

**ORDINANCE NO. O-2016-93**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 2, "FINANCE AND TAXATION", ARTICLE I., "IN GENERAL", OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, BY UPDATING THE CITY DONATION POLICY; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, it is the intent of the City Council of the City Council to protect the public health, safety and welfare; and

**WHEREAS**, it is important to amend the City's policy for acceptance of donations as set forth in City Code Chapter 2;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:**

**PART 1:** That Tyler City Code Chapter 2, "Finance and Taxation", Article I., In General", is hereby amended by amending Section 2-7 to read as follows:

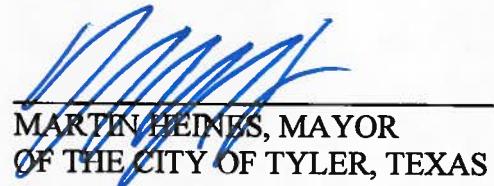
**Sec. 2-7. Donations policy.**

- a. All proposed donations to the City must be reviewed by the City Manager or designee prior to formal acceptance by either the City Manager or City Council in accordance with this section. The term "donation" includes, all monetary gifts, equipment, land, buildings, personal services, or any other item.
- b. All donations up to twenty-five thousand dollars (\$25,000.00) in value must be approved by the City Manager or designee. All donations over that amount in value must be approved by the City Council. (Ord. No. 0-2008-107, 8/27/08)
- c. All donations accepted by the City will become the irrevocable property of the City to be used at its discretion. In cases where restrictions are placed upon the use of donations, the donor must specify in writing all such instructions as to the desired use of these donations prior to City acceptance. All donations other than monetary gifts must be accompanied by written instructions and/or restrictions as to their use and must include a statement of estimated value by the donor.
- d. Upon acceptance of any donations by the City, all information relating to those donations, including the amount involved and any restrictions or other instructions, shall be immediately submitted to Accounting for deposit and inclusion in the City's normal reporting and control systems. All such donations will be disbursed or used in accordance with all City ordinances and other administrative policies. Proceeds from proposed donations shall not be used by any City department until formal acceptance by the City and submission to Accounting for formal incorporation into the City's normal financial and other recordkeeping records. (Ord. No. 0-98-21; 3/18/98) (Ord. No. 0-2016-93; 10/12/16)

**PART 2:** That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

**PART 3:** That this ordinance shall be effective on and after its date of passage and approval by the City Council.

**PASSED AND APPROVED** this 12<sup>th</sup> day of October, A. D., 2016.



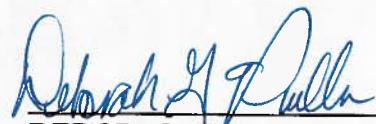
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

Cassandra Brager  
CASSANDRA BRAGER, CITY CLERK



APPROVED:



DEBORAH G. PULLUM,  
CITY ATTORNEY