

City-Wide Policy – GS – 5 –Memorials on City Property

PURPOSE

To establish a policy that provides guidance for the treatment and removal of unauthorized memorials on City of Durham property, including rights-of-way.

POLICY

The City of Durham is responsible for managing public property and rights-of-way in such a manner that public safety and the public use and enjoyment of city properties are preserved. Unauthorized memorials placed in City rights-of-way or on City property will be managed consistent with the provisions of this policy.

DEFINITIONS

City right-of-way - A strip of land acquired by purchase, donation, reservation, dedication, prescription or condemnation and accepted by the City Council for maintenance.

Memorial - a marker (including associated flowers, notes and personal mementos) other than a grave marker, that honors the site where a person died suddenly and/or unexpectedly, or where a similar tragedy or event is commemorated. Regulations for memorials that honor a deceased person and are authorized by the appropriate managing authority are not included in this policy.

City Property – Property owned by the City of Durham. This policy does not apply to property that is leased by the City.

PROCEDURE

- A. When a memorial is placed on City property or right-of-way and is noted by City staff or brought to staff's attention, City staff reserve the right to remove that memorial if it interferes with public safety or the public use or enjoyment of public property.
- B. When the memorial is placed on City property or right-of-way and staff determine that the memorial does not interfere with the public use or enjoyment of public property or with public safety, city staff will allow the memorial to remain in its current location for up to 30 days from the date it was noted by staff or brought to the city's attention.
- C. City Staff have the authority to remove the roadside memorial prior to 30 days if said memorial has deteriorated to such an extent as to interfere with the public use or enjoyment of public property, or with public safety.
- D. In the event that staff removes a memorial, staff will make an attempt to notify the individual (s) who placed the memorial if identifying information can be found. The individual(s) who placed the Memorial will be given the opportunity to retrieve the materials after they have been removed. General Services will store the materials for 30 days, after which the items will be disposed of if they have gone unclaimed.

- E. The Director of General Services and/or the Director of Parks and Recreation have the authority to implement this policy, and their decision in matters of memorial treatment and removal shall be considered final.

OTHER

The Department of General Services is responsible for implementing this policy where it applies to City rights-of-way and public property, except parks and recreation centers. The Department of Parks and Recreation is responsible for implementing this policy where it applies to City parks and recreation centers.

ATTACHMENT(S)

NONE

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