate section and the signed Agreement are received by the Division of Transportation prior to the effective date of Article 4.3.~~

~~It is the responsibility of the groups to submit the signed agreements to the County Engineer prior to the time required based upon the notice of Article 4.7 .4.~~

Agreement Provisions

The agreement contained in **Appendix I**~~Appendix I~~ shall be the agreement used for all approved applications. The terms of the agreement shall cover a two-year~~time~~ period beginning from the effective date as set forth in **Article 4.6**~~Article 4.3~~ and the minimum number of times to pick up litter shall be twice a year.

4.8 Group Address Changes

The Group shall provide~~written~~ notification to the County Engineer of any change in address as it appears on the executed agreement.

4.9 Signs

The sign adopted by the Illinois Department of Transportation and as created by the County Engineer in accordance with Section 35 of the Illinois Adopt-A-Highway Act, as amended, (605 ILCS 120/35), shall be used to mark the beginning point of the approved section in each direction of travel. No signs shall be used to mark the ending of the approved section. The placement of the signs shall be as determined by the County Engineer or designee and shall be generally on the departure legs of intersections. The name, or acronym, of the group that is placed on the sign shall be that approved by the ~~Public Works and Transportation Committee in accordance with Article 4.7.~~County Engineer or designee. Signs shall be removed for terminated sections and may be removed for the duration of suspended sections.

4.10 Safety Training

The County Engineer is authorized to have developed ~~a~~an online video for the safety training of group coordinators for approved sections and to distribute copies of the internet link to them. This shall fulfill the County's and County Engineer's responsibilities under Section 40 of the Illinois Adopt-A-Highway Act, as amended, (605 ILCS 120/40). The group coordinator shall ~~sign a~~confirm receipt of internet link via email for having received a copy of the video and a statement that the group members participating will view the video prior to beginning litter collection activities.

4.11 Materials Provided

The Division of Transportation is authorized to provide any items listed in Section 30 of the Illinois Adopt-A-Highway Act, as amended, (605 ILCS 120/30), to the group coordinators on approved sections.

4.12 Litter Removal

The Division of Transportation shall as soon as practical, upon notification from the group coordinators as specified in the Adopt-A-Highway Program Agreement, remove filled garbage bags from an adopted section after litter collection has occurred, and shall otherwise be responsible for removing litter from adopted sections only under unusual circumstances such as to remove large, heavy, or hazardous items.

4.13 Termination or Suspension

~~The Public Works and Transportation Committee, upon the recommendation of~~ The County Engineer, may terminate ~~particular~~ Adopt-A-Highway Program Agreements then in effect if a group does not meet the terms and conditions of its agreement, or if the group's involvement in the Lake County Adopt-A-Highway Program is inconsistent with any other restrictions or limitations established by this Ordinance. The termination order shall be in writing to the group coordinator mailed to the address of record.

The County Engineer may terminate, or suspend, a particular Adopt-A-Highway Program Agreement then in effect when the litter collection provided for therein would unduly conflict with highway construction, highway maintenance or utility construction or utility maintenance on the adopted section. The termination or suspension order shall be in writing to the group coordinator mailed to the address as shown on the Application Form for Participation. In the event of a suspension the County Engineer may specify the length of the duration of the suspension.

~~Amended: March 11, 1997~~
May 9, 2000
April 9, 2013

APPENDIX I: ADOPT-A-HIGHWAY PROGRAM AGREEMENT

AGREEMENT #
COUNTY OF LAKE
DIVISION OF TRANSPORTATION
ADOPT-A-HIGHWAY PROGRAM

THIS AGREEMENT entered into this ___ day of ___ A.D., 20___, by and between the County of Lake, Illinois, acting by and through its County Board, hereinafter referred to as the COUNTY, and (Full legal name of organization), a (Not-For-Profit, Civic Group, Single or Multi-Family Group, Commercial or Private Enterprise) having the address of (street, number, municipality, zip code), hereinafter referred to as the GROUP.

