

**TOWN OF NEDERLAND
Boulder County, Colorado**

RESOLUTION 2012 - 26

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF NEDERLAND
ADOPTING A POLICY CONCERNING MEMORIALS ON TOWN PROPERTY**

WHEREAS, the Town of Nederland (“Town”) occasionally receives requests to locate memorials or monuments upon Town property for various purposes, such as commemorating a person’s life or recognizing a significant Town place or event; and

WHEREAS, the Town Board of Trustees (“Board”) recognizes that Town property that is not considered a public forum may be converted into one by permitting categories of speech with no editorial control or regulation; and

WHEREAS, the Board wishes to permit the location of certain types of memorials on Town property, including plaques, inscriptions and other writings, but does not wish to designate all Town property as public forums; and

WHEREAS, the Board therefore desires to adopt a policy concerning the terms and conditions upon which proposed dedicated memorials and monuments will be accepted by the Town and located on Town property.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
THE TOWN OF NEDERLAND, COLORADO:**

The Town of Nederland Memorial Installation/Adoption Policy, a copy of which is attached to this Resolution, is hereby adopted. Town Staff is authorized and directed to perform all acts necessary to implement this Policy. Any other previously-adopted policies, resolutions or other rules governing the subject addressed by the Policy are hereby repealed and of no further force or effect.

RESOLVED, APPROVED and ADOPTED this 4th day of September, 2012.

TOWN OF NEDERLAND

By: 
Joe Gierlach, Mayor

ATTEST:


Teresa Myers, Town Clerk





TOWN OF NEDERLAND

Memorial Installation/Adoption Policy

POLICY ADOPTED: *September 4, 2012*

POLICY EFFECTIVE: *September 4, 2012*

I. Purpose

The purpose of this memorial policy is to set consistent standards and guidelines for the acceptance and inclusion of donated memorials into the Town of Nederland parks, trails, and open space system. In addition, the policy has the following objectives:

- To provide a means for residents to commemorate or memorialize individuals, especially those who are deemed to have contributed significantly to the well-being of the Town, organizations or businesses who have made substantial contributions to the community or events of special significance to Nederland
- To provide alternative avenues for residents to engage with Town of Nederland Parks and Open Space programs
- To generate income for the purpose of improving Nederland parks and open space

II. Responsibilities

The Town Administrator or his or her designee shall administer this policy.

III. Temporary Memorials

Temporary or short-term roadside/trailside memorials meant to honor a recently deceased person may be permitted by the Town, subject to the following conditions:

1. Permission is sought and obtained for the memorial from the Town Administrator or his/her designee
2. The memorial is located wholly on Town-owned property or within Town rights-of-way and poses no obstacle, physical or visible, to traffic or passersby
3. The content of the memorial is well-secured against the wind and is consistent with the values and norms of the community, as determined by the Town Administrator or his/her designee

The person or persons establishing a short-term memorial shall maintain it in reasonable condition (as determined by the Public Works Manager). Broken, damaged or deteriorated memorials may be removed by the Town. The Town may remove any memorial after a month's time.

IV. Permanent Memorials

The Town wishes to accommodate those desiring to memorialize or commemorate individuals, organizations or events in a way that is consistent with its established goals and policies for parks, trails and open space. Accordingly, the following criteria will be applied to memorial requests:

1. All memorials placed on Town property must be consistent with the relevant park or facility master plan, the *Nederland and Surrounding Areas Open Space, Trails, Parks and Recreation Master Plan*, the *Town of Nederland Comprehensive Plan* and any applicable zoning regulations.
2. Memorials or monuments should satisfy one of the following criteria:
 - a. The memorial commemorates an individual who made significant contributions to the Town of Nederland
 - b. The memorial commemorates a Nederland-area community association, organization or group that has made significant contributions to the Town of Nederland
 - c. The memorial commemorates places or events that are of local, regional or national significance
3. Donations of simple park features (e.g. bricks, benches) need not meet the same level of significance as sponsorships of larger memorials (e.g. statuary)
4. A memorial will not be approved if:
 - a. The Town feels it would be offensive to members of the community
 - b. The intention of the memorial is to promote a religious or political cause, issue or event
5. The design and location of all minor memorials will be determined by relevant planning documents and design criteria and must be approved by the Town Administrator or his/her designee. Major memorials must conform to any established design standards and plans for the relevant area or facility and are subject to approval by the Town of Nederland Board of Trustees.

The following types of infrastructure may be donated as memorials or monuments:

- Minor memorials
 - Inscribed bricks (in existing brick plazas)
 - Benches
 - Tables
 - Interpretive signs
- Major memorials
 - Artwork (e.g. sculpture)
 - Buildings (e.g. pavilion)
 - Park, trail or facility name
 - Land for public open space
 - Other – considered case-by-case

V. Inscriptions

Amenities donated as memorials may be inscribed or accompanied by a small plaque, as deemed appropriate by the Town Administrator or his/her designee, denoting the dedication of the memorial. The Town by the Town Administrator or his/her designee will be the final arbiter of appropriate size, placement and wording. Town staff will be responsible for procuring the plaque or inscription.

VI. Maintenance of Permanent Memorials

All memorials must be accompanied by a financial donation sufficient to procure and install the amenity and maintain it for its estimated life (established at the time of donation). The Town will establish and maintain a fund of memorial donations to ensure it has sufficient resources to maintain its memorials.

The Town will be responsible for basic maintenance of memorials for the expected life of the memorial. It will have no responsibility to repair or replace memorials that are vandalized, stolen or irreparably damaged. If a memorial has reached the end of its natural life or is damaged or stolen, the Town will make a reasonable effort to contact the donor, who may elect to repair or replace the memorial.

If it should be necessary for the Town to move a memorial, it will make a reasonable effort to contact the donor to find a mutually agreeable location for it.

VII. Application Process

The Town Administrator, or his or her designee, shall promulgate applications and application procedures as necessary to carry out this policy.