

**CITY OF WEST ALLIS
RESOLUTION R-2020-0207**

**RESOLUTION TO CREATE A POLICY ON THE LOCATION AND REMOVAL OF
ROADSIDE MEMORIALS**

CREATING SECTION 2613 OF THE POLICIES & PROCEDURES MANUAL

WHEREAS, the loss of life from a traffic crash has a devastating impact on families and friends of the victim; and

WHEREAS, the City acknowledges the need some people feel to express themselves by placement of memorials within a right-of-way, but also needs to manage the safety of the public right-of-way to avoid allowing a hazardous condition to exist; and

WHEREAS, the City seeks to balance those two competing interests by creating this policy and its procedures;

NOW THEREFORE, be it resolved by the Council of City Of West Allis as follows:

SECTION 1: **ADOPTION** “2613 Roadside Memorials” of the City Of West Allis Policies & Procedures is hereby *added* as follows:

ADOPTION

2613 Roadside Memorials(*Added*)

1. PURPOSE: To describe the standard policies and procedures in handling personal property placed in the public right-of-way to memorialize or mark a physical location where an individual passed away or was injured ("roadside memorial").
2. ORGANIZATIONS AND PERSONS AFFECTED: This policy applies to the Department of Public Works ("Department").
3. POLICY: It is the policy of the Department to remove hazardous roadside memorials immediately and allow nonhazardous roadside memorials to remain for a period of time prior to removal. The Department will seek to hold removed property for a period of time so responsible parties have an opportunity to claim it.
4. REFERENCES: None.
5. PROCEDURES:
 - a. OBSERVATION DATE. The Department shall record the first date upon which it observes a roadside memorial and its location.
 - b. RESPONSE
 - i. IMMEDIATE REMOVAL. The Department may immediately remove any roadside memorial that is:
 - (1) Permanently affixed to or penetrating the ground or another

structure.

(2) Lighted.

(3) Comprised of any lewd or profane language

(4) Comprised of contraband.

(5) Dilapidated due to weather or other elements damaging that personal property.

(6) Causing a hazard of any kind.

ii. RELOCATION. The Department may relocate to a nearby suitable location any roadside memorial that is any of the following, but may immediately remove that roadside memorial if no suitable location is available nearby:

(1) Placed on a sidewalk, on a roadway, or between lanes of motor vehicle travel.

(2) Impairing, obstructing, or interfering with sight lines used by pedestrian and vehicular traffic.

iii. DELAYED REMOVAL. Any roadside memorial placed on the public right-of-way that is not subject to immediate removal or relocation shall be allowed to remain for two weeks after the date upon which the Department observed it. Thereafter, the Department may remove any roadside memorial even if the items that comprise that roadside memorial have been added, removed, or changed since the date upon which the Department first observed the roadside memorial.

c. PROCESSING REMOVED MEMORIAL. When the Department removes a roadside memorial under this procedure, the Department shall do so in a manner that is as non-destructive as reasonably possible, and then store the personal property so removed for at least two weeks after the date of removal. If a person claims the removed roadside memorial, the Department shall return any personal property except contraband. If no person claims the removed personal property within two weeks, the Department may discard the personal property.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Grisham	_____	_____	_____	_____
Ald. Haass	_____	_____	_____	_____
Ald. Kuehn	_____	_____	_____	_____
Ald. Lajsic	_____	_____	_____	_____
Ald. Reinke	_____	_____	_____	_____
Ald. Roadt	_____	_____	_____	_____
Ald. Stefanski	_____	_____	_____	_____
Ald. Tenorio	_____	_____	_____	_____
Ald. Vitale	_____	_____	_____	_____
Ald. Weigel	_____	_____	_____	_____

Presiding Officer

Attest

Dan Devine, Mayor, City Of West Allis

Rebecca Grill, City Administrator/Clerk City Of West Allis