WITNESSETH

WHEREAS, Public Act 87-1118, more commonly known as the ILLINOIS ADOPT-A-HIGHWAY ACT, (605 ILCS 120/1, as amended), provides for private interests to support the efforts of units of local government by allowing groups to adopt various highways, or sections thereof, for the purposes of litter collection; and,

WHEREAS, said Act sets forth the procedures and responsibilities of both the private interests and units of local government. Said Act by reference herein is hereby made a part hereof; and,

WHEREAS, the COUNTY, to aid and assist in the removal of litter and to improve County Highway roadside environments, has enacted the LAKE COUNTY ADOPT-A-HIGHWAY ORDINANCE, as amended, in accordance with and in compliance with the ILLINOIS ADOPT-A-HIGHWAY ACT, as amended. Said Ordinance by reference herein is hereby made a part hereof; and,

WHEREAS, the GROUP is desirous to participate in the COUNTY's ADOPT-A-HIGHWAY PROGRAM by adopting Section (Number) of (~~Road~~Highway/Path Name) ~~7~~ (~~County Highway~~), between (Road Name) and (Road Name), a distance of approximately (Number) feet (miles). The Adopted Section of County Highway or Path is depicted in **EXHIBIT A** ~~EXHIBIT A~~, attached hereto and hereby made a part hereof; and

WHEREAS, the litter collection efforts on the Adopted Section of County Highway or Path will be of immediate benefit to residents of the COUNTY and assists in creating a litter free roadside environment;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the COUNTY and the GROUP hereto mutually agree as follows:

1. It is mutually agreed by and between the parties hereto that the foregoing preambles are hereby incorporated herein as though fully set forth.
2. The GROUP agrees and hereby acknowledges the hazardous nature of the work involved in adopting a section of County Highway or Path and participating in the LAKE COUNTY ADOPT-A-HIGHWAY PROGRAM.
3. The GROUP agrees to comply with and adhere to the conditions, terms, requirements, provisions and responsibilities as set forth in the ILLINOIS ADOPT-A-HIGHWAY ACT, as amended, the LAKE COUNTY ADOPT-A-HIGHWAY ORDINANCE, as amended, and **EXHIBIT B**~~EXHIBIT B. EXHIBIT B.~~ **EXHIBIT B** is attached hereto and hereby made a part hereof.
4. The GROUP agrees to notify the COUNTY's County Engineer or designee of any change of name, mailing address, email address or telephone number of the Group Coordinator.
5. The GROUP agrees that in the event of their failure to comply with all conditions, terms, requirements, provisions and responsibilities as set forth in THIS AGREEMENT, the COUNTY shall have the right to suspend or terminate THIS AGREEMENT. Said termination or suspension shall be in accordance with the procedures set forth in **Article 4.13**~~Section 4.14~~ of the LAKE COUNTY ADOPT-A-HIGHWAY ORDINANCE, as amended.
6. The GROUP agrees that the COUNTY's County Engineer or designee may terminate or suspend THIS AGREEMENT in accordance with **Article 4.13**~~Section 4.14~~ of the LAKE COUNTY ADOPT-A-HIGHWAY ORDINANCE, as amended. In the event of a suspension of THIS AGREEMENT, the specific reason or reasons shall be clearly set forth in writing and shall be for such a period of time as reasonably determined by the COUNTY's County Engineer.
7. The GROUP agrees that the participating members of the GROUP are and shall be jointly and severally bound by the conditions, terms, requirements, provisions and responsibilities of THIS AGREEMENT.
8. The GROUP agrees that its involvement, participation and activities as contemplated in THIS AGREEMENT shall not be subcontracted, assigned or transferred, in any manner or form, to any other group, private citizen, civic organization, not-for-profit organization, commercial enterprise or private enterprise.

9. The GROUP agrees to indemnify, defend and hold harmless the COUNTY, its elected officials, its duly appointed officials, agents, employees and representatives, and the COUNTY's Division of Transportation, its duly appointed officials, agents, employees and representatives from and against any and all claims, suits, settlements, actions, losses, expenses, damages, injuries, judgments and demands arising from and relating to the GROUP's involvement, participation and activities as contemplated in THIS AGREEMENT except for the negligent acts of the COUNTY and its agents or employees.

10. The GROUP agrees that its members, volunteers and participants or the volunteers' agents or representatives shall assume all liability for and hold the STATE OF ILLINOIS and its agents or employees harmless from any and all claims of action resulting from the GROUP's volunteers or agents work in the Program, except for the negligent acts of the STATE OF ILLINOIS and the STATE's agents or employees.

