

**THE CORPORATION OF THE CITY OF WINDSOR
POLICY**

Service Area:	Office of Parks, Recreation, Culture and Facilities	Policy No.:	
Department:	Parks	Approval Date:	January 16, 2018
Division:	Parks Development & Forestry & Natural Areas	Approved By:	Council
		Effective Date:	January 16, 2018
Subject:	Commemorative Bench & Tree Program	Procedure Ref.:	
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1. POLICY

1.1 The Corporation of the City of Windsor is committed to the greater good of the community and responds to the public's high demand of commemorations by administering a municipal commemorative park bench and tree programs through its Parks Department. These programs allow for private commemorations on memorial benches and in front of memorial trees.

2. PURPOSE

2.1 The purpose of the Parks Commemorative Bench and Tree programs are to provide a means for members of the community to recognize and honour a person, organization, or significant event. The contributions made through these programs will also benefit the City's parks, urban forest, green spaces, the natural environment and the community as a whole.

2.2 This policy shall provide a framework for the consistent decision-making process related to the acceptance, placement and long-term maintenance of bench and tree donations.

3. SCOPE

3.1 The Commemorative Bench and Tree programs are intended primarily for the donation of a single bench or tree.

3.2 This policy applies to all applicants of both the Commemorative Bench and Tree programs, as well as those who administer the programs on behalf of The Corporation of the City of Windsor.

3.3 Both programs do not include benches or trees at other City Facilities, streetscapes or Business Improvement Areas (BIAs). They also do not include lands under the ownership or jurisdiction of the School Board.

4. RESPONSIBILITY

4.1 The Corporate Leader of Parks, Recreation & Culture and Facilities shall be responsible for:

- 4.1.1** Directing a review of this policy annually;
- 4.1.2** Ensuring the successful implementation of this policy;
- 4.1.3** Shall carry out the role as decision maker under this policy in good faith and in a timely and expeditious manner.

4.2 The Manager of Parks Design and the Manager of Parks Operations shall work together to design, acquire and install approved plaques and benches.

4.3 The Manager of Parks Operations shall be responsible for:

- 4.3.1** Implementing, monitoring and evaluating this policy as it relates to the Commemorative Bench program.
- 4.3.2** Installing, monitoring and maintaining the Commemorative plaques and benches.

4.4 The City Forester/Manager Forestry & Natural Areas shall be responsible for:

- 4.4.1** Implementing, monitoring and evaluating this policy as it relates to the Commemorative Tree program
- 4.4.2** Planting, monitoring and maintaining the Commemorative Trees and Installing, monitoring and maintaining the plaques relating to the Tree program.

5. GOVERNING RULES AND REGULATIONS

5.1 Definitions

Donor – The original purchaser of the commemorative bench.

Eligible Parks – City parks and trails that are identified to have available sites for commemorations on any existing bench or new sites as parks are developed or redeveloped.

Exterior Path - sidewalks and walkways intended to provide a functional route from Point A to Point B, rather than those paths that are intended to provide a recreational experience.

Lifecycle - benches will be exposed to natural elements, general public and other wear and tear that may cause deterioration and damages.

May – denotes an option or alternative.

Natural Trail – a public pathway constructed of woodchip, grass or soil to reduce the impact on the natural environment. Typically winds through natural areas in a park to allow people to participate in recreation and leisure activities such as hiking and enjoying nature. Due to the rugged surface area the trail is not accessible and the use is limited.

Parks – Corporation of the City owned parks and trails.

Paved Trail – a concrete or asphalt public pathway that winds through parks to allow people to participate in recreation and leisure activities, such as walking, biking, rollerblading, and other roller sports.

Primary location – eligible commemorative bench locations are situated along accessible paved trails or pathways.

Promenade - a paved public walk, typically one along the waterfront.

Rest area – a portion of an exterior path that allows people to move out of the flow of pedestrian traffic to rest before continuing on towards their desired destination.

Shall – denotes a mandatory.

5.2 Fees

5.2.1 All costs associated with these programs are the responsibility of the contributor. Both programs are intended to be operated on a full cost recovery basis.

5.2.2 All trees, benches and any accompanying plaques will be purchased by the City and charged at the rate contained in the Parks user fee schedule, as amended.

5.2.3 Fees are reviewed annually by Council and are subject to change.

5.3 Commemorative Bench Program

5.3.1 Processing

5.3.1.1 Benches will be mounted to an existing promenade, resting area or existing bench pad along trails or pathways. Locations that do not have an existing suitable surface area to anchor the bench, will require the installation of a new bench pad where the costs will be charged to the donor.

5.3.1.2 Where bench pads are required, an accessible pad shall be installed along accessible trails or pathways. Or where a bench is approved outside of the primary locations a standard bench pad shall be installed along unpaved trails or isolated areas with no trails or pathways.

5.3.1.3 Completed request form is required prior to the donation being processed. Upon approval, full payment is required prior to bench installation. Once installed donor will be contacted with confirmation and date of installation.

5.3.1.4 The donation of a commemorative bench to the City of Windsor Parks Department does not constitute ownership of the item, the land upon which it is situated, or the surrounding area.

5.3.1.5 Once purchased, the bench becomes the property of the City of Windsor Parks Department

5.3.1.6 The City may limit the number of plaques or benches dedicated to an individual or group to provide more commemorative opportunities to others.

