



CORPORATION OF THE CITY OF SUMMERSIDE

BYLAW NAME: GRANTS BYLAW

BYLAW #: # CS-4

BE IT ENACTED BY THE Council of the City of Summerside as follows:

PART I- INTERPRETATION AND APPLICATION

1. Title

- 1.1. This bylaw shall be known as the "Grants Bylaw."

2. Purpose

- 2.1. The purpose of this bylaw is to establish rules and procedures to guide the City of Summerside's investment in the work of community organizations.

3. Authority

- 3.1. This bylaw is enacted pursuant to subsection 158(1) of the *Municipal Government Act*, RSPEI 1988, c M-12.1.

4. Application

- 4.1. This bylaw applies to Council, municipal staff and any person, group or body for which municipal grants may be established, application may be made, reviewed and awarded.
- 4.2. To the extent there is any inconsistency between this Bylaw and the *Municipal Government Act* or applicable regulations, the Act and regulations shall take precedence.

5. Definitions

- 5.1. In this bylaw, any word or term that is defined in the *Municipal Government Act* has the same meaning as in that Act.

5.2. In this bylaw

- (a) "Act" means the *Municipal Government Act*, RSPEI 1988, c M-12.1 and any amendments thereto;
- (b) "Application" means the Community Support Program Application form available at https://www.summerside.ca/official_documents_and_data/forms_applications/community_support_program_application
- (c) "Chief Administrative Officer" or "CAO" means the administrative head of a municipality as appointed by council under subsection 86(2)(c) of the *Municipal Government Act*;
- (d) "City" means the City of Summerside;
- (e) "Committee of Council" refers to the Council of the City of Summerside as a single Committee;
- (f) "Council" means the Mayor and other members of the Council of the municipality;
- (g) "Councillor" means a member of Council other than the Mayor;
- (e) "Fees" means payments made to the City of Summerside in exchange for services received;
- (f) "Grant" means a sum of money given by the City of Summerside for a specified purpose;
- (g) "In kind" means a grant paid by the City of Summerside in goods, commodities or services instead of money; and
- (h) "Panel" means a panel of staff approved by the Chief Administrative Officer to evaluate all applications.

6. Interpretation

- 6.1. This bylaw is to be given a broad, liberal interpretation in accordance with applicable legislation, regulations and the definitions set out in them.

7. General

- 7.1. The City establishes under this bylaw a grant program for groups and organizations who offer programs, activities, and services in the interest of the municipality or for any purpose that the Council considers to be in the interests of the City.

8. Principles

- 8.1. This bylaw is founded upon value and principles of integrity, need, responsiveness, transparency, engagement and stewardship.

- 8.2. The principles governing this grant program include:

- (a) Council recognizes that, through the provision of grants, Council is committed to providing financial and In-kind assistance to groups and organizations offering services, activities and programs in the interests of the municipality;
- (b) Council is committed to treating requests for grants from these groups in a consistent, fair and equitable manner, subject to established priorities and budgetary restrictions;
- (c) Council promotes public awareness of these principles and guidelines by which Council is:
 - (i) providing an accessible, open and transparent application and decision-making process for considering and responding to requests for grants; and
 - (ii) establishing a timeline for the submission and processing of such requests, so that Council can conduct a meaningful comparison and achieve an equitable distribution of support;
- (d) Council advertises the application process through its website: www.summerside.ca;

- (e) Council recognizes that there may be worthy requests which may not fit within this statement of general principles and guidelines. Nothing in this bylaw prevents Council from making grants to entities at times and for purposes outside the scope of this bylaw, subject to the *Municipal Government Act*, established priorities and budgetary restrictions.

9. Criteria and Conditions

9.1. Funding will be awarded to groups, organizations, or events offering services, products or activities in the best interests of the City.

