



City of Glendale
PUBLIC MONUMENT & MEMORIAL PLAQUE
POLICY

A. Public Monument – Purpose and Policy

The purpose of the Public Monument Policy is to establish the criteria and process for the placement of Monuments sponsored by individuals and/or groups (whether they are private parties, non-profit organizations, or others) on City property which is subject to the administrative jurisdiction of the City Manager.

It is the policy of the City of Glendale (“City”) to allow for the placement and public display on City property of Monuments sponsored by individuals and/or groups provided that Monuments and their proposed locations are determined to be appropriate, compatible with existing uses, do not adversely impact the use of public spaces, and do not create liability or public funding issues.

1. Definition

“Monument” refers to memorials, statues, objects, or installation of other permanent materials commemorating individuals, groups, events, or concepts with an identifiable connection to the history, cultural makeup, or identity of the City of Glendale.

“Identifiable connection to the history, cultural makeup, or identity of the City of Glendale” refers to the individual’s, group’s, event’s, or concept’s nexus to the City through any one or more of the following:

- The advancement of:
 - Education;
 - Quality of life;
 - Health or social well-being;
 - Civic pride or community involvement;
 - Arts, culture, heritage, or science;
 - Human rights; religious or racial harmony; or diversity, equity, and inclusion; or conflict resolution or reconciliation;
 - Environmental protection or improvement; or
 - Economic development, growth, or opportunity;

- The prevention or relief of poverty, or those in need, by reason of youth, age, ill-health, disability, financial hardship, or other disadvantage; or
- Other purposes or activities recognized as charitable, philanthropic, benevolent, or providing a public benefit to the City's community or serving the City's public interest or common good.

Monuments may be free standing or affixed to buildings or other features.

2. Zoning Code

Notwithstanding any other policy regarding compliance of City projects with the Zoning Code, all Monuments approved under this policy are considered personal property or fixtures to real property, will become property of the City of Glendale, and are thereby exempt from the Zoning Code so long as they are placed in or on City property.

3. Cost

The Applicant shall pay all costs associated with the design, fabrication, placement, permitting, site preparation, and installation of a Monument subject to this policy. Final approval of a Monument will not be given until all associated costs have been paid in advance or secured in a form and manner approved by the City.

4. Process

Monuments will be considered in the following manner:

a. Application:

- i. Monument applications must be submitted to the City Manager. An Applicant shall submit a proposal that details the concept for the proposed Monument. The proposal must include:
 - Information regarding the association, if any, between the subject matter and the City of Glendale; and
 - To the extent possible, other pertinent information such as suggested locations for placement.
- ii. The City Manager shall provide the initial screening of Monument applications to determine if the proposed Monument complies with the provisions of this Policy. All Monument applications then will be reviewed by the Arts and Culture Commission and, if proposed for placement within a City park, by the Parks, Recreation and Community Services

Commission. A Commission reviewing a Monument application shall consider the same criteria for City Council Approval and shall recommend the application to City Council or recommend changes or request supplemental information to be included prior to City Council review.

b. City Council Approval:

- i. The City Manager will submit the application, along with a report to the City Council, for consideration of approval.
- ii. In considering the proposed Monument, the City Council will consider the following criteria, as well as any other relevant factors it deems appropriate:
 - Appropriateness:
 - A monument should be sensitive to social, environmental, historical, or relevant contexts, and must be suitable for individuals of all ages.
 - The long-term impact of the Monument (i.e., subjects should be of sufficient stature to weather the vagaries of time and changing attitudes; and whether the subject proposed for recognition has an identifiable connection to the history, cultural makeup, or identity of the City).
 - The City does not permit Monuments commemorating living persons, and a minimum of five years from the occurrence of or conclusion of any specific event and its memorialization is required. If an application is submitted for a Monument to commemorate a living person or within five-year exclusion period, the application must include a detailed rationale as to why that criteria should not apply in this instance.
 - Compatibility:
 - How well the Monument integrates with the surrounding environment.
 - A proposal must be consistent with the Glendale Municipal Code and any other appropriate policy documents of the City.
 - Impact on Use of Public Space:
 - A proposal that is likely to negatively impact existing park or right-of-way functions may be denied on this basis.

