



**City of Petoskey**  
**Gift and Donation Acceptance Policy**  
*Adopted November 7, 2016*

**I. Purpose and Policy**

The purpose of this policy is to establish a process for acceptance and documentation of donations/gifts made to the City including the installation, long-term maintenance and operation of donated elements to the City which, as determined by the Petoskey City Council or City Manager, will enhance the quality of life in the community. The policy provides guidance when individuals, community groups and businesses wish to make donations or gifts to the City.

Guidelines/Standards for Accepting Gifts or Donations established by this policy will apply to all donations or gifts made after the effective date of this policy. The policy may be amended or repealed, in whole or in part, by the Petoskey City Council.

**II. Definitions**

**“Gift or Donation”**- For the purpose of this policy, the terms gift or donation shall be synonymous and hereafter shall be referred to as donations. Donations are any tangible or intangible asset, in whatever condition, the City is prepared to accept pursuant to the policy set forth herein and administrative guidelines promulgated pursuant to this policy. All donations or gifts shall become the sole property of the City unless determined otherwise by the City Council. The City has no duty to return any donation. All donations are irrevocable and otherwise final upon receipt by the City. City Council has the final authority to relocate, remove or dispose of any donation at any time, with or without notice to the Donor.

**“Donor”** means an individual or legal entity making a donation to the City.

**III. Consistency with City Interests**

Donations may only be accepted when they have a purpose consistent with the goals and objectives of the City and are in the best interest of Petoskey. The City must always consider the public trust and comply with all applicable laws when accepting donations.

**IV. Guidelines/Standards for Accepting Donations**

Donations shall be accepted only if they have a valid use to the City. Donations intended to either become incorporated into City parks as well as donations of equipment, vehicles, or facilities intended to supplement those of the City often involve considerations of aesthetics, costs, and compatibility whose features shall be evaluated using the following criteria:

1. The donation will not be in conflict with any provision of the law and shall not be in conflict with comprehensive plans, recreation plans and park design.
2. The donation will not add to the City’s workload unless it provides a net benefit to the City.

3. The donation places no restrictions on the City, unless agreed to by the City Council.
4. All donations or gifts shall become the sole property of the City unless determined otherwise by the City Council in writing. The City has no duty to return any donation as all donations are irrevocable and otherwise final upon receipt by the City. City Council has the final authority to relocate, remove or dispose of any donation at any time, with or without notice to the Donor.
5. All donations will receive recognition appropriate to the level and nature of the donation as determined by the City Council. For those of a capital nature, that may be in the form of signage, plaques, markings, or other means the City should deem appropriate. Regardless of the recognition strategy selected, the intent shall be to appropriately honor the donor for their contribution to the community. To ensure uniformity of appearance and good taste on any recognition, the language of such plaques shall also be approved by the City Council. Donation acknowledgments and memorial plaques shall be made of bronze and be of the highest quality, life and durability. In cases where bronze plaques are not feasible, other alternative types may be considered. The appearance of traditional commercial advertising shall be avoided.
6. The City and community have an interest in ensuring the best appearance and aesthetic quality of public lands and facilities. Donations shall reflect the character and be consistent with the intended surroundings and complement the aesthetics of the proposed site.
7. Since donated elements and their associated recognition become City property, the community has an interest in ensuring that all elements remain in good repair and are maintained appropriately. In addition, Petoskey has an interest in ensuring that the short and long-term repair costs are reasonable and that repair parts and materials be readily available. So too, elements must be of a quality to insure a long life, be resistant to weather, wear and tear, and acts of vandalism.
8. The proposed donation cannot substantially interfere with the intended current or future use of the land or facility where it is being proposed to be located. Preference will be given to donations that are unique in nature, have historical or cultural relevance and have the ability to attract visitors to the community.
9. The City also has an interest in knowing in advance the full cost which may be associated with a donation, namely those costs that relate to the installation, maintenance and operation during the donation's expected life cycle. The costs to install, operate, repair, and/or maintain a mechanical and/or electric system proposed for use in conjunction with a donation shall be identified prior to acceptance by the City Council.
10. When considering donations to City parks or City-owned property such as but not limited to statues, memorials, benches or public art pieces which may affect its immediate surroundings, the City Council may request (but is not required to) review by the Petoskey Planning Commission, DMB and/or Parks and Recreation Commission. These boards shall make a recommendation to City Council on whether to approve, approve with conditions or reject the acceptance of a donation.

