

§ 15.2-953. Donations to charitable institutions and associations, volunteer and nonprofit organizations, chambers of commerce, etc.

A. Any locality may make appropriations of public funds, of personal property or of any real estate and donations to the Virginia Indigent Health Care Trust Fund and to any charitable institution or association, located within their respective limits or outside their limits if such institution or association provides services to residents of the locality; however, such institution or association shall not be controlled in whole or in part by any church or sectarian society. The words "sectarian society" shall not be construed to mean a nondenominational Young Men's Christian Association, a nondenominational Young Women's Christian Association, Habitat for Humanity, or the Salvation Army. Nothing in this section shall be construed to prohibit any county or city from making contracts with any sectarian institution for the care of indigent, sick or injured persons.

B. Any locality may make gifts and donations of property, real or personal, or money, to (i) any charitable institution or nonprofit or other organization, providing housing for persons 60 years of age or older, or operating a hospital or nursing home; (ii) any association or other organization furnishing voluntary fire-fighting services; (iii) any nonprofit lifesaving crew or lifesaving organization, or rescue squad, within or outside the boundaries of the locality; (iv) nonprofit recreational associations or organizations; (v) any nonprofit organization providing recreational or daycare services to persons 65 years of age or older; or (vi) any nonprofit association or organization furnishing services to beautify and maintain communities and/r to prevent neighborhood deterioration. Gifts or donations of property, real or personal, or money by any locality to any nonprofit association, recreational association, or organization described in provision (iv), (v), or (vi) may be made provided the nonprofit association, recreational association, or organization is not controlled in whole or in part by any church or sectarian society. Donations of property or money to any such charitable, nonprofit or other hospital or nursing home, institution or organization or nonprofit recreational associations or organizations may be made for construction purposes, for operating expenses, or both.

A locality may make like gifts and donations to chambers of commerce which are nonprofit and nonsectarian.

A locality may make like gifts, donations and appropriations of money to industrial development authorities for the purposes of promoting economic development.

A locality may make like gifts and donations to any and all public and private nonprofit organizations and agencies engaged in commemorating historical events.

A locality may make like gifts and donations to nonprofit foundations established to support the locality's public parks, libraries, and law enforcement. For the purposes of this paragraph, "donations" to any such foundation shall include the lawful provision of in-kind resources.

A locality may make monetary gifts, donations and appropriations of money to a state college or university which provides services to such locality's residents.

Public library materials that are discarded from their collections may be given to nonprofit organizations that support library functions, including, but not limited to, friends of the library, library advisory boards, library foundations, library trusts and library boards of trustees.

Any locality may make gifts and donations of personal property and may deliver such gifts and donations to another governmental entity in or outside of the Commonwealth within the United States.

Any locality may by ordinance provide for payment to any volunteer rescue squad that meets the required minimum standards for such volunteer rescue squads set forth in the ordinance, a sum for each rescue call the volunteer rescue squad makes for an automobile accident in which a person has been injured on any of the highways or streets in the locality. In addition, unless otherwise prohibited by law, any locality may make appropriations of money to volunteer fire companies or rescue squads in an amount sufficient to enroll any qualified member of such volunteer fire company or rescue squad in any program available within the locality intended to defray out-of-pocket expenses for emergency ambulance transportation.

For the purposes of this section, "donations" shall include the lawful provision of in-kind resources for any event sponsored by the donee.

Nothing in this section shall be construed to obligate any locality to appropriate funds to any entity. Such charitable contribution shall be voluntary.

TOWN OF WISE DONATIONS POLICY

INTRODUCTION

One strength of the Town of Wise flows from a variety of community organizations and groups which provide a well-rounded quality of life for its citizens. The Town encourages celebrations of community and cultural opportunities that focus on the heritage of the area. The Town also supports the development of recreation programs that serve various groups of people in the community. In support of these activities, and as authorized by the Code of Virginia, the Town of Wise offers funds for the purpose of aiding eligible organizations in new and continued cultural and recreational experiences. However, the Town receives far more requests than it can fund. The purpose of this policy is to set forth 1) criteria to be met by the applicant prior to consideration of a request for funds, 2) the procedures to be followed by the Town in acting on requests, and 3) the terms and conditions to which grant recipients must adhere.

