



# Clear Hills County

Effective Date: <b>June 12, 2018</b>	Policy Number: <b>3236</b>
Title: <b>SENIORS SUMMER DRIVEWAY GRADING</b>	

## 1. Policy Statement

- 1.1 Clear Hills County offers to grade driveways for senior citizens and/or surviving spouse, as county operations permit, at no charge once per summer season.
- 1.2 Clear Hills County does not provide driveway grading services for non-senior citizens as it is our belief that the private sector can provide this service in an economical and efficient manner and that the County does not want to compete with the private sector.

## 2. Definitions

- 2.1 Senior Citizen means person 65 years of age and over.

## 3. Responsibilities

- 3.1 All senior citizens receiving driveway grading services are required to sign a waiver protecting Clear Hills County, as attached to this policy, forming Schedule A.
- 3.2 Agreements are available at the County office.
- 3.3 Grading of private driveways shall be completed subject to the conditions set forth in Schedule A. In the event that the Public Works Manager determines that a driveway is impassable as indicated in Schedule A the landowner will be notified that the driveway cannot be graded.
- 3.4 The County will provide the Grader Contractors with a list of locations from each completed Waiver (Schedule A).

## 4. Principles

- 4.1 Private driveway grading will apply to County senior citizens or surviving spouse only.
- 4.2 All senior citizens who have not previously signed a Senior Citizen Summer Driveway Grading Waiver requesting driveway grading services are required to

sign a Waiver, protecting Clear Hills County, to receive the service.

4.3 All senior citizens requesting grading services are required to provide proof of age.

## 5. **End of Policy**

ADOPTED

Resolution # C551

Date: July 28, 2009

Resolution # C352

Date: April 27, 2010

Resolution # C309

Date: June 12, 2018

# Seniors Summer Driveway Grading Waiver Agreement

**BETWEEN:** Clear Hills County, a Municipal Corporation  
(hereinafter referred to as the "County")

OF THE FIRST PART

-and-

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Rural Address: \_\_\_\_\_

(hereinafter referred to as the "Senior Citizen")

OF THE SECOND PART

WHEREAS, the Senior Citizen or surviving spouse is the owner, purchaser, or lessee of the following lands:

Land Location: \_\_\_\_\_

WHEREAS, the Senior Citizen or surviving spouse desires the County to grade his/her private driveway when County operations permit, at no charge once per summer season and is 65 years of age or older.

NOW, THEREFORE, the County and the Senior Citizen or surviving spouse agree as follows:

1. The County agrees to grade the private driveway of the Senior Citizen or surviving spouse, however it shall be understood that such grading shall only be undertaken at the discretion of the County and only after the public roads have been graded to the satisfaction of the County.
2. Either party may terminate this waiver by serving Notice of Intent to terminate. Five (5) days notice will be required.
3. The Senior Citizen or surviving spouse hereby covenants and agrees that he will at all times indemnify and save harmless the County, his servants, contractors, and employees from and against all loss, damage or injury however caused, which may at any time during the continuance of this Waiver occur to any person or the property of any person including the Senior Citizen or surviving spouse.
4. The Senior Citizen or surviving spouse shall not assign or transfer his interest under this Waiver.
5. The County shall have the right to refuse to grade any private driveway that in the opinion of the grader contractor, operator or County representative will be hazardous or difficult to grade.

IN WITNESS WHEREOF, this Waiver has been duly executed by the parties hereto on:

\_\_\_\_\_ A.D., 20\_\_\_\_.

SIGNED in the presence of:

WITNESS \_\_\_\_\_

OWNER \_\_\_\_\_

WITNESS \_\_\_\_\_

LEESEE \_\_\_\_\_

CLEAR HILLS COUNTY REPRESENTATIVE: \_\_\_\_\_

Proof of Age: \_\_\_\_\_

Other Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_