THE CITY OF WINNIPEG

BY-LAW NO. 71/2024

A By-law of THE CITY OF WINNIPEG to continue the Community Incentive Grant Program

WHEREAS on March 6, 1985 Council by resolution established a Community Incentive Grant Program ("CIGP") with a process and criteria to be used in evaluating applications for grants under the CIGP;

AND WHEREAS Council by resolution made numerous amendments to the CIGP over the years;

AND WHEREAS the CIGP has operated since 1985 per the resolutions of Council;

AND WHEREAS section 219 of *The City of Winnipeg Charter* provides that Council may establish grant programs by a by-law;

AND WHEREAS this By-law is intended to replace the previous resolutions of Council that set out the CIGP;

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

PART 1 – COMMUNITY INCENTIVE GRANT PROGRAM

Short title

1 This By-law may be cited as the "Community Incentive Grant Program By-law".

Definitions

2 The following definitions apply in this By-law:

"approval", unless otherwise stated, means an approval by the Director of an application for a CIGP grant under this By-law, and "**approved**", in respect of an application has a corresponding meaning;

"Charter" means *The City of Winnipeg Charter*, S.M. 2002, c.39;

"CIGP" means Community Incentive Grant Program;

"CIGP grant" means a grant issued pursuant to this By-law;

"City" means The City of Winnipeg continued under section 8 of the Charter;

"Council" means the Council of the City;

“designated employee” means the Director or an employee of the City who has been designated in writing by the Director to exercise some or all of the powers given to the Director as the designated employee under this By-law;

“**Director**” means the Director of the Community Services Department with responsibility for administering this By-law and includes the City employee acting in that capacity;

“non-profit community organization” means a corporation or an association that conducts business for the benefit of the general public without shareholders and without a profit motive. Any profit that is made is used to further the goals or undertaking of the organization. Profits must not be used by the individuals involved for their own personal financial gain.

CIGP continued

3(1) The CIGP established by Council on March 6, 1985 to provide funding for capital projects is hereby continued.

3(2) Future grants under the CIGP must be issued pursuant to this By-law only.

Eligibility for grants

4(1) Applicant organizations and their proposed projects must meet the following criteria to be eligible for a grant under the CIGP:

(a) The organization must be a non-profit community organization that contributes to the health and well-being of the community’

(b) The project is a capital improvement or the purchase of a capital asset that will be retained for more than one (1) year;

(c) The project is available for public use or will enhance public use of the space or facility;

(d) The organization must demonstrate that the project will be initiated within two (2) years of the approval date of a CIGP grant and substantially completed within five (5) years of the approval date of a CIGP grant, or such later date as may be approved by the Director; and

(e) The organization must demonstrate that it can provide a minimum of 50% of the total project cost from other funding programs and sources.

4(2) The Director may impose additional eligibility requirements that are consistent with this By-law.

Evaluation of grants

5(1) The Director is authorized to

(a) establish a process by which applicants can apply for CIGP grants, including a deadline by which applications must be received;

(b) establish a process for evaluating and approving applications for CIGP grants; and

(c) issue CIGP grants in accordance with this By-law.

5(2) Subject to section 7, the Director is authorized to approve CIGP grants on condition that:

(a) decisions respecting these approvals must be made only after consultation with the relevant Ward Councillors;

(b) the applications must meet the eligibility criteria at subsection 4(1); and

(c) not all projects which meet the eligibility criteria in subsection 4(1) must be approved.

5(3) Any application that does not meet the eligibility criteria in subsection 4(1) may only be approved by a two-thirds vote of Council.

Application

6(1) Incomplete applications must not be considered for a CIGP grant. An application is not complete until all information reasonably required in order to review the application has been provided.

6(2) The application must be made on a form or in a format approved by the designated employee.

Maximum grants

7(1) Subject to this section, the Director may authorize the issuance of a CIGP grant to an organization to a maximum of $100,000 or 50% of the total cost of the project, including taxes, whichever is less.

