

The Corporation of the Township of North Huron

By-law No. 22-2020

A by-law to adopt a Commemorative Tree and Bench Policy for the Township of North Huron.

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Printing Date: January 25, 2023

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**The Corporation of the Township of North Huron**

**By-law No. 22-2020**

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**Being a by-law to adopt a Commemorative Tree and Bench Policy for the  
Township of North Huron**

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WHEREAS Section 5 (3) of the Municipal Act 2001, S.O. 2001, c.25, as amended, provides that municipal power shall be exercised by by-law,

AND WHEREAS the Council of the Corporation of the Township of North Huron deems it expedient to adopt a Commemorative Tree and Bench Policy,

NOW THEREFORE the Council of the Corporation of the Township of North Huron ENACTS as follows:

1. That the "Commemorative Tree and Bench Policy" attached hereto as "Schedule A" is hereby adopted and shall form part of this by-law.
2. That this by-law shall come into force and take effect on the day of the final passing thereof.

Read a first and second time this 18<sup>th</sup> day of February, 2020.

Read a third time and passed this 18<sup>th</sup> day of February, 2020.

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Bernie Bailey, Reeve

CORPORATE SEAL

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Carson Lamb, Clerk

Table 1 Policy information

<b>Department:</b> Recreation & Community Services and Public Works Department	<b>Policy Number:</b> Schedule A
<b>Division:</b> Community Services & Parks	<b>Effective Date:</b> April 2020
<b>Subject:</b> Commemorative Tree and Bench Program	<b>Revision Date:</b>

## Commemorative Tree and Bench Program

### Policy Statement

The Corporation of the Township of North Huron recognizes the wish of North Huron residents to commemorate the passing of a loved one within municipal green space. The Township also recognizes the wish of community groups and community service organizations to recognize important accomplishments, achievements, anniversaries, special events, etc. For this reason, the Township has established the following policy to provide members of the public and organizations with the opportunity to commemorate these occasions through the donation of a tree or bench on designated municipal parkland and trails.

### Purpose

The purpose of the policy is to allow for the provision of trees, park benches with or without commemorative plaques for the remembrance of loved ones or the recognition of important accomplishments, achievements, anniversaries, special events, etc.

The policy also provides a framework that outlines the specific roles and responsibilities of the contributor and Township staff.

### Scope

The Commemorative Tree and Bench Program is intended primarily for the donation of a single bench or tree.

The policy applies to parks, trails and open space that are owned by the Township of North Huron and have been deemed as appropriate locations for commemorations. The policy does not apply to land owned by the Township but leased to others, lands leased by the Township from others for park and open space purposes or school board property.

### Roles and Responsibilities

The Commemorative Tree and Bench Program is intended to be a joint initiative of the Recreation and Community Services Department and the Public Works Department. The Recreation and Community Services Department will be responsible for the administration of the program. The Public Works Department will be responsible for undertaking and/or coordinating the installation of the commemorative item as well as maintaining the item.

### Application Process

The Commemorative Tree and Bench Program will be administered using an application process. Although, installation/ planting occurs only at designated times of the year, application will be accepted on a year-round basis. Staff will meet with the contributor to review the application and assist in the selection of a tree or bench for installation. Staff will review location maps with the contributor and help them to select the best location for the commemorative item selected. Once full payment has been received, the application and location map will be forwarded to the Public Works Director for final approval. The contributor will be notified which time the contributor will be notified that installation has been completed.

### Purchase of Trees and Benches

To ensure quality, consistency in design, safety and compliance to municipal standards of product being installed/planted on municipal property, the tree and benches must be purchased through the Township. Other providers, contractors, suppliers or do-it-yourself items will not be permitted.

## **Ownership**

The purchase/ contribution towards a commemorative tree or bench does not constitute ownership of the item or land upon which it is located. All items installed under this policy shall become the property of the Township of North Huron. The commemorative items will be maintained in accordance with the Township's standard operating procedures.

## **Location**

Not all parks and/or open space may be suitable for commemorative trees and/or benches. Therefore, commemorative trees and/or benches will be permitted in designated areas only. Limitations to park and open spaces is required to ensure installations do not interfere with active sports facilities, design parameters intended to reduce crime, affect the growth habit of trees, affect abutting properties and/or interfere with maintenance operations.

Recreation and Parks staff will work with the contributor to determine the best location for the tree and/or bench to be located. Although every effort will be made to comply with the contributors wishes, the actual location will be subject to final approval by the Director of Public Works.

Note: Cruickshank Park was previously designated for CKNX commemorations only.

## **Planting/ Installation**

The installation of Commemorative Benches and/or planting of Commemorative Tree(s) will be undertaken by the service supplier/contractor, in accordance with the Township of North Huron's standards, specifications and instructions. To ensure the health and survival of the tree, installation will take place in either the spring or fall planting season. Requests received between September and March will be planted in the spring, requests received between April and August will be planted in the fall. Benches will be installed only during frost-free periods of the year (May 1- October 31).

The Township of North Huron will notify the purchaser once the installation/ planting has been completed. The purchaser shall be permitted to hold a recognition ceremony if they wish at a mutually agreed upon time although such ceremony will not involve municipal resources.

## **Maintenance**

The Township of North Huron will use best management practices to ensure that the commemorative item is properly maintained. The Township of North Huron cannot guarantee these items against acts of vandalism, damage or failure as a result of environmental stresses/ conditions which may impact negatively the condition of a commemorative item.

Commemorative Trees and benches will be warranted by the service supplier for a period of 24 months from the date of installation. Costs associated with the replacement or repair of a commemorative item outside of any available warranty period, including actions of theft or vandalism shall be the responsibility of the purchaser.

If a tree should die or the condition of a bench become a safety issue, outside of the warranty period, the Township reserves the right to remove the item without notification to the purchaser.

## **Placement of Decorations**

In an effort to ensure proper grounds maintenance and to ensure general consistency and aesthetics within the Township of North Huron grounds, the placement of decoration or other additional private commemorative items on Township property shall be prohibited. This shall also include additional private landscaping and other aspects of alterations to the area at/around a commemorative item. The Township of North Huron reserves the right to remove and dispose of any and all such items which hinders grounds maintenance.

**Cost**

All costs associated with the delivery of this program will be the responsibility of the contributor. This includes all costs associated with the purchase, supply, delivery and installation of the tree and/or bench. The fees associated with the program shall be established in the Fees and Charges By-law on an annual basis.