

ADMINISTRATIVE ORDER NO. 102

Administrative Order No. 96 adopted February 2, 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 require specialized skills, such as attorneys, accountants, architects, carpenters, plumbers, electricians and etc. are not considered in-kind donations that require 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)

Dated this 6th day of June, 2006.



-ss- Christina F. Volek
Interim City Administrator