

# Village of Port Clements

## Donations Policy

### Policy No. 11, 2022

Adopted: October 3, 2022  
Reviewed: December 19, 2022  
Amended: December 19, 2022  
Next Review: October 2023

*Replaces all prior Donations Policies*

#### 1.0 DEFINITIONS

**Donation:** A free and unrestricted contribution that may be received by the Village or requested from the Village. In this policy "donation" will specifically refer to a free and unrestricted financial contribution, a gift in cash, with "in-kind donations" being used to refer to free and unrestricted non-financial contributions.

**In-Kind Donation:** Also known as a gift-in-kind, is a free and unrestricted non-financial contribution that may be received by the Village or requested from the Village.

**Grant:** A financial contribution that is restricted for a specific purpose with specific terms and conditions to be met. The Village handles grants through its *Community Grants Policy No. 22*.

**Not-for-Profit Organization (NFP):** Describes a type of organization that does not earn profits for its owners. All the money earned by or donated to a NFP organization is used in pursuing the organization's objectives and keeping it operational.

**Representative:** The designated individual of the applicant responsible for managing the funds on behalf of their organization or group and may be liable in the case of misuse of funds.

#### 2.0 OBJECTIVE

To set guidelines for how donations and in-kind donations received or requested, are handled by the Village of Port Clements. Nothing in this policy is intended to in any way modify statutory requirements under the *Community Charter* or other applicable legislation and this policy shall not be applicable in any instance where it is inconsistent with such statutory requirements or authority.

#### 3.0 SCOPE:

This policy is specifically for donations and in-kind donations that are being made to or requested from the Village of Port Clements as an organization, outside of circumstances where the Village has specifically requested or invited such requests (ex. the Village sent a request to another organization requesting a donation or contribution to a Village event/activity).

The Village does not permit donations and in-kind donations to be made through the Village that are intended for individual staff and Council members to personally receive and benefit from, nor may applications received by the Village for donations and in-kind donations be directed or intended for individual staff and Council to personally fulfill the request.

#### **4.0 RECEIVED BY THE VILLAGE**

The Village is open to receive donations and in-kind donations from individuals, businesses or organizations that may be given or bequeathed to the Village.

4.1 In general, on receipt of a donation or in-kind donation, the Village will:

- (a) Provide an income tax receipt for all donations and in-kind donations if requested.
- (b) Record all information pertaining to the donations and in-kind donations using the form in Appendix A, including pictures for in-kind donations if they are a material object or structure. The Port Clements Historical Society may request and receive a copy of this record regarding in-kind donations received by the Village for their museum after the completed installation of said in-kind donation.
- (c) Acknowledge the donor with a thank you letter or card (by mail or email), and, if the donor consents, acknowledging the donor through social media or other public communication formats used by the Village. This consent must be given in writing by the donor using the form in Appendix A.

4.2 However, the Village reserves the right to not accept a donation or in-kind donation for any reason. In particular, the Village may choose not to receive a donation or in-kind donation out of consideration for, but not limited to:

- (a) Potential contravention, or the appearance of contravention, of legislation regarding conflict of interest and undue influence
- (b) Potential impact on the Village's operations and burden to maintain or handle
- (c) Costs that may be incurred on the Village in association to the donation or in-kind donation.

In situations where it may be in the Village's best interest to not accept the donation or in-kind donation the Chief Administrative Officer will bring the matter of the donation to Council for consideration.