The City Council may then hold a Public Hearing for such purpose to invite comment from the community with respect to, but not limited to, such issues as: impact on view sheds; safety concerns; potential for noise generation; compatibility with the aesthetic features of parks or park plans or public lands in general.

11. Monetary donations approved by City Council will be deposited to the fund in which the intended use of the donation is to be achieved. This money shall be placed into a restricted fund in the Department's budget responsible to achieve such intended use.
12. The City Council shall not approve any donation that may meet one or more of the following criteria:
  - A. Be offensive or of morally questionable material;
  - B. Donations that are connected with a restriction that entails special considerations or favors beyond any other resident, donating or non-donating;
  - C. Any other concern, real or perceived, that may result in the loss of reputation, appearance of impropriety, or other negative impact on the City from accepting the donation or gift.

#### **V. City Manager Authority to Approve Donations**

The City Manager shall be authorized to accept or reject offers of donated money, equipment and in-kind-donations to City Departments or to the City in general up to \$10,000 per donation. Donated money will be expended for general purposes within the department or specified purposes, if agreed upon with the donor, as one-time supplements to the department's operating budget. Donations of equipment will be considered based upon program outcomes, department goals and needs. Each donation will be evaluated for usefulness and potential replacement costs.

When approving donations with a value of less than \$10,000, the City Manager shall base his/her decision upon the Guidelines/Standards in Section IV.

#### **VI. Procedures for Making and Accepting Gifts**

The City Council shall have the full and final authority to approve or deny all donation proposals including those made by the City Manager. Prior to submitting a Donation Application Form (Attachment A), the donor or donor's representatives shall contact the City Manager's Office to discuss a proposed donation. Such pre-application meeting shall assist both the prospective donor and the City in determining whether a donation will meet the criteria contained in this policy. If a donation appears to be in accordance with this policy, the donor or donor's representative will then submit a Donation Application Form and meet with City Staff members to determine the specific nature of the donation, proposed location, and yearly maintenance and operational costs for review and processing. The written proposal, including a Staff report, will be sent to City Council for its decision.

City Staff or City Council may request additional information including, but not limited to: scaled drawings; artist's renditions; or other documents to better illustrate the exact nature of the donation. The City may choose to consult with other agencies or organizations in the review process. The City Council may also send any proposal to the appropriate City board or committee for review with subsequent recommendation to City Council.

# Donation Application Form

## Attachment A

Thank you for your interest in donating to the City of Petoskey. Your gift or donation will be considered by the Petoskey City Council after this form is filled out and a Staff report is completed. All donations shall become the sole property of the City and the City has no duty to return the donations. All donations are also subject to the Gift and Donation Acceptance Policy adopted by the City.

1. Name, Address and Phone Number of Donor: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Description of Gift or Donation: \_\_\_\_\_  
\_\_\_\_\_

3. Value of the Gift or Donation (market value): \$ \_\_\_\_\_

4. What is the intended purpose or use for this gift or donation? \_\_\_\_\_  
\_\_\_\_\_

5. If applicable, what are the yearly maintenance and operational costs associated with this gift or donation? \$ \_\_\_\_\_

6. Do you have or are you currently seeking to establish a contractual relationship with the City of Petoskey? If so, please disclose the nature of the contractual relationship:  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature and Title of Donor

\_\_\_\_\_  
Date

*Internal City of Petoskey Use Only*

Date application was received: \_\_\_\_\_

This application is: Accepted by the City of Petoskey on \_\_\_\_\_

Rejected by the City of Petoskey on \_\_\_\_\_

\_\_\_\_\_  
City Manager Signature

\_\_\_\_\_  
Date