

**THE TOWN OF SWAN RIVER BY-  
LAW NO. 09/2023**

**Being a by-law to regulate the process of giving out grants.**

**WHEREAS** 261(1) of the Municipal Act provides that a council may make a grant to or otherwise assist:

- (a) a charitable or non-profit organization, association or corporation;
- (b) another municipality;
- (c) a local authority; or
- (d) a municipal participation corporation;

if in its opinion the purpose for which the grant is made is in the interest of or to advantage of the municipality or its residents.

**WHEREAS** Section 168(1) of the Municipal Act provides as follows:

“A council may by by-law establish reserve funds for any general or specific purpose.”

**AND WHEREAS** the Town recognizes the valued contributions, services, and events being provided through the volunteer efforts of community groups and organizations on behalf of the residents of Swan River,

**THEREFORE BE IT RESOLVED** that the council of The Town of Swan River in open meeting assembled enacts as follows:

- 1.0 This by-law may be referred to as “The Town of Swan River Grants By-Law”.
- 2.0 In this by-law,
  - i. “Grant” refers to any of the following different kinds of grants.
  - ii. “Cash Grant” is a grant of actual funds given by the Town of Swan River to a group to be used for the purposes specified in the application.
  - iii. “In-Kind Grant” is a grant where the Town renders some goods or service as opposed to actual funds to be used for the purposes specified in the application. Such in-kind services may include but are not limited to hall rental fees or the renting of tables and chairs.
  - iv. “Operating Grant” is a grant of actual funds given by the Town of Swan River to a group that usually assists with some type of operating expense and is generally required for more than one year.
  - v. “Group” is a number of individuals assembled together or having a unifying relationship.

- vi. "Evaluator" shall be the Town of Swan River's Chief Administrative Officer (CAO) or delegate who will receive all Applications and will be authorized to approve or deny applications according to the provisions here provided.
  - vii. "Financial Statement" means the statement of the group's financial affairs for its most recent fiscal year prior to the date of application.
- 3.0 The Council for the Town of Swan River shall not approve of any grants outside of the provisions of this bylaw, except for any grants and/or funding which are detailed in an agreement, a separate bylaw, or a terms of reference.
- 4.0 Where it is understood that there are several groups who have historically received recurring funding, they shall hereby be recognized as having been approved for an Operational Grant and are now subject to the provisions in this bylaw each subsequent year.

## GRANT APPLICATION CRITERIA

- 5.0 **The group must submit an application (Schedule A) to the evaluator either by email or hard copy.**
- 6.0 The application must include:
- i. Name of group,
  - ii. Applicant's name,
  - iii. Contact information including phone number and email address,
  - iv. Brief description of the group's Mandate,
  - v. Verification that the group is not for profit,
  - vi. If available, the group's Financial Statements (mandatory for applications requesting an operating grant or a grant exceeding \$1,500),
  - vii. Where applicable, a current audited financial statement shall be provided,
  - viii. Where applicable, proof of adequate liability insurance shown by group (minimum \$2,000,000),
  - ix. Details on the request including the kind of grant, how much is requested, and a proposal,
  - x. Details on how the group's use of this grant will enrich or benefit Swan River or its residents, and
  - xi. Details on the group's financial need.
- 6.2. The evaluator reserves the right to request further information in determining eligibility for the grant or for the purposes of selecting which grants may be

approved. Failure to provide the requested information will result in a rejection of the request.

6.3. Incomplete applications will not be considered.

**6.4. The Application must be submitted within these deadlines:**

6.4.1. For an in-kind or cash grant request, the application must be received by the evaluator 10 business days in advance of the event, or

6.4.2. For an operating grant request, the application must be received by the evaluator prior to February 28<sup>th</sup> for consideration in the corresponding year's Town of Swan River financial plan.

6.5. Applications missing the deadline will not be considered.

**6.6. The Application shall be judged according to these criteria:**

6.6.1. The group must be a non-profit organization, association, or corporation. For clarification, registered status is not required.

6.6.2. Individuals, political groups, and for-profit agencies are ineligible.

6.6.3. Notwithstanding the previous point, an ineligible group may be deemed eligible by the evaluator if the purpose of the grant is a fundraiser for which the profits will be forwarded to an eligible group, a municipality, or a local authority.

6.6.4. The application must demonstrate that the grant will benefit the citizens of Swan River or address a community need.

6.6.5. The grant must not give direct financial gain to a member of council or municipal official.

6.6.6. The group must not have already received a different grant from the Town of Swan River in the current year.

6.6.7. Preference will be given to applications:

- i. whose proposed use for the grant (e.g. event, fundraiser, service) takes place in Swan River,
- ii. which fit within Council's current and future Strategic Plan, and
- iii. whose plan, timeline, resources, and budget are feasible and realistic.

