



Scott Eisenhauer, Mayor

INSTRUCTIONS FOR SOLICITATION APPLICATIONS

- ❖ Review Ordinance, Chapters 72,110 & 115.
- ❖ Complete Solicitation Application.
- ❖ Mail completed application to City Clerk at 17 W. Main St., Danville IL 61832 or submit electronically to lmonson@cityofdanville.org.
- ❖ Completed application can also be dropped off in person at the City Clerk's office in the Robert E. Jones Municipal Building, 1st Floor, 17 W. Main St., Danville IL between the hours of 8:00 a.m. – 12:00 p.m. and 1:00 p.m. – 4:30 p.m.
- ❖ Upon receipt of application, the City Clerk's office will submit the application to the Public Safety Director for approval & background check, and then to the Mayor for approval.
- ❖ Distribution of Handbills/Advertising Material for non-exempt applicants will need to pay a \$25.00/year fee for once a week distribution and \$75.00/year fee for more than once a week distribution.
- ❖ If solicitors are going door- to- door they will also need to fill out a *Solicitors Information* sheet per each solicitor.
- ❖ There will be a \$5.00 fee per each solicitor ID Card.
- ❖ Contact the City Clerk's office with any questions at (217) 431-2304.



CITY OF DANVILLE
 17 W. Main St., Danville, IL 61832
 City Clerk's Office, (217) 431-2304

**OFFICE USE ONLY
 TO POLICE:**

STREET CORNER FUND SOLICITATION REGISTRATION
Chapters 72.007, 115.03(F) and 115.07

PLEASE PRINT LEGIBLY

TYPE OR ORGANIZATION: Civic _____ Patriotic _____ Fraternal _____ Educational _____ Religious _____
 Benevolent _____ Other _____ Explain: _____

Are you Registered with the Illinois Attorney General's Office to Solicit Funds? Yes ___ No ___
 Please provide a copy of the Registration. If exempt, provide Exemption Number from Statute: _____

NAME OF ORGANIZATION: _____

BUSINESS ADDRESS : _____ **BUSINESS PHONE:** _____
 (Street, City, State, Zip)

LOCAL CONTACT PERSON: _____ **PHONE:** _____

HOME ADDRESS: _____ **EMAIL:** _____
 (Street, City, State, Zip)

NAME OR TYPE OF FUNDRAISING EVENT: _____

CHECK LOCATION(S) DESIRED:

- | | | |
|---|--|--|
| <input type="checkbox"/> Logan & Roselawn | <input type="checkbox"/> Logan & Fairchild | <input type="checkbox"/> Vermilion & North |
| <input type="checkbox"/> Jackson & Winter | <input type="checkbox"/> Park & South | <input type="checkbox"/> Liberty & Townway |

DATE(S) YOU PLAN TO SOLICIT: _____

TIME(S) YOU PLAN TO SOLICIT: _____ **NUMBER OF PEOPLE TO SOLICIT:** _____

PLEASE CHECK ONE: PICK UP PERMIT ___ HAVE IT MAILED ___

Signature of Applicant: _____ **Date:** _____

PLEASE NOTE:

- **SOLICITATION PERMITTED BETWEEN:** 9:00 A.M. – 5:00 P.M. from May 1st – September 30th and 9:00 A.M. – 4:00 P.M. from October 1st - April 30th.
- **INSURANCE REQUIREMENT:** General Liability Insurance at \$1,000,000.00 per occurrence is required, as well as naming the City of Danville "Additional Insured" on the Certificate of Liability.
- **ALLOW 5 BUSINESS DAYS FOR PROCESSING OF APPLICATION**
- **EACH LOCATION MUST HAVE AN AVAILABLE COPY OF PERMIT FOR INSPECTION**

Office Use Only

| | |
|--|-------------------------------|
| Application Received By: _____ | Date: _____ |
| Police Dept. Approval: _____ | Date: _____ |
| Certification of Exemption: _____ | Permit # Issued: _____ |
| Distributed to: _____ | Date: _____ |

CHAPTER 115 TRANSIENT OR ITINERANT SALES

§ 115.03 EXEMPTIONS.

The following activities are exempt from the licensing and other requirements of this chapter:

(A) Any person selling vegetables, fruit or other perishable farm products at an established market under the auspices of Downtown Danville, Inc.

(B) Any person operating a concession at any city park, Danville Stadium, David S. Palmer Civic Center, or other public facility.

