

## ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending Chapter 2.76 of the Lincoln Municipal Code relating  
2 to the City's Personnel System by adding a new section numbered 2.76.292 to regulate fundraising  
3 activities of city employees.

4 WHEREAS, the Nebraska Constitution prohibits using public resources for private  
5 purposes in most instances, but does permit public resources to be expended for public purposes  
6 such as promoting citizens' general welfare and enabling government to better discharge its duties  
7 to the public; and

8 WHEREAS, the City Council finds that important and valuable services are performed  
9 for the City of Lincoln and its residents by charities and eleemosynary organizations that promote  
10 the health and welfare of Lincoln's citizens and assist city government in the discharge of its duties  
11 to the public. It further finds and declares it to be a public purpose of the city to support charitable  
12 and eleemosynary activities that are reasonably connected to the city's functions and duties of  
13 promoting the public health, safety, convenience, comfort and general interests of the city and its  
14 residents. Accordingly, regulated solicitation and contribution of funds, services or property among  
15 the city workforce for such charitable or eleemosynary activities are hereby permitted within the  
16 limitations of this section.

17 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

18 Section 1. That Chapter 2.76 of the Lincoln Municipal Code be amended by adding  
19 a new section numbered 2.76.292 to read as follows:

20 **2.76.292 Fundraising Activity.**

21 (a) A person in city service may participate in solicitation or contribution of funds,  
22 services or property among city officers or employees, in which there is no solicitation of the public,  
23 for the benefit of a charitable or eleemosynary organization that serves a purpose reasonably

1 connected to city functions or duties of promoting public health, safety, convenience, comfort and  
2 general interests and welfare of the inhabitants of the city;

3 (b) Any solicitation or activity permitted hereunder may be undertaken during work hours  
4 and on city property with approval of the department head, or, if more than one department may be  
5 affected, with approval of the mayor;

6 (c) Nothing herein shall permit a person in city service to solicit from the public any  
7 contribution of funds, services or property on behalf of profit or non-profit organizations while  
8 working on city-paid time or using city-owned property, equipment, or facilities. Off-duty uniformed  
9 City personnel may, however, wear City-owned uniforms to perform solicitation for a charity which  
10 performs a public service with the permission of their department head.

11 Section 2. That this ordinance shall take effect and be in force from and after passage  
12 and publication in one issue of a daily or weekly newspaper of general circulation in the City,  
13 according to law.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2012:

\_\_\_\_\_  
Mayor