5.3.2 Term and Maintenance

- 5.3.2.1** Applications for the commemorative bench program are accepted year round and benches are installed as climatic conditions permit.
- 5.3.2.2** Bench commemorations are provided for the natural life span of the bench to a maximum of ten (10) years. They will be maintained at the discretion of Parks Operations staff in accordance with the lifecycle analysis of the item.
- 5.3.2.3** Benches are not refurbished on an annualized basis and will remain on site for the lifecycle of the bench to a maximum of ten (10) years. The lifecycle of the bench has passed when it is deemed by Parks Operations to be at the point in time at which the bench becomes unsafe or unusable.
- 5.3.2.4** Plaques maintained to a maximum of two (2) years. Should the plaque be vandalized or stolen, the City of Windsor will pay for one (1) replacement plaque. Anything thereafter would be an additional cost and at the sole discretion of the donor.
- 5.3.2.5** At the expiry of the bench term, Parks will make all reasonable efforts to contact the donor and return the plaque. It is the responsibility of the donor to inform Parks of any changes to contact information.

5.3.3 Location

- 5.3.3.1** This policy permits commemorative benches in **eligible** City Parks.
- 5.3.3.2** Locations within parks are subject to Parks approval. Bench installation is based on proposed future development, underground utilities, maintenance efficiencies and other site restrictions.
- 5.3.3.3** Parks at full capacity, donors may be put on a waiting list. The waiting list is on a first come, first served, basis for each park.
- 5.3.3.4** Primary locations of benches within parks are along accessible paved trails and pathways.
- 5.3.3.5** Locations outside of the eligible parks may be permitted on a case by case basis, subject to review by Parks Operations.
- 5.3.3.6** Parks reserves the right to temporarily or permanently relocate benches (i.e. bench is subject to recurrent vandalism, the park is scheduled for re-development, servicing upgrades, and other circumstances). In such cases, Parks will make all reasonable efforts to consult with the donor or representatives prior to any relocation or alteration.
- 5.3.3.7** Since the locations are outdoors within City parks, benches will be exposed to natural elements, general public, and other wear and tear.

5.3.4 Benches

5.3.4.1 Benches are restricted to the options provided by the City of Windsor Parks Department. The Parks Commemorative Bench Program options are:

- Standard Commemorative Bench will be pressure treated wood slats, square tube powdered coated frame
- Metal Commemorative Bench – Powdered coated steel slats welded to tubular steel, bronze plaque *2 year term and installation

5.3.4.2 All benches shall be surface mounted on hard surface such as a bench pad, rest area or promenade.

5.3.4.3 All new benches along pathways requiring a new bench pad will be installed on an accessible bench pad.

5.3.4.4 Benches that are approved that are not along pathways will be installed on a standard bench pad.

5.3.4.5 Bench styles are reviewed and are subject to change based on manufacturer availability, feasibility and other circumstances.

5.3.5 Restrictions

5.3.5.1 Any alterations done by donors to the bench, the land upon which it is situated, or the surrounding area are prohibited (i.e. painting, staining, planting, etc.)

5.3.5.2 Placement of memorial wreaths, flowers, mementoes or any other item in the vicinity of any bench is prohibited.

5.4 Commemorative Tree Program

5.4.1 Processing

5.4.1.1 Completed request form is required prior to the donation being processed. Upon approval, full payment is required prior to tree installation. Once installed donor will be contacted with confirmation and details of installation.

5.4.1.2 The donation of a commemorative tree and or plaque to the City of Windsor Parks Department does not constitute ownership of the item, the land upon which it is situated, or the surrounding area.

5.4.1.3 Once purchased, the tree becomes the property of the City of Windsor Parks Department.

5.4.1.4 The City may limit the number of commemorative trees dedicated to an individual, event or group to provide more commemorative opportunities for others.

5.4.2 Term and Maintenance

5.4.2.1 Applications for the commemorative tree program are accepted year round and the planting of trees will occur during the spring and fall seasons

5.4.2.2 Newly planted trees and plaques will be maintained for a period of five (5) years. They will be maintained at the discretion of Parks Forestry staff in accordance with the best management practices for the care of trees.

5.4.2.3 Trees and plaques will be replaced once in the first five (5) year maintenance period if necessary. Should the tree die or the tree and plaque be vandalized or removed following the fifth year, all replacement costs will be the responsibility of the donor.

5.4.2.4 It is the responsibility of the donor to inform Parks of any changes to contact information.

5.4.3 Location

5.4.3.1 This policy permits commemorative trees in **eligible** City Parks.

5.4.3.2 Locations within parks are subject to Parks approval. Selection of the planting site is based on proposed future development, the availability of open space, sightline limits, underground utilities, maintenance efficiencies and other site restrictions.

5.4.3.3 Locations outside of the eligible parks may be permitted on a case by case basis, subject to review by Parks Forestry.

5.4.3.4 Parks reserves the right to permanently relocate a tree (i.e. tree is subject to recurrent vandalism, the park is scheduled for re-development, servicing upgrades, and other circumstances). In such cases, Parks will make all reasonable efforts to consult with the donor or representatives prior to any relocation or alteration.

5.4.3.5 Planted trees are part of the local environment and trees are exposed to a list of environmental factors such as drought, extreme heat, insect or disease pressures or flooding. Tree replacement will only occur one time within the 5 year maintenance period.

5.4.4 Restrictions

5.4.4.1 Any alterations done by donors to the tree, the land upon which it is situated, or the surrounding area are prohibited.

5.4.4.2 Placement of memorial wreaths, flowers, mementoes, ornaments or any other item on the tree or in the vicinity of the tree is prohibited.

6. RECORDS, FORMS AND ATTACHMENTS

6.1 The following forms are associated with the Commemorative Bench & Tree policy:

- Commemorative Bench Program Application Form,
- Commemorative Tree Program Application Form,

6.2 These forms may be amended by the Corporation as required from time to time.

6.3 Records will be retained in accordance with the record retention requirements of the *Municipal Freedom of Information and Protection of Privacy Act* and The City of Windsor's Records Retention Disposal By-Law #21-2013.