

RESOLUTION 10-08

A RESOLUTION ESTABLISHING A POLICY FOR STREET SALES AND "TAG DAY" EVENTS

WHEREAS, the corporate authorities are responsible to take appropriate action to regulate the use of the public streets, and

WHEREAS, the Village has historically allowed local non-profit groups to have representatives stand in the roadways collecting funds for charitable causes or charitable organizations, and

WHEREAS, the Village has experienced a growth in the number of such requests and staff has noted that many of these requests come from organizations that are located far from Antioch and which do not directly serve the needs of the citizens of this Village, and

WHEREAS, the growth of the Village in recent years, along with other growth in nearby communities and unincorporated areas has resulted in increasing congestion on area roadways and has required much road construction, and

WHEREAS, the Village has never had a formal policy to deal with street sales and "tag day" requests, but has dealt with them on a more or less informal and ad hoc basis, and

WHEREAS, the Village Board is keenly aware of the imposition upon the public that can be caused by street sales and "tag day" events and wishes to balance the important social goals of securing support for worthy charitable organizations and the needs of the public to congestion-free streets and free-flowing traffic, and

WHEREAS, the corporate authorities have duly considered the above responsibilities and wish to establish a limit on the overall number of sanctioned events, to more clearly define what types of organizations may be allowed to use the public ways in this fashion and to ensure the safety of drivers and persons in the roadway to the maximum extent possible,

NOW THEREFORE, BE IT RESOLVED by the Village of Antioch, Lake County, Illinois, as follows:

SECTION ONE: This policy shall apply to all street sales and "tag day" events occurring hereafter.

SECTION TWO: Notwithstanding any provision hereof, in the event the Chief of Police or his or her duly authorized designee shall deem a particular event covered herein to constitute a hazard to life or limb, the Police Department shall have the power and civic responsibility to terminate the event or to require modifications in place or methods employed, public safety being the paramount concern of the Village.

SECTION THREE: Commencing immediately upon passage of this Resolution, the Village Administrator shall approve or reject any application from any charitable group for a license to conduct a street sale or "tag day event". The Village Administrator shall have the final authority to establish the application and review process on whatever forms appear to him or her to be necessary or helpful. The final decision of the Village Administrator may be appealed to the Village Board by a written petition filed within 10 days of his or her decision, and in the absence of such an appeal, the decision of the Village Administrator shall be deemed to be final for all intents and purposes. Any appeal shall be considered by the Village Board at the next reasonably convenient regular meeting and the declined applicant shall be given the opportunity to present written or verbal evidence or statements in support of its application.

SECTION FOUR: The following specific regulations shall apply to all street sales and "tag day" events that are duly licensed in accordance herewith:

- A. Only charitable organizations that are recognized as tax exempt entities by the IRS (ie. so-called 501(c) (3) entities and religious organizations) shall be eligible for licenses and the applicants shall bear the burden of proving that they are so eligible.
- B. There shall be no street sales or solicitations of any kind in or adjacent to road construction zones.
- C. The Village Administrator may limit sales to specific streets, intersections and directional traffic lanes in streets as necessary to maximize public safety and ease congestion.
- D. There shall not be more than two licenses granted per month during the period from April through November in any calendar year.
- E. No license shall be granted for a period of more than two (2) days' duration, and all licenses shall be granted solely for weekends, ie., Saturday and Sunday.
- F. All applications for licenses shall be submitted by the end of February in any calendar year.
- G. The specific weekends which are available for street sales and "tag day" events shall be scheduled a designated annually by the Village Board in a regular meeting in the first quarter of the calendar year.
- H. In setting the annual calendar, the Village Board shall not designate more than ten (10) weekends for street sales and "tag day" events, and shall avoid scheduling any such events on holiday weekends.
- I. No license shall be granted to any organization that is neither located physically within a fifteen (15) mile radius of the Antioch Village Hall or which does not directly provide a reasonable range of charitable services to citizens residing within the Village of Antioch. The burden shall be on the applicant located distantly to demonstrate that it does in fact provide a reasonable range of charitable services to Antioch citizens.

This resolution shall take effect immediately upon passage.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS, ON THIS 1st DAY OF FEBRUARY, 2010.

AYES: 6: Pierce, Poulos, Sakas, Crosby, Wolczyk and Jozwiak.

NAYS: 0.

ABSENT: 0.


LAWRENCE M. HANSON, MAYOR

ATTEST:


CANDI L. ROWE, VILLAGE CLERK

