

COLLIER COUNTY GROWTH MANAGEMENT DIVISION
APPLICATION FOR PERMIT TO SOLICIT CHARITABLE
CONTRIBUTIONS AT PUBLIC ROAD INTERSECTIONS

Application for Permit to conduct in-the-road charitable solicitations in Collier County, Florida, pursuant to Collier County Ordinance No. 87-60, as amended. The Applicant affirms that (1) it has received a copy of this Ordinance and a copy of the County's Informed Consent and Waiver, (2) that the Applicant shall inform all "participants" of the requirements of that Ordinance; and (3) that the Applicant will ensure that each participant shall fully and continuously comply with the Ordinance.

1. Applicant Names is: _____
_____.

2. Applicant street (and mailing) address is: _____
_____.

3. The name and title of the individual for County Staff to contact is: _____.

4. Applicant's telephone number is: _____.

5. Applicant's facsimile telephone number is: _____.

6. Applicant's e-mail address is: _____.

7. The "requested duration" of Applicant's applied-for in-the-road charitable solicitations is from _____ on the ____ day of _____, 20__ until _____ on the ____ day of _____, 20__; a cumulative total of _____ hours. (The total duration shall not exceed seventy-two (72) hours). Applicant requests to conduct its in-the-road solicitations during the following dates: _____.

No in the road solicitation shall commence before 7:00 A.M. and shall cease not later than 7:00 P.M., and all shall be within the applied-for intersections. Each date (as specified above) is either a Saturday, a Sunday, a holiday of the State of Florida, or a federal holiday.

8. The Applicant hereby applies to conduct its charitable solicitations at the following intersections:

9. Proof of required insurance is attached as Exhibit “A.”

10. Applicant plans to have the following number of participants _____. The names of all now known individuals (each being at least 21 years of age) who plan to participate are listed below. Specify (by the identifying letter) how each participant is (or has been) either: (A) Fireman, (B) Police Officer; (C) Military Police, (D) other law enforcement officer who has ever been trained regarding the physical dangers of in the road activity when roads are open to traffic, or (E) other individual who has satisfactorily completed a safety training course appropriate to the safety considerations of in-the-road solicitation and the course was sponsored by the National Safety Council or other similar organization. Also, specify whether the individual is to be a Solicitor (“SOL”) or Supervisor (“SUP”) or (“BOTH”). (Extend this list as an attached Exhibit “B” (if needed.)

Indicate whether an Exhibit “B” (is) (is not) attached: _____

11. Applicant affirms that no individual associated with the Applicant shall participate in any in-the-road solicitation until each such individual has personally signed the County’s Informed Consent

and Waiver, and each such signed Informed Consent and Waiver has been delivered to, and has been received by, Collier County's Growth Management Division.

DATED: _____

I verify that all information in this application, including its Exhibit(s), is correct and complete.

Signature, Printed Name and Title of Applicant's Authorized Representative

ALL PARTICIPANTS MUST WEAR A SAFETY VEST OR UNIFORM FOR VISIBILITY PURPOSES.

For Staff Use Only

Date Original Application was received by Staff: _____

Date Complete Application was received by Staff: _____

Date Permit was (issued) OR (denied): _____

Date Notice of Staff's decision delivered to Applicant: _____

STAFF NOTES: _____

INFORMED CONSENT AND WAIVER

IN THE TRAVELED ROAD SOLICITATION AND/OR EACH OTHER IN THE TRAVELED ROAD ACTIVITY IS HIGH RISK ACTIVITY, WHICH CAN CAUSE OR RESULT IN SERIOUS PERSONAL INJURY, DEATH, AND PROPERTY DAMAGE AND DESTRUCTION.

THE FOLLOWING INFORMATION MUST BE READ, UNDERSTOOD, INITIALED IN ALL OF THE INDICATED PLACES, WITNESSED AND SIGNED BEFORE ENGAGING IN ANY IN THE ROAD ACTIVITY IN COLLIER COUNTY, FLORIDA.

