

	Policy:	<b>Commemorative Program Policy</b>		
	Department:	Parks, Facilities, Recreation and Culture		
	Division:	Parks and Naturalized Areas	By-Law No.:	N/A
	Administered By:	Manager of Parks and Naturalized Areas	Approval Date:	June 12, 2023
	Replaces:	<i>Memorial Program Policy – Nov. 26, 2012</i>		
	Attachment(s):	N/A		

## 1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to providing opportunities for individuals, businesses or organizations to provide funding for the placement of commemorative benches or trees, in commemoration of the life or life event, of an individual or individual(s), in or of, the community.

## 2. PURPOSE

- 2.1. The program contributes to the strengthening of identity by providing opportunities for citizens to remember and reflect on loved ones in a natural setting that has special meaning to themselves or their loved one.
- 2.2. Commemorative investments in parkland assets provide a functional space for the use and enjoyment of all, promoting social connection and contributing to a sense of community and place. The provision of aesthetically pleasing and well-positioned benches and trees along walkways and in parks encourages pedestrian use and compliments the natural landscape.
- 2.3. Commemorative trees improve soil and water conservation, store carbon, moderate local climate by providing shade, regulate temperature extremes, increase wildlife habitat and improve land's capacity to adapt to climate change.

## 3. SCOPE

- 3.1. This policy applies to all commemorative contributions for benches or trees on property owned by the Town of Amherstburg.
  - 3.1.1. This policy does not apply to commemorative bench installations which included perpetual care and maintenance agreements.
  - 3.1.2. This policy does not apply to general donations towards tree plantings from individuals, businesses, organizations, but rather only commemorative ones.

- 3.2. The Commemorative Program is intended for the commemoration of the life, or life event, of an individual or individuals in, or of, the community.
  - 3.2.1. At the sole discretion of the Town, the Town reserves the right to refuse any application or commemoration of a controversial individual, event, or any other request that may be considered discriminatory, derogatory or offensive.
- 3.3. Advertising or promotions are not permitted within the Commemorative Program.
- 3.4. This policy shall be reviewed every five (5) years from the date it becomes effective, and/or sooner at the discretion of the CAO or designate.

#### 4. DEFINITIONS

- 4.1. **Commemorative Bench** refers to park benches inclusive of a placard or other identifying marker denoting and commemorating the life or life event of an individual or individuals, in or of, the community. Determinations of appropriateness of individual commemorations and technical specifications for such memorial installations shall be in accordance with the requirements set out in this policy.
- 4.2. **Commemorative Tree** refers to trees planted on municipal lands in commemoration of the life or life event of an individual or individuals, in or of, the community. Determinations of appropriateness of individual commemorations and required specifications shall be in accordance with the requirements set out in this policy.

Common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

#### 5. INTERPRETATIONS

Any reference in this Policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a By-law or Town policy shall be deemed to be a reference to the most recent passed By-law or policy and any replacements thereto.

#### 6. GENERAL CONDITIONS

- 6.1. The Town of Amherstburg reserves the right to enter into agreements for commemorative benches or trees on a first come, first served basis to those who pay in full and submit a completed application form.

- 6.2. The Parks, Facilities, Recreation and Culture Department or Engineering and Infrastructure Services Department shall be responsible to determine the appropriate location, style/species, and installation and maintenance standard of all commemorative benches and trees governed by this policy, as appropriate.
- 6.3. Prices for commemorative trees or benches shall be on a full cost recovery basis.
  - 6.3.1. The user fees associated with commemorative benches shall reflect the cost of the bench including installation, commemorative plaque and engraving, maintenance and installation of an accessible concrete surface.
  - 6.3.2. The user fees associated with commemorative tree plantings shall reflect the cost of the tree including planting, mulching and annual tree maintenance for the first two years after the tree is planted.
- 6.4. The contribution towards a commemorative bench or tree does not convey ownership of same. These physical assets are wholly property of the Town of Amherstburg. Any contribution towards a commemorative bench is for the express purpose of the commemoration, for the duration of the agreed upon term.
- 6.5. At the expiry of the commemorative bench term, the Town will make all reasonable efforts to contact the donor about a renewal of the commemorative term. Where a donor does not wish to renew their commemorative bench term or cannot be contacted, the respective plaque will be removed and may be given to the donor.
- 6.6. The Town understands that the commemorative bench or tree may have sentimental value, however, it is not to be considered a memorial or shrine. For that reason, the Town respectfully advises that the placement of flowers, commemorative stones, wreaths, pictures, or other such items are not permitted.
  - 6.6.1. Any items placed on the commemorative bench or tree location will be removed without notice.
- 6.7. Once installed Commemorative Benches will not be permitted to be changed or altered in anyway, except with the express written permission of the Town and may be subject to additional fees, as appropriate.

## 7. RESPONSIBILITIES

- 7.1. **Council** has the authority and responsibility to:
  - 7.1.1. Approve the *Commemorative Program Policy*.
- 7.2. The **CAO** has the authority and responsibility to:
  - 7.2.1. Ensure compliance with the *Commemorative Program Policy*; and,

**7.2.2.** Determine when the Town may refuse any application or commemoration of a controversial individual, event, or any other request that may be considered discriminatory, derogatory or offensive.

**7.3.** The **Director of Parks, Facilities, Recreation and Culture** has the authority and responsibility to:

**7.3.1.** Ensure administration of the Commemorative Program;

**7.3.2.** Ensure communication of the Commemorative Program information to members of the public; and,

**7.3.3.** Ensure development of a map for each park to identify potential locations for commemorative installations.

**7.4.** The **Manager of Parks and Naturalized Areas** has the authority and responsibility to:

**7.4.1.** Determine the location and suitability of commemorative tree and bench locations in municipal parkland; and,

**7.4.2.** Maintain or direct the maintenance of Commemorative Benches and Trees, as required, during the term of the agreement.

**7.5.** The **Director of Engineering and Infrastructure Services** has the authority and responsibility to:

**7.5.1.** Ensure the creation of an Approved Tree Species List for the Commemorative Program, in consultation with a certified arborist.

**7.5.2.** Ensure the administration of the commemorative program with regards to right-of-way commemorative installations.

**7.6.** The **Manager of Roads and Fleet** has the authority and responsibility to:

**7.6.1.** Determine the location and suitability of commemorative roadside bench within the municipal right-of-way.

**7.7.** **Staff** have the responsibility to:

**7.7.1.** Adhere to the *Commemorative Program Policy*.

## **8. REFERENCES AND RELATED DOCUMENTS**

N/A