11. The COUNTY agrees to comply with and adhere to the conditions, requirements and provisions as set forth in **EXHIBIT C** ~~EXHIBIT C~~_{7,2}, attached hereto and hereby made a part hereof.

12. The following provisions are mutually agreed by and between the parties hereto:

a) The GROUP may terminate THIS AGREEMENT by providing a thirty (30) day written notification to the COUNTY's County Engineer or designee.

b) THIS AGREEMENT shall not be construed, in any manner or form, to limit, diminish or alter the power or authority of the COUNTY and the COUNTY's County Engineer to maintain, operate, improve, construct, reconstruct, repair, widen or expand any County Highways as best determined as provided by law.

c) Nothing contained in THIS AGREEMENT is intended or shall be construed as, in any manner or form, creating or establishing a relationship of co-partners between the parties hereto, or as constituting the GROUP (including its officers, employees, members and agents), ~~the~~ as an agent, representative or employee of the COUNTY for any purpose, or in any manner, whatsoever. The GROUP is to be and shall remain independent of the COUNTY with respect to all provisions of THIS AGREEMENT.

d) The provisions of THIS AGREEMENT are severable. If any provision, condition, requirement, paragraph, section, subdivision, clause, phrase or word of THIS AGREEMENT is for any reason held to be contrary to law or contrary to any rule or regulation having the force and effect of law, such decision shall not affect the remaining portions of THIS AGREEMENT.

e) The agreement of the parties hereto is contained herein and THIS AGREEMENT supersedes all oral agreements and negotiations between the parties hereto relating to the subject matter hereof as well as any previous agreements presently in effect between the parties hereto relating to the subject matter hereof.

13. THIS AGREEMENT may be executed in multiple identical counterparts, and all of said counterparts shall, individually and taken together, constitute THIS AGREEMENT.

14. THIS AGREEMENT shall remain in full force and effect for the time period beginning at 12:00 midnight / / , 20 and ending at 12:00 midnight / / , 20 .

COUNTY OF LAKE

By: _____

Date: _____

Printed Name: _____

Title: _____

GROUP PRESIDENT/COORDINATOR

By: _____

Date: _____

Printed Name: _____

Title: _____

GROUP PRESIDENT _____ COUNTY OF LAKE

By: _____ By: _____

Title: _____ Lake County

Date: _____ County Engineer

Date: _____

ATTEST:

GROUP COORDINATOR

By: _____

Title: _____

EXHIBIT A: ADOPTED SECTION OF COUNTY HIGHWAY

(Map to be inserted)

**EXHIBIT B: GROUP'S CONDITIONS, TERMS, REQUIREMENTS,
PROVISIONS AND RESPONSIBILITIES**

EXHIBIT B

THE GROUP'S CONDITIONS, TERMS, REQUIREMENTS, PROVISIONS AND RESPONSIBILITIES

The GROUP and all its participating volunteers, employees, agents, ~~representatives~~~~representatives~~ and members shall comply with and adhere to the following conditions, terms, requirements, provisions and responsibilities as they relate to the LAKE COUNTY ADOPT-A-HIGHWAY PROGRAM ~~on the Adopted Section of County Highway or Path (Adopted Section)~~. These conditions, terms, ~~requirements~~~~requirements~~, provisions and responsibilities are in addition to those set forth in the AGREEMENT attached hereto and by reference herein, hereby made a part hereof.

The GROUP agrees to:

1. obey and abide by all laws, regulations and directions relating to safety and any other terms required by the COUNTY or the COUNTY's County Engineer or designee.
2. provide one (1) adult supervisor over the age of twenty-one (21) for every five (5) youths under the age of eighteen (18) present on the Adopted Section ~~of County Highway~~.
3. not allow or permit a person under the age of ten (10) to be a participating member of the GROUP who would be volunteering for the purpose of litter collection.
4. require all participating GROUP members to attend at least one (1) safety meeting conducted by the GROUP before participating in any litter collection along the Adopted Section ~~of County Highway~~.
5. require the GROUP coordinator, or designee, to conduct GROUP safety meetings and to receive the safety training ~~DVD~~~~video link~~ as required by the COUNTY and the County Engineer.
6. conduct pre-pickup safety talks with all members or volunteers who will be participating in the litter collection.
7. use all safety materials and information provided by the COUNTY's Division of Transportation at each safety meeting conducted by the GROUP. The GROUP Coordinator shall ~~sign an email~~ receipt for having received a ~~copy of~~~~link to~~ the safety video from the COUNTY's Division of Transportation and a statement that the GROUP's participating volunteers and members will view the video prior to beginning litter collection activities.