DO NOT SIGN THIS AGREEMENT IF YOU DO NOT UNDERSTAND IT COMPLETELY! YOU ARE GIVING UP IMPORTANT LEGAL RIGHTS.

My Applicant to conduct in-the-road activities is _____ (Print the name of the Applicant for which you plan to conduct in-the-road activity in Collier County, Florida). "Road" refers to all geographic areas between the two exterior-most edges of paved or unpaved surfaces available for and being used for vehicular travel or parking, including medians and shoulders. The definitions in Ordinance No. 87-60, as amended, apply to this document. I understand that throughout this document "representative" includes, but is not limited to, the Board of County Commissioners, all elected and non-elected officers and officials, employees, servants, contractors, subcontractor, materialmen and supplier, and every representative of any of the same at every tier. Throughout this document, damage and/or loss always includes all direct and indirect actual and/or consequential damages of every type and description, including pain, suffering, mental anguish, inconvenience, loss of consortium, and all similar or dissimilar damages and losses.

I (**INITIAL HERE**) _____ I am 21 years of age or older. I am signing this Informed Consent and Waiver because I desire to be permitted by the Collier County Transportation Department to engage in in-the-road activity. I appreciate, understand, agree, and hereby assume, all risks and all responsibility for my actions and my inactions when engaged in each and every such activity.

I, (**INITIAL HERE**) _____ know, appreciate and understand that I can be seriously injured, or even be killed, when on any road when any vehicle is being operated on the road or is stopped at any traffic control device. I know, appreciate and understand that, despite all precautions, **IN THE ROAD ACTIVITY IS DANGEROUS** and could result in personal injury **TO ME**, or even **MY** death.

I, (**INITIAL HERE**) _____ hereby disclaim and waive any and all liability for myself and for Collier County, the Board of County Commissioners, the Collier County Sheriff's Office, and each and every representative of all of the same, for personal injuries and/or losses to me, for my death, and all other possible damages and/or losses to me and to my tangible and/or intangible property arising directly or indirectly from any of the subject in-the-road activities.

I, (**INITIAL HERE**) _____ sign this Informed Consent and Waiver for myself and on behalf of my heirs, distributors, executors, administrators, guardians, legal representatives and/or assignors whatsoever or whomsoever, as well as every present or future representative(s) whatsoever or whomsoever, of every possible description.

I, **(INITIAL HERE)** _____ FULLY APPRECIATE THE MANY RISKS OF IN-THE-ROAD ACTIVITY AND I FULLY UNDERSTAND AND AGREE THAT even when all rules and regulations are strictly obeyed, in-the-road activity can cause, or result in, death(s) and serious personal injuries, and other losses, not only to the solicitors, supervisors and/or other participant(s), but also to motorist(s) and/or occupant(s) of vehicles, and others, and can cause or result in property damage and/or property destruction and/or other losses.

I, **(INITIAL HERE)** _____, being fully aware and appreciative of dangers involved in making solicitations on any road (or merely being physically present at a road) when vehicles are stopped at traffic control devices, or are moving on a road, I hereby waive and disclaim any and all liability of Collier County (a political subdivision of the State of Florida) and of the Board of County Commissioners (and every member thereof), and of the Collier County Sheriff, and every agent and every “representative” of any and all of the same, with regard to any and all personal injuries to myself and all other individuals whomsoever or entities whatsoever, as well as my death, and of any and all damage to (or destruction of) my property, and all other damages and/or losses whatsoever, provided any of the same arise directly or indirectly from my engaging in any in-the-road activity (including merely being present anywhere on, or at, the road).

I, **(INITIAL HERE)** _____ shall not be an agent or representative of Collier County, the Collier County Sheriff’s Office, and/or of any representative of any of the same with regard to any of these activities. I shall be only a permittee of my Applicant. I shall engage in all of the subject activities only on behalf of my Applicant, always in accord with applicable laws, rules, regulations, and my Applicant’s policies.

