



VILLAGE OF WINFIELD

NON-PROFIT OR CHARITABLE ORGANIZATION PERMIT TO SOLICIT ON HIGHWAYS

Date _____

ORGANIZATION

Name of Applicant _____ Phone _____

Name of organization sponsoring the solicitation _____

Explain any acronyms _____

Address - Headquarters _____

Address - Local Chapter _____

Length of Service _____ Please include the latest copy of non-profit charter from the attorney general.

Focus of Non-Profit or Charitable Organization: _____

SOLICITATION DATES

From _____ to _____

Must be a statewide fundraising activity.

Maximum of 2 events per calendar year and 3 days per event.

Solicitation on highways is only permitted during daylight hours at approved intersections.

APPROVED INTERSECTIONS

Jewell Road and County Farm Road: Number of Collectors _____

Winfield Road and Beecher Street: Number of Collectors _____

INSURANCE

Please include a certificate of insurance with a minimum limit of liability of \$1,000,000 along with a completed Additional Insured Endorsement naming the Village of Winfield, its officials, employees and agents as Additional Insureds.

Signature of applicant

3-6-11: SOLICITATION ON HIGHWAYS:

A. Definitions: For purposes of this section, the following terms shall have the meanings herein ascribed:

CHARITABLE ORGANIZATION: An organization:

1. Registered with the attorney general as a charitable organization as provided by "an act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefor", approved July 26, 1963, as amended;
2. Engaged in a statewide fundraising activity; and
3. Liable for any injuries to any person or property during the solicitation which is causally related to an act of ordinary negligence of the soliciting agent.

CHARITABLE SOLICITATION: Seeking to obtain contributions or donations of money, or any other thing of value, for the use or benefit of any benevolent, charitable, philanthropic, patriotic, or eleemosynary association, organization, or not for profit corporation.

PUBLIC STREET: Any public thoroughfare, roadway, street or highway within the village of Winfield.

B. Charitable Solicitation Permit Required: It shall be unlawful for any person, firm or corporation to go upon any public street in the village for the purposes of soliciting from motorists or others using the public street; provided, however, charitable solicitation may be permitted on public streets in accordance with the provisions of this section when a permit therefor has been issued.

C. Charitable Solicitation Permits: Each permit shall be valid only for one period of three (3) consecutive days during the course of a calendar year. The permit shall only be valid during daylight hours on the dates specified and for the public street locations identified in the permit. No charitable organization shall be issued more than two (2) charitable solicitation permits in any calendar year.

D. Locations For Charitable Solicitation: Charitable solicitations are permitted only at intersections approved by the chief of police based on safety and traffic considerations.

E. Application For Charitable Solicitation Permit:

1. Any eligible organization seeking to conduct charitable solicitation on public streets shall file an application for a permit with the village administrator in the same calendar year as, and not less than seven (7) days before the last village board meeting prior to the date that the solicitation is proposed to occur. All applications shall be approved by the village board.
2. The application shall contain the following information, which must be updated by the applicant as circumstances warrant:
 - a. The name, address and telephone number of the person signing the application.
 - b. The name, address and telephone number of the authorized and responsible leaders of the organization.
 - c. The date(s) of the proposed charitable solicitation.
 - d. The public streets on which the charitable solicitation will occur.
 - e. The approximate number of people who will participate in the charitable solicitation.
3. All applications for a charitable solicitation permit shall be processed on a first in time basis. Any conflict between or among two (2) or more applications filed on the same day shall be resolved by a lottery to be conducted by the village administrator. Applications may not be filed more than three hundred sixty four (364) days before the solicitation date.

F. Conditions For Charitable Solicitation: Any person engaged in the act of charitable solicitation shall be sixteen (16) years of age or more and shall be wearing a high visibility vest. Solicitors shall not interfere with the flow of traffic. The police department may order any solicitor interfering with traffic to discontinue charitable soliciting. (Ord. 2014-10-31, 10-16-2014)

3-6-12: PENALTY:

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine as provided in section 1-4-1 of this code for each offense. (Ord. 2006-12-60, 12-7-2006)

3-6-13: APPEAL:

- A. Any applicant or registered solicitor who receives a notice of denial, revocation, or suspension may file an appeal with the village president and board of trustees as provided herein. Such appeal shall be filed with the village manager in writing no later than ten (10) business days following receipt of the notice, and shall include a response to the chief of police's notice. Such response shall include a brief statement addressing the substantive deficiencies cited in the chief of police's notice and shall set forth the basis for why the permit shall not be denied, revoked, or suspended. If an appeal is filed of an order of the chief of police suspending or revoking a permit, such suspension or revocation occurred shall be stayed pending final order of the village president and board of trustees, as provided in this section.
- B. Upon filing an appeal by the applicant or registered solicitor, the board of trustees shall convene at a special or regular meeting, with no less than fifteen (15) days' written notice to the individual, a quorum being present, and shall hear the appeal and shall accept such evidence and hear such testimony from involved village staff, the applicant or registered solicitor, and such interested parties as may have relevant information to offer regarding the case to offer the board. The village board of trustees, following the hearing, shall make a finding based upon the testimony and evidence submitted and if the board, upon majority vote, determines that the violation(s) or reasons for denial, suspension, or revocation occurred shall deny such applicant or suspend or revoke the existing permit, effective immediately. A copy of such order shall be served upon the applicant or registered solicitor at the address identified on the latest application on file with the village.
- C. The decision of the board of trustees as provided in subsection B of this section shall be the final administrative action of the village of Winfield with respect to permit or application, and shall be subject to the immediate appeal by the registered solicitor or applicant to the circuit court. Such appeal to the circuit court shall be filed no later than thirty five (35) days following receipt of the board of trustee's findings and order. Failure to file such an appeal as provided herein shall render the board of trustee's decision final. (Ord. 2003-9-40, 9-4-2003)

3-6-14: APPLICATION FEE:

- A. The fee for any peddler's, solicitor's or canvasser's license hereunder shall be fifteen dollars (\$15.00) per person licensed, however, no fee shall be charged for any charitable organization.
1. This nonrefundable fee shall be collected at the time of application.

B. Charitable organizations include any organization subject to 501(c)(3), a not for profit organization.

1. List Of Organizations Maintained: The Winfield police records division shall maintain a list of charitable or service organizations for which charitable solicitations shall be permitted without further registration.
2. Liability Of Organization: The charitable or service organization shall be liable for any injuries to any agent, person or property during the solicitation which is causally related to an act of ordinary negligence of the soliciting agent. (Ord. 2012-08-29, 8-2-2012)