7(2) A CIGP grant will be approved in an amount deemed appropriate by the Director. The Director may approve a grant in an amount other than that requested by the applicant in its application.

7(3) The Director may not authorize the issuance of grants exceeding in aggregate the funds allocated by Council for the CIGP.

Conditions on grants

8(1) The Director is authorized to impose reasonable conditions on any CIGP grant issued.

8(2) Subject to subsection 5(3), it is a condition of any CIGP grant authorized that

(a) the organization that is the recipient of the grant must contribute a minimum of 50% of the total project cost from other funding programs and sources;

(b) the organization must enter into an agreement with the City in respect of the grant. The agreement must include terms and conditions that the Director of Legal Services and City Solicitor considers necessary to protect the interests of the City;

(c) the project must be initiated within two (2) years of the approval date of a CIGP grant and substantially completed within five (5) years of the approval date of a CIGP grant, or such later date as may be approved by the Director;

(d) prior to commencement of any work on the project, final plans and specifications must be submitted to the designated employee for the purpose of review and approval;

(e) prior to commencement of any work on the project, evidence of liability insurance, satisfactory to the City's Risk Management Department, must be provided;

(f) the project must proceed in accordance with the final plans and specifications as approved by the Director. Any revisions must receive the prior approval of the Director or their designate;

(g) upon completion of the project, a final inspection of the work may be carried out by the City;

(h) any projects undertaken on property owned by the City become the property of the City;

(i) the organization may be required to provide periodic audited financial statements or other evidence satisfactory to the City Auditor to verify that the project was undertaken as planned and that the CIGP grant was expended solely for the intended purpose;

(j) the project must be operated in compliance with all City policies and procedures, codes, laws, by-laws and regulations; and

(k) any required permits, licenses, consents and other authorizations as may be required to permit the carrying out of the project must be obtained by the organization or its agent prior to the commencement of any activity whatsoever.

Payment of grant

9 In addition to the CIGP grant conditions section 8, payment of the CIGP grant may only be made to the organization on a reimbursement basis upon the fulfillment of the following conditions:

(a) substantial completion of the project;

(b) satisfactory inspection of the project by the City, as may be required by the City;

(c) the City being provided with satisfactory evidence of the project costs paid, including but not limited to paid invoices and cancelled cheques;

(d) the satisfactory completion of any reporting that may be required by the designated employee; and

(e) the organization must be in compliance with the terms of this By-law and its CIGP grant agreement.

Appeal

10 Any appeal in respect of decisions made pursuant to this By-law that is authorized by the Charter may be made to the Standing Policy Committee on Community Services, or whichever other standing policy committee is assigned responsibility for the CIGP.

Transition

11 Grants and agreements with respect to grants made under the CIGP, prior to the enactment of this By-law pursuant to authority delegated by resolution of Council, are hereby ratified.

PART 2 - CONSEQUENTIAL AMENDMENTS

Voting Requirements By-law Amendment

12(1) Appendix 1 to the Voting Requirements By-law No. 63/2021 is amended by adding the following to the By-Laws section, in alphabetical order:

BY-LAWS				
Authorizing Document	**Provision**	**Description**	**2/3 of Members**	**2/3 of Members Present**
Community Incentive Grant Program By-law No. __/2024	5(3)	Any application that does not meet the eligibility criteria in subsection 4(1) may only be approved by a two-thirds vote of Council.	Yes	

12(2) Appendix 1 to the Voting Requirements By-law No. 63/2021 is amended by deleting the following from the Council Policies section:

COUNCIL POLICIES				
Authorizing Document	**Provision**	**Description**	**2/3 of Members**	**2/3 of Members Present**
Community Incentive Grant Program Policy	July 23, 2003 Amendment to Policy	Any Community Incentive Grant that does not comply with the terms contained in the Community Incentive Grant Policy.	Yes	

Coming into force

13 This By-law comes into force upon enactment.

DONE AND PASSED this day of , 2024.

Mayor

City Clerk

Approved as to content

Director of Community Services

Legally reviewed and certified as to form:

for Director of Legal Services / City Solicitor