



Administrative Policy and Procedure City of Bonney Lake, Washington

SUBJECT: Roadside and Other Memorials		
	Policy No. 500.015	Pages: 3
Effective Date:	Supercedes: NA. New Policy	
Developed by: Don Morrison	Department Head Approval:	Mayor Approval: 

1. PURPOSE

The purpose of this policy is to recognize that some members of the community may wish to mark the location of a fatal accident by the placement of a roadside memorial at or near the site where the fatal accident occurred. Within the guidelines of this policy, City staff will deal sensitively with temporary roadside memorials but not encourage their placement.

2. ORGANIZATIONS AFFECTED

- Executive Department
- Police Department
- Public Works Department

3. REFERENCES

None

4. DEFINITIONS

- 4.1** A roadside memorial is any object to commemorate and indicate the location of a road fatality, and which is constructed, erected or placed within a public right-of-way (ROW) either owned or under the care and control of the City of Bonney Lake. Memorials may include affixing of items such as crosses, flowers or memorabilia to existing infrastructure.
- 4.2** Road means a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes (a) a bridge, viaduct or subway; or (b) an alley, laneway or walkway."

5. RESPONSIBILITIES

- 5.1** The establishment of and maintenance of roadside memorials is the responsibility of the bereaved parties who placed the memorial.

- 5.2 It is the responsibility of the Public Works Operations Division (Street Section) to remove memorials not in compliance with this policy as requested by the Mayor, City Administrator, Public Works Director, or Chief Of Police.

6. STATEMENTS OF POLICY AND PROCEDURE

- 6.1 **Roadside Memorials Generally.** The City will allow temporary roadside memorials of a fatal accident within the City ROW. The City will deal sensitively with temporary roadside memorials but will not encourage their placement. Roadside memorials placed pursuant to this policy are to be temporary in nature, must be of reasonable scale, may not contain offensive objects, and are required to be removed within specified time frames. Since the placement of materials within the City ROW is generally prohibited, the placement of a roadside memorial is considered a temporary privilege, and not a right. Only one (1) roadside memorial shall be permitted per fatal accident site. Alterations to a City street or ROW may not be made to accommodate a memorial unless expressly authorized by the City Council. Roadside memorials should be located at least 6 feet from the edge of the travel lane, and no closer than 50 feet from an intersection. This is to allow bereaved parties safe access to the memorial and to reduce the likelihood of the memorial representing a hazard to other road users. The positioning of the roadside memorial is to be such that it does not impede normal road and ROW maintenance activities.
- 6.2 **Types and Size of Memorials.** Memorials may include affixing of items such as crosses, flowers, toys or other memorabilia to existing infrastructure. Roadside memorials should not be more substantial than a small lightweight wooden cross, flowers, or other nominal memorabilia. It is important that the size does not distract road users or present a hazard within the clear zone of the road. Memorabilia that is offensive to a reasonable person, provides a visual distraction, or creates a safety hazard to drivers, may be removed from the ROW.
- 6.3 **Other Memorials.** Memorials placed in City Parks or other City own places are not permitted. The Mayor may grant an exception on a case-by-case basis, provided the memorial would not interrupt the normal operations and maintenance of the City facility or space, would not be offensive to a reasonable person, or would not create a public safety hazard.
- 6.4 **Notice to City.** Bereaved Parties are encouraged to notify the Public Works Director or designee of any roadside memorials established, including contact information and approximate location of the memorial. If the bereaved parties are not familiar with this policy, the Public Works Director shall provide a copy of the policy to the bereaved parties. While approval from the City is not required for the erection of a roadside memorial, it is a requirement that the provisions of this policy be adhered with to ensure the safety of road users and allow continued maintenance of the ROW.
- 6.5 **Guidelines for Memorials.** Memorials should meet the following guidelines. Memorials established that do not meet the following guidelines may be removed upon order of the Mayor or City Administrator:
- A. A memorial should be located in a position where it will not constitute a safety

hazard, or otherwise unduly distract drivers' attention, or interfere with the role of any traffic control device.

- B. A memorial should not be located in a position where it will be hazardous to passing traffic (vehicles, bicycles and pedestrians) or prevent appropriate maintenance of the ROW.
- C. A memorial should not be constructed of materials that may cause hazard to vehicles, bicycles and pedestrians. (e.g. large metal or stone components markers). All objects should be secured to prevent dispersion by weather conditions.
- D. A memorial should not unreasonably restrict access for utility and emergency services, nor interrupt normal maintenance and operations activities.
- E. Persons placing memorial objects within the ROW do so at their own risk. Wherever possible the location of a memorial should be chosen to minimize risk.
- F. Location of a memorial should not unreasonably detract from the amenity of the local area or detract from the reasonable quality of life as expected by adjacent landowners or property occupiers and other members of the public.

6.6 Time Allowed for Memorial. Erection of a memorial is to be temporary up to a maximum of six weeks from the date of the accident, after which time the memorial shall be removed. Any appropriate remedial works to the site are required at the time of removal. Location of "anniversary memorials" is permitted upon the initial 12 month anniversary of the fatal road accident. Subsequent "anniversary memorials" are not permitted and may be removed by City staff. Anniversary memorials are required to be removed and any appropriate remedial works to the site are to be completed, within fourteen days of placement. Roadside memorials which have been in place beyond the time allowed, or appear to have been neglected, may be removed by designated City staff. City staff will place removed items in a box and hold them for fourteen calendar days. If no one claims the memorial items within the time period, they will be discarded.

6.7 Notice to Adjoining Property Owners. Prior to the establishment of roadside memorials, bereaved parties should consult with adjoining property owners. This is particularly important when the roadside memorial will be located on the boundary of the adjoining property and/or in close proximity to the entrance to an adjoining property. The potential impact that the roadside memorial may have on an adjoining property owner should be considered when determining the location of the memorial. City staff may relocate or otherwise remove memorials that have been placed in front of a person's residence when the owner of that residence has specifically requested that the memorial not be placed in front of their property.

7. **ATTACHMENTS:** None