

ORDINANCE #95-75

KANE 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 "Kane County Adopt-A-Highway Ordinance" and the program it establishes may be referred as the Kane County Adopt-A-Highway Program.

1.2 Purpose

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

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 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.

Adopted Section: A length of County Highway right-of-way approved by the Public Service Committee for adoption by a group. Sections of rights-of-way may be determined inappropriate by the County Engineer for adoption. In his sole discretion, the County Engineer shall determine which sections shall be appropriate for adoption.

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

County: Kane County, Illinois.

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

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

County Highway: A public road as defined by the Illinois Highway Code as part of the County Highway System and for the purposes of this Ordinance, a State Highway that is maintained by the County for the Illinois Department of Transportation by agreement.

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

Director of Transportation: The County Engineer of Kane County, Illinois.

Frontage: The boundary line of a lot or parcel of land as established by the right-of-way line of a County Highway.

Group: Members, volunteers or employees of civic or not-for-profit organizations, and commercial or private enterprises.

Group Coordinator: The individual selected by a group to serve as its liaison with the Kane 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.

Kane County Division of Transportation: The Department of Kane 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 carcasses or hazardous or heavy or large items.

Open Application Time Period: The time period during which groups may apply to participate in the Kane County Adopt-A-Highway Program.

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

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

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

Sponsoring Jurisdiction: The County of Kane, Illinois.

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

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

ARTICLE III. Administration 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 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 Kane County Adopt-A-Highway Program. Such terms, requirements and procedures contained herein are not inconsistent with the Illinois Adopt-A-Highway Act.

3.2 Jurisdiction

This Ordinance shall apply to the right-of-way of any County Highway 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 in any township or municipality located partially or entirely within the County of Kane, 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 Severability

3.4.1 Interpretation

The Transportation Committee shall 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 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 Severability

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.

3.4.2a 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.

3.4.2b 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 Kane, the County Board of Kane County hereby grants to the Transportation Committee, the County Engineer and the Kane County Division of Transportation the following powers and responsibilities regarding this Ordinance:

3.6.1 Transportation Committee

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

3.6.2 County Engineer and Kane County Division of Transportation

The County Engineer and the Kane County Division of Transportation shall have the powers and duties as assigned to it throughout this Ordinance and in addition to the powers and duties prescribed by statute shall have the following powers and duties:

3.6.2a 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 Kane County Adopt-A-Highway Program. The County Engineer may appoint designees to assist in such administration.

- 3.6.2b The County Engineer shall have the authority to have developed and to distribute an informational brochure about the Kane County Adopt-A-Highway Program.
- 3.6.2c The County Engineer may have maps prepared showing the sections of County Highways in the Kane County Adopt-A-Highway Program.
- 3.6.2d The County Engineer is authorized to have printed the Kane County Adopt-A-Highway Ordinance.
- 3.6.2e The County Engineer shall develop the Application Form for Participation.
- 3.6.2f The County Engineer may coordinate the Kane County Adopt-A-Highway Program with other jurisdictions and agencies.
- 3.6.2g The County Engineer may develop and have distributed postcards and other materials suitable to provide for the administration of the litter pick-up provisions of the Kane County Adopt-A-Highway Program Agreement.
- 3.6.2h The County Engineer may develop and have distributed dashboard identification signs for members or employees of groups when parking on County Highways.
- 3.6.2i The County Engineer may have developed and distributed appropriate certificates of appreciation to be presented to various groups having participated in the Kane County Adopt-A-Highway Program.
- 3.6.2j The County Engineer may offer for adoption alternate sections to a group if the groups first and second choice for adoption is not available.

ARTICLE IV. Participation in the Kane County Adopt-A-Highway Program

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

4.1 Applications

Any group may apply for consideration for participation in the Kane County Adopt-A-Highway Program during the Open Application Time Period by completely filling out an Application Form for Participation and submitting it to the Kane County Division of Transportation during the Open Application Time Period for highway sections as defined in the Article 4.5.2 that may become available. The submittal of the Application form shall be accompanied by the Adopt-a-Highway

Program Agreement as contained in Appendix I. The Agreement shall be executed by the group prior to submittal.