9.2. The following are not eligible for grant funding:

- (a) individuals or individual families;
- (b) for-profit organizations;
- (c) organizations already receiving City contributions of any kind as may be set out in a legal agreement with the City, a memorandum of understanding, or any other documented arrangement;
- (d) other governments, including all federal, provincial or municipal bodies or their departments, agencies, boards, corporations, institutions or societies; and
- (e) political parties or politically based organizations.

9.3. The applicant must meet all of the following eligibility requirements:

- (a) demonstrate tangible benefits to City of Summerside residents;
- (b) operate as a not-for-profit entity;
- (c) operate with an internal governance structure with a volunteer board of directors;
- (d) be independent of government, even if the organization may receive financial support from governments;

- (e) submit annual audited financial statements. Where audited financial statements are not available, the applicant must provide financial statements that have been verified as correct by two signing officers from the organization;
- (f) the organization has to have been in operation for at least one year;
- (g) the applicant must be in good standing with the City of Summerside, and, if applicable, its own governing bodies. This means that the organization is not in accounts payable arrears or in litigation with the City of Summerside; and
- (h) organizations must be located within the boundaries of the City of Summerside.

9.4. Qualifying organizations may deliver services or accomplish goals in one or more of the following key categories:

- (a) Safety, Security and Crime Prevention;
- (b) Economic Development;
- (c) Water, Land and Energy;
- (d) Health and Well-being; and
- (e) Arts, Heritage and Culture.

9.5. Organizations must present a strong case for how they support the City's efforts in one or more of these major categories through their core operations, special project or major capital initiatives.

9.6. In addition to financial contributions in accordance with the aforementioned criteria, the City of Summerside may also provide support to community organizations in the following ways:

- (a) Targeted cash funding, including, but not limited to:
 - (i) sponsorships;
 - (ii) fundraiser ticket purchases;

- (iii) advertisement purchases;
- (iv) event registrations;
- (v) scholarships; and
- (vi) donations.

9.7. All grants will be approved and awarded in accordance with sections 142, 143 and 158 of the Act.

10. Terms and Conditions of Support

10.1. Successful support recipients will be subject to the following terms and conditions:

- (a) the recipient must provide signed confirmation that the information contained in the application and supporting documentation is true and correct;
- (b) the recipient must provide signed confirmation that the support shall be used by the recipient for the activities set out in the application;
- (c) the recipient shall comply with all laws, regulations, bylaws and other governmental directives or orders in the course of using the support;
- (d) the recipient shall indemnify and hold harmless the City of Summerside against any claims, costs, causes of action, fines, or any other losses or other penalties the City of Summerside suffers relating to the giving of the support to the recipient;
- (e) the recipient shall notify the City of Summerside immediately, in writing, of its impending or actual bankruptcy, insolvency, appointment of a receiver, dissolution, cessation of carrying on business or bulk sale of assets;
- (f) the recipient shall acknowledge the support of the City of Summerside in all publicity material related to the services and the support. Recipients should be prepared to provide proof of public acknowledgements;
- (g) the recipient must consent to the City of Summerside using information regarding the details of the support awarded, including the name of the recipient, the activities carried out and the community impact of the activities in reports and on

the City's website and other relevant media. The City of Summerside shall not release financial information or personal information about individual members or board members, which is confidential pursuant to the provisions of the Province of Prince Edward Island's *Freedom of Information and Protection of Privacy Act*,

- (h) the recipient shall not approach the City for any additional or supplementary support for the duration of the fiscal year;
- (i) the recipient shall receive ninety percent (90%) of approved funding within thirty (30) days after providing the consents and other information required in this bylaw;
- (j) the recipient shall receive the remaining ten percent (10%) within 60 days after a final report is received and approved in accordance with section 14.