6.6.8. For in-kind grants, approval shall be subject to whether the Town staff and/or requested assets are available.

6.6.9. Any group receiving a grant from the Town of Swan River will recognize the Town's contribution in any promotional literature or material which may be prepared by the group.

## FINANCIAL

- 7.0 That a Grant Reserve be hereby created.
- 8.0 That the purpose of the reserve is to finance both cash and in-kind grants which are approved by the provisions of this bylaw.
- 9.0 That this reserve shall be funded annually from an authorized provision in the Municipality's annual financial plan.
- 10.0 That the Town shall keep in its books a separate account designating the purpose for which this Reserve was created and showing at all times the state of the Reserve hereby created.
- 11.0 In-Kind Grants that make use of Town assets or labour and are listed in the Town's current Fee Schedule shall be paid from the Grant Reserve for the service at the rate last approved by Council so that no department shall experience a budgetary shortfall.
- 12.0 All revenue earned on investment for this Reserve shall be considered part of this Reserve Fund.

## APPROVAL PROCESS

- 13.0 Groups receiving any grant are advised that the grant being given should not be regarded as a commitment for future assistance.
- 14.0 **For In-Kind and Cash Grants, the following procedures shall be followed:**
  - 14.1. The evaluator shall review received applications for completeness and eligibility as specified in the Application Criteria section.
  - 14.2. Ineligible applications shall be denied.
  - 14.3. If the application is eligible:
    - 14.3.1. For applications below \$1,500, the evaluator will, provided there is budgetary allocation within the Grant Reserve, be authorized to either approve or deny the application and provide written notice of the same.
    - 14.3.2. For applications exceeding \$1,500 or where the grant is below \$1,500 but there is an insufficient balance in the Grant Reserve, the CAO will place the application on the next Regular Meeting of Council for consideration. To be approved it must be passed by resolution.
- 15.0 **For Operating Grants, the following procedures shall be followed:**
  - 15.1. The evaluator shall review received applications for completeness and eligibility as specified in the Application Criteria section.
  - 15.2. Ineligible applications shall be denied.
  - 15.3. If the application is eligible:

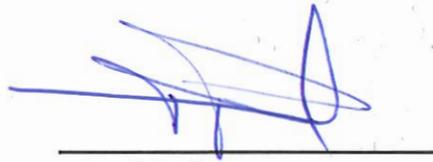
- 15.3.1. The CAO will place the application for consideration during the budgetary planning process.
- 15.3.2. The Operating Grant must be passed in the Financial Plan to be payable.
- 15.3.3. Operating grants shall receive their own accounts in the financial plan.
- 15.4. For each subsequent year:
  - 15.4.1. The group must submit their current financial statement and if available their audited financial statement by February 28. No monies shall be dispersed until such is received.
  - 15.4.2. Groups for whom their grants have been approved through a process separate from this bylaw and for whom we require audited financial statements for our year end audit must comply with 15.4.1.
  - 15.4.3. The group may apply to increase the amount of the grant by following the application process.
  - 15.4.4. The group shall advise the Town if the grant should be reduced or is no longer required.
  - 15.4.5. If the group is not using the grant for its intended purpose or ceases operating, the grant will no longer be payable.
  - 15.4.6. Council may at their discretion increase, reduce, or cease paying the grant during each annual budgetary planning process.
  - 15.4.7. Should the grant amount be altered, the CAO shall send written notice to the group advising them of the change as soon as it is known.

**DONE AND PASSED** as by-law of The Town of Swan River in the Province of Manitoba this 19th day of September, 2023.

Read a first time this 1st day of August, 2023  
Read a second time this 5th day of September, 2023  
Read a third time this 19<sup>th</sup> day of September, 2023



Lance Jacobson  
Mayor



Derek Poole  
Chief Administrative Officer

## SCHEDULE A - "GRANT APPLICATION"

<b>Name of Group</b>	<b>Applicants Name:</b>
<b>Phone Number:</b>	<b>Email:</b>
<b>Brief Description of Groups mandate:</b>	
Have you applied to other grant sources    YES ___ NO ___	
Verification of Non-Profit Organization    INCLUDED ___ TO FOLLOW ___	
Financial Statement:    INCLUDED ___ TO FOLLOW ___	
<i>(Where Applicable) Proof of adequate liability insurance (minimum \$2,000,000)</i>	

<i>(If there is insufficient space please attach additional information and details as required)</i>
In-Kind: _____ Cash Grant: _____ Operation Grant: _____
<i>Details:</i>
<b>Proposal:</b>
<b>Benefit(s) to the community:</b>
<b>Demonstration of financial need:</b>
<b>If you received a Grant last year, how was it used?</b>

*\*Successful Operational Grant recipients will be notified after the next Financial Plan passes.*