8. adopt a section of County Highway or Path for a minimum of two (2) years.
9. collect litter along the Adopted Section ~~County Highway~~ a minimum of two (2) times a year.
10. attempt to schedule at least one (1) of the litter collections during the months of April ~~or~~, May or June and again in the month of August, September or October.
11. not conduct litter collection on busy holidays or during heavy holiday travel weekends or any day immediately preceding or following those holidays or weekends such as the Wednesday before or Monday following Thanksgiving weekend, Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Eve, New Year's Day, the Fourth of July, the Fourth of July weekend (Friday through Monday), Memorial Day, Memorial Day weekend, (Friday through Monday), Labor Day or Labor Day weekend (Friday through Monday).
12. not collect litter during the days and times when local events such as festivals, carnivals, annual municipal celebrations, fairs or shows are scheduled.
13. not collect litter during inclement weather conditions or during rush hour traffic peak times.
14. perform litter collection between the hours of 8:00 a.m. and 4:00 p.m.
15. provide ~~verbal or~~ written email notice to the COUNTY's County Engineer or designee a minimum of three (3) working days prior to the date when the litter collection will be ~~undertaken~~undertaken. The GROUP Coordinator shall be responsible for this providing notice.
16. be responsible for requiring all participating volunteers and members to wear all safety apparel, including but not limited to safety vests, as provided by the COUNTY's Division of Transportation during all litter collection ~~activities~~activities and at times when the participating volunteers and members are on or within the right-of-way of the Adopted Section ~~of County Highway~~.
17. be responsible for prohibiting participating volunteers and members from possessing, consuming, or being under the influence of alcohol or drugs during litter collection while on the Adopted Section ~~of County Highway~~.

18. maintain a first-aid kit and an adequate supply of drinking water while participating volunteers and members are performing litter collection on the Adopted Section ~~of County Highway.~~
19. educate its participating volunteers and members as to how to respond to emergencies, how to contact emergency help and to know the nearest location of all emergency facilities.
20. be aware of any physical maladies or impairments of its participating volunteers and members and not to allow the participation of volunteers and members if their health would be endangered by litter collection activities.
21. arrange to pick-up trash bags and receptacles from the COUNTY's Division of Transportation during normal business hours a minimum of three (3) working days prior to the date of litter collection. ~~Safety apparel must be returned to the COUNTY's Division of Transportation within fifteen (15) working days of the date of the expiration of THIS AGREEMENT.~~
22. place all litter in the trash bags and receptacles provided by the COUNTY's Division of Transportation.
23. place filled or partially filled trash bags and receptacles at such locations as specified by the COUNTY's County Engineer or designee. Filled or partially filled trash bags and receptacles shall not be placed on the roadway pavement or within ten (10) feet of the roadway pavement. Trash bags and receptacles shall not be placed within ten (10) feet of any guardrail, culvert, inlet, drainage pipe opening, concrete wall, bridge or traffic signal. Placement shall not obstruct or hinder the flow of surface drainage water, obstruct sight lines of intersecting streets, highways or access drives or obscure any roadway signs or traffic signals.
24. not remove, or cause to be removed, any filled or partially filled trash bags and receptacles from the right-of-way of the Adopted Section ~~of County Highway.~~ Recycling is encouraged and as such, recyclable materials may be removed provided proper disposal is used.
25. upon arrival at the Adopted Section ~~of County Highway,~~ immediately unfold and display the "Clean-Up Crew Working" safety signs that are affixed on the Adopt-a-Highway identification sign posts located at each beginning of the Adopted Section ~~of County Highway.~~ The "Clean-Up Crew Working" safety signs shall remain unfolded and on display for the entire time the GROUP's participating volunteers and members are on the Adopted Section ~~of County Highway.~~ Upon completion of the litter

collection and immediately prior to leaving the Adopted Section ~~of County Highway~~, the safety signs shall be refolded and fastened so the "Clean-Up Crew Working" sign faces are no longer displayed. (It should be noted that an identification sign with a folded safety sign affixed is located at the beginning of each Adopted Section ~~of County Highway~~ facing each direction of travel on the roadway.)

