

ORDINANCE NO. 1879

AN ORDINANCE OF THE CITY OF DAYTON, WASHINGTON RELATING TO THE
ACCEPTANCE OF DONATIONS, DEVISES OR BEQUESTS TO THE CITY OF
DAYTON; AND CREATING A NEW CHAPTER OF THE DAYTON MUNICIPAL CODE
2.9 PROVIDING FOR THE ACCEPTANCE OF DONATIONS, DEVISES OR
BEQUESTS TO THE CITY OF DAYTON

WHEREAS, periodically, the City is approached by private citizens, business groups or other organizations desiring to contribute monetary and non-monetary donations for public purposes; and

WHEREAS, pursuant to RCW 35A.11.140, the City is authorized to accept any money or property donated, devised or bequeathed to it with in the terms of the donation, devise or bequest; and

WHEREAS, the Council desires to establish policies and procedures in accepting monetary or non-monetary donations, devises, or bequests; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Creation of New Dayton Municipal Code Chapter 2.9: A new Chapter 2.9 of the Dayton Municipal Code is created as follows:

Chapter 2.9

Acceptance of Donations, Devises, Bequests

2.9.010 Intent.

The intent of this chapter is to authorize the acceptance of donations for any public purpose, pursuant to RCW 35.21.100, and to specify policies and procedures for doing so.

2.9.020 Definition.

"Donation", as used in this ordinance, refers to money or property, real or personal, donated, devised or bequeathed, with or without restriction(s), to the city of Dayton.

2.9.030 Acceptance of Donations.

A. Monetary Donations. The Mayor or his designee is authorized to accept monetary donations made to the City,

and to carry out the terms of the donation, if the purposes and conditions of the donation are within the powers granted by law to the City. If no terms or conditions are attached to the donation, the City may expend or use the same for any municipal purpose.

B. Non-Monetary Donations. The Mayor or his designee is authorized to determine the appropriateness, usefulness and value to the City of all non-monetary donations and to recommend to City Council the retention, improvement, return to donor, transfer, trade, sale, donation to other agency, or other disposition.

C. Non-Acceptance of Donation. The Mayor or his designee may decline to accept a donation if such donation is not consistent with the policies, plans, goals or ordinances of the city of Dayton or if acceptance of same is contrary to law.

2.9.040 Procedures for Acceptance or Non-Acceptance of Donation(s).

A. All donations shall be offered in writing to the City and directed to the Mayor or his designee.

B. Upon acceptance of any donation, the City shall complete and provide the donor a Donation Acceptance Form that shall include, but is not limited to the following:

1. Name, Address, Phone Number of Donor.
2. Description, intended use and value of donation.
3. Date of Acceptance of Donation.
4. Signature of person(s) accepting donation.

C. If a donation is not accepted, such donation shall be immediately returned to the donor in a manner that properly documents the return of donation by the City.

D. Donations accepted shall become the property of the City.

E. Mayor or his designee may notify council of all accepted donations so that the donor's generosity can be officially acknowledged by council.

2.9.050 Funds and Accounting.

The Clerk-Treasurer is authorized and directed to establish such funds and accounting procedures as may be necessary to carry out the terms of this ordinance, in accordance with all applicable laws of the State of Washington and requirements of the Washington State Auditor.

SECTION 2. **Severability:** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such

decision shall not affect the validity of the other remaining parts which shall remain in full force and effect.

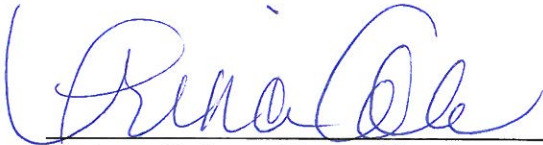
SECTION 3. Effective Date: A summary thereof of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

PASSED by the City Council of the City of Dayton, Washington this 9TH day of MARCH, 2015.



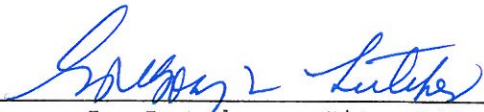
Craig George, Mayor

AUTHENTICATED:



Trina Cole, City Clerk-Treasurer

APPROVED AS TO FORM:



Gregory L. Lutch, City Attorney

ORDINANCE SUMMARY BY TITLE ONLY FOR PUBLICATION PURPOSES
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AN ORDINANCE OF THE CITY OF DAYTON, WASHINGTON RELATING
TO THE ACCEPTANCE OF DONATIONS, DEVISES OR BEQUESTS TO
THE CITY OF DAYTON; AND CREATING A NEW CHAPTER OF THE
DAYTON MUNICIPAL CODE 2.9 PROVIDING FOR THE ACCEPTANCE
OF DONATIONS, DEVISES OR BEQUESTS TO THE CITY OF DAYTON

Section 1. Creation of New Dayton Municipal Code Chapter 2.9
Section 2. Severability.
Section 3. Effective Date.

The full text of Ordinance 1879 adopted the 9th day of March,
2015 is available for examination at the City Clerk's Office,
111 S. 1st St., Dayton, WA during normal business hours, 9:00
a.m. to 4:00 p.m.

By: /s/ Craig George, Mayor
Attest: /s/ Trina Cole, City Clerk-Treasurer
Approved as to form: /s/ Gregory L. Lutchter, City Attorney

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