(C) Any yard sale, garage sale or rummage sale conducted by a person on property upon which he resides.

(D) Any person operating a stand or booth at a trade show, exposition, convention or similar event.

(E) Any person engaged in the business of soliciting orders or subscriptions magazines, newspapers, periodicals, books, or other published written or photographic material; provided, however, that such person shall register his activities with the city clerk as provided in § 115.07 below.

(F) Any person who, without compensation, solicits contributions to or sells goods, wares or merchandise for any civic, patriotic, fraternal, educational, religious or benevolent organization; provided, however, that the organization on whose behalf such person is acting shall register such activities with the city clerk as provided in § 115.07 below.

(G) Any person operating in a temporary space at the Village mall. (Am. Ord. 7913, 9-2-97)

(H) No person shall be relieved from the provisions of this chapter by reason of a temporary association with any local dealer, trader, merchant or auctioneer, or by conducting such temporary or transient business in connection with or as part of or in name of any local dealer, trader, merchant or auctioneer.

(I) Nothing in this section shall relieve any person from complying with all other city regulations, nor from securing all other permits and licenses which may be required by law. (Ord. 7833, passed 6-4-96)

§ 115.07 REGISTRATION OF CERTAIN EXEMPT PERSONS.

(A) Any person who claims an exemption from the license requirements of this chapter under § 115.03(E) or (F), shall register such exempt activities with the city clerk and shall disclose in writing the following: name, social security number, date of birth, and residence street address of the registrant; name and street address of the organization on whose behalf he is engaged in the exempt activities; description of the activities claimed to be exempt; the dates and times of day during which the registrant intends to engage in the activities claimed to be exempt; the area or areas within the city in which the registrant intends to engage in the activities claimed to be exempt; and the number, description, and license plate numbers, if applicable, of any vehicle, trailer or other means of transportation of goods the registrant intends to use while engaging in such activities in the city. The city clerk shall submit such registration to the police department for investigation.

(B) The chief of police, or his designee, shall investigate the registration for exemption and, upon being satisfied that the information is true and correct and that the applicant is not a prohibited person under § 115.06 or otherwise prohibited from obtaining a license under § 115.08, shall so inform the city clerk, who shall issue a certification of exemption. (Ord. 7833, passed 6-4-96)

READ CAREFULLY AND COMPLY WITH ALL REGULATIONS

STREET CORNER SOLICITOR OF FUNDS

CHAPTER 72.007 PEDESTRIANS SOLICITING RIDES OR BUSINESS

(C) No person shall stand on a highway for the purposes of soliciting contributions from any occupant of a vehicle, except under the following restrictions:

(1) The soliciting agency shall be:

- (a) registered with the Illinois Attorney General's office 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 therefore', approved July 26, 1963 as amended;
- (b) engaged in a statewide fund-raising activity; and,
- (c) liable for any injuries to any person or property during the solicitation which are causally related to an act of ordinary negligence of the soliciting agent.

(2) Permits.

(a) Any person, group, agency, or entity desiring to engage in street solicitation activities must first register with the city pursuant to Chapter 115 and obtain permit(s) from the City Clerk for the solicitation activities. As part of the registration, the person, group, agency or entity shall provide the city with proof of general liability insurance, in an amount to be determined by the city, which names the city as an additional insured and covers the solicitation activities.

"(b) The city shall only issue two permits to the same person, group, agency or entity for the same solicitation/fund-raising event. Each permit shall be valid for two consecutive days. The city may issue rain-day permits. Each rain-day permit shall be valid for one day.

(c) The permit(s) obtained from the city shall be available for inspection at the site of solicitation activities.

(d) The Chief of Police or his designee may suspend or terminate any permit issued by the city upon determining that inclement weather has created a safety risk beyond the risk associated with the solicitation activities themselves. If a permit is suspended or terminated prior to the person, group, agency or entity using 51% of the hours available for the particular day, the person, group, agency or entity may be eligible for a rain-day permit upon application to the City Clerk.

(3) Any person engaged in the act of street solicitation shall:

- (a) be 16 years of age or older, as long as an adult 21 years of age or older is providing supervision during solicitation activities at any site involving any person under the age of 18;
- (b) wear a high-visibility vest;
- (c) wear an item or items of clothing that depict which organization they are representing; and,
- (d) use collection canisters which are clearly labeled as to which organization is being represented and is soliciting donations.

