

VILLAGE OF HINSDALE  
**Park and Recreation  
Donation Policy**

**Purpose:**

The purpose of this policy is to establish guidelines, standards and procedures for the installation and care of donations for Village Parks, either as a result of a cash or physical property donation. These donations may include, but are not limited to, park benches, bicycle racks, picnic tables, public art, monuments (**by exception only\***), and other types of park accessories. This policy does not apply to buildings or land. The Village desires to encourage donations while managing aesthetic impacts and mitigating on-going maintenance costs.

The development of public facilities is expected to be the result of careful planning and quality construction. In addition, public facilities are expected to be maintained to a standard acceptable to the community. Guidelines established by this policy will apply to all donations made after the effective date of this policy. Donations made prior to the adoption of this policy shall be subject to applicable sections of this policy. This policy is also designed to provide guidelines for individuals or groups should they desire to decorate, landscape or adorn a donation, such as a tree, bench, or picnic table on Village owned property.

Standards established by this policy will apply to purchased equipment, installation techniques, donation acknowledgements, decoration, and long term care of all donations made after the adoption of this policy.

**GUIDELINES FOR EXISTING DONATIONS**

**Definition of an Existing Donation:** For the purpose of this policy, existing donations are those donations installed prior to the adoption of this policy.

**Appearance and Aesthetics:** Decoration, ornamentation, and adornment of donated park elements can interfere with routine maintenance and the appearance of the donated item if not cared for on a regular basis and installed properly. Nothing shall be hung or tied to trees. Because landscaping installed in and around picnic tables and benches can be trampled, landscaping shall not be done around site furniture. Decorations which may be allowed on a temporary basis for a limited time should not interfere with the use of nearby public space, nor represent a hazard to motorists, bicyclist or pedestrians. The donor shall remove any temporary decorations within a reasonable amount of time as they can weather, and become unattractive and detract from the image of the community.

**STANDARDS FOR DONATIONS**

**Definitions of New Donations:** New donations are those made after the adoption of this policy.

**Definitions of Park Accessory:** A fundamental, and/or essential item used in a park setting. Such as but not limited to park benches, bicycle racks, picnic tables, back stops, drinking fountains, flags, and other types of park accessories.

*\*Monuments, due to their potential size and stature, will be approved in rare instances only and will be subject to increased scrutiny.*

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**Definitions of Public Art & Monuments:** Described as a painting, sculpture, photograph, etc., that is created to be beautiful or to express an important idea or feeling.

**Acquisition or Purchase:** The Village and the community have an interest in ensuring that park elements purchased and donated and installed be of high quality related to style, appearance, durability and ease of maintenance. The Village staff will purchase items to ensure the items meet the standards set forth and authorize the installation of all park elements.

**Appearance and Aesthetics:** The Village and the community have an interest in ensuring the best appearance and aesthetic quality of their public facilities. Park elements should reflect the character of the park or facility. All park elements will be installed in such a manner that will not substantially change the character of a facility or its intended use.

**Maintenance:** Donated park elements and/or their associated donation acknowledgement, become Village property at the time of purchase. Accordingly, the Village has the duty to maintain the donation only for the expected life cycle of the donation.

**Repair:** The community has an interest in ensuring that all park elements remain in good repair. In addition, the public has an interest in ensuring that the short and long-term repair costs are reasonable. Repair parts and materials for donated park elements must be readily available. Donated park elements must be of high quality to ensure a long life, be resistant to the elements, wear and tear.

**Cost:** The Village has an interest in ensuring that the donor covers the full-cost for the purchase, installation, and maintenance during the expected life cycle of donated park elements. A separate fee schedule will be maintained in which the Village details costs for donations, installation and maintenance. The Village also has an interest in ensuring that ongoing maintenance costs do not negatively impact the resources available for maintenance of other Village park facilities. Consequently the Village may assess, at the time of the donation, a charge sufficient to cover anticipated long-term maintenance of donated park elements during their expected life expectancy.

**PROCEDURE FOR MAKING A DONATION**

The Village's Parks and Recreation Department office will manage the care of all donations located on Village park property.

**Park Benches and Picnic Tables:** To donate a park bench or picnic table, donors can complete the Donation Program Application which outlines the fee structure. The amounts for these donations are adjusted periodically. A bench and picnic table donation will last ten (10) years.

