

SALT LAKE COUNTY
COUNTYWIDE POLICY
ON
CONTRIBUTIONS/WAIVERS

Purpose -

To establish uniform standards and guidelines for the solicitation and distribution of contributions to charitable groups within the County.

1.0 Policy

It is the policy of Salt Lake County to review requests from various groups within Salt Lake County for funds or services on the basis of public purpose.

2.0 Definitions

The following definitions will be used when referenced hereafter:

- 2.1 Annual Recertification - The official document filed annually by requesting organizations when those organizations have previously been approved and have been included in regular budget appropriations by the Council.
- 2.2 Application Form - The official document, with noted attachments, that serves as a request for contribution of funds, waiver of fees, use of buildings, property, equipment, personnel services, etc.
- 2.3 Budget - The annual budget for Salt Lake County, funding all County programs based on a calendar year.
- 2.4 Charitable Organization - Any benevolent, artistic, educational, philanthropic, humane, patriotic, social welfare, public health, environmental conservation, civic, or other similar organization which is entitled to tax exempt status under the laws of either the United States or the State of Utah.
- 2.5 Contribution - Any donation of public funds or resources in the form of cash, services, or property.
- 2.6 Council- Elected Salt Lake County Council.
- 2.7 Disbursement of Funds Report - An official report from any receiving agency briefly detailing how the contribution was used.

- 2.8 Mayor- Elected Mayor of Salt Lake County.
- 2.9 Public Purpose - Salt Lake County government's authority or responsibility to promote the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of County inhabitants.
- 2.10 Waiver - Any dismissal of required fees for the use of County facilities, property, buildings, equipment, or personnel services.

3.0 General Guidelines

- 3.1 All contributions made by the County must be made to help advance a bona fide public purpose.
- 3.2 Contributions may be made by the Council appropriating funds through either the budget or a separate appropriation in a previously approved budget category. Contribution requests may also be directed to the Mayor for review and recommendation to the Council. All requests must be made on the official application form noted above in 2.1.
 - 3.2.1 Any request which involves a waiver of fees relating to a special event shall be submitted to the Mayor for processing.
- 3.3 No contributions or waivers will be made to any organization which stands to gain commercially as a whole or individually.
- 3.4 All requestors must be a charitable organization.
- 3.5 All organizations receiving contributions will be required to submit a "Disbursement of Funds Report" within six months of receipt of said contribution and upon completion of project, if not completed within six months, briefly outlining what was accomplished with the funds. These reports are to be submitted to the Council and Mayor and any failure to submit the report on a timely basis will subject the organization to potential legal action for recovery of the contributed amounts.
- 3.6 All contributions must be approved by the County Council

4.0 Requests for Contributions/Waivers

- 4.1 Review Process
 - 4.1.1 Every requested contribution under this policy must reflect a valid County public purpose, as set out in paragraph 3.1 and as defined in Paragraph 2.9 above. If a requested contribution does not meet a valid County public purpose, it must be rejected.
 - 4.1.2 If a requested contribution meets a public purpose, in order for it to be made in the form of an uncompensated contribution or donation, the County must receive fair and adequate consideration in exchange.

Any question about whether the proposed contribution provides consideration to the County shall be resolved by the Council, in accordance with Utah Code Ann. Sec. 17-50-303(3) (2006).

- 4.2 Applications must be submitted on the proper forms available through the Offices of the Mayor or Council.
- 4.3 The Mayor may establish a separate review committee or process for considering contribution requests made to the Mayor.
 - 4.3.1 Before a contribution or waiver may be considered, the division, department, or office involved in the contribution must have in place a policy explaining the procedures and purposes for contributions and waivers. That policy must be reviewed and approved by the Council. Amounts anticipated for waivers or contributions must be expressly set out in the annual division, department, or office budget request.
 - 4.3.2 Any request which falls under the criteria outlined in departmental or divisional policies must be processed as such according to those policies, but must meet the minimum legal requirements of this policy and procedure and of state law.
 - 4.3.3 Requests for contributions approved by the Mayor shall be forwarded to the Council for approval in accordance with state law.
- 4.4 For any organization which the Council determines to be worthy of on-going annual donations to be included in Salt Lake County=s annual budgeting process, the initial request for a donation shall be submitted by the organization in accordance with the terms of this policy and procedure. For each year thereafter when the Council determines to include that organization=s request in the County=s budget, the requesting organization shall file an annual recertification notice which sets out that the nature of the organization and that the services contemplated have not changed from the original request of that organization before any funds may be disbursed.

