

**COUNTY OF GLOUCESTER**  
**DEPARTMENT OF PUBLIC WORKS**  
**PERMIT DIVISION**

**APPLICATION FOR COIN DROP/TOSS**

Applicant: Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Phone # \_\_\_\_\_

Name of the Responsible Party for the Charitable Organization \_\_\_\_\_

Location of the Coin Drop, describing the roadway and demonstrating that the coin drop/toss is being conducted at a traffic signal or bridge opening.

\_\_\_\_\_

Date (s) of the coin drop/toss (Month/Date/Year)

\_\_\_\_\_

Starting time for the coin drop/toss \_\_\_\_\_

Ending time for the coin drop/toss \_\_\_\_\_

\* Coin toss/drops are only to be conducted during daylight hours.

By signing this application the Applicant meets the definition of permitted charitable organizations as defined as follows:

- A. Pursuant to NJSA 45:17A-20 Charitable Organizations is to defined as (1) any person determined by the Federal Internal Revenue Service to be a tax exempt organization pursuant to section 501 (c) (3) of the Internal Revenue code of 1986, 26 USC sec. 501 (c) (3); or (2) any person who is, or holds himself out to be, established for any benevolent philanthropic, humane, social, welfare, public health, or other eleemosynary purpose, or for the benefit of law enforcement personnel, firefighters or other persons who protect the public safety, or any person who in any manner employs a charitable appeal as the basis of any solicitation, or any appeal which has a tendency to suggest there is a charitable purpose to any such solicitation.



The following authorized agent for the Applicant hereby certifies that he or she has full authority to sign this application and hereby further certifies that the foregoing statements are true. I am aware that any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Applicant or Authorized Agent for Applicant

\_\_\_\_\_  
Print name of signer

\_\_\_\_\_  
Date

Authorization by the Chief of Police or his Authorized Representative in charge of Traffic Regulation

I, \_\_\_\_\_, hereby certify that I have reviewed the application and determined that it is in compliance with all local and county policies.

\_\_\_\_\_  
Chief of Police

\_\_\_\_\_  
Date

<p>FOR THE PUBLIC WORKS COMMITTEE</p> <p>COMMENTS: _____ _____ _____</p> <p>Approved _____ Director of Public Works or Authorized Agent</p> <p>Date _____</p> <p><b>This form may be faxed to Joan Gonskerkevis in the Permit Division at 856-863-1069.</b></p>
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ORDINANCE 12 – 2004

ORDINANCE AUTHORIZING SOLICITATION  
OF CONTRIBUTIONS BY CHARITABLE  
ORGANIZATIONS ON THE PUBLIC  
ROADWAYS OF THE BOROUGH  
OF WOODBURY HEIGHTS, COUNTY OF  
GLOUCESTER AND STATE OF NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough of Woodbury Heights, in the County of Gloucester, State of New Jersey, that:

**SECTION I - PURPOSE:** Charitable organizations as defined in Section III of the Public Laws of 1994, Chapter 16 (N.J.S.A.45:17A-20, as amended) shall be permitted to Solicit contributions on the public roadways in the Borough of Woodbury Heights and of the County of Gloucester subject to compliance with the terms, conditions and provisions herein contained.

**SECTION II - DEFINITIONS:** For purposes of this Ordinance, a "Charitable Organization" shall mean (1) any person determined by the Internal Revenue Service to be a tax exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, 26 U.S.C. Section 501(c)(3); or (2) any person who is, or holds himself out to be, established for any benevolent, philanthropic, humane, social welfare, public health or other eleemosynary purpose, or for the benefit of law enforcement personnel, fire fighters or other persons who protect the public safety, or any person who in any manner employs a charitable appeal as the basis of any solicitation, or an appeal which has a tendency to suggest there is a charitable purpose to any such solicitation with charitable purpose to mean that as defined within N.J.S.A.45:17A-20, et seq.

**SECTION III: Application Submissions:** Any charitable organization applying to solicit contributions in the public roadways shall file a request with the Borough Clerk and the Police Department, in writing, not later than forty-five (45) days in advance of the proposed solicitation and specify or supply the following information:

- A. Name and address of Charitable Organization;
- B. Telephone number and contact person of Charitable Organization;
- C. Proposed location of Charitable Solicitation;
- D. Dates and times of proposed Charitable Solicitation;

E. If involving a County roadway, such request shall include a copy of an Authorization from the Gloucester County Board of Chosen Freeholders permitting such Charitable Solicitation;

F. If said request involves a State roadway and/or highway, said request shall include a copy of an Authorization from the State of New Jersey Commissioner of Transportation to permit such Charitable Solicitation;

G. List of all proposed safety regulations, safety devices and training for individuals who would participate in the Charitable Solicitation and/or a report specifying the procedures to be used to insure the safety of members of the public who will be traversing the public roadway involved;

H. Copy of a Certification or other documentary evidence that the Charitable Organization is a tax exempt organization pursuant to Section 501(c) (c) of the Internal Revenue Code;

I. A Certificate of Insurance naming the Borough of Woodbury Heights as an additional insured on a policy of liability insurance with a limit of liability of not less than \$1,000,000.00 per person, per occurrence.

J. A written release, signed by an authorized representative of the Charitable Organization, releasing any and all claims, both known or unknown, that may arise from or be related to the proposed charitable solicitation including a release of subordination and otherwise holding the Borough of Woodbury Heights, its representatives and employees harmless from and against any claims and indemnifying the Borough against any and all such claims.

