



DONATING TO YOUR CITY

To make a donation to the City of Morgantown, the first step is filling out a donor application form. We'll review the plans and then let you know if we can accept your offer.

As much as the City appreciates donations, we may have to make modifications to your proposal, or even decline. To ensure we can accept your gift, here are some considerations to keep in mind:

1. **Ongoing maintenance.** Many gifts require upkeep. To keep your gift from becoming our liability, please explain how you will provide for any incidental costs and labor associated with your offer.
2. **Landscape aesthetics.** Donations that become part of the Morgantown landscape should be top-quality and a good fit with the design principles we follow. We have to be judicious to keep the City as sightly as it can be.
3. **Plant selection.** Trees and other vegetation need to be in the right location to thrive, and even then may not survive as long as expected. Consequently, the City will not agree to plant specific plants in specific locations or dedicate specific trees to individuals, though we will try to accommodate requests for plantings in specific neighborhoods, wards and parks and honor tree dedicatees through certificates and other commemorations.
4. **Appropriate writing.** When an installation displays text, it may need to be edited for grammar and conciseness. Writing that references historical events or touches on politics may also have to be reworded. While we esteem free expression, displays in public places represent all citizens and therefore must reflect our collective values.

We explain the process for gift approvals more fully in our "POLICY ON GIFTS AND MEMORIALS" document. Thank you for considering making a donation.



POLICY ON GIFTS AND MEMORIALS

1. PURPOSE

The City of Morgantown welcomes gifts as commendable expressions of civic engagement. In accepting them, defining their specifications, and stipulating how they are to be put into use, the City is committed to respecting donors' wishes but without compromising the following obligations to the public:

- Ensuring public safety
- Practicing responsible environmental stewardship
- Maintaining standards of urban landscape aesthetics
- Encouraging civic engagement and ethical conduct
- Fostering free competition among businesses
- Shielding the public from undue labor costs and financial liability

The statements which follow delineate the City's policy for honoring these commitments when processing such offers.

2. DEFINITIONS

- 2.1. A **donation** consists of cash, securities, grants, bequests, sponsorships, land, buildings, goods, or services offered to the City without a request for compensation. Although donations may involve services, this policy does not restrict volunteer opportunities with the City.
- 2.2. A **donor** is a business, organization, group, or individual making a donation to the City without expectation of any return.
- 2.3. A **sponsorship** consists of a donation in support of in an activity, event, program, or endowment, entitling the sponsor, through a negotiated agreement with the City, to public recognition by the City.
- 2.4. A **sponsor** is a business, organization, group, or individual making a donation to the City under terms of a sponsorship agreement.
- 2.5. A **grant** is a donation to the City by a government body, organization, or business, pursuant to an application process and intended for a designated use.
- 2.6. **Preliminary approval** is the City Manager's consent to proceed with reviews of donation proposals by applicable City boards, commissions, or departments.

3. DECISION-MAKING AUTHORITY

- 3.1. The City Manager has the authority to accept or reject donations to the City, define their specifications, and stipulate how they shall be put into use, with the exception of donations of land. Except as specified otherwise in this policy, City agencies may accept or reject donations, but donated items may only be accepted for placement on City properties or in City buildings or facilities in accordance with the procedures established in this Policy.
- 3.2. Donations of land to the City or its boards, agencies, and commissions may be accepted only by an ordinance enacted by City Council, unless this section provides otherwise.
- 3.3. Donations of land to the Morgantown Board of Parks and Recreation Commissioners (BOPARC) may be accepted only by approval of BOPARC.
- 3.4. Donations of land to the Land Reuse and Preservation Agency (LRPA) may be accepted only by approval of LRPA.
- 3.5. In accepting or declining donations, defining their specifications, and stipulating how they are to be put into use, the City Manager, City Council, BOPARC and LRPA will adhere to the terms of this policy.
- 3.6. Once accepted, donations become the property of the City.
- 3.7. The City has the right to move, remove, modify, dispose of, or replace donations. The City will make reasonable efforts to notify donors before removing a donated item from public view or disposing of the item.

