

<b>City of Prince Albert</b> <b>Statement of POLICY and PROCEDURE</b>			
Department:	Public Works	Policy No.	<b>27.1</b>
Section:	Transportation	Issued:	October 27, 2008
Subject:	<b>Roadside Memorial Policy</b>	Policy Effective:	January 19, 2015
Council Resolution # and Date:	Council Resolution No. 0030 of January 19, 2015	Page:	1 of 5
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Issued by:	Jeff Da Silva, Engineering Services Manager	Dated:	October 27, 2008
Approved by:	Amjad Khan, Director of Public Works	Procedure Amendment:	

## 1. POLICY

- 1.01.1 Upon receipt of information that a roadside memorial has been placed on the City's road allowance, staff will investigate and record the date of the fatality and location. All temporary and permanent memorials must conform to the following;
  - 1.01.2 Under no circumstances will memorials be allowed in the median of a divided highway or on traffic islands, interchange loops or roundabouts, location is preferred as close as possible to the edge of the right of way.
  - 1.01.3 Memorials placed in the right of way must be made of a lightweight material that will break away if struck by an errant vehicle, or it must be demonstrated that the memorial will not pose a danger to other vehicles.
  - 1.01.4 Memorials must conform to the following dimensions, must not be greater than 0.5 metres in height, 0.5 meters in width, and take up more than 1 square meter of area.
  - 1.01.5 Memorials must not contain any open heat sources, in order to reduce the risk of fire.
  - 1.01.6 Memorials must use fluorescent or reflective materials and must not be painted red, yellow, orange so that the memorial does not become a roadside distraction.
  - 1.01.7 The city will take reasonable measure not to damage or destroy memorials during roadway maintenance operations. The city assumes no responsibility or liability for any damages.
  - 1.01.8 In no case will music, sounds or flashing lights be permitted.
  - 1.01.9 The city will remove memorials that fall into disrepair, area damaged, vandalized, disfigured, burned or do not conform to the stipulations as agreed to in the application.
  - 1.01.10 Memorials placed along highways within City limits shall be reviewed under the Government of Saskatchewan Highways guidelines for roadside memorials. These guidelines are as follows:
    - Markers must not obstruct sight lines, and must be at least 100 metres from any intersection
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- Markers must be located at the outer edge of the highway right-of-way. If a fence line exists, the marker should be located adjacent to the fence.
  - If a tree line exists the marker should be located adjacent to the tree line.
  - Markers must be constructed to be easily knocked down on impact. They can not be cemented into a base.
  - Markers should be reasonable in size and not exceed 80cm in height by 60cm in width.
  - Markers must not have flashing lights, reflective tape or any other material or ornamentation that could distract a highway user or create a safety hazard to other users of the highway.
  - Markers will be allowed for fatal accident sites only, and only one marker will be allowed per accident site.
  - Installation and maintenance of markers will be at the expense of the party wishing to place the marker.
  - The City of Prince Albert and the Government of Saskatchewan will not be responsible for any damage that may occur to the marker once erected. This includes damage caused by highway maintenance, snow removal, upgrading or by vandalism, theft or any other circumstance.
- 1.02 The memorial will be permitted to remain for the period as indicated in this policy, unless it is found to be an extreme physical hazard, becomes unsightly or is not maintained, constitutes a sight obstruction or undue distraction; or is in conflict with municipal signs, bylaws or drainage; in which case, the Director of Public Works will arrange for its removal and/or relocation (relocation with consultation with the family or those that have set up the memorial).
- 1.03 All memorials shall be removed three (3) months after the date of the fatality. If memorials are replaced after the three-month period without applying for a permanent memorial they will be removed immediately.
- 1.04 When possible family members or those who have placed the memorial will be given a notice of 2 weeks before the memorial is removed in order to allow them to remove items that they may wish to keep.
- 1.05 Those who place roadside memorials are also encouraged to move the
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memorials to the gravesite before the three-month period is up.

- 1.06 Additional permanent recognition of the site may be requested upon written application to the City. The following will determine whether permanent recognition will be allowed on the specified site.
    - 1.06.1 75% of assessed owners and 75% of the residents within a 75-metre radius of the site indicate, in writing, that they are in favour of the recognition.
    - 1.06.2 The City will be responsible for sending out letters to obtain approval for the permanent memorials.
    - 1.06.3 Residents will be given a two-week time period to reply in favour to the memorial. Replies received after the two week period will only be counted if it can be demonstrated that the resident was not available during the two-week period.
    - 1.06.4 The applicant will be prohibited from having direct contact with the residents within the 75 m radius of the proposed memorial during this two-week period. If complaints are received regarding contact being made in order to sway a resident's decision the permanent memorial application will be rejected.
    - 1.06.5 The Public Works Department must approve the location of the permanent roadside memorial.
    - 1.06.6 The applicant must provide Public Works with current contact information and is responsible to keep the information current. If a problem occurs with the memorial and the applicant cannot be contacted the memorial will be removed.
    - 1.06.7 That an application with complete details for the additional recognition of a site be forwarded to City Council for approval.
    - 1.06.8 Approval will be based on aesthetics, location, size, potential hazards, potential to become unsightly, sight obstruction, pedestrian impediment, conflict with municipal signs, conflict with City Bylaws or drainage and resident approval, of permanent recognition.
    - 1.06.9 If the grass at the memorial site cannot be easily maintained using the large mowers, the applicant will be responsible for maintaining the grass. Failure to do so will result in remove of the memorial.
    - 1.06.10 Upon approval of permanent recognition memorials will be installed and
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maintained at the applicant's expense.

