

THE CORPORATION OF THE TOWNSHIP OF WOLLASTON

BY-LAW NO. 49-2021

**Being a by-law to adopt the Township of Wollaston Donations,
Sponsorships and Third-Party Fundraising Policy**

WHEREAS Section 5(3) of the Municipal Act, 2001, as amended, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise;

AND WHEREAS the council of the Corporation of the Township of Wollaston deems it expedient to adopt a Donations, Sponsorships and Third-Party Fundraising Policy;

NOW THEREFORE be it resolved that the council of the Corporation of the Township of Wollaston hereby enacts as follows:

1. That the Township of Wollaston Donations, Sponsorships and Third-Party Fundraising Policy, identified as Schedule "A", attached hereto and forming an integral part of this bylaw, is hereby adopted.
2. That all provisions or parts of this By-law passed inconsistent with the provisions of this By-law are hereby repealed.
3. That this by-law shall come into force and take effect upon being passed by council.

PASSED this the 12th, day of July 2021.

MAYOR: LYNN KRUGER

SEAL

CLERK: BERNICE CROCKER

SCHEDULE “A”
Wollaston Township Donations, Sponsorships and Third-Party Fundraising

Purpose:

To define the conditions under which gifts may be accepted by the Township of Wollaston’s Departments, Committees and Boards.

Background:

The Township of Wollaston recognizes that public funding is the principal and most important source of funding for municipal services. The Township of Wollaston welcomes and encourages gifts from individuals, businesses, service clubs, foundations, and non-profit organizations, for the purpose of enhancing quality service for the public in the Township of Wollaston. The Township of Wollaston is a registered charity under the Canadian Income Tax Act: individuals and groups may therefore receive income tax benefits for financial contributions.

Donations:

Definitions

For income tax purposes, a gift or donation is defined as a voluntary transfer of property to the Township of Wollaston, made without the expectation that any benefit will accrue to the donor or anyone designated by the donor. The scope of this policy includes gifts of:

- Money
- Books, manuscripts, and other printed materials
- Audio visual materials
- Art and photographic works
- Equipment
- Other in-kind gifts
- Property of significant value, such as real estate or securities

- Planned gifts, such as willed donations, bequests, or endowments.

Conditions for Donation:

Donations with values more than \$5,000.00 and/or those with legal or political implications shall be presented to the Council for the Township of Wollaston for approval. Those valued at less than \$5,000.00 shall be approved by the Clerk Administrator or their designate. Donors must have no expectation of influencing the policies or practices of the Township of Wollaston. In deciding whether to accept a donation, the Clerk Administrator or their designate shall address the issue of the ongoing maintenance and protection of the gifts and ensure that it will not negatively impact the Township of Wollaston budget. The Township of Wollaston, in its sole discretion, reserves the right to refuse gifts or gifts-in-kind. The Township of Wollaston has no obligation to inform the donor of the disposition of the donated materials, to retain intact, or, to reserve special municipal shelving for, unsolicited gifts of private collections. Where appropriate, the Clerk Administrator or their designate may require that a donation agreement be entered into between the Township of Wollaston and the Donor. Donor Records Sponsors and donors shall be provided with a level of acknowledgement or recognition commensurate with their contribution. The privacy of those requesting anonymity will be respected.

Official Receipts Upon request:

Official receipts will be issued for monetary gifts which exceed \$10.00 for income tax purposes. For new gifts in-kind, an official receipt will be issued for the fair market value or invoiced price. A copy of any such invoice must be provided before a receipt can be issued. Official receipts for used gifts-in-kind will be issued if the value of the gift can be substantiated independently or if the gift has been solicited by the Township of Wollaston. The donor is responsible for providing the Township of Wollaston with an official written appraisal of the donation's worth. The Township of Wollaston shall have the sole discretion of determining whether to accept the value included in any appraisal, and the ultimate value of a donation.

Beyond issuing such receipts in normal form, the Township of Wollaston shall have no further responsibility and the Township of Wollaston does not make any representations as to any aspect of Canada Revenue Agency's

policies or rules as they may pertain to the Donor's situation. In the event that the Canada Revenue Agency challenges the donation receipts, including setting a different valuation for a donation, the Township of Wollaston shall not be required to appeal such a decision or assessment by the Canada Revenue Agency, although the Donor shall have the right to appeal such decision or assessment. Should the Canada Revenue Agency set a different value for the donation, and the Donor chooses not to appeal that assessment, or the Donor appeals but is unsuccessful, the Donor will return the original donation receipt or receipts and the Township of Wollaston will provide a new receipt or receipts in the amount set by the Canada Revenue Agency.

Donor Recognition:

No donor shall be recognized, either internally or publicly, without their consent.

Any donation receipts issued where naming recognition occurs could potentially be reduced from the amount of the donation by the value of any advantage to the donor from the naming recognition.

