

Memo



Date: February 17, 2011
File: 5460-06
To: City Manager
From: Darryl Astofooroff, Manager, Transportation Services
Subject: New Council Policy No. 358 - Roadside Memorial
Report Prepared by: Laurens Campbell, Engineering Traffic Technician

Recommendation:

THAT Council adopts Council Policy No. 358, being Roadside Memorials as outlined in the Report from the Manager, Transportation Services dated February 17, 2011.

Purpose:

This report has been prepared in response to a Council resolution from the October 25, 2010 A.M. Regular Council Meeting that directs staff to explore options regarding implementing a program for Roadside Memorials similar to that of the City of Calgary.

Background:

There are several locations throughout the community where the public have placed roadside memorials to commemorate victims of fatal motor vehicle crashes. The City of Kelowna is currently without a policy regarding placement of roadside memorials as grieving places for family and friends.

The University of Calgary studied roadside memorials and their report discovered the following:

- Most road authorities have no formal policy on memorials but allow them to exist,
- Many municipalities that have policies do not enforce the policy unless the memorial becomes a nuisance,
- 51% of people surveyed agreed that roadside memorials should be allowed to exist, whether officially or unofficially but there should be a limit on the length of time that they are allowed to be in place,
- The report indicates that studies undertaken to date have not identified a negative safety effect resulting from the presence of roadside memorials and that there may in fact be some positive short term safety effects at some locations.

On average there are nine fatal road crashes per year within the City of Kelowna. About half of those crashes occur on provincial highways, within city limits. The BC Ministry of Highways does have a policy which allows for roadside memorials within the highway right-of-way (attached).

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Staff surveyed numerous British Columbia municipalities and found that few municipalities have a policy to regulate roadside memorials but some have informal processes for dealing with memorials that appear along municipal roads. Generally, most municipalities allow the memorials to remain and roadways crews ensure that they are not blocking sidewalks or roadways, that the material is appropriate, and generally that the memorial is reasonable. Some endeavor to contact whoever is maintaining the memorial if there are concerns. In cases where the memorial remains in place for upwards of a year they are removed by municipal crews after attempting to contact the persons responsible.

Considering the relatively low number of fatal crashes on city roadways, staff does not recommend creating and administering a significant program for providing and maintaining permanent roadside memorials but out of respect for the grieving family and friends have developed a policy that addresses this issue. Staff recommends the attached policy regarding roadside memorials that allows memorials to remain in place for up to two years if they are maintained by family and friends. The memorials will be removed if they present a hazard to those using or maintaining the sidewalks or roads, encroach upon the road or sidewalk, cause an intersection sightline obstruction or cause a significant distraction to motorists or cyclists.

Internal Circulation:

Joe Creron - Director, Civic Operations
Stephen Fleming - City Clerk
Fred Wollin - Traffic Supervisor
Jerry Behl - Manager, Transportation and Mobility
Carla Stephens - Director, Community and Media Relations

Legal/Statutory Authority:

City of Kelowna Traffic Bylaw 8120

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

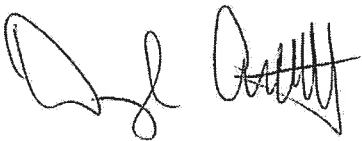
External Agency/Public Comments:

Community & Media Relations Comments:

Alternate Recommendation:

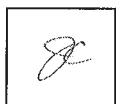
Considerations not applicable to this report:

Submitted by:



Darryl Astofooroff, Manager, Transportation Services

Approved for inclusion:



Joe Creron, Director, Civic Operations

cc: John Vos, General Manager, Community Services
Corinne Boback, Legislative Coordinator



Ministry of Transportation

Policy for Roadside Memorials

POLICY:

It has become customary for members of the public to place items of memorial along roadways to commemorate those who have died as a result of motor vehicle related accidents. Out of respect for grieving family and friends, the Ministry of Transportation allows placement of roadside memorials within provincial right-of-way at, or near, the accident site.

Roadside memorial markers should not be a hazard to those using or maintaining a highway. The sole authority to remove a memorial marker resides with the District Manager, Transportation. If the district manager determines that it is absolutely necessary to remove a memorial marker for safety, construction or maintenance purposes, the district manager will attempt to contact the individuals who erected the memorial and facilitate its relocation or removal.

AUTHORIZATION:

Approved By: Assistant Deputy Minister, Highways Department

Initiating Director: Executive Director, Properties and Business Management

Working Contact: District Managers, Transportation



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Council Policy

Roadside Memorials

APPROVED @

RESOLUTION:
 REPLACING: NA
 DATE OF LAST REVIEW:

A. PURPOSE

The City of Kelowna recognizes that roadside memorials are frequently installed by friends and family of persons who have been the victim of a motor vehicle fatality. In some instances the memorial is erected at a location where a crime has been committed and an individual has died. Out of respect for grieving family and friends and in some instances the community, the City of Kelowna will allow the placement of roadside memorials within the road right-of-way at, or near the site for a period of up to two years.

B. RESTRICTIONS

Roadside memorials must not:

- a) present a hazard to those using or maintaining the roadway or sidewalk;
- b) encroach onto the paved portion of the roadway or sidewalk,
- c) cause intersection sightline obstructions or cause a significant distraction to motorists.

C. REMOVAL OF ROADSIDE MEMORIALS

The authority to remove the memorial resides with the Manager, Transportation Services, who may also require removal of the memorial for maintenance, construction or safety purposes. In those circumstances, City Staff will attempt to notify the persons responsible for the memorial.

Roadside memorials will not be removed for a period of up to two years from the date of installation.

The roadside memorials must be maintained by family or friends of the deceased. If the roadside memorial becomes unsightly and not maintained it will be removed and disposed at the sole discretion of the Transportation Services Manager.

REASON FOR POLICY

To provide direction to the public and City staff regarding privately placed roadside memorials within a road right-of-way.

LEGISLATIVE AUTHORITY

Council Resolution.

PROCEDURE FOR IMPLEMENTATION

Outlined in the policy.