

WAIVER AND HOLD HARMLESS

WHEREAS, the undersigned has indicated an intention to burn dead leaves, weeds, brush, or other combustible materials (not to include household trash) for purposes deemed sufficient by the undersigned; and

WHEREAS, the undersigned has requested assistance from a County Volunteer Fire Department on a standby basis in order to be available should unforeseen circumstances cause the burning to escape the confines of the undersigned's premises or burn area; and

WHEREAS, the County Volunteer Fire Department has agreed to be present on a volunteer basis only and has, in addition to this waiver, orally informed the undersigned that the service is provided on the basis of non-liability on the part of the volunteers and the County of San Juan.

NOW, THEREFORE, in consideration of the furnishing of volunteer standby services by the County Volunteer Fire Department, the undersigned hereby waives any claims against San Juan County and the County Volunteer Fire Department for any damages to any person or property resulting from the undersigned's burning operations, unless such damages are the direct result of the gross negligence of the County Volunteer Fire Department, its personnel, agents, servants or employees. The undersigned hereby agrees to hold harmless the County of San Juan, including its Volunteer Fire Departments, from any and all damages resulting from the undersigned's contemplated burning operations.

IT IS FURTHER UNDERSTOOD AND AGREED that by standing by on an emergency basis, the County and its Volunteer Fire Department make no representations that the burning operations of the undersigned are safe or that the burn will necessarily be confined to the undersigned's property, or that no damages will occur because of the presence of the standby fire personnel and fire equipment. The decision to burn or not burn, based upon local conditions or conditions which may arise during the burn, shall be that of the undersigned alone. The County Volunteer Fire Department reserves the right to withdraw from the contemplated burn prior to its initiation, if the fire personnel feel that the conditions are unsafe and so advises the undersigned. The failure of the fire personnel to advise the undersigned that conditions may be unsafe does not and will not constitute a representation or suggestion that the burn operation is safe, and the undersigned agrees that he/she is not relying on the presence of the Volunteers as a factor in determining whether or not to initiate the burn.

_____	_____
Name (Printed)	Signature
_____	_____
Address	Phone Number

Date	

WITNESS:

Volunteer Fire Department