**Trees:** Landscaping and plant selection for park facilities is critical to sustaining the environment in Hinsdale. Accordingly, the size and specie of tree or trees donated shall be limited to those determined by the Village's Tribute Tree program.

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**Park Accessories:** To make a donation of other park amenities such as a playground, pavilion, gardens or fountain, donors can directly contact the Parks and Recreation Department. If a donation is within the park plan the Director of Parks & Recreation will have authorization to approve the donation.

To accept donation of a park element for a specific park facility, Staff will evaluate the park plan showing the available locations for park elements. If no plan exists then a donation may be made to another facility. If a plan exists, but does not identify a particular park element proposed for donation, the Village may accept the donation under certain conditions. Under this circumstance the donation must 1) meet a true need of the facility, 2) not interfere with the intended current or future use of the facility and 3) not require the relocation of other equipment or infrastructure to accommodate the donation. In the opinion of the Village, a facility may be determined to be fully developed and the opportunity for donations would not be available. If a donation is found to not be included in a park plan it would be considered a non-conforming park donation. The Director of Parks and Recreation may recommend that a non-conforming donation request be reviewed by the Parks and Recreation Commission under the same criteria for artwork and monument donations.

**Monetary Donations:** Monetary donations can be made by donors and earmarked for a project or specific use.

**Artwork & Monuments:** Donations of artwork and monuments will be evaluated and considered for a recommendation to the Village Board by the Parks & Recreation Commission. Donor to pay for all costs associated with the installation of the donation.

**CRITERIA FOR ACCEPTANCE FOR  
PUBLIC ART, MONUMENTS & NONCONFORMING DONATIONS**

The Parks and Recreation Commission reviews the appropriateness of the subject as it relates to the site, the compatibility of the work of art within the landscape, the impact on a park and its use, aesthetic merit, as well as safety and maintenance issues. Applicants will bear the cost of all necessary permits, approvals, project management, design, installation and maintenance. The Commission will review requests two times per year as scheduled by the Chairman of the Commission.

**Process**

1. Donor is required to complete the application which must include a description, photo and/or drawing of the donation, estimated value and estimated life cycle. Village staff will determine the life cycle maintenance costs.
2. Applications will be reviewed by the Director of Parks & Recreation and forwarded to the Village Manager for review.
3. The completed application will be brought as a discussion item to a meeting of the Parks & Recreation Commission. The Commission will review the request based on the criteria outlined in the policy.
4. Action by the Parks and Recreation Commission: Following their review, the Commission will vote to approve or disapprove the donation; the recommendation will be forwarded to the

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Board of Trustees for further discussion. The Commission shall specify the reason or reasons for their recommendation or decision and provide a summary to the Village Board. Approvals shall expressly set forth any limitations or conditions recommended or imposed. No member of the Commission shall participate in the vote of any matter in which that member has an interest as defined in the Hinsdale code of ethics.

5. Action by Board of Trustees: Upon receipt of the recommendation of the Parks and Recreation Commission, the next step is for the Board of Trustees to review the donation as a discussion item.

The Board of Trustees shall make a recommendation for approval of the application as submitted, or make modifications as they deem necessary, or shall disapprove the application. If the Village Board makes a recommendation for approval the donation request will be brought back to the Board of Trustees for a first reading for approval.

6. Upon final approval by the Board of Trustees, staff will collect the appropriate fees and oversee the installation of the Donation. Since this is a Village of Hinsdale Parks & Recreation policy, not a land use decision, there is no legal appeal associated with this policy. The Village Board's decision is final.

## **Criteria used to review Public Art Work, Monuments and Nonconforming Donations**

### **APPROVAL CRITERIA**

Approving or denying any gift, memorial or tribute is wholly within the discretion of Village of Hinsdale Board and no individual or organization has any right to make any improvement or place any items in public parks, regardless of whether they think their proposal meets the following approval criteria. Approval criteria focus on four general categories: appropriateness, aesthetics, maintenance and safety. All donations must comply with the Village code and building requirements.

#### **Appropriateness:**

Most effective outdoor public art is sited in spaces which bear a particular relevance to the subject of the piece. With commemorative monuments, historical associations between the subject or artist and a community are a traditional mechanism for the selection of an appropriate site. Consideration should also be given to the long-term impact of permanent monuments, and subjects should be of a stature able to weather time, changing attitudes etc. In no instance, should permanent monuments, which depict subjects that are trademarked or commercially licensed, be installed on public property.