4. APPROVAL PROCESS

- 4.1. A donor application form will be submitted to the City Manager, and the City Manager will assess the proposal's completeness and conformity to Section 5.1, or designate a City department head to do so.
 - 4.1.1. If the initial written proposal is found deficient in any of the Section 5.1 criteria or lacking sufficient specificity, the City Manager will inform the applicant in writing of the deficiencies and may suggest modifications.
 - 4.1.2. If the initial written proposal is found complete and in conformity with Section 5.1, the City Manager will refer the proposal for review. The City Manager will inform the applicant that the proposal has been forwarded for review by the appropriate boards, departments, or commissions.
- 4.2. Proposal reviews may be assigned by the City Manager to appropriate City boards, commissions, or departments, as identified below, and each should in a timely manner issue recommendations to the City Manager whether to accept or decline the proposal, including any conditions necessary for acceptance or suggestions for modifying the proposal. When suggesting conditions, the reviewers will seek to accommodate the applicants' wishes without compromising review criteria. Proposals will generally be reviewed as follows:

- 4.2.1. Proposals to donate land will be reviewed by the City Attorney, City Finance Director, City Engineer, City Urban Landscape Commission (ULC) and, when designated for park use, BOPARC to assess their conformity to Sections 5.2.1-2.
- 4.2.2. Proposals of park equipment and other park resources, including plaques and masonry, will be reviewed by BOPARC and ULC to assess their conformity to Sections 5.2.1 and 5.2.3.
- 4.2.3. Proposals of buildings will be reviewed by the City Attorney, City Finance Director, and City Engineer to assess their conformity to Sections 5.2.1 and 5.2.4.
- 4.2.4. Proposals of vehicles will be reviewed by the City Attorney, City Finance Director, and City Engineer to assess their conformity to Sections 5.2.1 and 5.2.5.
- 4.2.5. Proposals of tree and other vegetation plantings will be reviewed by the Morgantown Tree Board (Tree Board), ULC, and, when designated for locations alongside roadways, the Public Works Department (Public Works) to assess their conformity to Sections 5.2.1 and 5.2.6.
- 4.2.6. Proposals of landscaping labor and supplies will be reviewed by ULC to assess their conformity to Sections 5.2.1 and 5.2.7.
- 4.2.7. Proposals of works of art will be reviewed by ULC to assess their conformity to Sections 5.2.1 and 5.2.8. Outside experts may be solicited at ULC's discretion for recommendations in assessing conformity to Section 5.2.8.1.
- 4.2.8. Proposals of plaza, building, sidewalk and street accessories, including plaques, fountains, masonry, picnic tables, kiosks, banner poles, seating, signage and other hardscapes, will be reviewed by ULC and, when designated for locations alongside roadways, Public Works to assess their conformity to Sections 5.2.1 and 5.2.9.
- 4.2.9. Proposals including any writing to be displayed will be reviewed by ULC to assess conformity to Section 5.2.10.6; the City Historic Landmarks Commission to assess, when applicable, conformity to Section 5.2.10.4; the City Human Rights Commission to assess, when applicable, conformity to Section 5.2.10.3; and the City Communications Department (Communications) to assess conformity to all other Section 5.2.10 criteria.
- 4.2.10. Proposals of roadside memorials will be reviewed by the City Engineer, ULC and, when designated for locations alongside roadways, Public Works to assess their conformity to Sections 5.2.1 and 5.2.11.
- 4.2.11. Proposals of decorations, including floral displays and seasonal ornaments, will be reviewed by ULC and, when designated for locations alongside roadways, Public Works to assess their conformity to Sections 5.2.1 and 5.2.12.
- 4.2.12. All other proposals will be reviewed at the City Manager's direction, in accordance with the spirit of this policy.
- 4.3. The City Manager will consider the reports from department or agencies reviewing the proposal and decide whether to accept or decline donation proposals, define

the specifications of any accepted proposals, and stipulate how they shall be put into use, in accordance with the terms of this policy.

- 4.3.1. If the City Manager declines a proposal, the City Manager will inform the applicant in writing that the offer was declined. If an applicant feels a proposal was not fairly reviewed, an exception may be requested as described in Section 7 of this Policy.
- 4.3.2. If the City Manager accepts a proposal, the City Manager will inform the applicant in writing of the acceptance and any condition placed on the donation.
 - 4.3.2.1. Upon receipt of acceptance notifications, donor applicants must submit the following documentation to the City Manager:
 - 4.3.2.1.1. Proof of financial commitment, if the donation entails any donor expenditures.
 - 4.3.2.1.2. Proof of insurance, if applicable.
 - 4.3.2.1.3. A schedule for conveyance and, if the donation is to be fabricated, completion.
 - 4.3.2.1.4. Contractual sponsorship agreement, if applicable, to be reviewed by the City Attorney and City Finance Director and then approved or returned for any emendations by the City Manager.
 - 4.3.2.2. After the donation has been conveyed, the City Manager shall acknowledge the donation and report the donation to City Council.

