

THE CORPORATION OF THE TOWN OF KEARNEY

By-law No. 2025-26

Being a By-law to establish a Donation Policy and Process


WHEREAS Section 224 of the *Municipal Act 2001*, as amended, outlines the role of municipal councils in developing and evaluating policies and programs for the municipality with respect to the issuance and acceptance of donations;

NOW THEREFORE the Council of The Corporation of the Town of Kearney enacts as follows:

1. **That** the Corporation of the Town of Kearney adopts the Hiring Process and Policies for employees, substantially in the form of Schedule "A", attached hereto and forming part of this By-law.
2. **That** all previous By-laws and resolutions and parts of By-laws and resolutions inconsistent with the provisions of this By-law are hereby repealed.
3. **That** this By-law shall come into force and take effect on the date of its final passing.

READ A FIRST and SECOND TIME and THIRD TIME, passed, signed and the Corporate Seal attached hereto, this 17th day of April, 2025.

**THE CORPORATION OF THE
TOWN OF KEARNEY**



Mayor



Clerk



Kearney Cash and In-Kind Donations (Requested & Received) Policy

1. Purpose

The Municipality receives numerous requests and offers for cash or in-kind donations throughout the year to support an array of activities, projects, events, and initiatives. In addition to requests for donations, the Municipality receives a varied amount of offers to donate both Cash and In-Kind items/assistance. All donations granted or received by the Municipality have an impact on the Municipality's budget and therefore on taxation levied to citizens.

An annual budget approved by Council for the purpose of making donations to support eligible applicants and initiatives will determine the limited amount of cash funds available for disbursement to support donation requests.

The purpose of this policy is to establish guidelines for cash or in-kind donation requests submitted to the Municipality, and the granting of those requests by the Municipality. As well, this policy will establish the business rules and guidelines with respect to acceptable donations or gifts that organizations, community groups or individuals may wish to make to the Town of Kearney (the "Town") and/or to support Town initiatives, projects, programs or services.

There will be consistent administration of donations or gifts received in line with this policy in a responsible, transparent, and accountable manner.

2. Scope

This policy does not apply to:

- a) Inbound funding or grants to Town departments and affiliated municipal agencies, boards or organizations for the purposes of delivering a community service and/or the provision of Town infrastructure as defined in provincial or federal legislation;
- b) Donations received or fundraising initiatives by Town staff on behalf of an outside organization (e.g. dress down days for local charities, United Way campaign, etc.); and
- c) Sponsorship arrangements with the Town as these do not qualify as donations.

3. Eligibility

Requests for donations:

Requests for cash or in-kind donations may be submitted by and will be considered from incorporated not for profit organizations, established community groups, or other entities with a demonstrated need for support and through their programming/activities/initiatives, a commitment to benefiting the Town of Kearney and/or its residents.

Donations will be considered when the request will support initiatives, events, programs, or projects that are offered free of charge to community members and for the benefit of the community of Kearney and/or its residents.

Requests to donate to the Town:

~~Donations and Gifts Received Policy~~

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As per Council direction, donations will be welcomed regardless of size or type, whether monetary or in-kind. These donations will be brought to Council for approval if not for a typical occasion or event, such as thank you cards, Christmas baskets, etc.

4. Types of Donations

Cash Donations: Monetary contributions provided directly to (or received from) ~~eligible~~ applicants to support their initiatives, events, programs, or projects.

In-Kind Donations: Goods or services provided directly to (or received from) ~~eligible~~ applicants, such as (municipal/contractor) equipment, supplies, facilities, or volunteer assistance.

5. Application Process

Submission: Requests for cash or in-kind donations must be submitted in writing, using the designated application form available on the Municipality's website or by contacting the Municipal Office to obtain one.

Content: All requests must be submitted either by email, mail, or in-person to the Municipal office and only through the completion and submission of the Municipal Donation Request Form.

