

Corporate Policy

Roadways/Infrastructure

Temporary Roadside Memorials

Approved by Council on: September 24, 2018

Report Number: RPF-13-2018

Effective: OCT 1, 2018

Reviewed on: N/A

Amended: N/A

Next Review: OCT 1, 2021

Note: New Policy

Policy Statement:

The purpose of this policy is to establish practices related to the placement of temporary roadside memorials.

Scope:

This policy applies to all roadside memorials which have been placed within the City of Burlington's right-of-way.

Objectives:

The practice of placing memorials at locations where fatal collisions have occurred has become commonplace. This policy outlines the steps that the City will follow to ensure a sensitive and consistent approach is taken in dealing with temporary roadside memorials, while also ensuring the safety of the travelling public, and the interests of adjacent property owners.

The policy establishes:

1. The period of time a roadside memorial will be allowed to remain in place;
2. The allowable dimensions, materials, and location of the memorial;

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3. Procedures to handle the relocation or removal of a roadside memorial when necessary; and
4. Other options for memorials provided by the City of Burlington

Procedural Guidelines

The Roads, Parks & Forestry Department will track and monitor memorials as they appear and/or as the City is made aware of them.

Enquiries from the public prior to the erection of a memorial are to be directed to Roads, Parks & Forestry customer service and forwarded to the appropriate supervisor. The supervisor will provide guidance on this policy to those seeking to erect a memorial.

City staff will monitor existing memorials to ensure they are not a distraction or hazard; do not impede the safe and efficient movement of vehicular or pedestrian traffic; do not interfere with road maintenance or clearance operations; do not impede the use of essential apparatus such as fire hydrants; and do not obstruct access to underground infrastructure.

Conditions

To minimize any distraction or hazard that any temporary memorial may cause, they may not be located on the travelled portion of the roadway, medians, traffic islands, sidewalks, bicycle paths, or multi-use trails. Items are not to be attached to any traffic signs or other infrastructure.

Persons placing the memorial shall be respectful of adjacent property owners and/or commercial businesses. They must ensure there is no permanent damage and/or alterations to site conditions. To further minimize distractions, the memorial shall not be larger than 60cm (2 feet) high, 60cm (2 feet) wide, and 60cm (2 feet) deep.

All objects placed at the temporary memorial that can shatter (i.e., glass) or have any form of illumination (i.e., candles, solar lights, reflective devices) are not permitted and will be removed by City staff for the safety of the public.

Individuals who gather at a memorial site must do so in compliance with the Highway Traffic Act by conducting themselves in an orderly and lawful manner so not to disturb the peace and privacy of adjacent owners.

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Conditions for the removal/relocation of temporary memorial

1. Expiration of the twelve (12) month memorial period, from the date of the fatality;
2. Creates a safety hazard to the public as determined by the Manager of Road Operations (or designate);
3. Interferes with road/sidewalk/traffic maintenance operations;
4. Obstructs access to underground infrastructure;
5. Complaints from adjacent property owners and/or businesses;
6. Temporary memorial has deteriorated into a state of disrepair.

The City reserves the right to remove all materials affiliated with the temporary memorial if required. Roads, Parks & Forestry Department will take all reasonable measures to contact the family to offer assistance to remove and/or collect materials at the memorial. Items will be kept for a period of thirty (30) days at the Operations Centre, after which time they will be disposed if they have not been collected.

The City will work with the Major Collision Bureau of the Halton Regional Police for assistance in situations where it is necessary to contact the owner.

Other Memorial Options

The City of Burlington has a celebration program whereby a park bench or amenity can be donated with a plaque to honour an individual. Information is available on the website at <https://www.burlington.ca/en/your-city/Donations-in-Honour-and-Memory.asp>

Greenwood Cemetery is owned and operated by the City of Burlington and provides options for the interment of remains. Information is available on the website at <https://www.burlington.ca/en/services-for-you/cemeteries.asp>

Definitions:

For the purpose of this policy, unless otherwise stated, the following definitions shall apply:

Term	Definition
Temporary Memorial	Is any of the various types of impromptu tributes placed alongside a roadway to memorialize people who have died as a result of motor vehicle

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Term	Definition
	collisions
Highway	Includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles
'Right-of-way'	City owned land that includes, but is not limited to, roads, medians, boulevards, sidewalks, and pathways
Infrastructure	City owned assets that include, but is not limited to: fences, posts, retaining walls, buildings, city trees

Principles:

Burlington's Strategic Plan

- A City that Moves
- An Engaging City

References:

The Municipal Act, 2001 (the Act) permits municipalities to regulate the use of its highways. This includes permitting any person, subject to conditions, to place or install objects on its highways. The Act provides that the municipality is liable for losses as a result of any such installations.

Roles:

Accountable:

Director of Roads, Parks & Forestry

Responsible:

Manager of Road Operations