(4) Taking into consideration the safety of the solicitors, safety of the motorists, as well as avoiding interference with traffic control devices and the orderly flow of traffic, solicitation activities shall only take place between the hours of 9:00 a.m. and 4:00 p.m. from October 1 through April 30, and between the hours of 9:00 a.m. and 5:00 p.m. from May 1 through September 30, and only at the following intersections in the City:

| | |
|-------------------|-------------------|
| Logan & Roselawn | Logan & Fairchild |
| Vermilion & North | Jackson & Winter |
| Park & South | Liberty & Townway |

(5) In addition to any other penalty provided by law, any person, group, agency or entity who violates the provisions of this subsection or any other city or state law shall have any permits issued terminated and shall be unable to obtain any permits for solicitation activities for the period of three years following the violation.

CHAPTER 115.03 EXEMPTIONS TO TRANSIENT MERCHANT/ITINERENT VENDOR LICENSING REQUIREMENTS

(F) Any person who, without compensation, solicits contributions to or sells goods, wares or merchandise for any civic, patriotic, fraternal, educational, religious or benevolent organization; provided, however, that the organization on whose behalf such person is acting shall register such activities with the city clerk as provided in § 115.07 below.

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(A) Any person who claims an exemption from the license requirements of this chapter under § 115.03(E) or (F), shall register such exempt activities with the city clerk and shall disclose in writing the following: name, social security number, date of birth, and residence street address of the registrant; name and street address of the organization on whose behalf he is engaged in the exempt activities; description of the activities claimed to be exempt; the dates and times of day during which the registrant intends to engage in the activities claimed to be exempt; the area or areas within the city in which the registrant intends to engage in the activities claimed to be exempt; and the number, description, and license plate numbers, if applicable, of any vehicle, trailer or other means of transportation of goods the registrant intends to use while engaging in such activities in the city. The city clerk shall submit such registration to the police department for investigation.

(B) The chief of police, or his designee, shall investigate the registration for exemption and, upon being satisfied that the information is true and correct and that the applicant is not a prohibited person under § 115.06 or otherwise prohibited from obtaining a license under § 115.08, shall so inform the city clerk, who shall issue a certification of exemption.

Forming a Charitable Organization

There are three major governmental bodies that every charitable organization operating in the State of Illinois must contact prior to solicitation or other activity within the state. A fourth governmental entity, the Illinois Department of Revenue, should also be contacted if the charitable organization wishes to apply for exemption from state sales tax.

1. Office of the Illinois Attorney General, Charitable Trust Bureau

An organization must contact the Office of the Illinois Attorney General's Charitable Trust Bureau to register as required under the Illinois Charitable Organization Laws prior to any solicitation or holding of charitable assets. Office of the Illinois Attorney General, Charitable Trust Bureau, 100 W. Randolph St., 11th Floor, Chicago, IL 60601, 312-814-2595 (TTY: 1-800-964-3013).

2. Secretary of State, Department of Business Services, Corporation Division

An organization must decide if it is going to operate as an incorporated organization or an unincorporated association. If it wishes to incorporate, the organization must contact the Secretary of State, Department of Business Services, Corporation Division, 501 S. 2nd St., Rm. 328, Springfield, IL 62756, 217-782-6961, or 69 W. Washington St., Ste. 1240, Chicago, IL 60602, 312-793-3380. Forms and filing information can also be obtained from the Secretary of State.

3. Internal Revenue Service

An organization should also contact the Internal Revenue Service to determine the type of tax exemption for which the organization would qualify and obtain the forms for applying for the exemption at Internal Revenue Service, 320 W. Washington St., Room 611, Springfield, IL, or 230 S. Dearborn St., Room 2400, Chicago, IL 60604, toll-free 1-800-829-1040. Internal Revenue Service forms can also be obtained at 1-800-829-3676 or at the Internal Revenue Service. In addition, questions concerning exempt status are referred to 1-877-829-5500.

Once the organization receives an exemption from the Internal Revenue Service, it is automatically exempt from paying state income tax, with certain exceptions.

4. Illinois Department of Revenue, Sales Tax Exemption Section (optional)

Some organizations may also wish to procure an exemption from state sales tax if the organization plans to purchase goods for its activities. This exemption can be obtained by contacting the Illinois Department of Revenue, Sales Tax Exemption Section, 101 W. Jefferson St., Springfield, IL 62708, 217-782-8881.

For detailed information on the technical aspects of creating a nonprofit organization, sponsors are encouraged to seek legal advice from private attorneys. The governmental agencies above provide advice and service on filing and procedural requirements only.