



city of PALM COAST

Community Development Department
Planning Division

160 Lake Avenue
Palm Coast, FL 32164
386-986-3736

ADOPT – A – MEDIAN PARTNERSHIP AGREEMENT

This Agreement, between the City of Palm Coast, and

(Name of individual, company, or organization responsible for median(s) to be adopted)
("Adopter")

Is to provide a means of beautifying the following median(s):

Street Name: _____

All labor and materials associated with the beautification of the median(s) are the sole responsibility of the Adopter.

Adopter responsibilities before signing and returning this Agreement:

If Adopter wishes to beautify the median in addition to keeping it mowed and free of litter, Adopter shall submit a landscape plan. This plan will be reviewed by the City. Adopter's plan must be approved before Adopter begins any improvements.

A Right-of-Way Utilization Permit must be obtained from the City's Building Division to allow work within the public right-of-way and this agreement shall be made a part of that permit. There shall be no charge made nor fee paid for such permit.

Adopter responsibilities after Adopter has signed and City has approved this Agreement and City posts an adoption sign:

1. Secure all permits related to planting and working in the City right-of-way.



2. Prune trees properly for visual clearance.
3. Cut the grass on a regular basis, keeping the grass in the median at or under a height of four (4) inches. If Adopter allows the grass height to exceed five (5) inches, Adopter may be given a onetime grace period during which the median will be cut by the City. This one-time grace period is dependent upon the reason for the delay in cutting and must be approved by the Adopt-a-Median Program Manager. All future cuttings will be the responsibility of the Adopter. If the median is not maintained as agreed, this Agreement will be terminated by City. Please note that termination is the last resort. It is our goal to maintain as many Adopted medians as possible throughout the City.
4. Only native trees may be planted in the center area of the median no closer than 30' from each end of the median and 2' in from edge of pavement. Tree species must be approved prior to planting.
5. No non-organic decorations such as flags, garden decorations, or art/sculpture are allowed in medians. No brick or stone perimeter edging is allowed around trees and median.
6. Only signs provided by the City are permitted on medians. No commercial, promotional, or political signs or religious symbol of any kind are allowed on medians.
7. Abide by all safety guidelines and use due care at all time.

Please Note: City will mow Adopter's median until Adopter's sign is posted. Once the sign is posted, Adopter shall begin its responsibilities.

Termination/ Term of Agreement

The median(s) shall remain the property of the City. If the City determines that Adopter is not meeting the terms of this Agreement, the Adopt a Median Program Manager may send a notice of termination to Adopter and remove all plant material and signage. City reserves the right to change or cancel the location of Adopter's median(s) for any reason.

Adopter has the right to terminate this Agreement by giving 30 day notice in writing to the Adopt-a-Median Program Manager.

Adopter agrees that its volunteers and/or agents are not acting as agents or employees of the City of Palm Coast, and also agrees to release the City of Palm Coast from any liability arising hereunder.

This Agreement shall be in effect when signed by both City of Palm Coast and Adopter. This Agreement shall be in effect when signed by Adopter and approved by the City's Adopt-a-Median Program Manager. Agreements signed prior to October 1st shall remain in effect until December 31 of the year signed, unless terminated earlier as provided for in this Agreement.

Agreements signed after October 1st shall remain in effect until December 31 of the following year, unless terminated earlier as provided for in this Agreement. City will mail renewal agreements requesting signatures for re-adoption in October of the year in which the Agreement expires. Re-adoption is not guaranteed. If a renewal Agreement is not signed by Adopter and received by City by January 31st, the adoption sign will be removed from the median.

Adopter shall not perform any work in median upon expiration or termination of this Agreement.

Release of Liability:

Adopter agrees that all work performed in or on any median is done on a voluntary basis and at Adopter's own risk. Adopter, its volunteers, members and agents are not acting as agents or employees of the City of Palm Coast for any purpose. Adopter, on its own behalf and on behalf of its volunteers, members and agents, releases and agrees to hold harmless the City of Palm Coast, including all of its officials, employees and agents, from all liability, claims and damages arising out of accident or injury arising out of participation in the Adopt-a-Median Program. Adopter shall require each individual (or parent/guardian for each participant under the age of 18) performing work in a median to sign the attached release.

Please fill in the bolded areas below and send or fax, the agreement:

City of Palm Coast

Attn: Carol Mini

Adopt a Median
160 Lake Avenue
Palm Coast, Florida 32164
cjmini@palmcoastgov.com

ADOPT A MEDIAN AGREEMENT

Adopt-A-Median sign to read as: _____

Adopter Contact (Printed): _____

Adopter Contact (Signature): _____

Address and Zip Code: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

Date: _____ City Approval Signature: _____

ADOPT A MEDIAN SAFETY GUIDELINES

- 1) Workers should work only during daylight hours.
- 2) Work should be scheduled during light traffic times
- 3) Workers should wear reflective or light colored clothing for increased visibility (orange safety vests are highly recommended).
- 4) One person should be designated as crew leader and shall instruct all workers on proper safety procedures.
- 5) Children under 15 years old shall be closely supervised by an adequate number of adults.
- 6) Access to a first aid kit must be readily available.
- 7) All workers and equipment shall be in or on the median. No lanes of traffic are to be blocked or diverted.
- 8) All Workers should be alert and use common sense at all times:

Avoid the use of headsets, earbuds, etc.

Avoid overexertion and have plenty of water available on hot days,

Sunscreen is recommended for sunny days,

Make sure you have the proper tools you need,

Face on-coming traffic as much as possible,

Do not back tools, arms, legs, or yourself into traffic,

*Caution, many trucks have large mirrors that might hang over the median.