5. REVIEW CRITERIA

- 5.1. Preliminary approval assessments shall apply the following criteria:
 - 5.1.1. Proposals must comply with all applicable laws and any other applicable City policies, ordinances, and plans.
 - 5.1.2. Proposals must be in conformity with the City's interest in the following goals:
 - 5.1.2.1. Ensuring public safety.
 - 5.1.2.2. Practicing responsible environmental stewardship.
 - 5.1.2.3. Acknowledging and encouraging civic engagement and ethical conduct.
 - 5.1.2.4. Fostering free competition among businesses.
 - 5.1.2.5. Avoiding or providing for any undue labor costs and/or financial liability.
- 5.2. Reviews of donation proposals, subsequent to preliminary approval, shall apply the following criteria, as applicable:
 - 5.2.1. All proposals must include written maintenance plans that address all practicable contingencies, chief among them being any anticipated property wear and tear, landscaping upkeep, plant care, and decommissioning and removal expenses associated with the donation.
 - 5.2.2. Land must be judged serviceable as City property and as suitable for City ownership under land management best practices or, when designated for

- park use, judged serviceable as park property and as suitable for park ownership under parks and recreation management best practices.
- 5.2.3. Park equipment and other park resources, including plaques and masonry, must be suitable for park ownership under parks and recreation management best practices and conform to landscape design best practices and standards of urban landscape aesthetics.
- 5.2.4. Buildings must be accompanied by a building inspection report by a licensed building inspector and a property appraisal report by a licensed property appraiser, both completed no longer than 30 days prior to the initial proposal submission, unless these requirements are waived by the City, and must be readily salable and/or judged serviceable as a City building.
- 5.2.5. Vehicles must be accompanied by a state inspection report by an authorized state inspection station completed not longer than 30 days prior to the initial proposal submission, unless this requirement is waived by the City, and must be readily salable and/or judged serviceable as a City vehicle.
- 5.2.6. Tree and other vegetation plantings must:
- 5.2.6.1. Conform to urban forestry and landscape design best practices, standards of urban landscape aesthetics and, when located alongside roadways, roadways management best practices.
- 5.2.6.2. Not be conditioned upon the planting of specific plants in specific locations or the dedication of a specific tree to an individual or group, though requests for plantings in specific neighborhoods, wards and parks shall be honored to the extent they do not compromise Section 5.2.6.1 criteria.
- 5.2.7. Landscaping labor must conform to landscape design best practices and standards of urban landscape aesthetics, and landscaping supplies must be suitable under landscape design best practices.
- 5.2.8. Works of art must:
- 5.2.8.1. Demonstrate mastery in technique and/or conception, unless produced by children.
- 5.2.8.2. Not transgress common decency or principles of social justice.
- 5.2.8.3. In their display conform to landscape design best practices, standards of urban landscape aesthetics, roadway management best practices when placed alongside roadways and parks and recreation management best practices when placed on park land.
- 5.2.9. Plaza, building, sidewalk and street accessories, including plaques, fountains, masonry, picnic tables, kiosks, banner poles, seating, signage and other hardscapes, must conform to landscape design best practices, standards of urban landscape aesthetics and, when alongside roadways, roadways management best practices.
- 5.2.10. Any writing to be displayed must:
- 5.2.10.1. Avoid grammatical errors, except for word play and other stylistic effects.
- 5.2.10.2. Demonstrate logical coherence and stylistic conciseness.