This policy does not apply to those activities, projects, or programs for which the Town is a co-sponsor.

APPLICANT ELIGIBILITY (All applicants desiring funds from the Town of Wise to provide new and continued cultural and recreational experiences must meet the following eligibility criteria:)

Applicant must provide services which benefit residents of the Town of Wise

The sponsoring organization must be 1) a non-profit organization recognized by the Internal Revenue Service and the Commonwealth of Virginia, 2) a charitable institution or association not controlled in whole or in part by any church or sectarian society, or 3) any organization commemorating a historical event

Past transactions with the Town must have been free of significant problems

September, 2007

EVENT OR PROJECT ELIGIBILITY

The Town shall not approve any donation not in conformance with § 15.2-953 of the Code of Virginia as amended to-date

The event or project must not promote religion or religious organizations

The event or project must demonstrate some form of financial commitment other than the Town's funds (ie, a matching contribution from another organization, user fees, fund raising, etc.)

No request for funding of new facilities or programs will be approved until it is demonstrated that current facilities and programs are responsibly managed and can be operated without Town subsidy

Funding may be requested for construction purposes, operating expenses, or both

A request for financial assistance with capital expenditures will be considered only after 50% of the required funds are in hand or are committed by a binding pledge

A request for financial assistance with operating expenses for approved recreation activities and programs which benefit both Town and County residents will be considered on matching basis. Generally, the Town will match up to \$2,500, (subject to funds being available), monies given by Wise County to the applicant for operating expenses.

Town grants for cultural program operating expenses shall not exceed 30% of the previous year's income for the program

Organizations will be limited to one approved request per fiscal year (7/1 – 6/30)

EVALUATION CRITERIA (All applications will be evaluated for funding based on the following criteria:)

Whether the request is acceptable as support of new or continued cultural or recreational experiences for the Town's citizens

Whether the application demonstrates a convincing need for funding and shows that the funding will make a significant difference in the lives of Town residents

Whether the Town's financial condition will permit awarding of grants

A review of funding received by the organization from the Town over the past four years

Whether the sponsoring organization demonstrates through its application that it has the ability and resources to produce a well-planned, safe event or project

Whether the sponsoring organization demonstrates organizational integrity by use of strong business practices, a committed and responsible board, sound financial practices, and effective management controls

The review committee will consider the extent to which Town funds will be leveraged with other funding sources and the willingness of the applicant to conduct self-directed fundraising activities and past record of accomplishment in raising funds

The Town will take into account the financial condition of the applicant

EVALUATION PROCESS

Applicant must complete the required forms and certificate of assurances, and submit the required financial records at least six weeks before the funds are needed. The applicant must prepare a detailed budget itemizing planned expenditure of funds. Requests for financial assistance with capital expenditures must be accompanied by three quotes on the cost of the project as well as a plan for funding operation and maintenance expenses

Municipal staff will review each application for completeness and eligibility. Applications will then be forwarded to the Recreation Committee for consideration and a recommendation of the level of funding, if any, to be provided. The Wise Town Council reviews the committee recommendations and takes final action on the applications. Only the Town's governing body can award funding.

RECIPIENT REQUIREMENTS

Recipients must obtain required permits, clearances, insurance, etc. for any new construction

Grant funds must be used only for what was requested and approved.

