

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2026-09

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 1
“GENERAL PROVISIONS” OF THE SITKA GENERAL CODE BY ADDING CHAPTER 1.36
“ACCEPTANCE OF DONATIONS TO THE CITY”

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. PURPOSE. The purpose of this ordinance is to establish a chapter in Sitka General Code to authorize the acceptance of donations for public purpose and to direct that administrative procedures be developed to implement and apply this chapter.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 1, entitled “General Provisions”, be amended by adding Chapter 1.36, entitled “Acceptance of Donations to the City”, to read as follows (deleted language stricken, new language underlined):

Title 1
GENERAL PROVISIONS

Chapters:

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1.36 Acceptance of Donations to the City

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Chapter 1.36
ACCEPTANCE OF DONATIONS TO THE CITY

Sections:

- 1.36.010 Purpose.
1.36.020 Definitions.
1.36.030 Funds - Accounting
1.36.040 Acceptance of donation in general – Donor’s desired use or conditions.
1.36.050 Acceptance of monetary donations.
1.36.060 Acceptance of nonmonetary donations.
1.36.070 Donations of artwork.
1.36.080 Donations of historical artifacts.
1.36.090 Donations for facility and park naming.

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1.36.010 Purpose.

The purpose of this chapter is to authorize the acceptance of donations for public purpose, pursuant to the authority of the City and Borough of Sitka Home Rule Charter and AS 29.04.010, and to establish procedures for doing so. The municipal administrator is authorized to develop administrative procedures consistent with this chapter to implement its provisions.

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**1.36.020 Definitions.**

“Department head” includes the head of any city department, or their designee.

“Donation” is defined as any monetary or nonmonetary gift, grant, devise, or bequest to the city and borough of Sitka. A monetary donation includes cash, check, credit card payment, electronic payment, money order or other negotiable instrument. A nonmonetary donation includes real or personal property. In the event of a stock donation, since a government entity is not legally able to own stock, such a donation would be liquidated and turned into cash or another liquid asset and treated as a monetary donation.

“Municipal administrator” means the municipal administrator of the city of and borough of Sitka, or their designee.

“Memorial” is an item, object or monument established to preserve the memory of a deceased person(s) or an event that occurred in the past.

“Tribute” means an item, object or gift designed to acknowledge the contributions of living people to society. Projects recognizing people with illnesses such as cancer are considered tributes.

**1.36.030 Funds – Accounting.**

The city and borough of Sitka finance department is responsible for providing for the deposit and financial administration of any donation to the city. If necessary, the finance department shall track the proposed use of any such donation and shall maintain separate records of accounts showing receipts and disbursements. The finance director may establish further rules and regulations for the accounting and administration of donations, consistent with this chapter, as deemed necessary by the director.

**1.36.040 Acceptance of donations in general – Donor’s desired use or conditions.**

The city has the discretion to accept or decline any proposed donation, whether conditioned or not, subject to the provisions of this chapter. In the event a department head has reason to believe a donation could cause or result in an appearance of impropriety, the department head shall consult with the municipal attorney prior to accepting the donation. Conditioned donations shall be assigned to a project or existing fund consistent with the donor’s desired use, as long as such condition(s) do not conflict with city, state or federal law, in which case the city shall ask that the condition(s) be removed or decline the donation. All monetary donations greater than \$10,000, whether conditioned or unconditioned, must first be approved by the assembly by resolution. Prior to accepting any nonmonetary donation, the responsible department head shall prepare or obtain a total lifecycle cost analysis, including estimated installation, maintenance, repair, and replacement costs over the anticipated life of the donated item or improvement. Where ongoing maintenance obligations are associated with a proposed nonmonetary donation, the city shall require the donor to execute a maintenance agreement prior to acceptance, specifying the donor’s financial responsibility for such costs. Assembly approval shall be required for any nonmonetary donation where the total lifecycle cost to the city is estimated to exceed \$10,000.

**1.36.050 Acceptance of monetary donations.**

A. Unrestricted Monetary Donations of Less Than or Equal to \$10,000. The department head is hereby authorized to accept any unrestricted monetary donation of less than or equal to \$10,000 on behalf of the city and shall deposit such moneys with the finance department.

107 B. Restricted Monetary Donations of Less Than or Equal to \$10,000. Restricted monetary  
108 donations of less than or equal to \$10,000 may be accepted by the department head. The  
109 department head shall evaluate the proposed use, any conditions attached, and any anticipated  
110 future costs associated with acceptance.

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- 112 1. The department head shall consult with the municipal administrator before accepting  
113 any restricted donation that could have long-term operational, maintenance, or capital  
114 cost implications for the city.
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  - 116 2. Restricted donations shall be deposited with the finance department and tracked in  
117 accordance with the donor's stated conditions and the requirements of section 1.36.030.

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119 C. Unrestricted Monetary Donations Greater Than \$10,000. Unrestricted monetary donations of  
120 any amount greater than \$10,000 must be reviewed by the department head and approved by the  
121 assembly by resolution, so that the city can evaluate any policy implications associated with the  
122 donation.

