

**TOWN OF HARPSWELL
ACCEPTANCE OF GIFTS ORDINANCE**

Purpose: The purpose of this Ordinance is to provide an orderly method for receiving certain types of gifts and to authorize the Board of Selectmen to accept such gifts. This Ordinance is adopted pursuant to 30-A M.R.S.A. §§ 5654 and 5655, as may be amended from time to time.

1. Delegation of Authority to Board of Selectmen

The Inhabitants of the Town of Harpswell hereby delegate to the Board of Selectmen the authority of the municipality to accept (i) conditional gifts as referenced in 30-A M.R.S.A. § 5654, and (ii) unconditional gifts as referenced in 30-A M.R.S.A. § 5655; subject, however to the exceptions set forth in Section 3 of this Ordinance. Any gifts to the Town of Harpswell (the “Town”) pursuant to 30-A M.R.S.A. §§ 5652 (donation of money) and 5653 (gifts of money or property in trust) as may be amended from time to time, remain unaffected by this Ordinance.

2. Gifts Originating from the Donor

When the Board of Selectmen receives a written notice from a prospective donor or a representative regarding a proposed gift, the Board of Selectmen shall submit the matter to public comment as an agenda item during any duly noticed Board of Selectmen meeting. Input from the community may include, but not be limited to, comment relating to the amount and scope of the gift received, the type of conditions, if any, that should be attached to it, the duration of the conditions of the gift, if any, and any other related comments and/or suggestions. The Board of Selectmen shall consider such comments from the public, but at all times the Board of Selectmen shall retain independent discretion to accept the gift and/or other conditions associated with said prospective gift. Within 10 days after the meeting at which a decision is made to accept or reject a proposed conditional or unconditional gift, the Board of Selectmen shall send written notice of their acceptance or rejection to the donor or the donor’s representative.

3. Exceptions

- (a) If a proposed conditional or unconditional gift would obligate the Town to incur liabilities that total \$300 or more per year, as determined by the Board of Selectmen, such proposed conditional or unconditional gift shall only be accepted by Town meeting.
- (b) If a proposed conditional or unconditional gift of property is valued at \$3,000 or greater, as determined by the Board of Selectmen, that gift shall only be accepted by Town meeting.
- (c) No conditional gift may be accepted which requires any form of naming, recognition or representation of any religious or political symbols or affiliation.

4. Effective Date

Adopted by Town Meeting on March 20, 2010