

211.4 Subject: Memorials and Monuments Policy**Objective:**

Cities play an important role in commemorating people, history and ideas central to a society's sense of identity and value. Memorials and monuments are tangible and easily recognizable forms of commemoration that enrich the City's physical and social environment.

The Orlando City Council is committed to a clear, objective, fair and robust process for responding to requests from the public to install a diverse range of memorials and monuments on public property. This policy provides the framework for approving memorials and monuments to be installed at City of Orlando parks and recreational facilities included in section 18A.02 and 18A.06 of the City Code and Lake Eola Park. The policy encourages commemoration while ensuring that fair and balanced decisions are made.

Authority:

This procedure amended by City Council on September 21, 2020, Item A-2.

Direction:

FPR Department Director, as an appointed official, serves at the pleasure of the Mayor, and receives direction through the Chief Administrative Office.

Functions:

1. Definitions

- a. City-sponsored – a monument or memorial, approved by City Council, for which City of Orlando staff and/or elected officials

are fully or primarily responsible for conception, design and funding.

- b. Cornerstone parks - serves broader populations than Neighborhood-level parks. Cornerstone parks include but are not limited to: Bill Frederick Park at Turkey Lake, Lake Eola Park, Loch Haven Cultural Park, Trotters Park, Lake Fairview Park, Eagles Nest Park, Clear Lake Park, Hankins Park, Blue Jacket Park, Park of the Americas, Demetree Park, Langford Park, Southport Park, Airport Lakes Park, Orlando Veterans' Memorial Park, George Barker Park, Lake Underhill Park, Heroes Community Park, McCoy Community Park and Lorna Doone Park.
- c. Flag – most commonly, a piece of cloth having a distinctive size, color, and design used for a symbol, standard, signal, or related representation. This is inclusive of flags of any kind including cloth, metal, paper or any other material.
- d. Landscape features – memorials/monuments may also take the form of landscape features, such as water fountains, trees or areas of the City that can be enhanced, redeveloped or reclaimed through the use of donor funds or bequests in commemoration of a person, event or place as applicable.
- e. Large Memorials/Monuments – objects whose value (including design, installation and the object itself) is greater than \$1,000, such as monuments, works of art, busts, playground equipment, architectural items or sculptures. Any plaque, except when mounted on a bench, will be considered a large monument.
- f. Memorial – a statement/object/landscape feature intended to honor a person or event of historical significance.
- g. Monument – an enduring physical object erected to commemorate the enduring historic significance or association of a notable person, event, place or thing.

- h. Small Memorials/Monuments –an enduring physical object or statement of historic significance whose value (including design, installation and the object itself) is less than \$1,000. All dedicated trees and benches are considered Small Memorials regardless of the cost.
- i. Dedicated Benches – to commemorate a person(s). All dedicated benches are considered Small Memorials regardless of cost.
- j. Dedicated Trees – to commemorate a person(s). All dedicated trees will be considered Small Monuments regardless of cost and may only be installed without a plaque.
- k. Greenwood Wetland Pet Memorial – an area with plaques installed to memorialize pets located near Lake Greenwood and Greenwood Urban Wetlands.
- l. Plaques – except when mounted on a bench, shall be considered large monuments, regardless of cost

For the purposes of this policy, monuments and memorials may simply be referred to as memorials.

2. Criteria

All review and approval of memorials shall be based on the totality of the following criteria:

- a. Cost estimate
- b. Subject
 - i. Small Memorials - the subject may commemorate an individual or event. The Parks/Recreation Division Manager or designee has authority to approve small memorial request.

- ii. Large Memorial - the subject of a large memorial must demonstrate a high level of significance by meeting at least one of the following criteria:
 - 1. The person or group has made an outstanding contribution to the cultural, political or social development of the City of Orlando, the State of Florida, the United States of America, or the international community.
 - 2. The site or event is historically or culturally significant and/or represents an important and unique City or civic anniversary.
- c. Whether the person, event or place is already memorialized elsewhere in the City.
- d. Whether the proposed design fits the aesthetic integrity or interferes with the unique or cultural character of a public park or recreation center.
- e. Flags
 - i. Flags may not be permanent and can only be raised during ceremonial events other than a federal, state or city flag, or flags approved by the Mayor's Veterans Advisory Council.
 - ii. The raising, lowering, maintenance and replacement of all flags included in a memorial are the responsibility of the donor and shall be displayed in conformance with Federal and State policies as stated in the United States Code Chapter (1) Title 4, "U.S. Flag Code" and the State of Florida Division of Administrative Services "Flag Protocol and Display."
- f. Memorial must not contain content which demeans, ridicules, maligns, disparages, expresses bias or disrespect of any

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individual or group on the basis of race, color, religion, national origin, gender, age, disability, sexual orientation, or marital status or any other protected class, or is obscene, or which violates any city, state or federal law or promotes violence.

