

ORDINANCE NO. 11-1700

AN ORDINANCE REGULATING THE USE OF GIFTS, GRANTS, DONATIONS, AND
PROPERTY CONVEYED IN TRUST TO THE CITY OF ISHPEMING

THE CITY OF ISHPEMING ORDAINS:

Section 11-1701. Any person may make a contribution of money or property to the City, by gift, grant, donation, conveyance, pledge or transfer in trust, for all purposes permitted under the City Charter.

Section 11-1702. No contribution made to the City of Ishpeming shall be effective until and unless the contribution has been expressly accepted by action of the City Council.

Section 11-1703. Any contribution accepted by the City Council which is made according to the terms of a written instrument, where the written instrument limits the use of the money or property donated, shall be used by the City in accordance with the terms of the written instrument. If the terms of the written instrument are vague, ambiguous, or uncertain, the City Council is authorized to make any reasonable interpretation of the instrument, which interpretation shall govern the use and disposition of the property, so long as said interpretation is reasonably consistent with the overall intent of the donor.

Section 11-1704. Any contribution accepted by the City Council without limitation as to use or purpose imposed by the donor may be deposited into the City General Fund, for such use as the City Council may determine.

Section 11-1705. Each contribution accepted by the City Council to which conditions or limitations are imposed by the donor shall be held, managed, and disbursed in accordance with the following requirements:

- a) The City Treasurer shall receive the money or property, and unless otherwise prohibited shall convert all money or property to cash;
- b) The City Treasurer shall invest the cash in a separate interest bearing account, and shall not commingle such funds with any other funds of the City, or with any other donated funds;
- c) No disbursement shall be made out of the account without the express consent of the City Council. The City Council shall not authorize any expenditure out of the account unless the City Council has been furnished with a copy of the grant instrument at the time it authorizes the expenditure;
- d) Any costs incurred by the City in complying with the terms of a gift, grant or donation, shall be a charge against the fund being administered.

Section 11-1706. If, due to any change in circumstances, any gift has failed of its essential purpose, or if the money or property cannot be applied to the uses imposed by the donor, the City may apply to any Court of competent jurisdiction to supervise the expenditure of the funds or application or use of the property.

Section 11-1707. Once a donation or grant is accepted by the City Council, the donation or grant shall be irrevocable.

Adopted: July 8, 1987