

**CITY OF NORTH BONNEVILLE  
ORDINANCE NO. 990**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH BONNEVILLE,  
WASHINGTON, RELATING TO THE ACCEPTANCE OF DONATIONS TO THE CITY**

**WHEREAS**, City residents wish to make donations to the City of North Bonneville to be applied to City services and to assist in the operation of City government; and

**WHEREAS**, the City benefits from this generosity, and the Council wishes to encourage citizen involvement in government and recognize its citizen's generosity; and

**WHEREAS**, the Council hereby adopts an ordinance to allow donations to the City and to instruct staff on the proper disposition of donated funds.

**NOW, THEREFORE**, the City Council of the City of North Bonneville does hereby ordain as follows:

**Section 1.     Chapter 3.60 Donations**

Chapter 3.60 "Donations" of North Bonneville Municipal Code is hereby created to read as follows:

Sections:

- [3.60.010](#) Purpose.
- [3.60.020](#) Definitions.
- [3.60.030](#) Funds – Accounting.
- [3.60.040](#) Acceptance of donations in general – Donor's desired use or conditions.
- [3.60.050](#) Acceptance of monetary donations.
- [3.60.060](#) Acceptance of nonmonetary donations.

**3.60.010 Purpose**

The purpose of this chapter is to authorize the acceptance of donations for any public purpose, pursuant to RCW 35A.11.040, and to specify policies and procedures for doing so.

**3.60.020 Definitions**

"Department head" includes the head of any city department, or his or her designee.

"Donation" is defined as any monetary or nonmonetary gift, grant, devise or bequest to the City of North Bonneville. A monetary donation includes cash or a check, money order or other negotiable instrument. A nonmonetary donation includes real or personal

property. In the event of a stock donation, since a government entity is not legally able to own stock, such a donation would be liquidated and turned into cash or another liquid asset, and treated as a monetary donation.

“City Administrator” means the city administrator/clerk/treasurer of the City of North Bonneville, or his or her designee.

### **3.60.030 Funds – Accounting**

The City of North Bonneville city administrator is responsible for providing for the deposit and financial administration of any donation to the city. If necessary, s/he shall track the proposed use of any such donation and shall maintain separate records of accounts showing receipts and disbursements. The city administrator may establish further rules and regulations for the accounting and administration of donations, consistent with this chapter, as deemed necessary by the city administrator.

### **3.60.040 Acceptance of donations in general – Donor’s desired use or conditions.**

The city has the discretion to accept or decline any proposed donation, whether conditioned or not, subject to the provisions of this chapter. In the event a department head has reason to believe a donation could cause or result in an appearance of impropriety, the department head shall consult with the city attorney prior to accepting the donation. Conditioned donations shall be assigned to a project or existing fund consistent with the donor’s desired use, as long as such condition(s) do not conflict with city, state or federal law, in which case the city shall ask that the condition(s) be removed or decline the donation.

### **3.60.050 Acceptance of monetary donations.**

A. Donations Under \$5,000. The city administrator or department heads are hereby authorized to accept any monetary donation of less than \$5,000 on behalf of the city, and shall deposit such monies with the finance department.

B. Donations Greater than \$5,000. Donations of any amount greater than \$5,000 must first be approved by the city council, so that the city can evaluate any policy implications associated with the donation.

C. Conditioned Donations. In the event that a monetary donation is conditioned or donated for a special purpose, prior to acceptance, the city administrator, department heads or city council (depending on who is accepting the donation under subsections A and B of this section) should consider the long-term impacts of the donation, particularly where there could be significant future or ongoing operations and maintenance or capital costs associated with the donation. Where the proposed donation is conditioned on the contribution to a city program, purpose or activity that has not first been approved

by council, the city administrator or department heads shall defer to the city council for any such decisions.

D. Council Notification. Staff should notify council of all accepted donations so that the donor's generosity can be officially acknowledged by council.

**3.60.060 Acceptance of nonmonetary donations.**

A. Donations of Personal Property Valued at \$5.00 to \$5,000. All donations of personal property with a current value greater than \$5.00 and less than \$5,000 may be accepted by the mayor or the city administrator or department heads, except as follows. In the event of a donation of personal property which could require future maintenance or repair (e.g., office equipment), the department head should first assess all related future costs and submit the assessment of expenses to the city administrator for approval prior to acceptance of the donation. In addition, if a conditioned donation could have long-term impacts, such as significant operations and maintenance or capital costs, the department head or city administrator shall consult with the city council prior to accepting the donation.

B. Donation of Personal Property Valued at Over \$5,000. All donations of personal property with a current value of \$5,000 or more must first be approved by the city council. If the personal property could require future maintenance or repair, the city administrator should first assess all related future costs and submit the assessment of expenses to the city council. For conditioned donations, the city administrator should also provide the city council with an assessment of long-term impacts, such as significant operations and maintenance or capital costs.

C. Donations of Real Property. All donations of real property, whether conditioned or unconditioned, must first be approved by the city council by resolution.

**Section 2. Severability.**

The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

**Section 3. Published and Effective Date.**

A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect five days after its publication.

**PASSED BY THE CITY COUNCIL ON JUNE 28, 2010.**

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Don Stevens, Mayor

**ATTEST:**

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John Spencer, City Clerk