

**ORDINANCE 7563**

**PAMPHLET**

**ORDINANCE AMENDING THE VILLAGE CODE -  
SOLICITING AT INTERSECTIONS WITH THE VILLAGE**



PUBLISHED IN PAMPHLET FORM THIS 17<sup>th</sup> DAY OF AUGUST 2018, BY ORDER  
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE  
COUNTY, ILLINOIS.

*Sharon Kuderna*

Sharon Kuderna  
Village Clerk

**ORDINANCE NO. 7563**

**AN ORDINANCE AMENDING ARTICLE XI, CHAPTER 118  
OF THE LOMBARD VILLAGE CODE IN REGARD TO THE REGULATION  
OF FUND SOLICITING AT INTERSECTIONS WITHIN THE VILLAGE**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

**SECTION 1:** That Title XI, Chapter 118, Section 118.06 of the Lombard Village Code is hereby amended by adding the following to the end of the last sentence thereof:

“, and shall be required to comply with the provisions of Section 118.10 of this Code if fund soliciting is intended to take place at one or more intersections in the Village.”

**SECTION 2:** That Title XI, Chapter 118 of the Lombard Village Code is hereby amended by adding a new Section 118.10 thereto, which shall read in its entirety as follows:

“§ 118.10 Soliciting for Contributions on a Highway

Pursuant to 625 ILCS 5/11-1006, except as provided in 65 ILCS 5/11-80-9, soliciting for contributions (fund soliciting) from the occupants of motor vehicles, while standing on a highway, shall be permitted subject to the following conditions:

- (A) The soliciting agency, for which the individuals who are licensed and registered under this Chapter are engaging in fund soliciting, shall:
- (1) be registered with the Illinois Attorney General as a charitable organization under 225 ILCS 460/0.01, *et seq.*;
  - (2) be engaged in a State-wide fund raising activity;
  - (3) have been organized as a not-for-profit corporation under the laws of the State of Illinois for at least one (1) year;
  - (4) be liable for any injuries to any person or property during the period of fund soliciting on the highway which is causally related to an act of ordinary negligence of the individual(s) engaging in the fund soliciting on behalf of the soliciting agency; and

- (5) certify that no individual who is fund soliciting for the soliciting agency is a convicted sex offender as defined by 730 ILCS 150/2.
- (B) The fund soliciting shall only be allowed at intersections where all traffic is required to come to a full stop by a traffic light.
- (C) No more than four (4) fund solicitors shall be permitted at an intersection at the same time.
- (D) The fund soliciting shall not take place at the intersection for more than three (3) consecutive days.
- (E) Notwithstanding Section 118.08(B) above, the fund soliciting may begin at or at any time after sunrise, but shall not continue after sunset.
- (F) The fund soliciting must be in conjunction with a "tag day" for the soliciting agency, pursuant to which those contributing funds are provided with a tangible item by the fund solicitor which evidences that the individual receiving the tangible item has made a contribution to the soliciting agency.
- (G) Only two (2) "tag days" per soliciting agency, involving fund soliciting at intersections, shall be allowed per calendar year.
- (H) The individuals engaging in the fund soliciting must be at least sixteen (16) years old.
- (I) The individuals engaging in the fund soliciting must wear a uniform or other article of clothing which informs the public of the identity of the soliciting agency, along with a high visibility vest.
- (J) The containers used in relation to the fund soliciting must contain the name of the soliciting agency on them, and be completely sealed except for an opening into which funds can be deposited.
- (K) No sound producing or amplifying device, flag, banner, balloon or other form of attention-getting device, which could distract drivers or otherwise create a hazard, shall be used in conjunction with the fund soliciting.
- (L) The fund soliciting shall take place only at those intersections specifically requested by the soliciting agency and approved by the

Village as complying with the requirements of this Section 118.10 that are applicable thereto.

- (M) No two soliciting agencies shall engage in fund soliciting at the same intersection on the same day(s). In this regard, fund soliciting at intersections shall be approved by the Village on a first come, first permitted basis during each calendar year.
- (N) The fund soliciting shall not be conducted in a manner which poses or creates a hazard to public safety or impedes or disrupts the free flow of traffic."

**SECTION 3:** That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

First reading waived by action of the Board of Trustees this 16<sup>th</sup> day of August, 2018.

Passed on second reading this 16<sup>th</sup> day of August, 2018, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: None

**APPROVED** by me this 16<sup>th</sup> day of August, 2018.

  
Keith Giagnorio, Village President

**ATTEST:**

  
Sharon Kuderna, Village Clerk

Published by me in pamphlet form on this 17<sup>th</sup> day of August, 2018.

  
Sharon Kuderna, Village Clerk