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124 D. Restricted Monetary Donations Greater Than \$10,000. Restricted monetary donations valued  
125 at over \$10,000 must be reviewed by the relevant department head and approved by the assembly  
126 by resolution. The department head shall provide the assembly with an assessment of the  
127 proposed use, all conditions attached, and anticipated future operational, maintenance, or capital  
128 costs.

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- 130 1. Review Process. The department head shall consult with any relevant advisory body or  
131 commission prior to submitting a recommendation to the assembly. The assembly may  
132 require additional review or impose conditions on acceptance.
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  - 134 2. The donor shall be advised of any conditions the assembly places on acceptance. The  
135 city reserves the right to decline any donation it determines is not in the public interest.

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137 E. Costs and Maintenance. The city may require, as a condition of acceptance, that the donor  
138 contribute funds sufficient to cover anticipated installation, maintenance, or operational costs  
139 associated with the donation. Any ongoing costs not covered by the donor become the  
140 responsibility of the relevant budgetary fund. Improvements requiring ongoing city support must be  
141 approved by the assembly before the donation is accepted.

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143 F. Donor Acknowledgement. The city may acknowledge a monetary donation through verbal  
144 recognition, printed materials, or a donation acknowledgement plaque, consistent with  
145 administrative procedures developed under this chapter. The city must approve all text for any  
146 acknowledgement displayed on city property.

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148 G. Notification. It shall be the responsibility of the donor to provide the city with a current address  
149 for notification purposes. The city will notify the donor of material changes related to the status of  
150 their donation, including any need to remove, relocate, or modify conditions set forth in this  
151 chapter.

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153 **1.36.060 Acceptance of nonmonetary donations.**

154 A. Donations of Personal Property Valued at \$5.00 to \$10,000. All donations of personal property  
155 with a current value greater than or equal to \$5.00 and less than or equal to \$10,000 may be  
156 accepted by any department director or the municipal administrator, except as follows. In the event  
157 of a donation of personal property which could require future maintenance or repair (e.g., office

158 equipment), the department director should first assess all related future costs. In addition, if a  
159 conditioned donation could have long-term impacts, such as significant operations and  
160 maintenance or capital costs, the department head shall consult with the assembly prior to  
161 accepting the donation.

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163 B. Donation of Personal Property Valued at Over \$10,000. All donations of personal property with  
164 a current value of \$10,000 or more must first be approved by the assembly after consultation with  
165 the appropriate advisory board (i.e., parks and recreation committee, library commission, etc.). If  
166 the personal property could require future maintenance or repair, the department director should  
167 first assess all related future costs and submit the assessment of expenses to the assembly. For  
168 conditioned donations, the department director should also provide the assembly with an  
169 assessment of long-term impacts, such as significant operations and maintenance or capital costs.

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171 C. Donations of Real Property. All donations of real property, whether conditioned or  
172 unconditioned, must first be approved by the assembly by resolution.

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174 **1.36.070 Donations of artwork.**

175 Notwithstanding any other provision of this chapter, determination whether to accept artwork  
176 proposed for donation to the city for permanent or long-term (exceeding one year) public display  
177 shall be made by the assembly following recommendation by the library commission. Where the  
178 proposed location for artwork is within a city park or recreational facility, the Parks and Recreation  
179 Committee shall also provide a recommendation to the assembly prior to acceptance. Where the  
180 proposed location is within or adjacent to the Sitka Historic District, the Historic Preservation  
181 Commission shall also provide a recommendation to the assembly prior to acceptance. All  
182 proposed donated artwork must conform to applicable city communications policies governing  
183 public display. The standard monetary and nonmonetary donation thresholds and lifecycle cost  
184 requirements of this chapter apply to artwork donations.

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186 **1.36.080 Donation of historical artifacts.**

187 Notwithstanding any other provision of this chapter, determination whether to accept historical  
188 artifacts proposed for donation to the city for permanent or long-term (exceeding one year) public  
189 display at the museum shall be made by the assembly following recommendation by the Sitka  
190 History Museum.

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192 **1.36.090 Donations for park and facility naming.**

193 Parks and facilities may be named after a major donor (private party or organization) only after  
194 careful consideration of all potential long-term impacts. The naming of any public place in  
195 connection with a donation shall be governed by the procedures set forth in SGC Chapter 14.35  
196 “Naming of Public Places.”

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200 **5. EFFECTIVE DATE.** This ordinance shall become effective the day after the date of  
201 its passage.

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203 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka,  
204 Alaska, this 12th day of May, 2026.

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Steven Eisenbeisz, Mayor

209 ATTEST:

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Sara Peterson, MMC

213 Municipal Clerk

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215 1<sup>st</sup> reading: 4/28/2026

216 2<sup>nd</sup> and final reading: 5/12/2026

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218 Sponsor: Administrator

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