- g. Memorial content must not commercially benefit any company or entity.
- h. Location
 - i. The proposed site/location is consistent with and does not interfere with the Families, Parks and Recreation Department Vision Plan, or, if applicable, the master plan for the site. The proposed location will not compromise the aesthetic integrity or interfere with the unique or cultural character of the area.
 - ii. The applicant must demonstrate why the selected site is appropriate and provide sufficient justification for the memorial being in that location. Where appropriate, preference will be given to co-location of new memorials within a site of common interest.
 - iii. Consideration will be given to existing uses of the proposed location, with a goal of preventing the memorial from disrupting appropriate public use of City park and recreation facilities.
 - iv. At the City's sole discretion, the memorial once placed may be relocated at the City's expense to another location.
- i. Risk Assessment

An assessment of potential risks created by placing the proposed memorial at the proposed location will be undertaken by the City's Risk Management Division and Public Works Department, with the resulting opinions forming part of the

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decision-making process. This will include an evaluation of any potential costs to the City.

j. Artistic/Design Merit

Artwork must be approved by and meet artistic and design merit standards as determined by the City's Public Art Advisory Board.

k. Veterans Memorials

Veterans memorials must be approved by and meet the City's veterans memorial standards, as determined by the Mayor's Veteran's Advisory Council and outlined in the Mayor's Veteran's Advisory Council Monuments and Memorials Guidelines.

l. Historic District

Memorials proposed within a City Historic District shall be reviewed for consistency with the City's Historic Preservation ordinances.

m. Community Redevelopment Agency

Memorials proposed within the Downtown Development Board District shall be reviewed for consistency with the City's CRA ordinances.

3. Application Process

a. Small Memorials

- i. To install a small memorial, bench or tree at a City park or recreation facility, an applicant shall submit a written application to the Director of Families, Parks and Recreation. The application will be reviewed by the Parks or Recreation Division Manager who will approve or deny installation of the small memorial, bench or tree.

Plaques are not permitted to be installed on or adjacent to memorial trees. The applicant will receive a certificate commemorating the tree along with a photo and location map.

- ii. Greenwood Wetland Pet Memorial –To place a custom engraved plaque to pay tribute to a pet at this site, submit an application located on www.orlandotrust.org.
- iii. The Parks/Recreation Division Manager or designee has the authority to approve or deny applications for small memorials based on the criteria in paragraph 4(B).

b. Large Memorials

- i. Application for City-Sponsored memorial at Parks Other Than Cornerstone Parks

For City-sponsored memorials proposed for installation in a park, other than a Cornerstone park, staff will ensure that the memorial meets all existing City design, construction and safety requirements, and then submit the memorial application to City Council for approval at a regularly scheduled City Council meeting.

- ii. Application for Non City-Sponsored memorial at all parks and City-Sponsored memorial at Cornerstone Parks

Applicants wishing to install a large memorial at a City park or recreation facility shall submit a written application, including a conceptual plan, to the Director of Families, Parks and Recreation for review.

If the applicant has already selected a park in which to install the memorial, the Director will forward the application to the City Commissioner in whose district the park is located. The applicable district Commissioner will review and recommend approval or denial of the request to install the memorial at the proposed park based upon the criteria listed in criteria 4(B) above. The Commissioner may choose to postpone his or her review until later in the process, pending input from other reviewers or may

choose to by-pass Commissioner review until the installation and maintenance agreement is before City Council for consideration, which is the final step in the process.