Recipients must comply with all local, state, and federal laws and regulations concerning civil and human rights and facility and program accessibility based on the Americans with Disabilities Act (ADA)

All recipients of funding must promulgate systems and procedures to be employed in accounting for grant funds received and expended and submit to the Town a final financial and program report within 60 days after the completion of the event, project, or service rendered for which funds were granted

The Town reserves the right to examine and/or audit all records of the grantee

**Application for Donation
Town of Wise, Virginia**

1. **Applicant/Organization Name:** _____

2. **Federal ID:** _____

3. **Address:** _____

4. **Contact Person:** _____

5. **Phone:** _____ **Fax:** _____

6. **email:** _____

7. **Type of Organizational Donation Requested (check all applicable categories):**

Recreational Operational Expenses _____

Recreational Capital Improvements/Construction _____

Cultural Program _____

8. **Amount requested:** _____

9. **Other Funding Sources and Amounts Received/Requested:**

10. **Describe Fund Raising Activities:**

11. Purpose for which the funds will be expended:

12. Previous 4 years - Donations Received from Town of Wise:	
Year	Amount
_____	_____
_____	_____
_____	_____

13. Brief Description of organization, its program, activities and participants:

14. If organization is open to both Town and County Residents, amount received from Wise County: \$ _____

15. Cultural Programs Donation Requests Only: Previous year's income amount:
\$ _____

REQUIRED ATTACHMENTS:

- **Signed Certificate of Assurances**
- **List with names and contact information for current board members**
- **Annual financial statement of all income and expenses or copies of last 6 months all bank account statements**
- **Budgets for the current year**
- **Copies of three quotes for capital projects**
- **Plan of Operation and Maintenance for facilities**

CERTIFICATION OF ASSURANCES AND GRANT CONDITIONS FOR GRANTEEES OF THE TOWN OF WISE

Grantees are required to be 1) not-for-profit Virginia organizations and exempt from federal income tax under Section 501(a), which includes the 501(c)3 designation of the Internal Revenue code, or 2) a charitable institution or association not controlled in whole or in part by any church or sectarian society or 3) any organization commemorating a historical event.

No part of any grant shall be used for any activity intended or designed to influence a member of Congress or the General Assembly to favor or oppose any legislation.

Each grantee will:

- provide accurate, current and complete financial records of each grant.
- maintain records which identify adequately the source and application of funds for grant supported activities.
- maintain accounting records which are supported by source documentation.
- maintain effective control over and accountability for all funds, property, and other assets ensuring that assets are used solely for authorized purposes.
- provide the Town, or its authorized representatives, access to the grant-related financial records.

The grantee will expend any and all grant funds only for purposes described in the application form and attachments. The grantee must request permission in writing to make substantial changes in budget, schedule, program, personnel. The requested changes must be approved in advance by the Town.

Each grantee will comply with these federal statutes and regulations:

- Title VI, Section 601, of the Civil Rights Act of 1964, which provides that no person, on the ground of race, color or national origin, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
- Title IX, Section 1681, of the Education Amendments of 1972, which provides that, with certain exceptions, no person, on the basis of sex or age, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.
- Americans With Disabilities Act, which prohibits discrimination against persons with physical or mental disabilities in federally assisted programs. Compliance with this Act includes the following: notifying employees and beneficiaries of the organization that it does not discriminate on the basis of handicap and operation of programs and activities which, when viewed in their entirety, are accessible to persons with disabilities. Compliance also includes maintenance of an evaluation plan developed with the assistance of persons with disabilities or organizations representing disabled persons which contains: policies and practices for making programs and activities accessible; plans for making any structural modifications to facilities necessary for accessibility; a list of the persons with disabilities and/or organizations consulted; and the name and signature of the person responsible for the organization's compliance efforts. (A "504 Coordinator")

Each grantee will submit to the Town within sixty (60) days after completion of the program or event, a program narrative and financial report for each grant.

CONTINUED ON NEXT PAGE

This form must be signed by an individual duly authorized by the governing body of the organization to act on its behalf and submitted with every grant application made to the Town. The signature of the individual indicates the organization's compliance with all of the grant conditions listed above. A duly authorized individual must also sign the final report form.

The undersigned certifies to the best of his/her knowledge that:

- the information in this application and its attachments is true and correct;
- the filing of this application has been duly authorized by the governing body of the applicant organization;
- the applicant organization agrees to comply with all grant conditions cited above.

The undersigned further certifies that he or she has the legal authority to obligate the applicant organization.

Typed Name of Authorizing Official

Title

Signature of Authorizing Official

Date

Applicant Organization Name: _____