4.3 In-kind donations have further guidelines that will be followed:

- (a) in-kind donations are not intended to be received at significant cost for the Village to install and maintain.
  - (i) the donor will be required to pay for all the cost of installation and maintenance of the in-kind donation unless the Village otherwise agrees in writing to pay the cost, and only where such cost is accounted for in the Village's budget.
  - (ii) the Village does not intend to keep donations permanently except at its discretion and only agrees to keep received in-kind donations until they have deteriorated. The Village does not agree to substantially maintain or replace received in-kind-donations after their deterioration except at its discretion.
  - (iii) The Village reserves the right to remove in-kind donations for any reason, which may include, but is not limited to, reasons of need for repairs (deterioration), unsightliness (including vandalism), and public safety concerns.
  - (iv) Within the first five (5) years of installation of the in-kind donation, if the Village is considering the removal of an in-kind donation the donor will be notified in writing of the intended removal, and, in the case where the removal is out of consideration of need for repairs or unsightliness, the donor will be given an opportunity to bring the in-kind donation back to its original condition or fix the issue at the donor's cost. This offer will have a set expiry of sixty (60) days for the donor to consider and notify the Village of acceptance of the offer. If the offer is accepted, the donor will have thirty (30) days to take action to restore/fix the in-kind donation.

(b) for the in-kind donation of structures (such as commemorative benches) the Village is to provide an appropriate commemorative plaque, which at the time of deterioration of the structure, will be removed from the structure and re-installed on the back of a pew at St. Mark's church.

(c) While the donor is to be consulted concerning the installation of the in-kind donation, the final decision for any aspect, including but not limited to site location, is with the Village.

## 5.0 REQUESTED FROM THE VILLAGE

The Village is open to consider requests for donations and in-kind donations from Not-for-Profit Organizations or registered charities that operate locally on Haida Gwaii, with priority for consideration given to Not-for-Profit Organizations that provide services directly within Port Clements.

The Village expressly will not consider request for donations and in-kind donations from individuals, businesses or organizations that are for-profit, or from Not-for-Profit Organizations or registered charities that do not normally or regularly operate locally on Haida Gwaii.

### 5.1 Requests for donations:

- (a) The total budget each year the Village has for donations is \$1,000, and funds may only be expended until that budget is reached.
- (b) NFPs and registered charities that operate locally on Haida Gwaii can request up to a maximum of \$250 per year, but it is Council's discretion to award any value up to the maximum permitted or to not donate for any reason. NFPs and registered charities that provide services directly within Port Clements can request up to \$500 per year but it is Council's discretion to award any value up to the maximum permitted or to not donate for any reason.
- (c) NFPs and registered charities are required to complete the application form Appendix B and are also required to provide proof of their non-profit status or registered charity status with the submission of their application form.
- (d) NFPs and registered charities that have applied under the Village's *Community Grant Policy* are not eligible to apply for or receive a donation under this policy in connection to the activity/project identified in their application submitted under the Village's *Community Grant Policy*.
- (e) NFPs and registered charities may only submit one application per year calendar year for requests for donations, and they must submit a new application each year.

### 5.2 Requests for in-kind donations:

- (a) for the purposes of this policy, the Village limits requests for in-kind donations to the use of Village property or equipment that have real value and are normally available to the public at rental cost, and to not permit requests for in-kind donations for the giving of art, valuables, equipment, or property. This, however, is not intended to limit the Village, at its discretion, from giving in-kind donations of art, valuables, equipment, or other property to a registered charity or NFP if it is in the process of disposing of such items due to its own operational or other considerations.
- (b) generally, where the in-kind donation is the waiving of rental fees for use of the Village property and equipment that are normally available for rent, a rental agreement form must still be completed as all other obligations normally under the rental agreement will persist, including any janitorial fees or costs for damages that may be incurred through use of the rental property or equipment.
- (c) NFPs and registered charities are required to complete the application form Appendix C and are also required to provide proof of their non-profit status or registered charity status with the submission of their application form.

  
Mayor Scott Cebianca

  
CAO Marjorie Dobson

# Village of Port Clements

## APPENDIX 'A', POLICY 11

### DONATIONS AND IN-KIND DONATIONS RECEIPT FORM

<b>Donor:</b> (organization/business/individual)	
<b>Representative/contact Individual:</b> (first and last name)	
<b>Phone Number:</b>	
<b>Email:</b>	
<b>Street Address:</b>	
<b>Mailing Address:</b>	

Please select the donation type being made:

- Donation** (financial)  **In-kind Donation** (non-financial)

Is this donation/in-kind donation in honour of someone?

