

## **Gering Public Library MakerSpace Release of Liability Agreement**

**THIS AGREEMENT** made this \_\_\_\_ day of \_\_\_\_\_ 20\_\_, by and between **Gering Public Library** and \_\_\_\_\_ **(User)**.

In consideration for User's participation in the use of the Gering Public Library MakerSpace, User agrees as follows:

1. **Conditions of Use.** The User agrees that the (a) User has reviewed the Gering Public Library MakerSpace Policy and agrees to its terms, which are incorporated by reference into this Agreement, and the (b) User has been trained by Library Staff or participated in a Library workshop regarding the use of the Gering Public Library MakerSpace. The User agrees to comply with all Library policies, including the payment of any fees associated with the use of the MakerSpace. If the User is under the age of 18, a parent or legal guardian agrees to this Release of Liability on behalf of the minor child and the term "User" applies to both the minor child and any parent or legal guardian.

2. **Assumption of Risk.** User acknowledges the inherent risks in the use of tools, equipment, devices, and hazardous materials of any kind commonly used in electronics construction, fabrication, software design and other technology related activities and that User's participation in such activities and/or use of the Library's MakerSpace may result in injury, illness, death or damage to User or User's personal property.

Further, such risks and dangers may be caused by User or other Users. Finally, such injury, illness death or damage to User or User's personal property, may arise from foreseeable or unforeseeable causes. User, and for such heirs, family, estate and assigns, hereby fully assumes all such risks (known, unknown and/or unforeseen) and any others which arise in connection with the use of the Gering Public Library MakerSpace.

3. **Release of Liability.** User, including the User's heirs, family, estate, executors and assigns, releases the Gering Public Library, its staff, board members, exhibitors, guests, fellow MakerSpace users/patrons, employees, agents, guests and assigns from any liability, claims, losses, demands, causes of action whatsoever arising or that could arise out of any damage, loss or injury to User or User's property while using the Gering Public Library MakerSpace and/or using any equipment owned by Gering Public Library or another User or guest of Gering Public Library regardless of whether such loss or injury is as a result of negligence of Gering Public Library or its users, guests, agents and assigns, or is a result of some other cause. This release includes all damages, costs, medical costs, expenses, attorneys' fees and any other losses.

4. **Covenant Not to Sue.** User agrees that User will not, under any circumstances, initiate any legal action or administrative proceeding against Gering Public Library, its staff, board members, exhibitors, fellow Gering Public Library users/patrons, employees, agents guests, and assigns nor will User assist in the prosecution of any such legal action filed by another, arising out of an injury to the person or property of User while participating in the use of the Gering Public Library MakerSpace. This covenant extends to include the family, estate, heirs, executors, administrators or assigns of User.

5. **Third Party Indemnification.** User indemnifies, saves and holds harmless Gering Public Library, its Users, agents and assigns from any and all losses, claims, demands, causes of actions or proceedings of every kind and character which may be initiated by any other persons or organizations and which arise directly or indirectly from the actions of User while engaged in the use of the Gering Public Library MakerSpace by using the Gering Public Library's tools, equipment, materials, space, or educational opportunities. User hereby

acknowledges that User has carefully read all of the above provisions, fully understands same, and voluntarily signs this document as a condition of use of the Gering Public Library MakerSpace

**6. Damage of tools and equipment.** If User damages the MakerSpace, they will be liable for the damage, which may include replacement costs.

User agrees to use the facilities, tools, and materials in a safe way, and to alert the Gering Public Library staff, and/or program leaders when facilities, tools, and materials are being used in a way that could cause harm to themselves or others.

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**Printed Name** \_\_\_\_\_

**Library Card Number** \_\_\_\_\_

**Email** \_\_\_\_\_ **Phone** \_\_\_\_\_

**Emergency Contact (Name and Phone)** \_\_\_\_\_

**Any Maker under Eighteen years of age must also obtain the following consent and release before using the MakerSpace at the Gering Public Library.**

I, \_\_\_\_\_ (print name), am the parent or legal guardian of  
\_\_\_\_\_ (print name). I consent to this and state that I have read the above release,  
have no questions about its meaning and voluntarily accept the terms of this release by signing  
my name below.

**Parent/ Guardian Signature** \_\_\_\_\_ **Date** \_\_\_\_\_