O R D I N A N C E

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Article II of Chapter 10-8 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

ARTICLE II. CHARITABLE SOLICITATION (10-8-080 *et seq.*)

10-8-080 Permit required.

No person shall solicit or collect contributions of funds for charitable purposes upon any portion of the public way without first having obtained a permit for such purpose from the ~~committee on finance~~ Commissioner of Transportation.

10-8-090 Permit – Issuance requirements.

No permit for solicitation of charitable contributions on the public way shall be issued to any person unless such person is either (a) a benevolent, philanthropic, patriotic or eleemosynary organization registered and in good standing with the Attorney General of the State of Illinois under the "~~An Act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making appropriations therefor~~ Solicitation for Charity Act", ~~effective July 26, 1963~~ codified at 225 ILCS 460/0.01, *et seq.*~~, as amended~~; or (b) an organization exempt from compliance with said Act pursuant to section 3 thereof~~, as amended~~.

10-8-100 Application.

Application for a charitable solicitation permit shall be made on a form issued by ~~committee on finance~~ the Commissioner of Transportation. The application shall include the name, address and telephone number of the soliciting organization; proof of registration and good standing, or proof of initial registration and exemption as described in Section 10-8-090(b) of this Code, issued by the Attorney General of the State of Illinois; the names, residence addresses and telephone numbers of the officers of the organization; the dates and locations of the solicitation; the approximate number of persons engaging in the solicitation; any description or facsimile of the tag, badge, emblem or other token ~~(if any)~~ which will be distributed as part of the solicitation; an application fee of ten dollars ~~($10)~~ for each day of solicitation requested; and such other information as the ~~committee on finance~~ Commissioner of Transportation may require. The application fee charged by this section shall not be waived by any action of the City Council including by order or ordinance. Application for a charitable solicitation permit shall be made no less than 30 days before the commencement of the solicitation. The application shall be signed and verified by at least one officer of the organization.

10-8-110 Application – Committee action.

The ~~committee on finance~~ Commissioner of Transportation shall review each application for a charitable solicitation permit ~~at the first meeting following filing of the application~~. ~~The committee may continue the hearing on an application if additional proceedings are necessary to determine the applicant's compliance with the requirements of this chapter.~~ If all requirements have not been met, the ~~committee~~ Commissioner shall deny the application and shall notify the applicant of ~~its~~ the decision and the grounds therefor. Notice of the denial shall be sent by mail, addressed to the applicant at the address stated in the application. ~~All decisions of the committee shall be reported to the city council at the next regular meeting thereof.~~

10-8-120 Date and location conflicts – Preference given when.

If more than one organization applies for a permit to solicit charitable contributions on the same date and at the same location, the ~~committee on finance~~ Commissioner of Transportation shall resolve the conflict. ~~Preference shall be given to organizations whose fundraising activities are well recognized, so as to promote the efficiency and coordination of such activities.~~ Any organization which has engaged in solicitation of charitable contributions on the public way in the same manner and at the same approximate time of year for five consecutive years shall be permitted to select its dates one year in advance of actual solicitation. The ~~committee~~ Commissioner may offer alternate dates ~~and/~~or sites, or both, as a means of resolving conflicts.

10-8-130 Permit legend.

A charitable solicitation permit shall bear the legend "City of Chicago Charitable Solicitation Permit" and shall state the name of the organization to which it is issued and the dates and places of the permitted solicitation. Each permit shall be sequentially numbered to indicate the year of its issuance and the number of permits then outstanding. Each permit shall be signed by the ~~chairman of the committee on finance~~ Commissioner of Transportation.

10-8-140 Display of information.

Each person who engages in the solicitation of charitable contributions on the public way shall ~~display on his person~~ wear a tag or card no smaller than two inches by four inches, indicating the name of ~~his~~ the organization to which the permit is issued~~,~~. ~~the~~ A facsimile of the permit may be used instead of the tag or card. Each charitable organization ~~must~~ shall supply those persons soliciting on their behalf with reflective vests, to be worn at all times while soliciting on ~~city~~ City streets.

10-8-150 Statement to be filed.

Each organization which receives a charitable solicitation permit pursuant to this chapter shall, within 60 days after the completion of the activities conducted under the permit, file with the ~~committee on finance~~ Commissioner of Transportation a statement of all receipts and disbursements from such activities.

10-8-160 ~~Committee on Finance~~ Commissioner of Transportation – Rule adoption.

The ~~committee on finance~~ Commissioner of Transportation may adopt rules ~~and regulations consistent with the provisions of this chapter~~ for the administration and enforcement of Article II of this chapter ~~governing the solicitation of charitable contributions on the public way~~. ~~The rules and regulations that have been adopted by the committee on finance are as follows:~~

10-8-163 Requirements.

Each organization which applies for or receives a charitable solicitation permit pursuant to Article II of this chapter shall meet the following requirements:

1) The charitable organization must be registered with the Charitable Trust Division of the Illinois Attorney General's office as a not-for-profit corporation.

2) Prior to issuance of the permit, the charitable organization must sign an agreement whereby the organization agrees to indemnify and hold harmless, the ~~city~~ City, its officers, employees and agents from any and all claims, suits or damages arising from their use of the public way to solicit funds.

3) Persons under the age of sixteen shall be prohibited from soliciting on ~~city~~ City streets.

4) Soliciting on ~~city~~ City streets will be allowed only at intersections where vehicles must come to a complete stop and only when those vehicles have come to a complete stop.

10-8-165 Enforcement.

The ~~Chairman of the Committee on Finance shall appoint and approve any individual(s) who will be charged with the supplementary enforcement of~~ Department of Transportation shall enforce Article II of Chapter 10-8 alongside the Chicago Police Department. ~~The appointed individuals shall serve for a term of two (2) years, expiring on the final Friday of December. As the term of any member expires, his successor shall be appointed by the Chairman of the Committee on Finance for a term of two (2) years. Any vacancy in the office of an appointed individual shall be filled by the Chairman of the Committee on Finance for the unexpired term. The appointed individuals shall wear a suitable badge to be furnished by the Committee on Finance identifying the aforementioned individuals as Special Inspectors of the Committee on Finance. All individuals shall serve without compensation.~~

10-8-170 Violation – Penalty – Corporation counsel to institute action.

Any person who violates ~~any provision of~~ Article II of this chapter ~~relating to solicitation of charitable contributions on the public way~~ shall be fined $1,000~~.00~~. Each day that a violation is committed shall be considered a separate and distinct offense. Any charitable organization that violates any provision of this chapter relating to solicitation of charitable contributions on the public way shall have their privileges suspended for a period of one year. Any charitable organization that violates any provision of this chapter a second time shall have their privileges suspended for a second year. Any charitable organization that violates any provision of this chapter a third time shall be prohibited from soliciting charitable contributions on the public way. Any charitable organization that has any fines or fees outstanding as a result of ~~any provision~~ Article II of this chapter shall have all fee waivers temporarily placed on hold until the aforementioned fines or fees are resolved. The ~~corporation counsel~~ Corporation Counsel, upon learning of violations of Article II ~~the provisions~~ of this chapter ~~relating to solicitation of charitable contributions of the public way~~, may institute an action in the appropriate court to seek an injunction against such violation in addition to the fines authorized by this section.

SECTION 2. This ordinance shall be in full force and effect upon passage and publication.

Pat Dowell

Ald. Pat Dowell, 3rd Ward