

Durham Woodyard Terms of Use

Rules and requirements for participation in wood recycling program.

**PLEASE PRINT AND SIGN THE ENTIRE DOCUMENT AND SEND OR DELIVER TO:
THE CITY OF DURHAM GENERAL SERVICES DEPARTMENT
2011 FAY ST.
DURHAM, NC 27704**

Purpose and intent: The Durham Woodyard is a designated City of Durham-owned property where wood that has been generated from the removal and disposal of city trees is placed for the purpose of allowing city of Durham residents access to the resource through their own efforts and at their own risk.

Access: Access to the property located at 3313 and 3317 Glenn Road will be granted to Durham City residents upon their agreement to the terms of use. The facility will be open during daylight hours. There are 2 entrances secured with chains and combination locks. The combination will be changed periodically, with updated combinations sent to approved and registered users via email. Locks must be secured before leaving the woodyard. Users cannot grant access to other parties while at the woodyard. Entering and exiting the woodyard site must be done with caution and respect for other motorists on Glenn Road.

Terms of Use: To become and remain an approved and registered woodyard user, Durham residents must adhere to the following terms of use:

- **Equipment:**
 - **Vehicles:** Users are allowed to bring vehicles onto to the woodyard at their own risk, and all vehicles must remain on paved portions of the site. The City of Durham will not tow or otherwise assist if private vehicles become stuck or stalled on the woodyard site. Users are allowed to load their vehicles with wood, but must adhere to all applicable state and local rules and regulations pertaining to securing loads and abide by weight limits provided by the vehicle manufacturer. The City of Durham will not be responsible for litter or damage to vehicles or other property resulting from poorly secured or unsecured loads, overloaded vehicles, or dents, scratches or other damage incidental to loading, unloading or hauling wood.
 - **Log splitters, sawmills, loaders, saws and other motorized equipment:** Users are allowed to bring onto and operate within the woodyard equipment to assist in the processing and loading of wood at their own risk. Users must read, understand, and follow all safe operating procedures detailed by the equipment manufacturer, wear all applicable personal protective equipment (PPE), and follow all maintenance and safe storage practices. The City of Durham will not accept liability for damage

or injury sustained by users operating tools and equipment within the woodyard.

- **Users/Operators:**

- Material handling: Users are allowed to lift and handle the wood that they are processing and/or loading, either manually or mechanically-assisted, at their own risk. They are encouraged to inform themselves of and practice safe and ergonomically appropriate lifting techniques and use appropriate PPE (gloves and safety shoes) to avoid injury. The wood will be stockpiled in loads that are deposited by dump-trailer or dump truck. Users will experience shifting loads of heavy material as they remove wood from the pile. This activity is done at the risk of the user.
- Environmental risk factors: The woodyard is located in a natural wooded setting. Users must acknowledge that wildlife may be present at, near or in the stockpile area. These may include stinging insects, venomous snakes, disease carrying parasites or other potentially harmful animals. Caution and vigilance must be applied at all times. The ground in the woodyard area is relatively level but may become saturated and possibly rutted by wood delivery and removal activities. The City of Durham is not liable for any personal injuries suffered by those who enter into the woodyard, including but not limited to injuries resulting from slips, trips, or falls experienced by woodyard users, or injuries caused to a woodyard user from another woodyard user. **All users enter onto the woodyard, and have chosen to engage in physical activity within the woodyard property, at their own risk.**

- **Wood availability and communication:**

- Types of material: Wood will be brought to the woodyard by Urban Forestry staff as directed by the Urban Forestry Manager or the Manager's designee. Material will be brought that is believed to have use and/or value based upon feedback given by woodyard users and by knowledge of the types of wood being generated through the activities of the Urban Forestry Division (UFD).
 - Species: the predominant species of tree managed by the UFD is willow oak, but other species are encountered and can be sent to the woodyard based upon what the intended use is.
 - Logs and limbs: The material that is taken to the woodyard will often be cut into 4-6' lengths. Branches <10" in diameter are often converted into wood chips, so the majority of the wood delivered will be >10" in diameter. If there is a need for larger pieces for possible milling, arrangements can be made to keep trunk pieces larger, as long as equipment can handle it.
 - Wood chips: The UFD generates and uses woodchips as part of its beautification and tree planting program. Surplus chips may be made available at the woodyard upon request.

- First-Come, First-Served: Material at the woodyard is available to users with no contingency for reserving specific material for specific users. Disputes over entitlement to specific logs or other arguments will be settled by restricting access to the woodyard by those parties responsible for initiating and/or escalating the dispute.
- Communication: Questions or comments may be communicated via email 24/7. To report dumping, spills or any other unauthorized use, users may call the General Services Department M-F, 7am-5pm at 919.560.4197. Registered users will receive periodic updates on lock combination changes and available material via email. Specific requests may be communicated at any time
- **Prohibited activities:**
 - The woodyard is located on City of Durham property, and all rules and regulations that apply to other Durham properties apply.
 - No Dumping
 - No Hunting
 - No Weapons
 - No Alcohol
 - No open flames
 - Pack out/Pack in
 - Report any trash or illegal dumping
 - Report any/all spills (gas, oil, hydraulic fluid)
 - Do not share lock combination with any others.
- **Permission Form:**
 - Name_____
 - Email_____
 - Phone #1_____
 - Phone #2_____
 - Emergency Contact
 - Name_____
 - Phone_____
 - Intended use of wood_____
 - Special Request (what do you want most?)_____
 - Intended Process for loading, hauling and/or processing

- **Liability Waiver:**

I _____, a legal resident of the City of Durham, NC, do hereby acknowledge freely and without coercion, that I have read and understand the Terms of Use for the Durham Woodyard, whose physical address is 3313 - 3317 Glenn Rd., Durham, North Carolina. I agree to abide by the Terms of Use. In consideration for and in exchange for right of access onto the Woodyard for the specific purpose of processing and/or loading and hauling away wood, I agree that I assume all risk of using the Woodyard, and agree to hold harmless the City of Durham, its agents, employees, contractors, and

subcontractors, for damage or injury of any type, whatsoever, to myself, to others I bring onto the Woodyard, or to the vehicle(s) and/or equipment used to process and/or load and haul wood at the Woodyard.

I further agree that I hereby release, discharge the City of Durham from all liability, and waive any action or claim, either legal or equitable, against the City of Durham and its agents, employees, contractors or subcontractors that might arise out of my access to the Woodyard, my presence and activities at the Woodyard, and my choice to bring others into the Woodyard.

Sworn by me this _____ day of _____, 20__.

Woodyard User - Print Name

Signature

Witness