

The Corporation of the Municipality of Brockton



By-Law 2020-059

Being a By-Law to Amend the Brockton Heritage Committee Donation Policy for the Municipality of Brockton.

Whereas The Council for The Corporation of the Municipality of Brockton deems it expedient to establish policies;

And Whereas the *Municipal Act 2001, S.O. 2001, c 25, Section 5(3)*, as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law;

Now Therefore the Council of The Corporation of the Municipality of Brockton enacts as follows:

- 1.0 That The Corporation of the Municipality of Brockton Council hereby amends the Brockton Heritage Committee Donation Policy as contained in the attached Schedule "A" to this By-Law due to the amendment of the Charitable Donations – Tax Receipts Policy.
- 2.0 That By-Law 2020-003 is hereby amended.
- 3.0 This By-Law shall come into full force and effect upon final passage.
- 4.0 This By-Law may be cited as the "Amend Brockton Heritage Committee Donation Policy By-Law".

Read, Enacted, Signed and Sealed this 12th day of May, 2020.

Mayor – Chris Peabody

Clerk – Fiona Hamilton

Brockton Heritage Committee Donation Policy

Department:	Heritage	Policy Number:	R01-1100-19
Section:	Recreation and Culture	Effective Date:	January 14, 2020
Subject:	Historic Donations	Revised Date:	May 12, 2020
Authority:	By-Law 2020-003, Amended by By-Law 2020-059		

1. Purpose

The Brockton Heritage Committee wishes to accept donations that are of historical importance to the Municipality of Brockton, or former Townships of Brant and Greenock, and the former Town of Walkerton.

This policy defines the type of donations(s) that will be accepted by the Heritage Committee, the procedure for accepting and storing the donation(s), the procedure for returning or disposing of the unaccepted donation(s), and the Transfer of Ownership Agreement attached as Appendix A to this policy.

2. Accepted Donations

Using Appendix A: Transfer of Ownership Agreement as attached to this policy, the Brockton Heritage Committee will accept any approved donation(s) that has or have historic significance and where space is available to store the item with the Municipality of Brockton. See Appendix B for types of donation categories that will be considered by the Committee.

3. Procedure for Accepting Donations

When any member of the Brockton Heritage Committee is contacted regarding a donation inquiry, the Committee Representative will notify the Committee Chair and the Clerk of the Municipality.

The Committee Chair will request that the item be added to the next available Heritage Committee Meeting Agenda for the committee's review. The committee will determine if the donation(s) falls within the policy's categories of accepted donations using Appendix B, or is otherwise of sufficient historical significance to warrant being accepted. On short notice by the donor, the Committee Chair or Committee member(s) will decide on the acceptance of the artifact(s) and placement of the same.

The Heritage Committee Chair will contact the Clerk of the Municipality to determine if the donation(s) will be accepted on behalf of the Municipality.

The Heritage Committee Chair and Clerk of the Municipality of Brockton will arrange a meeting with the donor to finalize the Transfer of Ownership Agreement if the municipality will accept the donation.

Once the Transfer of Ownership Agreement is signed, the Heritage Committee will contact the Parks, Recreation and Facilities Supervisor to arrange transportation, if required, so that the donation(s) will be stored within the Brockton Heritage Committee Archive Room at the Walkerton Fire Hall.

If applicable, all donations must comply with By-Law 2011-65.

4. Procedure for Returning Donations Not Accepted by the Municipality

If the Municipality of Brockton will not accept the donation, the Heritage Committee Chair will notify the Committee. The Committee Chair or representative will contact the donor to return the item.

If the item cannot be returned, the Committee Chair will contact the Clerk of the Municipality and the Municipality of Brockton shall dispose of the item.

5. Returning or Disposing of Donations Not Accepted or Retained by the Municipality

The Brockton Heritage Committee's archives and artefacts are stored in the archive room within the Walkerton Fire Hall. Due to storage availability, the Municipality of Brockton will determine if the municipality cannot retain the donation.

If the Heritage Committee believes an item that should no longer be retained, the Brockton Heritage Committee will determine if the Bruce County Museum will accept the material. If the Bruce County Museum will not accept the material, the Municipality of Brockton will dispose of the materials.

6. Transfer of Ownership Agreement

Using Appendix A: Transfer of Ownership Agreement as attached to this policy, donors who wish to donate an accepted object to the Brockton Heritage Committee will sign an agreement authorizing the permanent transfer of ownership to the Municipality of Brockton.

As the manager of records for the Municipality of Brockton, the Clerk will be involved in the decision-making process to determine if the Municipality of Brockton will accept the donation(s). As a committee of Council, the Brockton Heritage Committee agrees to have the Transfer of Ownership Agreement signed by the Clerk of the Municipality of Brockton before the donation(s) can be fully accepted.

The Municipality of Brockton is the ultimate owner of the donation(s) transferred to the Brockton Heritage Committee.

Brockton Heritage Committee Donation Policy
Appendix A: Transfer of Ownership Agreement

Name of Donor: _____

Address: _____

Telephone: _____

Email: _____

Type of Donation(s): _____

Condition of Donation(s): _____

Historic Significance Description of Donation(s): _____

I, the undersigned and lawful owner of the object(s) listed above, hereby permanently transfer by donation my full title to the Municipality of Brockton's Heritage Committee. It is understood that the intent of this agreement is to designate the Municipality of Brockton as the permanent custodian of the donation transferred above. The Brockton Heritage Committee are hereby given full rights to the use of, the care of, display, digitization, loan, or disposal of named object(s), at the discretion of the Municipality of Brockton.

I request a Charitable Donation in accordance with the Municipality of Brockton's **current Charitable Donation – Tax Receipt Policy By-Law 2011-65** and agree to cover the appraisal costs.

I acknowledge that any donated items or materials not retained by the Municipality of Brockton shall be disposed of by the Municipality of Brockton. _____ (Initials)

Donor, Owner, Agent or Acting Representative's Signature_____
Date**Donation Accepted By:**_____
Brockton Heritage Committee Representative_____
Clerk, Municipality of Brockton_____
Date

Brockton Heritage Committee Donation Policy

Appendix B: Types of Donation Categories

- Family artifacts and collections
- Photos – Family with names, Brockton buildings, scenes etc.
- Industrial artifacts
- Books pertaining to Brockton's history
- Church/religious artifacts
- Commercial, industrial, farming artifacts (small),
- Photos with names
- Military artifacts
- Miscellaneous items at the discretion of the Committee
- Large items may be refused due to space limitations