

Donations & Naming Policy Town of Fairfax, VT

1. PURPOSE. The purpose of this policy is to provide the Town of Fairfax guidance in accepting donations and naming requests. Donations help to support opportunities and services for the community and encouraged and welcomed. It is important to recognize those that give to their community whether by fiscal donation, volunteering, or service. It should also be recognized that changing names can have negative community impacts and cost and should not be entered into lightly or frequently.

2. DEFINITIONS.

- A. Donation: Gift of funds, property, facilities, equipment, and/or other assets.
- B. Restricted Donation: Designated giving of an asset for a specified or particular purpose.
- C. Unrestricted Donation: A donation that may be used for any purpose related to the operations of the Town.
- D. Facility: Any Town-owned facility.
- E. Memorial Plaque: Donation of a plaque or funds therefore attached to an approved object.
- F. Park: Any Town-owned park or area for recreational use.
- G. Path: Any off-road pathway located in a Town-owned park.

3. ADMINISTRATION. Donations for Town facilities, parks, and paths will become the property of the Town. The Town Manager may accept donations for the Town in accordance with this policy of up to \$10,000 without prior consultation with the Selectboard. Donations will be accepted for restricted or unrestricted use per the wishes of the person, group, or business making the donation. Unrestricted donations will be used to address the greatest community needs at the sole discretion of the Fairfax Selectboard in consultation with the Town Manager and other Town Staff. The Fairfax Selectboard shall administer the naming of facilities per this policy with the input of Town Staff.

4. NAMING. The Town reserves the right to deny any donation or naming request if it is not in the best interest of the Town as decided upon by the Board using the following criteria:

- A. The following shall be taken into account when a request for naming is made:
 - 1) Does the proposed name reflect the owner of a property deeded to the Town; or
 - 2) Does the name reflect a contributor to costs associated with substantially developing or renovating a facility, park, facility, or other asset; or
 - 3) Does the proposed name represent an entity providing an endowments for the continued operation and maintenance of a facility, park, path, or other asset for a time period equal to or greater than the life of the asset as defined in the Fairfax Fixed Asset Capitalization and Disposition Policy; or
 - 4) Does the proposed name represent a person, place, or entity deserving of special recognition by the Town for volunteering, service, or historical importance?

B. Proposals to rename facilities, parks, paths, or assets are not encouraged. Names that have become widely accepted by the community will not be abandoned unless there are compelling reasons and strong public sentiment from the broader community for doing so.

C. The following criteria must be met for any naming request to be considered:

- 1) Does not discriminate against any person on the basis of race, color, religion, sex, gender identity, age, marital status, ancestry, national origin, veteran status, or physical or mental disability, in compliance with all federal, state, and local laws and statutes; and
- 2) Does not have connotations that, by contemporary community standards, are derogatory or offensive; and
- 3) Does not promote practices, environment, or work that, if they took place in the Town, would violate U.S. or state law (i.e., dumping of hazardous waste, exploitation of child labor, etc.); and
- 4) Does not promote drugs, alcohol, tobacco, or marijuana; and
- 5) Does not constitute violations of law; and
- 6) Does not participate in unethical business practices as determined by a court of law; and
- 7) Does not exploit Town Staff.

5. DONATIONS. Proposed donations may be incorporated into facilities, parks, paths, and other assets according to the following:

- A. Donations shall be compatible with and meet a specific facility, park, or path need.
- B. Anticipated maintenance requirements to be born by the Town shall not be substantially increased.
- C. Memorial plaques shall be sized appropriately to the object on which it will be mounted and shall only be permitted in conjunction with the donation of a new item such as a bench, tree, rock, etc.
- D. Unrestricted cash donations may be used to build, repair, or upgrade existing or new facilities, parks, paths, or other assets.
- E. Donations of assets such as art, plantings, furniture, etc. shall be pre-approved by the Selectboard with a specified location.

6. TERM OF NAMING & DONATIONS. The term of a donation will be for the life of the asset. The Town will make every practical effort to repair damaged donations but is not responsible for replacing donations due to excessive damage, loss, or vandalism. Donors will be informed of damages whenever possible and provided the opportunity to replace the donation at their own expense. The Selectboard may authorize the removal of a memorial plaque or revoke the naming of a facility, park, path, or asset if one or more, but not limited to, the following situations occurs:

- A. It is determined that association with the donor or named person or group will materially damage the reputation of the Town; or
- B. If the donor fails to maintain payment on a pledge upon which the naming was bestowed; or

- C. Other circumstances/situations may be considered to protect the best interest of the Town.

In the event such a decision, the Town will do its best to contact donors prior to any action being taken.

7. DONATION ACKNOWLEDGEMENTS. The Town provides receipts for donations in accordance with IRS regulations. The Town will provide a written acknowledgement to substantiate a charitable contribution of \$250 or more which will contain the following information:

- A. Amount of the cash contribution.
- B. Date the contribution was received by the Town.
- C. Description but not a value of non-cash contributions.
- D. A statement that no goods or services were provided by the Town but if there were a description and good faith estimate of the value of goods or services, if any, that the Town provided in return for the contribution.

IRS rules stipulate that gifts of service cannot be considered a donation. The Town holds all communications with donors and information concerning donors and prospective donors in strict confidence.

8. ADOPTION. The foregoing Policy is hereby adopted by the Selectboard of the Town of Fairfax, Vermont, this 20th of May, 2024 and is effective as of this date until amended or repealed and replaces all previous fee policies and schedules.

Selectboard members:







 5/20/24

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