4.2 Application Form for Participation

The Application Form for Participation shall be that form developed by the County Engineer for the efficient administration and review of groups applying for consideration for participation in the Kane 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

- 4.2.1a Name of the Group
- 4.2.1b Address of the Group
- 4.2.1c Name of the Group President
- 4.2.1d Name, Address and Phone Number of the Group Coordinator
- 4.2.1e Signature and Date of Signature of the Group Coordinator
- 4.2.1f Identification of the Group as one of the following types:
 - Civic Group
 - Not-For-Profit Group
 - Private Enterprise Group or Commercial Group
- 4.2.1g Indication if the group has a financial interest in property fronting on their primary or secondary choice for adopting a highway section.
- 4.2.1h Indication if the application is for their first renewal of a Kane County Adopt-A-Highway Program Agreement.
- 4.2.1i The group's primary choice for a highway section to adopt.
- 4.2.1j The group's secondary choice, if any, for a highway section to adopt.
- 4.2.1k 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.
- 4.2.1l The written endorsement of all municipal corporate bodies, or their designees, within municipalities

through which the primary or secondary choices of County Highway sections traverses.

- 4.2.1m The name or acronym of the group desired to be placed upon their Adopt-A-Highway sign that would fit in the size available determined by the County Engineer. No logos or graphic depictions will be allowed.
- 4.2.1n The approximate number of eligible participant members.
- 4.2.2 Information to be Supplied by the Kane County Division of Transportation for the submitted applications.
 - 4.2.2a Date application received.
 - 4.2.2b An indication that the primary and secondary choices for sections to adopt are appropriately described.
 - 4.2.2c An indication if the proper municipal endorsements were obtained.
 - 4.2.2d An indication if the primary or secondary choices desired have been determined by the County Engineer to not be appropriate for adoption.
 - 4.2.2e An indication if the application has been judged by the Kane County Division of Transportation to be complete.
 - 4.2.2f An indication that the requested primary or secondary choice is unavailable for the time period due to being an adopted section by another group at the present time.
 - 4.2.2g An indication that the requested primary or secondary choice is unavailable for the time period requested due to conflicting on-going or pending highway maintenance or construction, or to conflicting on-going or pending utility maintenance or construction.

4.3 Open Application Time Period

Applications, and renewals, shall only be accepted for consideration twice a year in accordance with the first working day after the date in the following schedule:

Spring Schedule

- Beginning date for receiving applications: January 4.

- Ending date for receiving applications: January 18.
- Ending date for staff review: February 8.
- Effective date for approved agreements: April 1st.

Fall Schedule

- Beginning date for receiving applications: August 1.
- Ending date for receiving applications: August 15.
- Ending date for staff review: September 13.
- Effective date for approved agreements: November 1st.

4.4 Division of Transportation Review

The County Engineer, or designees, shall have the sole authority to determine if applications received for participation in the Kane County Adopt-A-Highway Program are complete. Only complete applications shall be further processed.

4.5 General Provisions

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

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

4.5.1.a Lengths between intersections of County Highways with other County Highways 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.

4.5.1.b Lengths that are determined to be shorter than between that required by Article 4.5.2.a should end at intersections where possible.

4.5.1.c Lengths not already adopted.

4.5.1.d It is permissible to adopt only one side of County Highway, subject to the length restrictions in Article 4.5.2.a.

4.5.2 Only one application from each individual group shall be processed.

4.5.3 Lengths of County-maintained State Highways shall only be available upon the written permission of

the Illinois Department of Transportation. The County Engineer shall have the sole authority to determine if this provision has been met.

4.6 Division of Transportation Report

Only applications which are complete shall be reviewed. A staff report shall be prepared by the County Engineer and presented to the Transportation Committee. The report shall include the following:

- 4.6.1 The names of the groups desiring to adopt each available section of County Highway for their primary choice ranked in the following order:
 - 4.6.1.a Groups applying for renewal of the section they currently have adopted.
 - 4.6.1.b Groups having a financial relationship to property frontage along the section (sorted by lottery, if necessary).
 - 4.6.1.c Civic groups (sorted by lottery, if necessary).
 - 4.6.1.d Not-for-profit groups (sorted by lottery, if necessary).
 - 4.6.1.e Private enterprise or commercial groups (sorted by lottery, if necessary).
 - 4.6.2 The names of those groups lacking the endorsement of any municipality through which the particular highway section traverses.
 - 4.6.3 Any relevant review by the State's Attorney's Office requested by the County Engineer.
 - 4.6.4 The name, or acronym, of the group, as submitted to be placed upon the Adopt-A-Highway sign.
 - 4.6.5 The names of those groups assigned to their second choice highway sections also ranked in accordance with Article 4.6.1.
 - 4.6.6 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.
- 4.7 Consideration of the Transportation Committee
- 4.7.1 The Transportation Committee shall consider the report of the County Engineer prepared in

accordance with Article 4.6. The Transportation Committee may also request, for its consideration, a relevant review by the State's Attorney's Office.