- 5.2.10.3. In its meaning not transgress common decency or principles of social justice.
- 5.2.10.4. When referencing historical events, reflect current prevailing standards of historiography.
- 5.2.10.5. When honoring individuals make reference only to the deceased.
- 5.2.10.6. Employ an easily legible typeface and neat typesetting format.
 - 5.2.10.6.1. ULC may, with the City Manager's approval, establish a style guide governing formal stylistic considerations, including acceptable typefaces, typesetting formats, and color schemes.
 - 5.2.10.6.2. Communications may, with the City Manager's approval, establish a style guide governing all other stylistic considerations.
- 5.2.11. Roadside memorials must conform to urban landscape and roadways management best practices and standards of urban landscape aesthetics.
- 5.2.12. Decorations, including floral displays and seasonal ornaments, must conform to landscape design best practices, standards of urban landscape aesthetics and, when alongside roadways, roadways management best practices.

6. ADMINISTRATIVE PROCEDURES

- 6.1. The Administrative Procedures in this Section 6 establish guidelines for administration and management of gifts by City staff. These guidelines are intended to direct appropriate action with respect to the installation, maintenance, and monitoring of gifts. However, the administration of the City staff and property is subject to the authority of the City Manager in accordance with the City's governing laws, and neither this Policy nor this Section should be read to interfere with that authority.
- 6.2. Monetary donations, once accepted as donations, should be administered as follows:
 - 6.2.1. Cash shall be allocated by the City Finance Director in accordance with the donor's wishes to the extent allowed by this policy.
 - 6.2.2. Grants should be administered by the designated City department, commission or board, as determined by the City Manager.
 - 6.2.3. Monetary donations intended by donors to fund the plantings of trees and other vegetation may not be earmarked for specific plants or for planting in specific locations, though requests for plantings in specific neighborhoods, wards and parks may be honored pursuant to said best practices. The Tree Board may, with the City Manager's approval, establish standards for recognizing such donors or those intended to be honored through such donations.
- 6.3. Non-monetary donations, once accepted as donations, should be administered as follows:

- 6.3.1. The Urban Landscapes Department, in conjunction with the ULC, should be consulted on the proper management of any real property donated to the City, except with respect to property donated for park purposes.
 - 6.3.2. Standalone plaques should be mounted flush with the ground or affixed to building face.
 - 6.3.3. Trees and other vegetation should be planted according to American National Standards Institute A300 Standards, or successor standards.
 - 6.3.4. Landscaping supplies and labor should be deployed and managed by the Urban Landscapes Department.
 - 6.3.5. The sites where public plaza and street accessories, including but not limited to fountains, picnic tables, kiosks, banner poles, seating, signage and other hardscapes, are located should be determined by consultation with the Urban Landscapes Department and the ULC and managed by Public Works or an appropriate City department or agency determined by the City Manager.
 - 6.3.6. Wayfinding signage donations should be in the form of cash donations to be allocated by the City Finance Director to Public Works when designated for siting alongside roadways, BOPARC when on park property and the Urban Landscapes Department when elsewhere in accordance with donors' specifications to the extent allowable under signage standards adopted by the applicable department, organization and commission. This Section 6.3.6 should not prevent acceptance of donations of signage that meets applicable design guidelines used by the affected department or agency of the City, nor should it prevent fabrication of signs by third-party vendors.
 - 6.3.7. Roadside memorials should be displayed no longer than seven days.
 - 6.3.8. Decorations, including floral displays and seasonal ornaments, should be displayed no longer than 14 days.
 - 6.4. Any donation not otherwise specified in this policy may be administered at the City Manager's direction, in accordance with the spirit of this policy.
 - 6.5. Donations not authorized by this Policy or processes established by this Policy have not been accepted by the City and may be returned to the donor or removed from any public place where located.
7. Exceptions.
- 7.1. Any potential donor aggrieved by a decision made in accordance with this Policy or the application of this Policy to a donation offered to the City may submit a written request for exception from this Policy to the City Manager. The City may prepare forms for the requests, and the forms may be used at the option of the person submitting the request. The City Manager should consider the request and issue a timely written response stating the reasons for granting or denying the exception, issuing a copy to City Council.
 - 7.2. Any potential donor aggrieved by the decision of the City Manager on the request for exception may submit a written request to City Council to reverse the decision of the City Manager. The City may prepare forms for the requests, and the forms

may be used at the option of the person submitting the request. Council may, but shall not be required to, consider the request in a public meeting and issue a determination whether to grant or deny the request.

Adopted: 9/3/19

Effective Date: 9/3/19

Prior Versions: None

Mayor:



William A. Kawecki

City Clerk:



Christine Wade