11. Application for Support Process

- 11.1. Eligible organizations can access the Community Grants Application Form, supporting policy, and other guidance materials from the City of Summerside's website.
- 11.2. All organizations must complete the application form in full and include all required supporting documentation.
- 11.3. The application must disclose all forms of support they are applying for from the City of Summerside, including In-kind contributions, sponsorships, advertising and donations.
- 11.4. Applications must be received by the City of Summerside on or before 4:00 p.m. on the advertised submission deadline. Late applications may disqualify a support applicant.
- 11.5. Eligible organizations can submit only one application per year. Requests for any of the items in the support sub-types will be considered an application. In-Kind contributions must be requested through the appropriate application process.
- 11.6. The Chief Administrative Officer will oversee the administration of the grant program as per this bylaw.
- 11.7. All applications will be evaluated by a Panel of staff approved by the Chief Administrative Officer. The Panel will present a list of all evaluated applications, along with a summary of

the scoring system to Council during annual budget deliberations, and the Panel may request applicants to make a short presentation on their request for support.

- 11.8. Applications must be submitted electronically via email attachment to: rob.philpott@city.summerside.pe.ca
- 11.9. All applicants will receive written notification of whether or not their application was successful and, if successful, the amount of support Council has approved for them.
- 11.10. This Grants Bylaw will not have an appeals process for unsuccessful applications.

12. In-kind Grants and Limitations

- 12.1. Council may, at its own discretion, provide grants in the form of In-kind services, or in exceptional circumstances, a waiver of standard fees, where by doing so could benefit the quality of life for citizens in the community, subject to the following:
 - (a) Council may not grant privilege or exemptions from the jurisdiction of the municipality and its bylaws;
 - (b) Council may not provide a right or privilege to receive a bonus or an exemption from any tax, rate or rent;
 - (c) Council may not provide grants in the form of forgiveness of debt retirement or other accounts payable in arrears;
 - (d) Council may not provide grants in the form of retroactive payments for costs incurred before City support is approved;
 - (e) Council may not provide grants for one hundred percent (100%) of any activities or operational budget; and
 - (f) Council may not divert community support funding or In-kind contributions to another organization.

13. Annual Support Limits

- 13.1. Counsel will set an annual financial ceiling or cap for all community support contributions during its annual budget deliberations. Council may establish a ceiling using any one of the following:
- (a) a percentage of the General Fund Budget;
 - (b) an average of prior year's totals;
 - (c) use a per capita calculation; or
 - (d) set an absolute dollar amount.
- 13.2. Council may also set a maximum level of support for any individual grants within a category listed in section 9.4 of this bylaw.

14. Reporting Requirements

- 14.1. Successful applicants must provide a brief written report on how the support was used and the impact the support achieved. This report must be submitted to the City of Summerside by January 1st of the year directly following the initial support.
- 14.2. Organizations receiving support in successive years must submit their summary report for the prior year to remain eligible for funding in the current year.
- 14.3. If the recipient fails to fully complete and submit the report to the City within the stated time, that organization may not be eligible for future support.
- 14.4. The City reserves the right to withhold the remaining ten percent (10%) of eligible funding if the successful applicant fails to abide by the Terms and Conditions of Support set out in section 10 herein.

15. Effective Date

- 15.1. This Grants Bylaw, Bylaw #CS-4, shall be effective on the date of approval and adoption by Council.

First Reading:

This Grants Bylaw, Bylaw# CS-4, was read a first time at the Council meeting held on the 7th day of August, 2018.

This Grants Bylaw, Bylaw# CS-4, was approved by a majority of Council members present at the Council meeting held on the 7th day of August 2018.

Second Reading:


This Grants Bylaw, Bylaw# CS-4, was read a second time at the Council meeting held on the 17th day of September, 2018.

This Grants Bylaw, Bylaw# CS-4, was approved by a majority of Council members present at the Council meeting held on the 17th day of September, 2018.

Approval and Adoption by Council:

This Grants Bylaw, Bylaw# CS-4, was adopted by a majority of Council members present at the Council meeting held on the 17th day of September, 2018.

Signatures



Bill Martin, Mayor



Gordon MacFarlane, Deputy Chief Administrative Officer

This Grants Bylaw adopted by the Council of the City of Summerside on the 17th day of September, 2018 is certified to be a true copy.



Gordon MacFarlane, Deputy Chief Administrative Officer



Date