

## ADMINISTRATIVE ORDER NO. 103

Administrative Order No. 102 adopted June 6, 2006 is hereby amended as follows:

Pursuant to the authority granted to the City Administrator in BMCC Section 2-300, I hereby establish the following procedures regarding:

### **“acceptance of gifts, donations, devises, or bequests to the City of Billings.”**

All gifts, donations, devises, or bequests (including from foundations) with a value greater than \$500 must be accepted by the City Council at a regularly scheduled meeting. This includes in-kind contributions/donations (non cash) defined as any goods and/or services donated free of charge or at a special discount not available to other purchasers. Volunteers that provide services that do not need specialized skills are not considered in-kind donations that require City Council approval. Volunteers that do need specialized skills such as attorneys, accountants, architects, carpenters, plumbers, electricians, etc. are considered in-kind contributions/donations requiring City Council approval. The Council-approved gift, donation, devise, or bequest must be accounted for in an individual donation fund. Budget authority will be granted by the City Administrator and Financial Services Manager after Council approval. Regular small donations such as Animal Shelter donations must be put in the proper fund and budgeted through the yearly budget process. The state law below must be followed for all gifts, donations, devises, or bequests.

#### Montana Code Annotated 7-8-103:

“(2) (a) Any city or town organized under the laws of Montana is hereby empowered and given the right:

(i) to accept, receive, take, hold, own, and possess any gift, donation, grant, devise, or bequest; any property (real, personal, or mixed); any improved or unimproved park or playground; any water, water right, water reservoir, or watershed; any timberland or reserve; or any fish or game reserve in any part of the state;

(ii) to own, hold, work, and improve the same.

(b) Said gifts, donations, grants, devises, or bequests made to any officer or board of any such city or town shall be considered a gift, donation, grant, devise, or bequest made for the use and benefit of any such city or town and shall be administered and used by and for such city or town for the particular purpose for which the same was given, donated, granted, devised, or bequeathed. In the event no particular purpose is mentioned in such gift, donation, grant, devise, or bequest, then the same shall be used for the general support, maintenance, or improvement of any such city or town.”

(General Fund)

The attached (*Attachment A*) Donor Verification form should be provided to any person wishing to make a contribution/donation to the City greater than \$500. Once the Donor Verification form is received, the Department Head should attach the form to a Council Memo and place it on the Council Agenda. In the event that a donor wishes to remain

anonymous, or does not submit the Donor Verification form within a reasonable amount of time after the donation is received, please note that information on the Council Memo.

Dated this 25th day of July, 2006.

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-ss- Christina F. Volek  
Interim City Administrator

*Attachment A*

CITY OF BILLINGS DONOR VERIFICATION

Department \_\_\_\_\_

Please complete the information below concerning your recent donation to the City of Billings. As soon as we receive the completed verification form, your donation will be acknowledged and forwarded to the City Council for acceptance. Thank you for your generosity.

Donor: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number\_\_\_\_\_

Donation: \_\_\_\_\_

Value of Donation: \_\_\_\_\_

Purpose of Donation: (Montana Law allows you to designate a specific purpose for which your donation will be used)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please print below how you wish your name to be listed:

\_\_\_\_\_

Donor Signature: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

I wish to remain anonymous.\*

\*If you wish to make a donation and remain anonymous, the City will attempt to keep your donation anonymous. However, the City cannot guarantee your anonymity as most financial records of the City are matters of public record and are available to the public upon request. Please check here if you wish to remain anonymous.