- 1.06.11 If the memorial must be moved to accommodate City construction or operations, the applicant will be contacted by the Public Works department and will work with the applicant to provide an alternate location or temporary removal. If the memorial is to be moved it will be at the applicants cost.
- 1.06.12 It is the responsibility of the installing agency or individual, to obtain the necessary underground or utility clearance before installation. Costs to repair any damage to underground installations, and costs of any consequential damages, will be the responsibility of the installing agency or individual.
- 1.06.13 If a complaint is received about a permanent memorial, it will be forwarded to City Council for review, previously approved permanent memorials may be unapproved at a later date at Council's discretion.
- 1.06.14 Memorials place in commemoration of pets, animals or inanimate objects or other uses or event not accounted for in the definition will be removed by City forces without notice following their establishment.

## **2. PURPOSE**

- 2.01 To control the placement of roadside memorials on public road allowance, to minimize drivers distraction, protect adjacent property owners, and to mitigate adverse impacts on operation and maintenance activities.

## **3. SCOPE**

- 3.01 The City of Prince Albert has responsibility for the upkeep and maintenance of the City's road allowance. This includes road safety and ensuring that required roadside signs and drainage ditches are not interfered with. The City respects the rights of the abutting property-owners who maintain the boulevard next to their property.

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#### **4. RESPONSIBILITY**

- 4.01 The City of Prince Albert Public Works Department will be responsible for keeping track of roadside memorials and for removing any temporary memorials that are placed after allotted period.
- 4.02 The City of Prince Albert is responsible for obtaining neighbourhood approval of memorial as laid out in this policy.
- 4.03 Those applying for permanent recognition of the memorial site are responsible for installation, maintenance and any costs associated with the memorial.
- 4.04 Applicants are responsible for ensuring that their memorials fully comply with the stipulations contained within the roadside memorial policy.
- 4.05 The applicants are responsible for supplying current contact information to the Public Works Department and for providing updates to this information as required
- 4.06 Applicants are responsible for complying with all directions and instruction issued by the City in accordance with this policy

#### **5. DEFINITIONS**

- 5.01 “Roadside memorials” – a marker placed in tribute to the memory of a death of a person, and consisting of one or more floral arrangements, wreaths, religious artifacts, or personal mementos.

#### **6. REFERENCES & RELATED STATEMENTS OF POLICY & PROCEDURE**

- 6.01 Section 12(1) of the Cities Act provides the City with the authority to manage its Right of Ways

#### **7. PROCEDURE**

- 7.01 City staff will record the date, at which a roadside memorial has been placed adjacent to the roadway. If the exact date is cannot be determine a best

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estimated will be made.

- 7.01.1 The Director of Public Works may authorize the removal of the memorial if it is found to be an extreme physical hazard, a sight obstruction; or in conflict with municipal signs or drainage prior to three months, or for any other reason at the Directors discretion. The Director shall have sole authority to make this determination and any decision will be final and binding.
- 7.01.2 Three months after the fatality in which the memorial was set up, City Staff will contact the family or those who have placed the memorial 2 weeks before the removal to ensure that they can take anything they wish to keep. After two weeks notice has been given City Staff will remove the roadside memorial.
- 7.01.3 If the temporary memorial is re-established again after it's removed, the replacement will be removed immediately, until permanent memorial application has been approved.
- 7.01.4 Any material from the Roadside Memorial will be removed and disposed of by City staff. If the family members or those who have set up the roadside memorial cannot be contacted the items from the roadside memorial will be disposed of.
- 7.01.5 Permanent Recognition of the site may be applied for.
- 7.01.5.1 Application must fill out application form.
- 7.01.5.2 Application will be reviewed by all City departments affected.
- 7.01.5.3 Application will require 75% of all assessed homeowners and 75% of all residents within 75 m of proposed memorial site to indicate their favour of the recognition in writing.
- 7.01.5.4 If approved the applicant may install the permanent recognition.
- 7.02 The City will be responsible for obtaining approval from the area residents to erect a permanent memorial.
- 7.02.1 A letter will be sent out to all residents and assessed homeowner within the 75 m radius of the proposed memorial site to indicate that they will be required to send in a letter in favour of the recognition in writing, either r by
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fax or mail.

7.02.2 If a letter is note received from a resident within the allocated two week period it will be assumed that they do not approve of the roadside memorial

7.02.3 If 75% of residents and assessed homeowners reply in favour of the roadside memorial the memorial will be approved.

## **8. CAVEAT**

8.01 Should Circumstances arise regarding the Roadside Memorial Policy, which are not adequately addressed within the policy, the matter will be referred to City council for review and direction. Council's decision on the matter will be binding and final.