- Aesthetics:
 - Aesthetic merit is a primary determinant in the acceptance of Monuments.
 - Proposed Monuments must show a high level of quality. A proposal reflecting inferior workmanship will not be approved.
 - Maintenance and Insurance:
 - The proposal must specify the manner in which the Applicant will pay in advance, bond, or guarantee general liability insurance and property insurance in a form and amounts approved by the City.
 - The proposal must also detail all projected Maintenance costs for the expected life of the Monument (which projections will be reviewed by City staff for accuracy and completeness). Elements of a Monument which are reasonably likely to create extraordinary maintenance costs, including, but not limited to, water elements, may cause an application to be denied.
 - Safety:
 - Monuments must be safe to passersby, curious spectators (especially children), and the environment as a whole.
 - Sharp projecting elements, loose parts, and other potential hazards will result in disapproval of a proposed Monument.
- iii. The City Council may decide, in its sole discretion, to accept or reject a proposal for a Monument, to determine the appropriate location for a proposed Monument, or take whatever action(s) it deems appropriate. The City Council may impose additional conditions reasonably necessary to protect public health and safety.

c. Final Approval:

- i. After Council approval, final approval for installation of a Monument will not occur until the Applicant enters into a signed Agreement with the City. The Agreement will include, but will not be limited to, the following provisions:
 - Transfer of Ownership to the City:

- Upon the City’s written acceptance of installation, the Applicant shall transfer all rights, title, and interest in, and ownership of, the Monument to the City of Glendale.
 - The City’s ownership includes, but is not limited to, the right to change, modify, remove, relocate, move, transport, repair, restore, replace, destroy, sell, or donate the Monument, in whole or in part, in City’s sole discretion.
- Engineering, Construction, and Installation Standards:
 - The Applicant shall undertake engineering and construction of the Monument consistent with valid plans and permits approved by the City.
 - The Applicant shall install the Monument according to the Agreement’s right of entry terms and conditions.
- Maintenance and Insurance:
 - The City will take on responsibility for basic maintenance as further described in the Agreement. If the Applicant desires greater maintenance to occur, or greater involvement in the maintenance of the Monument, Applicant may enter into a separate Maintenance Agreement with the City.
- Property Rights:
 - The Applicant shall transfer all Intellectual Property rights, including copyright, to the City, and City will obtain and retain all rights except those that the City may specifically reserve for the Applicant, or the Monument’s designer, or both.
 - The Applicant shall waive all rights and benefits that Applicant has, or may have, under the Visual Artists Rights Act of 1990 (17 U.S.C. Sections 106A and 113(d)), the California Art Preservation Act (California Civil Code Sections 987 and 989) and any other local, state, foreign or international law (collectively, “Moral Rights Laws”) that protect against alteration of the Monument and the right to attribution.
- Indemnification of the City:
 - The Applicant shall indemnify, defend, and hold harmless the City from all claims and lawsuits related to the Monument, including, but not limited to, claims or lawsuits arising out of the Monument’s

design, construction, installation, movement, display, or an infringement of any intellectual property or Moral Rights of any party.

B. Memorial Plaques – Purpose and Policy

The purpose of the Memorial Plaques Policy is to establish the criteria and process for the placement of Memorial Plaques sponsored by individuals and/or groups (whether they are private parties, non-profit organizations, or others) on benches or picnic table sets in City parks which are subject to the administrative jurisdiction of the Director of Community Services and Parks (“Parks Director”).

It is the policy of the City of Glendale to allow for the placement of Memorial Plaques on benches or picnic table sets in City parks in honor of someone who has passed and who should be recognized for a contribution to the community.

This policy does not apply to plaques which may be used as a form of recognition for building dedications, official historical designation, donors, or sponsors.

1. Definition

“Memorial Plaque” refers to a metal plate made of bronze which is attached to a bench made of concrete or picnic table set that is placed in a City park.

“Contribution to the community” refers to any of the following:

- Service on the Glendale City Council, or a City of Glendale board, committee, or commission; or
- A volunteer leadership or board role in:
 - A service club or organization within the City; or
 - A 501(c)(3) tax-exempt organization whose primary objectives or activities are philanthropy, social well-being, or other activities serving the City’s public interest or common good; or
 - An organization partnered with the Community Services and Parks department for implementation of its Community Development Block Grant Social Services, Homeless Services, or Senior Services programs.