The Transportation Committee shall have the sole responsibility, and complete discretion in determining whether a completed application is rejected or accepted and shall 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.

4.7.2 Notification

4.7.2.a The County Engineer shall prepare a report for the Transportation Committee showing the final action of the Transportation Committee regarding the completed applications.

4.7.2.b The County Engineer shall notify each applicant of the determination of the Transportation Committee. The County Engineer shall sign and return the Adopt-A-Highway Program Agreement to those groups

that were approved. The Agreement shall be as contained in Appendix I.

4.8 Accepted Applications

For those applications approved by the Transportation Committee in accordance with Article 4.7, the County Engineer is authorized, and hereby directed, to execute on behalf of the County of Kane, the Kane County Adopt-A-Highway Program Agreement with that group as contained in Appendix I provided the signed Agreement is received by the Division of Transportation prior to the effective date of Article 4.3. If an alternate section is approved by the Transportation Committee the County Engineer is authorized, and hereby directed, to execute the Kane County Adopt-A-Highway Program Agreement with that group as contained in Appendix I provided the signed Agreement is 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 at the time of the submittal of the application.

4.9 Agreement Provisions

The agreement contained in Appendix I shall be the agreement used for all applications. The terms of the agreement shall run for two years from the effective date as set forth in Article 4.3.

4.10 Signs

The sign adopted by the Illinois Department of Transportation 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 his 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 Transportation Committee in accordance with Article 4.7.

4.11 Safety Training

The County Engineer is authorized to have developed a video for the safety training of group coordinators for approved sections and to distribute copies 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 receipt 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.

4.12 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.

4.13 Litter Removal

The Division of Transportation shall as soon as practical, upon notification from the group coordinators as specified in the Adopt-A-Highway Agreement, remove filled garbage bags from an adopted section after litter collection has occurred, and shall otherwise be responsible for removing carcasses, and large heavy or hazardous items. The Division of Transportation may also remove litter at any time deemed appropriate by the County Engineer.

4.14 Termination

The 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 Kane 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 as shown on the Application Form for Participation.

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 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.

EXHIBIT A
ADOPTED SECTION OF COUNTY HIGHWAY

EXHIBIT B

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

The GROUP and all its participating volunteers, employees, agents, representatives and members shall comply with and adhere to the following conditions, terms, requirements, provisions and responsibilities as they relate to the KANE 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 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 safety training 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 a receipt for having

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received a copy of 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 for a minimum of two (2) years.
9. collect litter along the Adopted Section County Highway a minimum of four (4) times a year.
10. schedule at least one (1) of the litter collections during the month of April and one (1) during the month of 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 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 including rain or fog or during rush hour traffic peak times.
14. perform litter collection between 1 hour after sunrise and 1 hour before sunset.
15. perform litter collection between April 1st and October 30th.
16. provide written notice to the COUNTY's County Engineer a minimum of three (3) working days prior to the date when the litter collection will be undertaken. The GROUP Coordinator shall be responsible for this providing notice.
17. 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 and at times when the participating volunteers and members are on or within the right-of-way of the Adopted Section of County Highway.
18. 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.
19. 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.
20. 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.

21. 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.
22. arrange to pick-up trashbags 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.
23. place all litter in the trashbags and receptacles provided by the COUNTY'S Division of Transportation.
24. place filled or partially filled trashbags and receptacles at such locations as specified by the COUNTY'S County Engineer or his designee. Filled or partially filled trashbags and receptacles shall not be placed on the roadway pavement or within ten (10) feet of the roadway pavement. Trashbags 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.
25. not remove, or cause to be removed, any filled or partially filled trashbags 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.
26. 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.)
27. 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.
28. make every effort to minimize the number of vehicles transporting

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.

29. 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.
30. instruct its participating volunteers and members to never cross over or pick-up litter on the roadway pavement.
31. 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 and should also include brightly colored clothing, long sleeves, long pants, leather shoes or boots, gloves and proper outerwear for existing weather conditions.
32. instruct its participating volunteers and members to avoid contact with poisonous plants, stinging insects and animals.
33. instruct its participating volunteers and members to refrain from horseplay, demonstrations or any other activity not related to litter collection activities.
34. avoid and maintain a safe distance from any area of the Adopted Section of County Highway under construction or where construction activities are underway.
35. not go onto private property which adjoins the right-of-way of the Adopted Section of County Highway.
36. 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.
37. 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 trashbags and receptacles.