Recognition

1. The Township of Wollaston welcomes the opportunity to name buildings, rooms, and other areas within the Township of Wollaston facilities, along with collections, programs, and services, to recognize and appreciate the charitable support of individuals, service clubs, foundations, and corporate donors. Naming opportunities will be considered when a benefactor provides all or a substantial part of the cost of the entity.
2. Recognition may include naming the space after the donor and referring to that donor space in signage, service locations, etc. Spaces already in existence may be valued based on a few factors, including prominence, location, etc. Specific levels and forms of donor recognition will be determined by the Clerk Administrator and/or their designate from time to time. Some levels of support will qualify for a sign or plaque that is placed in a space appropriate to the

gift. Naming opportunities may be based on a funding arrangement that extends over a period that is mutually agreed upon in writing by the Clerk Administrator and/or their designate and the benefactor. All proposals for naming will be forwarded, in writing and in confidence, to the Clerk Administrator and/or their designate, which will determine whether the proposed naming conforms to this policy. The Clerk Administrator and/or their designate will either approve or reject the naming opportunity and notify the benefactor of the decision in writing. The terms of the naming opportunity will be documented and agreed to, in writing, by both the Council for the Township of Wollaston and the benefactor that provided all or a substantial part of the cost of the entity.

3. Recognition may include naming the space after the donor and referring to that donor space in signage, service locations, etc. Spaces already in existence may be valued based on a few factors, including prominence, location, etc. Specific levels and forms of donor recognition will be determined by the Clerk Administrator and/or their designate from time to time. Some levels of support will qualify for a sign or plaque that is placed in space appropriate to the gift. Naming opportunities may be based on a funding arrangement that extends over a period that is mutually agreed upon in writing by the Council for the Township of Wollaston and the benefactor. All proposals for naming will be forwarded, in writing and in confidence, to the Clerk Administrator and/or their designate, which will determine whether the proposed naming conforms to this policy. The Council for the Township of Wollaston will either approve or reject the naming opportunity and the Clerk Administrator and/or their designate will notify the benefactor of the decision in writing. The terms of the naming opportunity will be documented and agreed to, in writing, by both the Council of the Township of Wollaston and the benefactor before any public recognition of the gift is undertaken.
4. Naming opportunities will be finalized through the development of an Agreement that includes the space to be named and the terms and conditions of the naming opportunity. The terms as outlined within the Agreement will also indicate the conditions under which a name might be removed due to the demolition of the space or through significant retrofit and change.

Sponsorship Definition

A sponsorship is a mutually beneficial business exchange between The Township of Wollaston and an external organization (hereinafter the sponsor) whereby the sponsor contributes funds, or products to the Township of Wollaston in return for recognition, acknowledgement, or other promotional considerations. Sponsorships involve an association between the sponsor and the Township of Wollaston and/or a specific program, event, service, or activity being sponsored. A sponsorship is a contracted arrangement between the Township of Wollaston and the sponsor, designed to benefit both parties: it is not a philanthropic gift. Charitable receipts cannot be issued for funds or products given to the Township of Wollaston as part of a sponsorship agreement.

Conditions for Sponsorship

Sponsorship agreements with values more than \$5,000 and/or those with legal or political implications shall be presented to the Council for the Township of Wollaston for approval. Those valued at less than \$5,000 shall be approved by the Clerk Administrator and/or their designate. In entering or developing sponsorship arrangements the Township of Wollaston will:

1. Not compromise the public service objectives and practices of the Township of Wollaston or of the sponsored event, service, programs, or activity,
2. Protect its principle of intellectual freedom and equity of access to its programs, services, and collections,
3. Protect the confidentiality of user records,
4. Not permit sponsors to have any undue impact on the policies and practices of the Township of Wollaston or information provided by the Township of Wollaston (e.g., materials selection, purchasing or web content) or to influence or alter the basic goals and objectives of the Township of Wollaston,

5. Not allow corporate names and/or logos to have prominence over the Township of Wollaston name and/or logo,
6. Not seek or accept sponsorships for programs, events, services, or activities involving or targeted to children from companies whose products cannot legally be sold or distributed to children or from companies whose products are inappropriate for use by children,
7. Not allow direct marketing of products to children, except where relevant educational material is promoted in conjunction with programs.

Third Party Fundraising Definition

The Township of Wollaston defines fundraising as a project undertaken by any individual, affiliated group, or organization, for the purpose of raising funds for, or on behalf of, the Township of Wollaston. This policy covers any project:

1. That will require the use of Township of Wollaston resources, including staff time, rooms, equipment, and images that belong to the Township of Wollaston; and/or
2. That will be targeted at an audience outside the existing membership of the group that wishes to undertake the project.

Conditions

The Township of Wollaston may approve fundraising ventures which it deems suitable in fulfilling its mission, goals, and objectives, and which will not compromise the Township of Wollaston's public image. Individuals, businesses, and organizations wishing to undertake a fundraising project on behalf of the Township of Wollaston must present a fundraising plan. As specified above, projects valued at \$5,000 or less can be approved by the Clerk Administrator and/or their designate. Those with values more than \$5,000 and/or those with legal or political implications shall be presented to the Council for the Township of Wollaston for approval. In no case will the Township of Wollaston be responsible for the costs of fundraising or for

shortfalls in campaign goals. The Clerk Administrator and/or their designate must be consulted in advance prior to issuance of all materials, merchandise, and/or publicity produced in conjunction with the campaign. Any public use of the name and/or logo of the Township of Wollaston must be approved in advance by the Clerk Administrator and/or their designate as appropriate. This policy may be revised at any time without notice and shall be effective as of the date of the revision.

For more information or alternative formats of this document, please email clerk@wollaston.ca.