



# CITY OF ESCONDIDO

## *POLICY FOR PLACING MEMORIALS IN CITY PARKS AND OPEN SPACE*

### **INTENT:**

Parks and public open space areas are to be open, aesthetically pleasing, and usable by the public. Memorials that commemorate or remember a special individual can be part of the open space experience provided they are designed and located appropriately. However, because public open space is a precious commodity, and the integrity of the City's natural and recreational areas must be protected, the design, installation, and maintenance of memorials requires standardized policies.

Requests for placing memorials in City public parks and/or open space areas are to be coordinated through the Director of Communications and Community Services (Director) and shall involve the City's Appearance Committee and/or others as directed by the City Manager, to solicit input from appropriate City Departments to evaluate the design, site selection, installation, and maintenance of memorials, and to ensure their public safety. The City has established the following policies.

Note: Temporary Roadside Memorials are subject to the criteria and standards provided in the City's "Temporary Roadside Memorial Policy."

### **MEMORIAL CRITERIA:**

1. A memorial may honor a deceased person or animal, or an event deemed to merit such an honor.
2. The location of memorials shall not interfere with maintenance activities, existing and proposed circulation and use patterns in the park or open space, and shall not impact any historic/cultural resource or sensitive habitat/species.
3. The memorial and its location, design, and materials shall be compatible with any adopted master plan for the park or open space, and any cultural or habitat resource considerations. Specific locations for the display of memorial plaques may be established from time to time.
4. Memorials shall be made of durable materials that will last over time, discourage graffiti, and not incur additional maintenance.
5. The cost of fabrication and installation of a memorial shall be borne by the donor.
6. The City reserves the right to remove or relocate any memorial for any reason. A reasonable effort will be made to contact the donor prior to the removal. Depending on the nature of the memorial, the City may request a Waiver of Rights pursuant to the

Visual Artists Rights Act prior to the installation of the memorial. (See, 17 U.S.C. § 106A(e)(1))

7. The memorial itself, and all artwork contained in it, must be appropriate for viewing by all ages of the general public. Artwork that is obscene or offensive in any way will not be approved.
8. Designated memorial locations may reach a saturation point at which time the City may consider closing the location to additional memorials, expanding the defined area of memorials at that location, or removing memorials to create room for new memorials and making a reasonable effort to return past memorials to their donors.

### **MEMORIAL OPTIONS:**

1. Plaques - Specific areas within public parks and open space areas may be established for the grouped display of memorial plaques involving seating walls, raised planter walls, fences, a defined area on a building wall, contemplative garden paths, etc. The appropriate size and material of the plaques will be specified by the Director.
2. Trees - Tree selection and planting locations will be chosen based on species, topography, soil condition, light exposure, mature plant size, maintenance requirements, and appropriateness for placement; and will be mutually agreed upon by the applicant and the City. The City does not guarantee the memorial tree's viability.
3. Other – Unique memorials in key locations may be considered for applications that represent broader community values; that meet the intent and criteria of this policy; that provide a public benefit; and that include a maintenance program acceptable to the City.
  - a. Park Furnishings – Memorial text may be included on a park furnishing that is donated by an applicant. Furnishings include benches, picnic tables, trash receptacles, recreational equipment, etc. The Director shall establish the specifications for the furnishing and memorial identification.
  - b. Peace Poles – A limited number of individual peace poles may be allowed in public parks as deemed appropriate by the City. Small plaques containing memorial text may be attached to the raised footing of the pole.

### **APPLICATION AND APPROVAL PROCESS:**

1. An application for a tree, bench or plaque memorial shall be completed in writing on forms provided by the City and shall be submitted to the Director with any application fee as may be established. Requests selected from the list of memorial options, and consistent with this Policy, shall be reviewed administratively by the Director or designee. The suitability of the memorial's requested location shall be determined by the Director in his/her sole discretion. The Director may identify an alternative location as more appropriate.

2. Applicants may request other, unique memorials. Such an application must include as much detail as possible including: the design, size, preferred location, materials, colors, maintenance plan, installation information, timeframe, purpose or historic significance, and such other information as the Director deems necessary for an evaluation of the application. The Director may request comments from council members, city staff or city commissions. Upon approval of a memorial request, the donor shall be responsible for the costs to fabricate and install the memorial, and shall coordinate all work with the designated Public Works staff.



**City Park / Open Space Memorial Application**

**Donated furnishings or trees must be on the pre-approved list provided by the City.**

Date of Application: \_\_\_\_\_ Type of Memorial: (circle one) TREE BENCH PLAQUE

Donor Name: \_\_\_\_\_

Donor Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Name of person honored by memorial: \_\_\_\_\_

Location: PARK \_\_\_\_\_ Location \_\_\_\_\_

Street Address \_\_\_\_\_

Tree Type: \_\_\_\_\_

Bench: (circle one) NEW REPLACE EXISTING

Plaque Wording: \_\_\_\_\_

\_\_\_\_\_

Donor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OFFICE USE ONLY**

Date of Appearance Committee Meeting: \_\_\_\_\_ (circle one) APPROVED DENIED

Reason for Denial: \_\_\_\_\_

If this is a replacement memorial, original donor name, address, phone number:

\_\_\_\_\_

Date notified: \_\_\_\_\_ Is the original donor interested in replacing or restoring the memorial? YES/NO

If no, do they want the plaque returned? YES/NO \_\_\_\_\_

If no, date of disposal. \_\_\_\_\_

Total Payment Due: \_\_\_\_\_ (circle one) CASH CC CHECK # \_\_\_\_\_

Date memorial was installed: \_\_\_\_\_