

1 CHAPTER 15

2 MEMORIALS, MONUMENTS, AND NAMING OF PUBLIC PLACES AND FACILITIES

3 SECTION:

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16 8-15-1: PURPOSES:

17 A. To provide guidelines for consistency in:

18 1. The naming of city-owned and managed parks, public spaces, public buildings, and
19 public facilities, and

20 2. The placement of memorials, including installation of monuments and planting of
21 memorial trees, in any public space within the city.

22 B. To ensure the naming of parks, public spaces, public buildings and public facilities,
23 and the placement of monuments and memorials: 1) commemorate and recognize
24 individuals, institutions or events contributing significantly to the historical creation or
25 betterment of the city, the state or the nation; 2) are consistent with the overall interests,
26 values, and expectations of the citizens of West Jordan City; and 3) are consistent with state
27 and federal requirements as may now or in the future be applicable. (Ord. 09-11, 3-24-
28 2009; amd. Ord. 19- 48, 12-11-2019, Effective at 12 noon on January 6, 2020)

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30 8-15-2: SCOPE:

31 A. This chapter covers all proposals to name parks, public spaces, public buildings and
32 public facilities, and the donation or other placement of memorials or monuments,
33 including planting of memorial trees, in any public space within the city.

34 B. This chapter will supersede any other prior ordinance or code provision affecting or
35 regulating the same subjects.

36 C. This chapter does not cover city created public road signage or other city created
37 signage or city-owned display boards or banners.

38 D. Parks, public spaces, public buildings and public facilities named, and any monument
39 or memorial placed, prior to the adoption date hereof, are exempted from any retroactive
40 application of the provisions of this chapter. (Ord. 09-11, 3-24-2009; amd. Ord. 19-48, 12-
41 11-2019, Effective at 12 noon on January 6, 2020)

42
43 8-15-3: DEFINITIONS:

44 For the purposes of this chapter, the following definitions will be used:

45 MEMORIAL: A plate, tablet, or slab made of metal, stone or any other appropriate material
46 with text and/or graphics displayed on it and fixed on, applied to, or inserted in a surface,
47 created to recognize and preserve the memory of a person, group, event or place.

48 MONUMENT: A structure or a three-dimensional physical object (e.g., a sculpture) created
49 to recognize and preserve the memory of a person, group, event or place. A water feature
50 or memorial garden type proposal may be deemed a monument. (Ord. 09-11, 3-24-2009)

51
52 8-15-4: GENERAL NAMING PRINCIPLES AND PLACEMENT:

53 A. All proposals to name a park, public space, public building or a public facility and the
54 proposed placement of memorials or monuments, including installation of donated seating,
55 street furniture and play/park equipment, and planting of memorial trees in any public
56 space within the city, will be considered on a case by case basis, whether generated by the
57 public or from within the city council. Notwithstanding this case by case approach, the
58 relevant criteria to be taken into consideration shall include, but not be limited to:

- 59 1. There must be a high level of community support for the proposal;
- 60 2. The proposal must: a) commemorate a person or a group who made a significant
61 contribution to the West Jordan community, the state of Utah or the United States of
62 America; or b) commemorate an event or occasion that is important in local, state or
63 national history; or commemorate an important indigenous or nonindigenous aspect of
64 West Jordan City's heritage;
- 65 3. Any proposed name must reflect the character, landscape, natural amenity, flora or
66 fauna, or function of the site or the area.

67 B. With the exception of special circumstances approved by the city council, the naming
68 after a person of parks, public spaces, public buildings and public facilities, and the
69 placement of monuments and memorials, including placement of donated seating, street
70 furniture or play/park equipment shall only be done posthumously.

71 C. With the exception of historical persons who died more than 100 years ago, naming of
72 parks, public spaces, public buildings and public facilities, and the placement of monuments
73 and memorials after a person shall only be done with the consent of the memorialized
74 person's immediate family.

75 D. The city council will not approve names that are complex, derogatory, or offensive.

76 E. The city council will not approve name duplication of memorials within the city or in
77 immediately adjacent local government areas.

78 F. If the proposed memorial site is currently recognized by a formal or informal name
79 that is widely accepted and strongly recognized by the local community, the city council
80 will not consider a name change unless the proposed name change is widely supported by
81 the West Jordan City community.

82 G. When considering a proposal, the city council will make an assessment and decide
83 whether the name needs to be registered with any state or federal agency. In cases where
84 the city council decides to register the name with a state or federal agency, it will follow the
85 relevant guidelines from the agency.

86 H. Memorials and monuments containing statements of religious principles or scriptural
87 verses are prohibited in public parks, public spaces, public buildings or public facilities;
88 provided, however, if such a principle or scripture is unavoidably entwined with an
89 otherwise historically significant event or the persona of a person proposed to be honored,
90 the monument or memorial may contain a minor and incidental reference to such a
91 principle and/or scripture.