5.0 Requests for Use or Transfer of Surplus Property

- 5.1 All requests for the use or transfer of surplus property will be handled pursuant to county ordinance and policy

6.0 Further legal review

When a matter has been reviewed by either the Council or Mayor and approved by the Council, in

accordance with the provisions of this policy and state law and has been approved as such by the District Attorney, further legal approval is not required unless a separate contract is prepared.

7.0 Authorization for Payment

Payment of authorized contributions will be made by the Auditor upon receipt of either budget documents establishing that the contribution has been authorized, as to both amount and recipient, in the duly adopted budget or any amendment thereof or evidence that the Council has separately approved the contribution. As appropriate, approval will be accompanied by an agreement documenting the contribution amount and the uses for which it is authorized.

APPROVED and PASSED this 24 day of April, 2007

SALT LAKE COUNTY COUNCIL

Mark Crockett, Chair

ATTEST:

Sherrie Swensen, County Clerk

APPROVED AS TO FORM:

District Attorney's Office

Date

1200

FORM A

Application for Contribution
(Including Fee Waivers)

Name of Organization: _____

Address: _____

Contact Person: _____ Phone: _____

Fax: _____

Fiscal year runs from _____ to _____.

Brief History of Organization: (Who started it? How long has it been organized? etc.)

Type of Request: Money ___ Equipment ___ Personnel ___ Facilities ___ Fee Waiver ___

Have you previously received money from Salt Lake County? Yes ___ No ___

If yes, when and how much? (previous three years)

If you are requesting money, please answer the following questions:

Amount of Request: \$ _____

Percent of Agency Budget: _____%

Purpose of money requested and target population (may include a draft program):

Please attach:

1. Current List of Board of Directors
2. Organization Chart
3. Copy of 501(c)(3) if applicable. If not a **charitable community service-based organization**, please state the status of the organization.
4. Copy of an independent audit. If you do not have one, please enclose a copy of current financial statements.
5. Draft Program

You will be expected to report to the Salt Lake County Mayor on how the money was used and the success of the project.

The undersigned hereby acknowledges that he or she has authority to bind the organization listed in the grant and will abide by the terms of this grant of County funds as that grant is defined in this Form A. The grantee accepts the following terms and conditions as a condition of receiving and using County funds or the waiver of fees: County funds will be used solely for the purposes approved by the Mayor of Salt Lake County as applied for or amended in this grant. Any expenditure for purposes other than those approved will require a return of the entire grant amount and may disqualify the grantee from receiving any additional County funds. It is further understood that no grant funds will be made available to any County officer or employee or in violation of the requirements of the Public Employees Ethics Act (67-16-1 et seq.). No grant funds will be used for political or campaign purposes. As a further condition of the grant, all County funds may be subject to an audit as required by Salt Lake County. The grantee is required to complete the Disbursement of Funds Report, Form B.

Dated this _____ day of _____, ____.

Grantee/Recipient

FORM A (Cont.)

For County use only, to be filled out only if applicable and attached to waiver request (FORM A)

DEPARTMENT DIRECTOR RECOMMENDATION:

Estimated Cost: Equipment_____ Personnel_____ Other

Signature:

SHERIFF'S DEPARTMENT RECOMMENDATION:

Estimated Cost: Equipment_____ Personnel_____ Other

Signature:

HEALTH DEPARTMENT RECOMMENDATION:

Estimated Cost: Equipment_____ Personnel_____ Other

Signature:

UNIFIED FIRE AUTHORITY RECOMMENDATION:

Estimated Cost: Equipment_____ Personnel_____ Other

Signature:

FORM A (Cont.)

OTHER (specify):

Estimated Cost: Equipment_____ Personnel_____ Other

Signature:

OFFICE OF THE MAYOR RECOMMENDATION:

Date:

1200

FORM B

**RECIPIENT ORGANIZATION'S
DISBURSEMENT OF FUNDS
REPORT**

This report is to be filed with the Council and Mayor's Offices within six months of receipt of the money. If further contributions are desired, the report must be filed with the Council and Mayor by September 1st of each year.

Name of Organization: _____

Address: _____

Contact Person: _____ Phone: _____

Fax: _____

Amount: \$ _____

Date Received: _____

Please describe how the money was spent; include who was helped, what other contributions were made to your program, etc.: