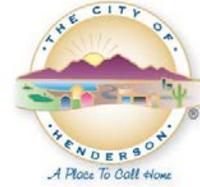




CITY OF HENDERSON
POLICE DEPARTMENT

PATRICK MOERS
Chief of Police



Application for Median/Sidewalk Charitable Solicitations Permit

Please read the following:

- All applications must be thoroughly completed.
- All applications must be received by the Event Coordinator's Office not less than **(30) thirty** nor more than **(180) one hundred eighty days** before the date on which the person proposes to conduct said charitable solicitations.
- Applications require proof of insurance that is submitted with official copies at the time of application.
- Permit applications require a \$50 **non-refundable** fee to be paid at the time application is received.
- A permit application will be deemed "received" on the date the Event Coordinator's Office receives:
 - A completed application.
 - Appropriate insurance (Minimum liability coverage of \$25,000).
 - Processing fee of \$50.
 - Proof of charitable organization 501(c) status
 - State business license copied and attached to the application packet.
- Any charitable solicitation event that will be held at any City of Henderson Parks & Recreation Facility must have approval through the City of Henderson Parks & Recreation. To make a park reservation, call 267-5707 Monday-Saturday 8 am-4 pm, or email at: COHParksReservations@cityofhenderson.com

You may submit your application in person, by mail, fax, or email to:
HPD.permitrequests@cityofhenderson.com

Mail: Henderson Police Department
ATTN: Event Coordinator, MSC #211
PO Box 95050
Henderson, NV 89009-5050

The Event Coordinator's Office is available Monday through Thursday, 7:00am until 5:00pm.

Phone: (702) 267-5015

Fax: (702) 267-5002

Chapter 10.34 CHARITABLE SOLICITATIONS WHILE STANDING ON MEDIAN STRIP OR SIDEWALK

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10.34.010 Purpose.

This chapter is adopted pursuant to NRS 268.423 to provide for the issuance of permits to charitable organizations to solicit charitable contributions on the median strips of highways or on sidewalks adjacent to highways.

(Ord. No. 2827, § 1, 7-21-09)

10.34.020 Definitions.

As used in this chapter, unless the context otherwise indicates, the following terms shall have the meanings that are ascribed to them as follows:

A. "Charitable organization" means an organization which:

1. The Secretary of the Treasury has determined is an exempt organization pursuant to the provisions of Section 501(c) of the Internal Revenue Code; and
2. Holds a current certificate of organization or is currently qualified by the Secretary of State to do business in this state.

B. "Highway" means the entire width between the boundary lines of every way maintained by a public authority when any part thereof is open to the use of the public for purposes of vehicular traffic. The term does not include a "freeway" as that term is defined in NRS 408.060.

C. "Highway solicitation permit" means a certificate of authority issued by the chief of the Henderson police department or his/her designee to a charitable organization which allows the holder of the permit to solicit charitable contributions for its organization while standing on the median strip of any highway or the sidewalk adjacent to the highway within the jurisdiction of the city.

(Ord. No. 2827, § 1, 7-21-09)

10.34.030 Permit required.

No charitable organization shall solicit contributions from the median strip of any highway or the sidewalk adjacent to the highway within the jurisdiction of the city without first obtaining and thereafter maintaining a highway solicitation permit.

(Ord. No. 2827, § 1, 7-21-09)

10.34.040 Liability.

Every charitable organization that applies for and receives a highway solicitation permit shall:

- A. Defend and indemnify the city against any injury to any person or damage to any property during the solicitation which arises from or is incident to the act of solicitation; and
- B. Be liable for any injury to any person or damage to any property during the solicitation which arises from negligence of the soliciting agent.

(Ord. No. 2827, § 1, 7-21-09)

10.34.050 Application contents.

A. An application for a highway solicitation permit shall be made to the Henderson police department upon forms provided by that department.

B. An application shall be filed with the department at least three business days prior to the date on which the solicitation is to begin and shall contain the following information:

- 1. The name, street address, and telephone number of the applicant and the charitable organization on behalf of which the application is made;
- 2. The name, street address, and telephone number of the person who will be responsible for the conduct of the solicitation;
- 3. The date and the time of day when the solicitation is to begin and end for each day requested;
- 4. The location(s) of the solicitation;
- 5. The purpose of the solicitation;
- 6. Proof of being a charitable organization as defined herein;
- 7. A declaration that no one less than eighteen years of age will be permitted to participate in the solicitation; and
- 8. The applicant's signature acknowledging that he or she has read, understood, and agreed with the provision regarding liability set forth in HMC

C. A post office box address shall be unacceptable as a street address on an application where a street address is required; provided, however, an applicant may identify and designate on his application a post office box address as the address to which he prefers correspondence to be mailed.

(Ord. No. 2827, § 1, 7-21-09)

10.34.060 Application approval requirements.

Upon receipt of:

- A. A completed application for a highway solicitation permit;
- B. Payment of a permit fee in the sum of fifty (\$50.00) dollars; and
- C. Satisfactory proof that the applicant has procured a comprehensive general liability insurance policy in the sum of twenty-five thousand (\$25,000.00) dollars that names the city as an additional insured;

The chief of the Henderson police department shall grant the highway solicitation permit if all of the requirements set forth in this section and in HMC 10.34.050 are met in all respects.

(Ord. No. 2827, § 1, 7-21-09)

10.34.070 Permit--Time limit.

Upon approval of an application, the chief of the Henderson police department or his/her designee shall issue a highway solicitation permit for the period requested which may not exceed three days in a calendar year.

(Ord. No. 2827, § 1, 7-21-09)

10.34.080 Permit--Hours of use.

Highway solicitation permits shall be issued for solicitation between the hours of thirty minutes after sunrise and thirty minutes before sunset.
(Ord. No. 2827, § 1, 7-21-09)

10.34.090 Permit--Age requirement.

No person whose age is less than eighteen years may be permitted to participate in any highway solicitation.
(Ord. No. 2827, § 1, 7-21-09)

10.34.100 Solicitation--Unlawful when.

It is unlawful for any person engaged in highway solicitation to:

- A. Solicit on a median strip that is less than four feet wide; provided, however, that if a median strip of adequate width is not available, solicitors may start and end their solicitation on a sidewalk.
- B. Except as provided in subsection 3 below, solicit while:
 - 1. Standing within that portion of a highway specifically designated for travel and use by vehicles.
 - 2. Walking from vehicle to vehicle within that portion of a highway specifically designated for travel and use by vehicles.
 - 3. Subsections 1 and 2 do not apply to intersections controlled by traffic signals, provided that the vehicles the occupants of which are being solicited are at a complete stop for a red traffic signal, and the solicitor returns to the median or sidewalk before the traffic signal controlling the lanes or portion of the highway in which the solicitor is present turns green.
- C. Solicit at any location that is under construction or repair.
- D. Solicit at any location at which is taking place a permitted special event, public assembly or parade pursuant to HMC 8.10 or 8.11.

(Ord. No. 2827, § 1, 7-21-09)

10.34.110 Right of appeal and judicial review.

Appeal rights are set forth in HMC 4.04.210, and the right to judicial review is set forth in HMC 4.06.160.
(Ord. No. 2827, § 1, 7-21-09)

10.34.120 Violation--Penalty.

Any person violating any provision of this chapter shall be guilty of a misdemeanor.
(Ord. No. 2827, § 1, 7-21-09)