

## **Resolution No. 3118**

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND TO ESTABLISH A PARK AMENITY DONATION AND TREE PLANTING DONATION POLICY.

WHEREAS, Resolution No. 611, a Policy on Acceptance of Gifts by the City guides the City's acceptance of donations; and

WHEREAS, Resolution No. 2206, a Policy for Donation of Items for the City Park has permitted donations of benches and trees in the City Park since 2012; and

WHEREAS, the City desires to update this policy for all parks and recreation areas and expand it to additional amenities, including fixtures and trees; and

WHEREAS, the City desires to offer the community the ability to memorialize or commemorate a loved one, organization, or special event through the purchase of park amenities while covering future maintenance costs; and

WHEREAS, the City wishes to streamline the process of accepting donations of park amenities from citizens of Salisbury and persons desiring to memorialize a loved one, organization or special event; and

WHEREAS, the City of Salisbury, as a Tree City USA community, recognizes the value of planting trees in our community; and

WHEREAS, in 2020, the City undertook a comprehensive Tree Canopy Study and analyzed the City's Tree Canopy percentage; and

WHEREAS, the City desires to maintain and increase the City's Tree Canopy; and

WHEREAS, the City wishes to streamline the process of accepting Tree Donations from Community Groups, Nonprofits, and Businesses in order to protect the City's Urban Tree Canopy and increase biodiversity in all City Parks and Public Spaces; and


WHEREAS, the Park Amenity Donation and Tree Planting Donation Policy is attached hereto; and

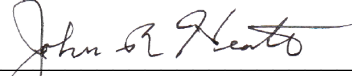
WHEREAS, the Mayor or Director of the Infrastructure and Development Department may revise or the update the policy as needed to meet the needs of the park facilities.

NOW, THEREFORE, BE IT RESOLVED, by the Salisbury City Council that the Park Amenity Donation and Tree Planting Donation Policy, as attached, is approved.

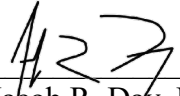
THE ABOVE RESOLUTION was introduced, read, and duly passed at a meeting of the Council of the City of Salisbury held on the 23 day of August, 2021 and is to become effective immediately upon adoption.

ATTEST:

  
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Kimberly R. Nichols  
CITY CLERK

  
\_\_\_\_\_  
John R. Heath  
PRESIDENT, City Council

APPROVED by me this 25th day of August, 2021.

  
\_\_\_\_\_  
Jacob R. Day, Mayor

## Park Amenity Donation and Tree Planting Donation Policy

### Park Amenity Donations:

1. Park Amenities include trees, benches, picnic tables, water fountains and bottle filling stations, Little Free Libraries, and other fixtures located in City Parks and Playgrounds. This program is for installation of fixtures and trees in park and recreation areas.
2. The City of Salisbury has established this donation program to provide a way to memorialize or commemorate a loved one, organization, or special event.
3. The program is implemented by the Director of Infrastructure and Development (herein known as “Director”) with annual report to and reviewed by the Parks and Recreation Committee.
4. The costs for this program are as follows. Items included in this program can be added, updated, or removed by the annual fee ordinance or by revising this policy.
  - a. New Tree: \$400-700 (depending on size and actual costs)
  - b. New Bench: \$1,300
  - c. Existing Bench: \$200
  - d. Existing Tree: \$200
  - e. Fixtures: Minimum \$200 for maintenance plus actual cost of items.
5. The cost includes the item chosen, a certificate, tree tag (for trees), your name on the City’s website, installation to city standards, and maintenance for the expected lifetime of the item.
6. Fixture designs will be the City Standard to maintain quality control and to match existing park furnishings.
7. Donors may select native trees, generally 7-15 gallon from the native tree species referenced in [Appendix D of the City’s Tree Canopy Study](#). Memorial tree sponsors will receive a certificate of acknowledgement for their donation and a tree tag with a message of up to 200 characters. All inscriptions on the tree tag are subject to approval by the Director, or their designee.
8. The Department of Infrastructure and Development, with recommendation from the Parks and Recreation Committee and Field Operations Department, will develop a list and/or map of potential installation locations for donors to choose from. Most parks are available to receive donated fixtures and trees. Requests to deviate from the pre-approved locations must be reviewed by the Parks and Recreation Committee, Field Operations Department, and approved by the Director, or their designee.
9. The donor will provide the City with the exact inscription desired for the plaque for fixtures. The plaques can accommodate up to 200 characters. Simple inscriptions work best. All inscriptions are subject to approval by the Director, or their designee.
  - a. If vandalism to the plaque occurs, the memorial sponsor has a choice on whether they will replace the plaque at their own expense (i.e., cost of new plaque – est. \$25). The City has no responsibility to replace lost, stolen, or vandalized plaques or tree tags. If a memorial sponsor elects not to replace the damaged plaque, the City reserves the right to remove the damaged plaque.
10. The City has the duty to provide only routine maintenance and repair of a fixture. The City is not obligated to replace the fixture if it is stolen, worn out, irreparably damaged, or destroyed.
11. The City will replace any trees that do not survive during the first two years.