I, **(INITIAL HERE)** _____ HEREBY PROMISE AND AFFIRM THAT:

1. I have received adequate and proper training regarding in-the-traveled-road activities either as a Police Officer (including Military Police), or Fireman, or other law enforcement officer who has been trained regarding the dangers of in-the-road activity when roads are open to traffic, **OR** have satisfactorily completed a safety training course appropriate to the safety considerations of in-the-road activity and that said course was sponsored by the National Safety Council or other similar organization.
2. I shall be extremely careful, cautious and totally prepared.
3. I have recently read, understand and shall continuously abide by all provisions of Collier County Ordinance No. 87-60, as amended, and which apply to the “participants.”
4. I have reviewed my Applicant’s policies regarding in-the-road activity.
5. I shall not be lax or overconfident.

I, **(INITIAL HERE)** _____, being fully appreciative of all risks and dangers involved with in-the-road activities, hereby disclaim and waive any and all liability in tort, equity, and otherwise, for damages and/or losses, direct or consequential, including from any and/or all defect(s) in design, material, workmanship, servicing, and/or assembly of every road intersection, road and/or road right-of-way (including medians and road shoulders), whether caused by negligence of Collier County or suffered by Collier County, or caused by, or suffered by, the Collier County Sheriff’s Office or any representatives of Collier County, of the Collier County Sheriff’s Office, and/or of my Applicant. I take every road and all other real and/or personal property “as is” with all defects, if any. I

understand and agree that no individual involved with Collier County or with the Sheriff's Office will inspect any road or any other tangible property regarding my in-the-road activity or otherwise.

I, **(INITIAL HERE)** _____ shall carefully and personally inspect the road(s) and other tangible property where I will engage in any of these activities. I shall be responsible for my safety and well-being and I will not engage in any such activity unless I am continuously comfortable with the condition(s) and circumstances.

I, **(INITIAL HERE)** _____ hereby promise never to institute any suit, action at law, or in equity or otherwise; nor make any claim whatsoever against Collier County (as an entity), or the Board of County Commissioners (or any member thereof), or the Collier County Sheriff, or the Collier County Sheriff's Office; nor any "representative" of any of the same; nor against any provider of any vehicle, cone, vest, or other gear or equipment; nor against any owner(s) of any property right or interest in any road (including Collier County) or the Board of County Commissioners, or the Sheriff's Office, (and every representative of any of the same) upon which I engage in any in-the-road activity whatsoever; nor to initiate or assist in any prosecution of any such claim(s) for damages, losses and/or cause(s) of action whatsoever which I, my heirs, distributors, executors, administrators, guardians, legal representatives and/or assignors whatsoever or whomsoever, and/or any other representative, hereafter may have by reason of my death, injury, and/or loss to my person, and/or damage, loss, injury to, or destruction of, any tangible and/or intangible property or thing, that arises directly or indirectly from any activity whatsoever referred to anywhere in this document.

I (INITIAL HERE) _____ HAVE FULLY AND CAREFULLY READ THIS INFORMED CONSENT AND WAIVER. I FULLY UNDERSTAND, APPRECIATE AND AGREE TO EVERY PART OF IT. I HAVE SIGNED OF MY OWN FREE WILL IN EXCHANGE FOR BEING PERMITTED BY THE COUNTY TO CONDUCT IN-THE-ROAD ACTIVITY IN COLLIER COUNTY, FLORIDA, ON BEHALF OF MY APPLICANT PURSUANT TO CHAPTER 26-1 OF THE CODE OF LAWS AND ORDINANCES OF COLLIER COUNTY, FLORIDA.

I sign this Agreement on the _____ day of _____, 20_____.

SIGNED BY: _____

PRINT name: _____ My Telephone No. is: (____)_____

My residence address is: _____

WITNESSED BY: _____ (I, the witness, am at least 21 years of age).

Print name, address and telephone number of this adult witness