26. collect litter on one (1) side of the Adopted Section ~~of County Highway~~ at a time. Collection activities shall be conducted in such a manner that participating volunteers and members shall be facing oncoming traffic.

27. make every effort to minimize the number of vehicles transporting ~~participating~~participating volunteers and members to the Adopted Section ~~of County Highway~~ (e.g. carpool). Vehicles shall be parked on the same side of the roadway as the participating volunteers and members are on. Vehicles shall not be parked on or within any roadway pavement, on or within medians, along curves, on bridge decks or near or under overpasses and shall be parked in such a manner as to not interfere with vehicles traveling on the pavement, cause a safety hazard, block side streets, access drives or intersecting highways or inhibit or diminish sight visibility at corners and of highway signs.

28. educate its participating volunteers and members to avoid and keep a safe distance away from the roadway pavement, guardrail, culverts, inlets, drainage pipes, concrete walls, bridges, traffic signals and any other areas of potential hazards within the right-of-way of the Adopted Section ~~of County Highway~~.

29. instruct its participating volunteers and members to never cross over or pick-up litter on the roadway pavement.

30. instruct and ensure that its participating volunteers and members are properly attired for litter collection. Proper attire shall include the wearing of safety apparel obtained from the COUNTY's Division of ~~Transportation~~Transportation and should also include brightly colored clothing, long sleeves, long pants, leather shoes or boots, gloves and proper outerwear for existing weather conditions.

31. instruct its participating volunteers and members to avoid contact with poisonous plants, stinging insects and animals.

32. instruct its participating volunteers and members to refrain from horseplay, ~~demonstrations~~demonstrations or any other activity not related to litter collection activities.

33. avoid and maintain a safe distance from any area of the Adopted Section ~~of County Highway~~ under construction or where construction activities are underway.
34. not go onto private property which adjoins the right-of-way of the Adopted Section ~~of County Highway~~.
35. avoid potentially hazardous items which include, but are not limited to, old car batteries, animal carcasses, heavy or large items, hazardous materials and any other unidentified questionable items. In the event these items are present on the Adopted Section ~~of County Highway~~, the GROUP shall notify the COUNTY's County Engineer or designee as soon as possible.
36. instruct participating volunteers and members to handle broken glass, sharp objects and other like items with extreme care and to avoid kneeling, falling or stepping on such items. Care should be taken to never attempt to compact litter in the trash bags and receptacles.

**EXHIBIT C: COUNTY'S CONDITIONS, TERMS, REQUIREMENTS,
PROVISIONS AND RESPONSIBILITIES**

EXHIBIT C

COUNTY'S CONDITIONS, TERMS, REQUIREMENTS, PROVISIONS AND RESPONSIBILITIES

The COUNTY agrees to the following conditions, terms, requirements, provisions and responsibilities as they relate to the LAKE COUNTY ADOPT-A-HIGHWAY PROGRAM. These conditions, terms, requirements, provisions and responsibilities are in addition to those set forth in the AGREEMENT attached hereto and by reference herein, hereby made a part hereof.

The COUNTY agrees:

1. that its Division of Transportation shall erect the appropriate signs at the beginning of each Adopted Section of County Highway or Path for each direction of travel. Said signs shall include the GROUP's name, a folding safety sign and shall comply with the provisions of the LAKE COUNTY ADOPT-A-HIGHWAY ORDINANCE, as amended, and the requirements set forth in the ILLINOIS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS, the most recent edition.
~~STREETS AND HIGHWAY, the most recent edition.~~
2. to provide the GROUP with ~~a~~ safety training ~~videomaterial.~~
3. to provide the GROUP with trash bags.
4. to provide the GROUP with safety vests.
5. that its Division of Transportation, upon receipt of notice from the GROUP, shall remove filled trash bags from the Adopted Section of County Highway or Path as soon as practical after the litter collection.
6. that its Division of Transportation shall provide the safety training program as specified in the LAKE COUNTY ADOPT-A-HIGHWAY ORDINANCE, as amended.