EXHIBIT C

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

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RESOLUTION #95-76

PURCHASE OF EQUIPMENT
KANE COUNTY DIVISION OF TRANSPORTATION
MAINTENANCE DEPARTMENT
(ONE TON DUMP TRUCKS)

WHEREAS, bids have been solicited and received for the purchase of equipment for the Maintenance Department of the Kane County Division of Transportation;

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the low bid for said equipment of Hoskins Chevrolet of Elk Grove Village, Illinois for six 1995 Model One Ton Dump Trucks in the amount of One Hundred Twelve Thousand Two Hundred Thirty Six and 00/100 Dollars (\$112,236.00) with trade-in be accepted and paid from County Highway Fund #031, Line Item #715 and the Chairman be and hereby is authorized to enter into an agreement for the provision of said equipment at the above stated price.

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RESOLUTION #95-77

ACQUISITION OF HIGHWAY RIGHT OF WAY
(KIRK ROAD FROM ILLINOIS ROUTE 64 TO ILLINOIS ROUTE 38)
Knell

WHEREAS, the County of Kane desires to realign and otherwise improve Kane County Highway No. 77, also referred to as Kirk Road from Illinois Route 64 to Illinois Route 38; and,

WHEREAS, in order to accomplish the improvement as contemplated, it is necessary that the County of Kane obtain additional right of way from adjacent property owners; and,

WHEREAS, George Knell Jr. and Judith K. Knell, the owners of the real property that is legally described in Exhibit "A", have offered to sell said property to the County of Kane and to also grant to the County of Kane a construction easement in the property that is described in Exhibit "B", both for the total sum of Thirty Two Thousand Two Hundred Sixty Dollars (\$32,260.00).

NOW THEREFORE BE IT RESOLVED by the County Board of Kane County that the County of Kane shall accept the offer to purchase the property described in Exhibit "A" and the construction easement described in Exhibit "B" (both of which are on file in the office of the County Clerk) for the total sum of Thirty Two Thousand Two Hundred Sixty Dollars (\$32,260.00) to be paid from Bond Construction Fund #037, Line Item #730 and that the Chairman be directed to execute the sales contract therefor.

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RESOLUTION #95-78

ACQUISITION OF HIGHWAY RIGHT OF WAY
(KIRK ROAD FROM ILLINOIS ROUTE 64 TO ILLINOIS ROUTE 38)
Erikson

WHEREAS, the County of Kane desires to realign and otherwise improve Kane County Highway No. 77, also referred to as Kirk Road from Illinois Route 64 to Illinois Route 38; and,

WHEREAS, in order to accomplish the improvement as contemplated, it is necessary that the County of Kane obtain additional right of way from adjacent property owners; and,

WHEREAS, some of the adjacent property owners have offered to sell their property to the County of Kane; and,

WHEREAS, Erik Helge Erikson and Maj-Lis Erikson, the owners of the real property that is legally described in Exhibit "A" have offered to sell said property to the County of Kane and to also grant to the County of Kane a construction easement in the property that is described in Exhibit "B", both for the total sum of Fifty Eight Thousand Dollars (\$58,000.00).

NOW THEREFORE BE IT RESOLVED by the County Board of Kane County that the County of Kane shall accept the offer to purchase the property described in Exhibit "A" and the construction easement described in Exhibit "B" (both of which are on file in the office of the County Clerk) for the total sum of Fifty Eight Thousand Dollars, (\$58,000.00) to be paid from Bond Construction Fund #037, Line Item #730 and that the Chairman be directed to execute the sales contract therefor.

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RESOLUTION #95-79

SUPPLEMENTAL RESOLUTION FOR IMPROVEMENT BY COUNTY
UNDER THE ILLINOIS HIGHWAY CODE
(RANDALL ROAD - BIG TIMBER TO ILLINOIS ROUTE 72)

WHEREAS, Kane County Highway No. 34, also known as Randall Road needs to be improved from Big Timber Road to Illinois Route 72 for the safety of the motoring public by reconstruction of Randall Road to provide two lanes in each direction plus a center median and other appurtenant construction.

NOW, THEREFORE BE IT RESOLVED by the County Board of Kane County, Illinois that the following described County Highway be improved under the Illinois Highway Code:

County Highway No. 34 (Randall Road) from Big Timber Road to Illinois Route 72; and

BE IT FURTHER RESOLVED, that the type of improvement shall be reconstruction of Randall Road to provide two lanes in each direction plus a center median and other appurtenant construction and ROW acquisition and shall be designated at Section 87-00203-09-LA; and

BE IT FURTHER RESOLVED, that there is hereby appropriated the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00) from Motor Fuel Tax Fund #033, Line Item #730 for the acquisition of Right of Way