2. Concrete Bench or Picnic Table Set and Memorial Plaque Procurement, Installation, and Maintenance

The Community Services and Parks Department will procure a Memorial Plaque and a concrete bench or picnic table set which meet the Department’s specifications and requirements. The Department will undertake construction,

installation, and site preparation. The City will assume responsibility for maintaining the Memorial Plaque and bench or picnic table set.

3. Cost

The Applicant shall pay all costs associated with a Memorial Plaque, including the procurement of a new concrete bench or picnic table set, which are fixed and referenced in the Citywide Fee Schedule. If the Memorial Plaque, or the bench or picnic table set, or both, are vandalized to the point that either one or both of them have to be replaced, the Applicant must pay for the replacement cost(s); otherwise, the Memorial Plaque and the bench or picnic table set will be permanently removed.

4. Process

Memorial Plaques will be considered in the following manner:

a. Application:

- i. An application that details the proposed Memorial Plaque must be submitted to the Parks Director. The proposal must include:
 - Information regarding the association, if any, between the subject matter and the City of Glendale; and
 - Suggested locations for placement.

b. Evaluation:

- i. City staff will evaluate the application as it relates to the proposed location, compatibility with the surroundings, potential impact on other uses, potential liability, safety and maintenance issues, and will apply the following criteria:
 - Appropriateness:
 - The long-term impact of the Memorial Plaque. A proposal must include a clear statement of the contributions to the community by the person proposed for recognition.
 - The City does not permit the installation of Memorial Plaques commemorating living persons.
 - Compatibility:

- How well the Memorial Plaque integrates with the surrounding environment.
- A proposal for a Memorial Plaque must be consistent with the Glendale Municipal Code and any other appropriate policy documents of the City.
- Impact on Existing Use:
 - Proposals that would negatively impact existing uses of public property may be denied on this basis.
- Aesthetics:
 - Plaque content, including design, text font, verbiage, illustration or graphics, and scope, must meet the criteria and standards set by the Community Services and Parks Department.
- Maintenance:
 - Memorial Plaques and benches or picnic table sets that are likely to have ongoing, onerous maintenance costs will not be approved.
- Safety:
 - The proposed placement of the bench or picnic table set with the Memorial Plaque must be safe to a passersby and the environment as a whole.
- Ownership:
 - Upon the City's installation of the Memorial Plaque on the bench, the Applicant shall transfer to the City ownership of the Memorial Plaque and bench.
 - The City's ownership includes, but is not limited to, the right to change, modify, remove, relocate, move, transport, repair, restore, replace, destroy, sell, or donate the Memorial Plaque, or bench or picnic table set, or both, in whole or in part, in City's sole discretion.

c. Approval:

- i. The Parks Director or a designee is the approval authority for Memorial Plaques.

d. Appeals:

- i. The Applicant may file a timely appeal of the Park Director's decision to the Parks, Recreation, and Community Services Commission. An appeal must be in writing and filed with the Community Services and Parks Department no later than 15 calendar days after the date of the Park Director's written decision.

C. Policies Applicable to Public Monuments and Memorial Plaques

1. Monuments or Memorial Plaques promoting violence or hatred against individuals or groups based on any of the following attributes will not be permitted: age, caste, ethnicity, nationality, race, immigration status, religion, sex/gender, sexual orientation, gender identity, gender expression, medical condition, physical or mental disability, victims of a major violent event and their kin.
2. The City deems its acceptance, placement, and public display of privately-funded and donated Monuments and Memorial Plaques on City property as an expression of government speech. The accepted Monuments and Memorial Plaques are meant to convey, and have the effect of conveying, a government message, and are not for the purpose of providing a forum (whether public forum, designated public forum, limited public forum, or other type of forum) for private speech.
3. Monuments and Memorial Plaques shall be limited to a single representation per person or event commemorated. In the event that an application is made for a Monument or Memorial Plaque in honor or commemoration of a person or event that is the same or similar to an already-existing Monument or Memorial Plaque within the City, such application may be denied by the administrative body considering that application.
4. The City Manager or a designee is authorized to make minor, non-substantive amendments, from time to time, that are intended to carry out the overall intent of this Policy.