#### **Significance of event/person being memorialized or significance of a gift**

- The memorial has timeless qualities and makes a statement of significance to future generations.
- The memorial represents a person or event deemed significant to Village of Hinsdale's history.

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- The gift or memorial must be consistent with the mission of Village of Hinsdale Parks & Recreation.

**Aesthetics**

Though conditioned by a range of subjective considerations, aesthetic merit is the primary determinant in the acceptance of permanent works of art. Proposed monuments must show evidence of the artist's mastery of the medium in which he or she is working (stone carving, bronze casting, etc.). Works of inferior workmanship will not be approved. The Village Board ultimately decides upon aesthetic grounds.

**Project Design**

- Proposal must be in concurrence with the Park Master Plan. If a Park Master Plan does not exist, a Needs Assessment of the park's service area must be completed in order to determine the need for future park elements and circulation patterns.
- The quality, scale, and character of the memorial are at a level commensurate with the particular park setting.
- Reuse, rehabilitate or restore an existing park feature where appropriate.
- Meets the requirements of American with Disabilities Act (ADA) by providing accessibility to all park users.
- Enhances a park by adding elements that add to identity and ambiance.
- The proposal does not create any public safety or security issues.

**Location/Siting**

Donors may be asked to broaden their search for an appropriate location and consider other public or privately owned spaces which may provide a more suitable location.

- The proposed site offers opportunities for enhancement without diminishing a park's ability to offer undefined open space for quiet contemplation and/or spontaneous activities.
- The increased use of a park due to a gift or memorial is appropriate for the park's context and surrounding uses.
- The quality, scale, and character of the gift or memorial are at a level commensurate with the particular park setting. (Also to be considered during project design)
- There should be some specific geographic justification for the memorial being located in that spot.
- Alternative sites in rights-of-way, private property or other public property were considered and determined inappropriate.

**Maintenance**

Given the responsibility of preserving and maintaining donations, the Village cannot in good faith accept works of art which present an unreasonable maintenance burden. Works of art will not be accepted unless the donor or sponsor can provide a means of care which may be required through a Life Cycle Care fund.

**Safety**

Works of art should be safe to passersby, curious spectators (especially children), and the environment as a whole.

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**CONDITIONS OF DONATIONS**

**Installation:** Installation of donated park elements, artwork and monuments, including the donor acknowledgement/memorial plaques, will be completed or overseen by Village personnel. The installation will be scheduled at a time and date as determined by Parks Maintenance staff so as not to unnecessarily interfere with routine park maintenance activities. Donor will pay the cost for the installation as determined by the Village.

**Removal and/or Relocation:** This section applies to both existing and new donations. The Village reserves the right to remove and/or relocate donated park elements and their associated donation acknowledgments/memorial plaques, when they interfere with site safety, maintenance or construction activities or at the end of their life cycle. The long term care and maintenance of donated park elements is important to both the donor and the Village.

**Plaques/Acknowledgement:** Donated items will include a plaque with a maximum of three lines and 25 characters per line. No corporate logos will be permitted. Text is subject to approval by Village staff.

**Life Cycle Care Fund:** The Village will determine the level of maintenance required for the donated park element, art work or monument. Based upon available budget funding and the type of care needed to reasonably maintain the donated park element, donors may be required to fund the cost of long-term maintenance through a contribution to the Life Cycle Fund. The establishment of the Life Cycle Care Fund ensures that the Village will care for the donated park element for the estimated life of the donation, or until such time the Village determines that the donated park element must be removed and/or relocated for unforeseen circumstances. The establishment of a Life Cycle Care Fund applies to all donated park elements installed after the adoption of this policy. It is in the Village's interest to exclude certain donations from this policy such as donations with short life spans. This policy shall not apply to land or building donations.

The Fund is established with the intent of providing a regular dedicated revenue source and sufficient to reasonably maintain future donations for the duration of their expected life cycle. The cost of a donation will include the cost of purchase, installation, and the estimated cost of maintenance sufficient based upon the expected life cycle for a donated item. The expected life cycle, routine maintenance and element costs are identified in a separate schedule at the time of donation. This schedule is maintained administratively and may be modified from time to time to ensure that sufficient resources are available to maintain donations.