K. Name, address and telephone number of solicitation supervisor responsible for the conduct of the solicitation event.

**SECTION IV:** All requests shall be reviewed by the Chief of Police or his designee, which review shall include the location, dates and time of the requested solicitation, the safety procedures to be utilized and other factors having an impact on public safety. Thereafter, the said Chief of Police or his designee shall provide a report and recommendation to the Borough Council who shall thereafter act to grant, reject or modify the proposed charitable solicitation.

**SECTION V:** Any charitable solicitation approved shall be subject to the applicant complying with the following conditions:

1. Solicitations shall be held only at intersections with traffic signals during daylight hours;
2. Advanced warning signs of a minimal size of four feet by four feet (4' x 4') shall be provided at least one hundred feet (100') in advance of the solicitation location which shall include the name or charitable purpose of the solicitation;
3. All solicitors shall be at least eighteen (18) years of age;
4. Solicitors shall not stop traffic and may only approach vehicles that are stopped;
5. Solicitors shall be responsible for cleaning and removing any debris resulting from the charitable solicitation;
6. The Charitable Organization shall comply with all terms and conditions of N.J.S.A.39:4-60 as such Statute shall be amended from time to time and comply with all regulations promulgated pursuant to the "Administrative Procedure Act" (N.J.S.A.52:14B-1, et seq.)
7. All solicitors shall wear reflective vests or orange shirts.
8. No traffic cones shall be placed in roadway nor shall "flag-men" be used.

**SECTION VI – STANDARDS AND VIOLATIONS:** All solicitation contributions shall be conducted in a safe and efficient manner in order to protect solicitors and drivers from harm and to protect public and private property. Accordingly, the police department is vested with the authority to terminate any solicitation not consistent with the above standards or otherwise not in compliance with the provisions of Section V hereof.

Solicitation events shall be limited to one (1) event per calendar month.

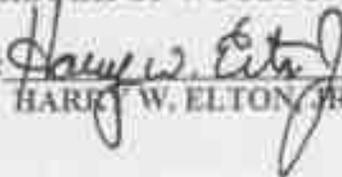
**SECTION VII – UNCONSTITUTIONALITY:** In the event that any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance.

**SECTION VIII – REPEALER:** All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

*SECTION IX - WHEN EFFECTIVE:* This Ordinance shall take effect upon final passage and publication and in accordance with applicable law.

BOROUGH OF WOODBURY HEIGHTS

BY:



HARRY W. ELTON, JR., MAYOR

Attest:



JANET PIZZI, BOROUGH CLERK

NOTICE

The foregoing Ordinance was introduced at a Regular Meeting of the Mayor and Borough Council of the Borough of Woodbury Heights held on May 19, 2004, and will be considered for final hearing and adoption at a meeting to be held on the 21<sup>st</sup> day of June, 2004.

  
JANET PIZZI, BOROUGH CLERK

**RELEASE FROM CHARITABLE ORGANIZATION  
FOR PUBLIC ROADWAY SOLICITATIONS**

THIS RELEASE, dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, is given by  
\_\_\_\_\_ with an address at \_\_\_\_\_

hereinafter referred to as the Releasor to the Borough of Woodbury Heights, 500 Elm Avenue, Woodbury Heights, New Jersey, hereinafter referred to as the Releasee.

**1. Release.** The undersigned, an authorized representative of a charitable organization intending to conduct a charitable solicitation within the roadways of the Borough of Woodbury Heights pursuant to an Ordinance, hereby releases any and all claims and rights of action which Releasor may have or which may arise or relate to permission granted the Releasee to conduct a charitable solicitation within the public roadways of the Borough of Woodbury Heights. This Release includes all claims, including those of which I am not aware and those not mentioned in this Release including any and all claims by Releasor or others for personal injury, bodily injury, medical expenses, disability or property damage which may result or be related to the charitable solicitation intended by Releasor. Further, Releasor hereby releases any claims of subrogation of any insurer of Releasor relating to all of such claims, without limitation.

**2. Indemnity.** Releasor hereby saves and holds the Borough of Woodbury Heights, its representatives and employees harmless from and against all claims that may arise from or be related to Releasor's conduct of a charitable solicitation and Releasor covenants to indemnify the Borough of Woodbury Heights from any and all expenses, claims, payments and attorney's fees relating to any claims made by Releasor or any other person or entity relating to Releasor's conduct of a charitable solicitation.

**3.** The undersigned represents and warrants that he/she is an authorized representative of the Releasor and of the charitable organization or entity to conduct the charitable solicitation intended and is authorized to bind and obligate such entity or organization by this Release including any person or entity that may succeed to the rights and responsibilities of Releasors.

4. The undersigned understands and agrees to the terms of this Release. If made by a corporation, limited liability company or limited liability partnership, this Release is signed by its proper officers or representatives on the date and year above written.

\_\_\_\_\_  
\_\_\_\_\_

Witnessed or Attested By:

\_\_\_\_\_

STATE OF NEW JERSEY, COUNTY OF \_\_\_\_\_

SS.:

I certify that on \_\_\_\_\_, 20\_\_\_\_,

\_\_\_\_\_ personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed this document; and
- (b) signed, sealed and delivered this document as his or her act and deed.

\_\_\_\_\_

STATE OF NEW JERSEY, COUNTY OF \_\_\_\_\_

SS.:

I certify that on \_\_\_\_\_, 20\_\_\_\_,

\_\_\_\_\_ personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the \_\_\_\_\_ secretary of the corporation named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is \_\_\_\_\_ the President of the corporation;
- (c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;

(d) this person knows the proper seal of the corporation which was affixed to this document, and

(e) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before me on

\_\_\_\_\_, 2004

\_\_\_\_\_

\_\_\_\_\_

wfby.his releaseFromCharitableOrganization