Once returned from the district Commissioner, or if the Director has not received any response from the district Commissioner within thirty (30) days, the Director shall forward the application to the next step in the review process. The applicable FPR Division shall provide advice to the applicant during the submission process, including assistance in identifying an appropriate location(s), explaining the steps and various boards involved in the approval process, describing the City's requirements regarding installation and maintenance responsibilities, and providing the applicant with basic information regarding technical/engineering requirements. Once the Parks and/or Recreation Division has received a fully completed application, and determined that it meets all the criteria in 4(B) above, the Division shall forward the application package to the following City Divisions and Advisory Boards, if applicable, for evaluation and recommendation of approval or denial:

1. Risk Management and Public Works
2. Public Art Advisory Board (only reviews applications involving art)
3. Mayor's Veteran's Advisory Council (only reviews applications involving veteran or military related subjects)
4. Historic Preservation Officer (only reviews applications located in the historic district)
5. Community Redevelopment Agency

6. Families, Parks & Recreation Advisory Board

For “Large Memorials,” the Director of Families, Parks & Recreation shall forward all completed applications, along with their corresponding recommendations of approval or denial submitted per C.2.b. (i) through (vi) above, to the Families, Parks & Recreation Advisory Board, which will take all comments into consideration when making a final recommendation regarding whether the application should be approved or denied. If the Families, Parks & Recreation Advisory Board recommends approval of the application, the Families, Parks and Recreation Department shall proceed with the development of an installation and maintenance agreement between the City and the applicant, which will require the approval of the Orlando City Council. If the FPR Board recommends disapproval of the application, the board shall provide to the Director of FPR written details specifying the criteria which has not been met.

- c. The FPR Director shall have the final authority to determine whether to submit the installation and maintenance agreement to City Council based upon the totality of the circumstances.

- d. Appeals

For individuals or organizations whose applications have been denied, the applicant may appeal the decision to the City’s Chief Administrative Officer or designee.

4. Roles and Responsibilities

- a. Cost/Funding

For memorials that are not City-sponsored, all costs associated with designing, constructing, and maintaining the memorial will

be covered in full by the applicant unless otherwise agreed upon in an installation and maintenance agreement, approved by City Council.

b. Installation/Maintenance

Small Memorials

In the case of small memorials, dedicated trees and dedicated benches, the donor shall either purchase the donated items directly or the City will purchase the memorial after receipt of a monetary donation in the full amount as determined by the Families, Parks and Recreation Department's estimate for purchase and installation. Donations may be made payable to the Orlando Community & Youth Trust, Inc., which will arrange for the purchase of the memorial.

Unless otherwise addressed by a written installation and maintenance agreement approved by City Council, the City shall install and maintain the small memorial donated item for a period of five (5) years. After 5 years, determination of the future of the item will be at the City's discretion, including whether to relocate, disassemble or remove and dispose of, return to donor or make arrangements for the ongoing maintenance and management of the memorial.

All dedicated trees will be maintained or replaced for a minimum of 5 years by the City. After that, the City will maintain the tree as part of its Urban Forest Inventory and subject to all protections and priorities when considering any changes to park master plans.

Large Memorials

Unless otherwise covered by an installation and maintenance agreement approved by City Council, all large memorials must be maintained by the donor for the first 5 years. After 5 years, determination of the future of the item will be at the City's discretion, including whether to relocate, disassemble

or remove and dispose of, return to the donor, or make arrangements for the ongoing maintenance and management of the memorial.

c. Ownership

- i. All memorials placed or commissioned on a public park or recreational facility within the City of Orlando are deemed to be under control of the City and managed in accordance with standards established by the City Council.
- ii. When a memorial is accepted by the City, it automatically becomes part of the City's Asset Management System, which is managed by Council through the City's Office of Business and Financial Services.

Forms:

Memorials and Monuments Application

Small Memorials Application

Bench or Tree Selection Application and Payment Form

Committee Responsibilities:

Public Art Advisory Board, Mayor's Veteran's Advisory Council, Historic Preservation Officer, Community Redevelopment Agency, Families, Parks & Recreation Advisory Board

Reference:

City Code, Section 2.138, as amended July 28, 1975, 28.15-28.17.
Procedure adopted by City Council August 11, 1969, Item 37; amended

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May 20, 1974, Item 19; amended October 13, 1975, Item 19; amended November 14, 1977, Item 6; amended February 19, 1979, Item 16; amended August 20, 1979, Item 14; amended August 13, 1984, Item 12 (A-10), amended April 19, 1993, Item VV; amended September 15, 2003; amended September 21, 2020, Item A-2.

Effective Date:

This procedure effective September 21, 2020.