92 I. Any proposal to name a park, public space, public building or public facility and the
93 proposed placement of memorials or monuments, including installation of donated seating,
94 street furniture and play/park equipment, and planting of memorial trees in any public
95 space within the city will be approved by the city council only after a duly noticed public
96 hearing. (Ord. 09-11, 3-24-2009)

97
98 8-15-5: SPECIFIC NAMING PRINCIPLES:

99 A. Prior to approving a name for a park or a public space, public building or a public
100 facility, the city council will provide public notice of the proposal in the same manner and
101 scope as otherwise required for city council public hearings.

102 B. At the cost of the proposer(s) of a naming, a reasonable memorial will be erected at
103 the named park, public space, public building or public facility displaying short
104 biographical information and achievement of the person or group after whom the relevant
105 site is named.

C. City-owned buildings and facilities may be given either:

1. Functional names;
2. Nonfunctional names, including naming after a person, group, or event;
3. Location names;
4. Commemorative names; or
5. A combination of any two of subsections C1 to C4 of this section.

D. The names of buildings, facilities or parts thereof generally shall not change during the life of the building, facility or part thereof. In particular, where a building, facility or part thereof is named after a person, the name should not generally change even if there is a change in the usage of the building or facility.

E. Buildings, facilities, or parts thereof may be named after or dedicated in honor of a person, group or entity in recognition of significant contributions to the West Jordan City community.

F. Generally, naming plaques of buildings, facilities, or parts thereof shall include as a minimum:

1. Name as adopted by the sitting city council;
2. Date of formal naming.

G. Dedicatory plaques of buildings, facilities, or parts thereof shall include as a minimum:

1. Name of the facility, as adopted by city council;
2. Date of dedication;
3. The name of the person dedicating the building or facility;
4. The name of the mayor; and
5. The name of all then sitting council persons in alphabetical order (by last name); and
6. The name of the city administrator. (Ord. 09-11, 3-24-2009; amd. Ord. 19- 48, 12-11-2019, Effective at 12 noon on January 6, 2020)

8-15-6: SAFETY REQUIREMENTS FOR MEMORIALS AND MONUMENTS:

A. Any memorial or monument, or part thereof, that is not installed flush with a surface and, any memorial or monument that rises from ground level less than seven feet (7'), shall have rounded edges and shall avoid tripping hazards in the design and installation process.

B. If a monument is to be installed on a base, regardless of height, the base shall have rounded edges.

C. All memorials and monuments shall be designed to be noticeably separated from walkways, established lines of nonwalkway travel through parks, and established or reasonably likely areas of group running type play or activity.

D. Only seating and play equipment meeting the most current safety design and installation standards will be accepted and approved by the city council.

E. If a monument or memorial consists of, or includes a reproduction model or actual copy of a manmade item; or a sculpture, whether of a human being or otherwise; and such model or sculpture has sharp or pointed edges or extrusions, including, but without limitation, expressions of hair, fingers, noses, arms, held objects (spears, scepters, guns, books, etc.), airplane wings, helicopter bodies or rotors, etc., such item or sculpture must sit within a protective alcove or on a base that raises the pointed or sharp edge(s) to a height of seven feet (7') or higher. Other permitted options meeting the requirements of this subsection are:

1. The monument or memorial can be completely enclosed within a hardened glass or plastic viewing container meeting the requirements of subsection A of this section.

2. The monument or memorial can be separated from pathways or other possible normal access by inattentive or running pedestrians by water or other natural separations.

F. Memorials and monuments installed inside of a public building or other public facility shall be installed within an alcove or cutout of a wall in order to protect inattentive or running pedestrians from injury as a result of contact with the monument or memorial. (Ord. 09-11, 3-24-2009)

8-15-7: MONUMENTS, MEMORIALS, DONATED SEATING, AND TREES; SPECIFIC PRINCIPLES:

A. In addition to the general principles in section 8-15-4 of this chapter, the following specific principles shall also apply for the establishment of memorials and monuments:

1. The city council will undertake public notice and comment in the same manner as specified for naming in section 8-15-5 of this chapter.

2. The city administrator will have delegated authority to approve or refuse requests for placement of donated seating or benches in parks or public spaces, with subsequent reporting to the city council.

3. Any proposed memorial, monument, donated seating or trees, must:

a. Demonstrate some specific justification for being located at the proposed site.

b. Be consistent with the city council's approved plans for the proposed site or facility.

c. Not compromise the amenity value, aesthetic integrity or character of the proposed site.

d. Not interfere with existing and proposed usage patterns, and circulation at the site and must not pose any safety risk to users of the site or facility.

e. Contribute to the public space from a functional and/or aesthetic character of the site and should be designed and manufactured using high quality materials and workmanship.

f. Be compatible and at a design and quality level commensurate with the location or setting of the site and must be compatible with the surroundings.

