



# City of Harrisonburg

## Donation Policy

### **Rationale**

The City of Harrisonburg (“the City”) Donation Policy identifies ways that the public can voluntarily contribute community benefits to the City.

This Policy:

- Identifies two types of public donation programs;
- Provides donor conditions and guidelines including a general description of the donation process, parameters for donor recognition and decommissioning protocols, where applicable.

The Parks and Recreation Department and the Public Works Department are primarily responsible for administering the policy related to donations of amenities.

The Finance Department provides coordination of cash donations. Where donated funds are allocated for a specific purpose, the City department or departments managing the project are responsible for administering the funds.

### **Policy**

Community members, community groups, businesses or visitors may donate to the City for the community’s benefit through contributions of park amenities, trees, equipment, or financial gifts. These opportunities are evaluated at the City’s own discretion, and are identified under the following two distinct programs:

- I. The Amenity Donation Program includes two levels of specific donations of amenities:
  - Standard Amenities: donation opportunities that are available in the majority of Harrisonburg’s parks, trails, and public spaces and generally priced below \$10,000.
  - Legacy Amenities: donation opportunities that are available in select areas and are generally priced higher than \$10,000. These amenities require more consultation and coordination between staff and the donor.
- II. The Financial Donation Program provides an opportunity for individuals or groups to support City programs and services, facility development, projects and initiatives through cash donations. These donations are not reciprocal agreements; therefore, the donor can receive no benefit from the donation beyond a charitable tax receipt.

This Policy does not cover donations of real property, art, archival-related donations, or donations of volunteer time.

## **Donor Conditions**

The City may accept or decline any donation in its sole discretion.

Donations must be given unconditionally and voluntarily. City employees and officials cannot receive personal benefit from any donation, nor can the donor expect benefit beyond what the program specifically provides. The City cannot accept gifts from potential donors known to be involved in activities that contravene laws, City ordinances or City values.

An official tax receipt will be issued to donors upon request for accepted financial donations of \$20 and above. A donor may wish to remain anonymous; however, if a tax receipt is requested the City would require the donor's name and contact information. The donor's private information will be treated with confidentiality within the extent of the law, unless the donor authorizes release of such information for a specific purpose.

Donations of \$10,000 or more in value will be documented through a legal agreement outlining the terms and conditions of the gift. Potential donors of gifts of \$10,000 or more in value will be requested to disclose in writing to the City if they, or their organization or company, is currently or has in the previous 12 months been involved in a planning approval or procurement process with the City. In such a case, the City may, depending on the circumstances, refuse the donation, request a waiting period, or take steps to insulate information about the donation from decision-makers involved in the planning or procurement process.

Offers of donations of \$10,000 or more in value will be detailed in a Report to Council to ensure that the potential benefits and consequences of accepting the gift are fully considered.

Donation of \$20 and above will be acknowledged by a written expression of gratitude from the City.

## **General Guidelines**

### **I. Amenity Donation Program**

#### **a) Types of Amenities and Donation Amounts**

##### **i. Donations of Standard Amenities may include, but are not limited to:**

- New Benches
- Adoption of existing park benches that are appropriate for donation
- Specimen trees
- Bicycle repair stations

##### **ii. Donations of Legacy Amenities (more than \$10,000) may include, but are not limited to:**

- Outdoor exercise equipment
- Playgrounds or playground components
- Sport courts
- Other suggestions from donors will be considered

##### **iii. Specified donation amounts include the cost to purchase and install the donated amenity, as well as the City's cost of basic maintenance to ensure the amenity remains in good condition for a ten-year term. The term begins on the date of installation.**

- iv. Donation amounts for standard amenities are listed in amenity catalog and may be updated annually to reflect current costs. For some legacy amenities, a range of amounts will be provided to the potential donor as the actual cost will depend on the specific item and location chosen.

b) Locations of Donated Amenities

City staff assess each park and public space to determine the most appropriate sites for each type of donated amenity and the maximum number accepted at that location. In cases where a suitable site for the proposed type of amenity is not available, the donation may be declined.

The donated amenity is the sole property of the City, and the donor has no legal interest in the amenity or any real or other property to which it may be affixed. The City may relocate the amenity for any reason, including for safety, maintenance or redevelopment of the park lands. The City will make reasonable effort to notify donors of any significant changes to the amenity and it is donors' responsibility to keep their contact information current with the City.

c) Term

i. Amenity Donations

At the end of the ten-year donation term, the donor will have the option to discontinue the donation, renew the existing donation for an additional maintenance fee, or replace the amenity at market cost. Amenity replacement applies primarily to benches. The City generally will not replace larger items that are in good condition. If the donor does not contact the City or chooses not to renew or replace the donated item, the amenity and/or site will become available for a new donation.

ii. Tree Donations

A tree donation is for the life of the tree with a two-year guarantee; if the tree dies within that period, the City will make a determination if a replacement in the provided location is acceptable and if so will provide a replacement tree. If the City determines the initial location is not suitable for a tree planting, the City will contact the donor and determine a revised planting location. After two years, if the tree declines or the site is needed for another use, the City may remove the tree. City staff will endeavor to contact the donor.

d) Donor Recognition

i. Standard Amenities

Donors of trees and standard amenities will receive a certificate acknowledging their donation and be provided a description and/or map of where the tree or standard amenity is located.

ii. Legacy Amenities

City staff will work with donors of legacy amenities to determine how to best acknowledge the significant financial contribution of the donor. The City may restrict or deny public display of signage acknowledging the donor if the donor's services and/or goods are not legal to be accessed and/or purchased by individuals under the age of 18.

## II. The Financial Donation Program

Individuals or organizations may choose to make a cash donation to the City to support City facilities, programs or services. These financial donations are not marketing partnerships or reciprocal agreements and the donor will not receive any benefit beyond a charitable donation tax receipt.

a) Eligible Financial Donations

Cash donations made to the City for general community benefit will be incorporated into the general revenue of the City, and allocated for capital, operating or potentially both.

Donors may wish to designate their gift to support specific approved programs and services, projects, facility development, asset improvement, restoration or maintenance. The City will, at its sole discretion, decide whether a donation to a specific program is accepted.

These donations must be consistent with the goals of the City and its capacity to meet any associated costs or ongoing obligations.

b) Ineligible Financial Donations

The City cannot accept donations from potential donors who represent a reputational risk to the City, e.g. individuals or organizations known to be involved in activities that contravene laws, City ordinances or City values.

The City will not accept donations for endowments.