

**BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF WARREN**

Wayne Dumont, Jr. Administration Building  
165 County Road 519 South  
Belvidere, NJ 07823-1949



Alex J. Lazorisak  
County Administrator

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**ROADWAY SOLICITATION REQUEST FORM**

In order to process a roadway solicitation request by a charitable organization, it is necessary that the following information be completed and the request forwarded to the County Administrator. Please be advised that the County reserves the right, in its discretion, to place reasonable restriction on any request. Also, requests will normally be considered on a first come, first served basis unless the first request cannot be accommodated due to a previously scheduled County function, size constraints or to special circumstances created by the request.

Charitable Organization Name: \_\_\_\_\_

Provide Brief Description of Charitable Solicitation: \_\_\_\_\_

\_\_\_\_\_

Name & Address of Contact Person: \_\_\_\_\_

\_\_\_\_\_

Telephone No. \_\_\_\_\_

Email: \_\_\_\_\_

Proposed Date(s): \_\_\_\_\_ Duration of Event: \_\_\_\_\_

Start Time: \_\_\_\_\_ AM/PM End Time: \_\_\_\_\_ AM/PM

Proposed Location (Name of Road, Intersection, Municipality Located In, Lane): \_\_\_\_\_

\_\_\_\_\_

Maximum Number of Persons from Organization Participating in Solicitation: \_\_\_\_\_

Please submit copies of the following with this request: Initial

Attach Municipal Ordinance authorizing roadway solicitations (See Part 1) \_\_\_\_\_

Attach Municipal Permit/Resolution solicitation by Organization (See Part 1) \_\_\_\_\_

Attach Certificate of Insurance (See Part 2) \_\_\_\_\_

Attach signed Hold Harmless and Indemnification Agreement (See Part 3) \_\_\_\_\_

I HEREBY CERTIFY AND ACKNOWLEDGE ON BEHALF OF (NAME OF ORGANIZATION) \_\_\_\_\_ THAT IT IS THE RESPONSIBILITY OF SAID ORGANIZATION TO PAY FOR ANY AND ALL DAMAGE TO COUNTY PROPERTY AND TO LEAVE THE PROPERTY IN THE SAME CONDITION AS THAT IT WAS FOUND; AND FURTHER UNDERSTAND AND AGREE THAT ANY FAILURE TO COMPLY WITH THESE OBLIGATIONS SHALL BE GROUNDS FOR DENIAL OF ANY CURRENT OR FUTURE REQUEST.

\_\_\_\_\_  
Certified By (Signature)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title/Position of Signatory

**APPROVED:** \_\_\_\_\_  
COUNTY ADMINISTRATOR

\_\_\_\_\_  
Date

## PART 1: RULES FOR ROADWAY SOLICITATIONS

1. "Charitable organization" means:
  - a. 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 U.S.C. § 501(c)(3); or
  - b. Any person who is, or holds himself or herself out to be, established for any benevolent, philanthropic, humane, social welfare, public health, or other charitable 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 an appeal, which has a tendency to suggest there is a charitable purpose to any such solicitation.
2. "Charitable purpose" means:
  - a. Any purpose described in section 501(c)(3) of the Internal Revenue Code of 1986, 26 U.S.C. § 501(c)(3); or
  - b. Any benevolent, philanthropic, humane, social welfare, public health, or other charitable objective, or an objective that benefits law enforcement personnel, firefighters, or other persons who protect the public safety. Charitable solicitation permits shall be granted only to charitable organizations soliciting for charitable purposes.
3. Any charitable organization seeking to solicit charitable contributions on a County road must **FIRST** obtain approval from the municipality in which that road is located.
4. A municipality may only sanction charitable contributions on that road if the municipality has an ordinance authorizing charitable organizations to solicit contributions in a roadway (pursuant to N.J.S.A. 39:4-60).
5. A municipality with a charitable contribution ordinance may then accept an organization's application, and must issue an approval by means of a resolution or permit. Note, a municipal permit must be issued by a municipal official authorized to issue roadway solicitation permits on behalf of the municipality pursuant to the municipal ordinance.
6. An application that has been approved by issuance of a municipal resolution or permit shall then be submitted to the County Administrator. County approval will be issued by the County Administrator.
7. All solicitation shall be subject to the specific terms and conditions of the Municipal Permit/Resolution and County Approval granted.
8. The request form, municipal ordinance, municipal permit/resolution, County Approval and, State Approval, if applicable, shall specify the location, date, duration, and time of the proposed solicitation. One request form may cover multiple dates provided such dates are approved by the corresponding municipal permit/resolution.
9. Each person soliciting charitable contributions on behalf of the charitable organization shall be at least eighteen (18) years old.