6. Evaluation Criteria

Considerations will include:

- **Alignment:** The extent to which the proposed initiative, event, program, or project aligns with the municipality's goals, priorities, and values as outlined in the Municipality's strategic plan.
- **Community Impact:** The potential positive impact of the donation on the Town of Kearney and/or its residents, including the number of beneficiaries and the significance of the benefits.
- **Feasibility:** The feasibility and likelihood of successful implementation of the proposed initiative, event, program, or project.
- **Frequency of requests:** The degree to which there is a reliance on Municipal funding. Whether or not the Municipality has contributed to an applicant in the past shall have no bearing on the decision to grant requests.
- **Need:** Demonstrated need for the Municipality's funding.

The Town will issue Income Tax Receipts for all donations or gifts that are valued at \$25 or more provided the donation is eligible based on rules set by Canada Revenue Agency (the "CRA") and the provisions of this Administrative Directive.

7. Review and Approval

Review Process: Donation requests shall be reviewed by Council who will assess and evaluate applicant eligibility and project evaluation criteria outlined in this policy against the application received.

Where in-kind donations are requested, Council will consult at all times with the relevant department head to determine the availability of any and all municipal resources requested. The results of assessment will be brought to Council as a whole for their consideration.

Approval Authority:

Final approval of donation requests that are not included in the Town's annual budget, must be approved by Council as a whole.

8. Acknowledgment and Reporting

Acknowledgment: Upon approval of a donation request, the recipient shall submit to the Town's Clerk-Administrator (Clerk/CAO), written acknowledgment of the donation.

Reporting: Recipients may be required to provide information on the use and impact of the donated funds or resources.

9. Compliance and Oversight

Compliance: Recipients of cash or in-kind donations shall use the funds or resources only for the purposes set out in the Application for Donation Requests and the recipient shall comply with any applicable laws, regulations, or policies when carrying out their initiative.

Oversight: The Municipality's CAO or his/her designate shall maintain oversight of donated funds or resources to ensure compliance with donor intent and municipal policies.

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10. Approval and Adoption

This policy once approved by Council of the Corporation of the Town of Kearney and adopted by resolution of Council be an official policy of the Town of Kearney.

11. Amendment

This policy shall be reviewed periodically by Council to ensure its effectiveness and may be amended as necessary by resolution of Council.



Municipal Donation Request Application Form

Applicant Information

Name of Applicant Organization:

Contact Person:

Title/Position:

Type of Organization:

Incorporated Not for Profit _____

Unincorporated Community Group _____

Another Municipality _____

None of the above _____

Address:

City:

Province:

Postal Code:

Phone

Number:

Email

Address:

Website (if applicable):

Project/Event Information:

Name of Project/Event:

Description of Project/Event (include purpose, objectives, target audience, expected outcomes, etc.): Date(s) of Project/Event:

Location of Project/Event:

Expected Number of Kearney Resident Participants/Beneficiaries:

How will the project/event benefit the community of Kearney and/or its residents? Is there a cost to participate in this project/event? Yes . No ____

If yes, please provide details:

Donation Request Details:

Type of Donation Requested (cash, in-kind, or both):

Amount/Value of Donation Requested:

Specific Items/Services Requested (if requesting in-kind donations):

Intended Use of Donation (how will the donation be used to support the project/event?):

Have you ever received funding from the Municipality in the past for this project, initiative, event, etc. offered in the past? Yes_____ No_____

If yes, when and in what form and if cash, what was the value of that donation?

Why is the Municipality’s support necessary to the success of your project, initiative, event etc.? How specifically will the Municipality’s donation be acknowledged?

Supporting Documents:

If desired, you may attach any supporting documents that provide additional information about the project/event/initiative etc. that would help us to know more about your initiative.

Declaration:

By submitting this application, I/we hereby certify that the information provided is true and accurate to the best of my/our knowledge. I/we understand that submission of this application does not guarantee approval of the donation request and that all decisions regarding donations are subject to review and approval by Council as a whole. I understand that the Municipality’s consideration of all applications is subject to the availability of its limited donation fund as assigned during its annual budget exercise.

Authorized Organization Representative’s Signature:

Date: _____

Hand deliver or mail to: 8 Main Street, P.O. Box 38, Kearney, ON, P0A 1M0

Or

Email to: nicole.gourlay@townofkearney.ca

Internal Office Only

Received By: _____ Date: _____