

City of College Place, Washington
ORDINANCE NO. 19-014

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE, WASHINGTON TO REPEAL AND REPLACE CHAPTER 3.36 OF THE COLLEGE PLACE MUNICIPAL CODE REGARDING DONATIONS.

Whereas, the City of College Place is a non-charter code city governed by the rules and regulations of RCW 35A; and

Whereas, the City in recent times has had considerably more occasion to receive donations from outside sources; and

Whereas, it is important to have a consistent policy and procedure in place to govern the authorizations, process, and recordkeeping of donations;

Now therefore, the City Council of the City of College Place do hereby Ordain as follows:

Section 1: Repeal. College Place Municipal Code Chapter 3.36 – Acceptance of Donations as currently written is hereby repealed along with all enacting Ordinances or Sections of Ordinances.

Section 2: Replace. College Place Municipal Code Chapter 3.36 – Donations, as written in Exhibit 1 of this Ordinance is hereby adopted.

Section 3: Clerical Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4: Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5: Effective Date. This ordinance shall take effect and be in full force five days after its passage and publication as provided by law.

PASSED by the City Council of the City of College Place, Washington, this 9th day of April, 2019.


Marge Nyhagen, Mayor Pro Tem

Attest:



Lisa R. Neissl, City Clerk

Approved as to form:



Rea Culwell, City Attorney



Chapter 3.36

DONATIONS

Sections:

- 3.36.010 Intent.
- 3.36.020 Definition.
- 3.36.030 Acceptance of monetary donations.
- 3.36.040 Acceptance of nonmonetary donations.
- 3.36.050 Procedures for acceptance or non-acceptance of donations.
- 3.36.060 Responsibility for records.

3.36.010 Intent.

The intent of this chapter is to authorize the acceptance of donations for any public purpose, pursuant to RCW 35.21.100, and to specify policies and procedures for doing so.

3.36.020 Definition.

- A. "City" means City of College Place, Washington.
- B. "Donation," as used in this chapter, refers to money or property, real or personal, donated, devised or bequeathed, with or without restriction(s), to the city of College Place.

3.36.030 Acceptance of monetary donations.

- A. The city administrator or designee is hereby authorized to accept on behalf of the city all monetary donations made to City under ten thousand dollars. However, the city administrator may request approval of the city council prior to the acceptance of any donation.
- B. All monetary donations ten thousand dollars or greater shall be approved by the city council.
- C. In the event a donor has indicated a desire as to the use by the city of a donation, such donation shall, to the extent reasonably feasible, be assigned to a project consistent with the donor's desired use.

3.36.040 Acceptance of nonmonetary donations.

- A. The city administrator or designee is hereby authorized to accept on behalf of the city all nonmonetary donations made to the City, with a fair market value of less than ten thousand dollars. However, the city administrator may request approval of the city council prior to the acceptance of any donation. A donation will be declined if it is not consistent with the policies, plans, or ordinances of the City or contrary to State and Federal statute. Donations may also be declined for any other reason if it is in the best judgement of the City administrator. All donations accepted by the city shall have an acceptable receipt issued and the money deposited into the appropriate fund.
- B. All nonmonetary donations with a fair market value of ten thousand dollars or greater must be approved by the city council. Prior to acceptance of a nonmonetary donation valued at ten thousand dollars or greater, the city administrator shall make a recommendation to the city council as to whether a particular nonmonetary donation should be accepted by the city. A donation will be declined if it is not consistent with the policies, plans, goals or ordinances of the city or contrary to State and Federal statute. Donations may also be declined for any other reason if it is in the best judgement of the City Council.

3.36.050 Procedures for acceptance or non-acceptance of donations.

- A. All donations shall be offered in writing to the city and directed to the city administrator or designee.
- B. Upon acceptance of any donation, the city shall complete and provide the donor a donation acceptance form that shall include, but is not limited to, the following:
 - 1. Name, phone number, and/or email address of donor.

2. Description, intended use and value of donation.
 3. Date of acceptance of donation.
 4. Signature of person(s) accepting donation.
- C. If a donation is not accepted, such donation shall be immediately returned to the donor in a manner that properly documents the return of donation by the city.
- D. Donations accepted shall become the property of the city.
- E. City administrator or designee will notify council of all accepted donations so that the donor's generosity can be officially acknowledged by council.
- F. Donor must specify or designate what donations can be used for.

3.36.060 - Responsibility for records.

The finance department shall have the responsibility of maintaining records showing receipts and disbursements for all donations. The department may also establish rules and regulations for the administration of such activity.