10. The number of persons participating shall not exceed the number participants indicated on the Municipal Permit/Resolution and the County Approval.
11. The representative of the organization indicated on the Municipal Permit/Resolution and County Approval shall be present on location at all times.
12. The representative shall be in possession of the Municipal Permit/Resolution and County Approval during all times of solicitation and made available for inspection by local, county and state officials.
13. Solicitation shall only be permitted during daylight beginning and ending at the times on the approved date.
14. No solicitation event shall be conducted during any type of inclement weather.
15. Solicitation shall be permitted only at signalized intersections or when the existing traffic control device causes a temporary interruption in the normal flow of traffic.
16. Solicitation shall not stop traffic or impede the flow of traffic, nor harass the traveling public. Traffic shall already be stopped before solicitation may occur and shall cease while traffic is moving. No solicitation shall be permitted when the traffic signal has turned green or when traffic is in motion. Use of flagmen or any traffic control device, either portable or permanent, shall be prohibited.
17. Participants shall not drink alcoholic beverages, use drugs, or be under the influence of drugs or alcohol when soliciting.
18. All participants shall wear highly visible safety vests labeled as meeting the ANSI 107-2010 standard performance, incorporated herein by reference, as amended and supplemented, for Class 2 risk exposure. The ANSI standards are available at <http://webstore.ansi.org/>.
19. It remains the responsibility of the approved charitable organization to provide their own safety vests for each individual present to solicit contributions. It shall also be the responsibility of the charitable organization to establish and maintain proper traffic control for its members to utilize.
20. The solicitor shall not install any traffic control devices.
21. Signs advertising the roadway solicitation are permitted, but they must be of a temporary construction and breakaway to the extent possible.
22. Signs shall be a maximum of sixteen (16) square feet.
23. Signage shall be in accordance with the temporary signage standards contained in the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), 2009 edition, which is incorporated herein by reference, as amended and supplemented. The MUTCD is available on the Federal Highway Administration website at: <https://mutcd.fhwa.dot.gov/> or on the American Association of State Highway and Transportation Officials (ASHTO) website at: <https://store.transportation.org/>.

24. At least two warning signs shall be placed as follows:
  - a. "CHARITABLE SOLICITATION 500 FEET AHEAD"; and
  - b. A second sign following identifying the name of the organization soliciting.
25. Signs shall not be permitted in the traveled way or in medians less than eight (8) feet in width.
26. All signs warning, noticing, or advertising a solicitation shall be removed immediately following the solicitation event.
27. The charitable organization shall be responsible for cleaning up any debris from the road, right-of-way, sidewalk and adjoining property that resulted from the solicitation activity.
28. If the solicitation is proposed at the intersection of a County Route and a State Highway, the application must also be accompanied by written approval from the New Jersey Department of Transportation.
29. Local, County, State police or officials, or the County may suspend solicitation operations at any time if any condition of the Municipal or County Approval is violated, or, if in the police officer's or the County's sole discretion, traffic is being impeded or delayed or the public safety is at risk.
30. The County reserves the right to deny any request that the County, in its sole discretion, determines may impede, interrupt or delay the flow of traffic; interfere with construction activity or improvements; is not conducive to the design of the particular roadway and/or intersection, turning movements, traffic densities and/or speeds do not permit the safe interaction between the solicitor and vehicular traffic; to protect public safety; or other good cause.
31. The County of Warren shall not be liable in any civil action for any damages to property or personal injury, including any motor vehicle accident or other event or occurrence, arising out of or resulting from the solicitation activity conducted by the charitable organization.
32. An authorized representative of the charitable organization shall execute and submit the Hold Harmless and Indemnification Agreement with the County request form.
33. The charitable organization shall submit a certificate of insurance in accordance with the coverage requirements set forth in Part 2.
34. County Approvals shall be given on a first come, first serve basis and shall only remain valid for the dates and times indicated on the approved request.