- In memory**  **For a celebration**

Name of individual in memory of/celebration: \_\_\_\_\_

Do you consent for public acknowledgement of your donation or in-kind donation being shared or made on the Village's social media or other public communication formats? Please identify 'yes' or 'no': \_\_\_\_\_

~~~~~  
**For Donation(s)** (financial):

Amount being donated \$ \_\_\_\_\_ (CAD)

Is this donation for a specific purpose? \_\_\_\_\_

~~~~~  
**For In-kind Donation(s)** (non-financial):

Description of item(s): \_\_\_\_\_

~~~~~  
*Where possible, please provide a picture of the in-kind donation(s) when submitting this form*

~~~~~  
As the representative/contact person for the above noted donation or in-kind donation, I agree to the terms and requirements for my donation and/or in-kind donation according to the Village's *Donation Policy No. 11*, as may be amended from time to time. Further, I acknowledge for in-kind donations that, unless otherwise agreed by the Village in writing and at Council's discretion, I assume full responsibility for the costs to install the in-kind donation, including any maintenance and repair requirements as deemed necessary by the Village of Port Clements until its removal at the discretion of the Village of Port Clements.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## Village of Port Clements

### APPENDIX 'B', POLICY 11

#### REQUEST FOR DONATION APPLICATION FORM

##### Applicant Information

<b>Name of Organization:</b>	
<b>Representative/Contact:</b> (first and last name)	
<b>Phone Number:</b>	
<b>Email:</b>	
<b>Street Address:</b>	
<b>Mailing Address:</b>	

*All fields of the application information are required to be completed*

Please select organization type:

- Registered Charity**
 **Not for Profit Organization**

Applications must provide documentation with their application that confirms that they are a registered charity or not for profit organization. Accepted documentation includes documentation provided by provincial or federal government in Canada (ex. such as being on the government of Canada's list of registered charities).

##### Request Information

<b>Amount Requested (\$CAD)</b>	
---------------------------------	--

<b>Is this donation for a specific purpose outside of general operations?</b>	
<b>Have you applied for a grant through the Village's <i>Community Grants Policy No. 22</i>?</b>	
<b>Do you operate (provide services) locally in Port Clements?</b>	
<b>Do you operate (provide services) on Haida Gwaii?</b>	
<b>Have you received donations or in-kind donations from the Village in the past? If yes, when, what, and how much?</b>	

As the representative/contact person for the request, I confirm that the information provided on this application form is complete and accurate to the best of my abilities and knowledge.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

# Village of Port Clements

## APPENDIX 'C', POLICY 11

### REQUEST FOR IN-KIND DONATION APPLICATION FORM

#### Applicant Information

<b>Name of Organization:</b>	
<b>Representative/Contact:</b> (first and last name)	
<b>Phone Number:</b>	
<b>Email:</b>	
<b>Street Address:</b>	
<b>Mailing Address:</b>	

*All fields of the application information are required to be completed*

Please select organization type:

- Registered Charity**
 **Not for Profit Organization**

Applications must provide documentation with their application that confirms that they are a registered charity or not for profit organization. Accepted documentation includes documentation provided by provincial or federal government in Canada (ex. such as being on the government of Canada's list of registered charities).

#### Request Information

Description of request: \_\_\_\_\_

<b>Is this in-kind donation for a specific purpose?</b>	
<b>Have you applied for a grant through the Village's <i>Community Grants Policy No. 22</i>?</b>	
<b>Do you operate (provide services) locally in Port Clements?</b>	
<b>Do you operate (provide services) on Haida Gwaii?</b>	
<b>Have you received donations or in-kind donations from the Village in the past? If yes, when, what, and how much?</b>	

*This form is not the Village's rental agreement form, nor does it constitute a rental agreement form. Applicants must request the separate applicable rental document(s) from staff, complete and submit them, and any other required documentation, before a rental is confirmed, even if in-kind donation is awarded by Council to cover the rental charge that is normally applicable.*

As the representative/contact person for the request, I confirm that the information provided on this application form is complete and accurate to the best of my abilities and knowledge.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_