B. The city council will not consider for approval monuments or memorials which will impose a significant financial burden on the city to maintain.

C. It will be the city council's responsibility to:

1. Approve the design, size, material, text and graphics to be used for memorials and monuments; and

2. Approve species of memorial trees to be planted, in a specific case, in parks or other public spaces. (Ord. 09-11, 3-24-2009; amd. Ord. 19-48, 12-11- 2019, Effective at 12 noon on January 6, 2020)

8-15-8: COST AND OWNERSHIP:

A. Unless otherwise decided by the city council in a specific case, the total cost of design, fabrication, transportation, site preparation, installation, lighting, electrical and all other costs relating to a memorial or monument shall be borne by the donor/applicant.

B. All donated memorials, monuments, park/street furniture, equipment, and trees shall become and remain city property. (Ord. 09-11, 3-24-2009)

8-15-9: MAINTENANCE, REMOVAL AND RELOCATION OF DONATED MEMORIALS, EQUIPMENT:

A. The city will endeavor to maintain memorials and monuments, donated park/street furniture, equipment (tree guard, picnic shelters, BBQ, play equipment, drinking fountain, etc.) and memorial trees for their useful life.

B. The city takes no responsibility for the loss, damage and/or replacement of a donated memorial, park/street furniture, equipment, tree or monument.

C. At the expiry of the useful life of furniture or equipment, unless the applicant makes an arrangement with the city to renew, refurbish or replace the furniture or equipment, the city staff may remove the item and, in case of memorials or monuments, reasonable attempts will be made by city staff to return the memorial or monument to the donor.

D. The city council reserves the right to remove a memorial, monument, or a memorial tree in the following circumstances:

1. The area is to be redeveloped;
2. The character and use of the area in which the item is sited has changed significantly and the item is no longer deemed suitable for the site;
3. The structure or support on which the item is located is to be removed or altered.

E. The city retains the right to relocate any donated memorial, monument, park/street furniture, equipment (tree guard, picnic/BBQ shelters, play equipment, drinking fountain, etc.) or a memorial tree, if and when it becomes necessary to do so. (Ord. 09-11, 3-24-2009)

8-15-10: PROCESS AND PROCEDURES:

A. The city administrator or an empowered designee shall administer this chapter.

B. In connection with a proposal for:

1. The naming of city-owned and managed parks, public spaces, public buildings, and public facilities, or
2. The placement of memorials, including installation of monuments and planting of memorial trees, in any public space within the city, such proposal shall be made in writing and submitted to the city administrator.

C. Written proposals shall include:

1. A detailed description of the proposed naming or memorial, including an artist's rendering of the final form of any physical thing which is part of the proposal.
2. A description of the method of funding for the proposal.
3. A statement showing the proposal's compliance with the applicable rules contained in this chapter.
4. An application fee in the amount provided for such applications in the city's uniform fee schedule, as amended from time to time.
5. A safety survey of the proposal demonstrating that the design and location of the proposal will meet or exceed the safety concerns of this chapter and the professional standards of the surveyor.

D. The city administrator or an empowered designee shall determine whether or not the application submitted is complete and meets the requirements of this chapter. If the application fails to meet the requirements of this chapter or is not complete, the application will be returned with comments and suggestions as to how the application can be made complete or compliant.

E. Once a proposal is complete and found to meet the requirements of this chapter, the city administrator or an empowered designee shall prepare a staff report and schedule the proposal for review and action by the city council. (Ord. 09-11, 3-24-2009; amd. Ord. 19-48, 12-11-2019, Effective at 12 noon on January 6, 2020)

8-15-11: APPEALS TO THE MAYOR:

A. An Appeal may be made to the mayor from any decision, determination or requirement of the city administrator or an empowered designee by filing a written notice of appeal, and payment of a fee according to the city's uniform fee schedule, with the city recorder within 15 days from the date such decision, determination or requirement was made. Such notice shall set forth in detail the action and grounds upon which the appealing party claims to be aggrieved.

B. A hearing on the appeal shall be held by the mayor within a reasonable time from the date of receipt of the appeal. Such hearing may, for good cause, be continued by order of the mayor. The appealing party shall be notified of the appeal hearing date at least seven days prior to the hearing. After hearing the appeal, the mayor may affirm, modify or overrule the decision, determination or requirement appealed, and may enter any such order or orders as are in harmony with the spirit and purposes of this chapter. The filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed, pending a decision of the mayor.

C. The appealing party has the burden of proving that an error has been made. (Ord. 09-11, 3-24-2009; amd. Ord. 19-48, 12-11-2019, Effective at 12 noon on January 6, 2020)