12. The Director will provide the donor with an agreement that states the donated item, location, cost and inscription text.
13. Once the agreement is signed and upon the receipt of payment, the City has up to six months to install the fixture or tree, dependent on availability. Once the fixture or tree is installed, the City will contact the donor to confirm installation.
14. The City reserves the right to relocate the fixture or tree if the use of the site changes or to ensure park visitor safety.
15. Maintenance funds, or funds received in excess of the installation cost, will be deposited in a Park Fixture & Tree Donation Program Fund to provide funding for future maintenance and guarantee of the fixtures and trees. Expenses from this Fund shall be reported annually to the Parks and Recreation Committee.

### City of Salisbury Tree Planting Donation Policy

1. Community Groups, Nonprofits, and Businesses may work with the City to donate and plant trees on City Property.
2. The program is implemented by the Director of Infrastructure and Development (herein known as “Director”) with annual report to and reviewed by the Parks and Recreation Committee.
3. The groups interested in planting trees will work with the Departments of Field Operations and Infrastructure and Development, specifically, the City Sustainability Specialist and City Parks Supervisor, to determine location, number, and type of trees planted.
4. Approved tree species can be found in the [Appendix D of the City’s Tree Canopy Study](#).
5. The group must either plant the trees themselves or hire a contractor to plant the trees.
6. Trees must be planted per City and University of MD extension standards:  
<https://extension.umd.edu/resource/planting-tree-or-shrub>
7. The group must provide their own shovels, mulch, and any other material required for the tree planting such as gator bags if requested by City staff.
8. The City is not responsible for the maintenance and care of trees planted by community groups on City Property.
9. Permanent plaques will not accompany community tree plantings. Tree planting donations will be recognized on the City’s social media and website.
10. The Director will provide the community group with an agreement that states the donated items, location, date of plantings and indemnity clause.
11. The donor group releases, indemnifies, defends and saves harmless the City and its officers, employees and agents from and against any suits, actions, legal or administrative proceedings, demands, claims, liabilities, fines, penalties, losses, injuries, damages, expenses or costs, whether known or unknown, including interest and attorneys’ fees, in any way connected to any injury to any person, including death, or damage to any property or any loss to the City or third parties arising from the tree plantings. This release and indemnity specifically include the obligation of donor group to perform any remedial or other activities required or ordered by any properly empowered government official, or otherwise reasonably necessary to avoid injury or liability to any person or to prevent the spread of pollution originating thereon.



City of  
**Salisbury**  
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator  
From: Amanda Pollack, P.E., Director of Infrastructure and Development  
Alyssa Hastings, Sustainability Specialist  
Date: July 23, 2021  
Re: Resolution – Park Amenity Donation and Tree Planting Policy

AP

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Attached is a Park Amenity Donation and Tree Planting Donation Policy. The Park Amenity Donation policy expands the current policy to allow donations in all City Parks. In addition to trees and benches, this policy also allows for residents and businesses to donate fixtures that add value to parks such as picnic tables, Little Free Libraries, refillable water bottle stations and drinking water stations. The maintenance funds will allow the Department of Field Operations - Parks Division to have additional revenue for maintenance of park facilities.

The Tree Planting Donation Policy will assist community groups and businesses that would like to schedule tree-planting events on City property, such as Chesapeake Utilities' plan to plant trees in Lake Street Park this Fall. By outlining the process and responsibilities associated with tree plantings, the policy will help to streamline the tree planting donation process and easily identify responsibilities and tree care standards for trees planted on City property.

The policy has support from both the Department of Infrastructure and Development as well as the Department of Field Operations. Additionally, at the July 22, 2021 City Parks and Recreation committee meeting, the committee voted unanimously to support the attached resolution and policy.

Unless you or the Mayor has further questions, please forward a copy of this memo, policy and Resolution to the City Council.