## PART 2: INSURANCE REQUIREMENTS

Any charitable organization seeking approval to solicit charitable contributions on a County road must comply with the following procedures:

1. The Organization shall secure and maintain, in full force and effect for the duration of the solicitation and use of the County roadway the insurance policies and coverages of the kinds and amounts hereinafter provided, from insurance companies licensed to do business in the State of New Jersey, and acceptable to the County, covering liability for any death, personal injury, property damage or other liability arising out of, resulting from or alleged to arise out of or result from, or incident to, the Organization's use the roadway and any events, occurrences or activities related to the solicitation:
2. If the applicant is an organization, the applicant must provide a Certificate of General Liability Insurance to the County Administrator at the time of application, naming the County of Warren and the municipality as additional insureds in amounts of not less than:
  - General Liability - Bodily Injury and Property Damage Liability: \$2,000,000 general aggregate
  - General Liability - Bodily Injury and Property Damage Liability: \$1,000,000 each occurrence
  - Personal Injury Liability - \$1,000,000 each occurrence
  - Umbrella Policy – Liability Limits of \$1,000,000 to \$2,000,000
  - Workers Compensation – Coverage A: Statutory Benefits, Coverage B: \$1,000,000
  - Auto Liability - Bodily Injury and Property Damage: Combined Single Limit of \$1,000,000

The Organization shall file with the Roadway Solicitation Request Certificates of Insurance and Endorsements evidencing the coverage and limits provided by said policies and naming the "County of Warren, Warren County Board of Commissioners and its elected and appointed officials, officers, employees, attorneys, insurers, agents, servants, successors, assigns, designees, guests and invitees" as additional insureds under the policy" and indicating the appropriate event, date(s) and locations. Such certificates of insurance shall further provide that the "coverage afforded thereunder shall not be canceled, terminated or materially changed without at least thirty (30) days advance written notice to the County."

3. Applicant must submit a copy of the organizations 501(c)(3) certification.

**PART 3: HOLD HARMLESS AND INDEMNIFICATION AGREEMENT**

I, \_\_\_\_\_ am an authorized representative of \_\_\_\_\_ (Charitable Organization) (hereinafter referred to as the "Organization"). In consideration of the County of Warren granting approval of the roadway solicitation request, I, on behalf of and with the authority of the above-named Charitable Organization, agree to the following:

The Organization understands the County of Warren and its and its elected and appointed officials, officers, employees, appointees, agents, servants, representatives, affiliates, administrators, members, volunteers, insurers, attorneys, lessors and lessees, do not assume any responsibility for the sponsorship, direction, control or management of the requested solicitation activity/fundraising event. The Organization assumes full and complete control of the solicitation activity/fundraising event in its entirety. The Organization also assumes full responsibility for the solicitation/fundraising activity, including the safety and welfare of its member participants and members of the general public. The County and its affiliates shall retain all tort claim immunities pursuant to both the New Jersey Claims Act, N.J.S.A. 59:1-1 et seq., and common law.

The Organization, on behalf of itself and its officials, officers, employees, appointees, agents, servants, representatives, affiliates, administrators, members, volunteers, insurers, attorneys, lessors and lessees, guests, designees, invitees, successors and assigns (collectively the "RELEASORS"), hereby expressly agrees to ASSUME ANY AND ALL RISKS, LOSS AND LIABILITY and to INDEMNIFY, DEFEND AND HOLD HARMLESS the County of Warren, and its elected and appointed officials, officers, employees, appointees, agents, servants, representatives, affiliates, administrators, members, volunteers, insurers, attorneys, lessors and lessees, guests, designees, invitees, successors and assigns (each considered one of the "RELEASEES" herein) from and against any and all liability, loss, damages, claims, demands, rights, actions, suits, causes of action, obligations, debts, costs, expenses, charges, settlements, judgments, interest, awards, penalties or fines, of whatever kind or nature, including professional fees and attorney's fees, in law, equity or otherwise, related to, resulting from or arising, directly or indirectly, in whole or in part, from any use, event, occurrence or activities conducted by the Organization pursuant to this solicitation request, including, without limitation, any injury, death, damage or loss to, or of, any person or property and/or any acts or omissions of the RELEASEES, including without limitation, any claim or allegation that the RELEASEES were negligent or otherwise liable in authorizing the RELEASORS or any other party to use, access or remain on the Premises, failure to warn, supervision, control, inspection, security or other act or omission, property damage, injury, emotional injury, illness, bodily harm, paralysis or death sustained to any persons or real or personal property.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Notary Public