

Corporate Policy and Procedure



Policy No. 10-03-02
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Effective Date 2010 07 15
Supersedes

TAB: ROADS AND TRAFFIC
SECTION: TRAFFIC SAFETY
SUBJECT: ROADSIDE MEMORIALS

POLICY STATEMENT The City of Mississauga permits the placement of temporary roadside memorials to commemorate those who have lost their lives in traffic incidents, such as motor vehicle collisions and pedestrian or cycling accidents.

PURPOSE The practice of erecting memorials at locations where fatal collisions have occurred has become quite commonplace. This policy outlines the steps that the City will follow to ensure a sensitive and consistent approach is taken in dealing with temporary roadside memorials, while also ensuring the safety of the travelling public.

This policy establishes:

- the period of time a roadside memorial will be allowed to remain in place;
- the allowable dimensions and locations of the memorial; and
- procedures to handle the relocation or removal of a roadside memorial when necessary

LEGISLATIVE AUTHORITY *The Municipal Act, 2001* (the Act) permits municipalities to regulate the use of its highways. This includes permitting any person, subject to conditions, to place or install objects on its highways. The Act provides that the municipality is liable for losses as a result of any such installations.

SCOPE This policy applies to all memorials commemorating fatal traffic collisions and consisting of, but not restricted to, flowers, wreaths, photographs, signs, candles, toys, crosses or a combination of these items that are placed adjacent to any municipal highway under the jurisdiction of the City of

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Mississauga.

DEFINITIONS

“Highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles.

“Temporary memorial” means any of the various types of impromptu tributes placed alongside a roadway to memorialize people who have died as a result of motor vehicle related collisions or any other tragic event.

PROCEDURAL GUIDELINES

The Transportation and Works Department will track and monitor memorials as they appear and as they are made aware of them.

Enquiries from the public prior to the erection of a temporary memorial are to be directed to the Transportation and Works Department, Traffic Engineering and Operations Section.

City staff will monitor existing memorials to ensure they are not a distraction or hazard; impede the safe and efficient movement of vehicular or pedestrian traffic; interfere with road maintenance or clearance operations; impede the use of essential apparatus such as fire hydrants; or obstruct access to underground infrastructure or adjacent properties.

Size and Location of Memorial

To minimize any distraction or hazard any memorial may cause, they may not be located on the travelled portion of the roadway, medians, traffic islands, sidewalks, bicycle paths or multi-use trails.

Persons placing the memorial should be respectful of adjacent property owners and/or commercial businesses and ensure there is no permanent damage to City property.

To further minimize distractions the memorial should not be larger than 90 cms by 90 cms (3 feet by 3 feet) and limited to a

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central location.

Duration of Memorial

Typically these temporary memorials do not remain in place for more than a few weeks; however they will be allowed to remain in place for up to a twelve month period. Temporary memorials which are obviously not being maintained may be removed by City staff prior to the expiration of the twelve months.

The twelve month period commences when the City is made aware of the memorial. This period may be extended at the discretion of the Commissioner of Transportation and Works (the Commissioner).

Removal of Memorials

Any memorial which becomes unsafe or requires maintenance for any reason may be removed or relocated to a more suitable location at any time.

When it is determined by City staff that a roadside memorial must be removed or relocated due to concerns for public safety, City staff from the Transportation and Works Department will liaise with the Peel Regional Police Major Collision Bureau.

These specially trained officers are the primary contact with the victim's families throughout the investigation of collisions which result in fatal or critically injured persons, and will deal directly with the families or friends who have created roadside memorials to ensure any safety concerns are handled in a sensitive and professional manner.

Peel Regional Police will convey all information regarding the removal or relocation of the memorial to the family, and provide them with a contact within the City Transportation & Works Department should they have any further questions or concerns. In the case of a removal, the memorial will be retained by Transportation and Works staff for a period of 30 days.

Whenever possible the Commissioner or his designate should

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approve all removals and relocations prior to any action being taken.

Any memorial that is still in place at the end of the twelve month period, or memorials which are no longer being maintained, will be removed by the City without notification. Perishable items (flowers, wreaths, etc.) will be disposed of. Items such as photographs, signs, candles, toys, crosses, etc. will be retained at a central location for a period of 30 days from the date of removal.

REFERENCE: LT – 2010 07 15

LAST REVIEW DATE:

CONTACT: For more information, contact the Transportation and Works Department, Traffic Engineering and Operations Section.