



CITY OF BAYTOWN

City Clerk's Office
2401 Market Street Baytown, Texas 77520
Phone: (281) 420-6504 Fax: (281) 420-5891
Web: www.baytown.org

FOR OFFICE USE ONLY
Date Received: _____
Date Sent: _____
Parks: _____ or Public Works: _____

MEMORIAL PROGRAM APPLICATION

Applicant Information

(PERSON APPLYING FOR MEMORIAL)

1. Applicant Name: _____

Mailing Address: _____ Zip: _____

Home Phone: _____ Mobile: _____ Email: _____

Relationship to Deceased: _____ If not a family member, please attach written approval from the deceased's immediate family for this application and memorial request.

Deceased Information

2. Name of Deceased: _____

Memorial Program Type & Information

3. Select the type of Memorial Program you desire from the two provided below.

Parks Memorial Program:

Location of Requested Memorial: _____

Type of Memorial Requested: _____

Description of significant achievement and/or contributions the deceased accomplished demonstrating service and commitment to some aspect of the Baytown Community.

Roadside Memorial Program:

Date of Accident: _____

Reason for Accident: _____

Location of Accident: _____

Location of Requested Memorial: _____

Was Deceased killed by a Motor Vehicle? YES NO

Was the deceased the operator or passenger in a vehicle being operated by a person under the influence of alcohol or illegal drugs? YES NO

Type of Memorial Marker Requested:

DRIVE SAFELY DON'T DRINK AND DRIVE BUCKLE UP SLOW DOWN OTHER

If marker indicates that the death was a result of intoxicated driving, attach proof of a DWI conviction.

Name of Deceased on the Sign? YES NO

4. Has the City installed a memorial for the deceased in the past? YES NO

Affidavit

I, _____ (Name of Applicant) do hereby state that all matters stated in this application and accompanying attachments are true and correct. I hereby state that I have read and understand the *City of Baytown Memorial Program Policy and Procedures*.

I further attest that I am at least 18 years of age and have presented as evidence:

- State issued driver’s license or I.D. card with a photograph, or information, including name, sex, date of birth; or
- A military identification card; or
- United States Passport.

SIGNED on this the _____ day of _____, 20____.

Signature

Title

THE STATE OF _____ §

COUNTY OF _____ §

SUBSCRIBED AND SWORN before me, this _____ day of _____, 20____.

(Seal)

NOTARY PUBLIC, STATE OF _____

RESOLUTION NO. 1987

93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, ADOPTING A MEMORIAL PROGRAM FOR THE CITY OF BAYTOWN; CONTAINING A REPEALING CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

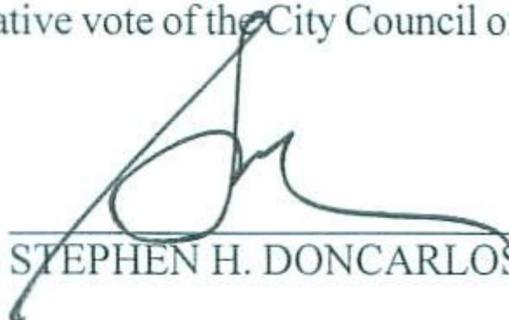
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the City Council of the City of Baytown, Texas, hereby adopts a Memorial Program for the City of Baytown, which policy is attached hereto as Exhibit "A" and incorporated herein for all intents and purposes.

Section 2: All resolutions or parts of resolutions inconsistent with the terms of this resolution are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this resolution shall be cumulative of other resolutions regulating and governing the subject matter covered by this resolution.

Section 3: This resolution shall take effect immediately from and after its passage by the City Council of the City of Baytown.

INTRODUCED, READ and PASSED, by the affirmative vote of the City Council of the City of Baytown this the 28th day of May, 2009.


STEPHEN H. DONCARLOS, Mayor

ATTEST:

KAYTHE DARNELL, City Clerk

APPROVED AS TO FORM:

IGNACIO RAMIREZ, SR., City Attorney



City of Baytown

MEMORIAL PROGRAM POLICY AND PROCEDURES

I. Purpose.

The purpose of this policy is to establish the guidelines and procedures for the City of Baytown's Memorial Program, which includes both a Roadside Memorial Program and a Parks Memorial Program.

II. Definitions.

The following terms and phrases, when used in this policy, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Board means the Parks and Recreation Board.

Commission means the Planning and Zoning Commission.

Immediate family means the deceased's father, mother, son, daughter, and spouse.

Memorial request form means that document required to be submitted to the City pursuant to the City's Memorial Program and shall contain, when complete, the following information:

1. name of the deceased;
2. name, address, and telephone number of the applicant;
3. relation of the deceased to the applicant;
4. written approval of a member of the deceased's immediate family for the application and memorial requested;
5. designation of whether the request is under the Parks Memorial Program or under the Roadside Memorial Program;
6. type of memorial requested;
7. requested location of the requested memorial;
8. whether the City has installed in the past a memorial for the deceased;

9. if the request is under the Roadside Memorial Program,
 - a. date of the accident,
 - b. location of the accident, and
 - c. cause of the accident.
10. if the request is under the Parks Memorial Program, a description of significant achievements and/or contributions the deceased accomplished demonstrating service and commitment to some aspect of the Baytown Community; and
11. other information as may be necessary as determined by the City.

Parks Memorial Program shall mean that program administered through the City's Parks and Recreation Department, which entails the planting of trees or the placement of fixtures such as benches in City parks as memorials for people that have died.

Residential area shall mean:

1. land area included in one or more recorded subdivisions where the predominate land use is or is intended to be a single-family or duplex use; or
2. an area with readily identifiable physical boundaries where the predominate land use is a single-family or duplex use.

Roadside Memorial Program shall mean that program administered through the Traffic Division of the Public Works Department, which entails the placement of standardized roadside memorials for people that have died as a result of a motor vehicle, pedestrian or bicycle crash within a City-maintained right-of-way on segments of roadway in incorporated Baytown.

III. Process.

A. Request.

Requests for a memorial shall be submitted in writing to the City Clerk by filling out a memorial request form. The form will be available online from the City's website or by calling the City Clerk's office. Requests may be made by immediate family members or friends. Requests from friends require written approval from a member of the deceased's immediate family.

B. Processing the Request.

The City Clerk shall forward all memorial request forms made under the Parks Memorial Program to the Director of Parks and Recreation and all memorial request forms made under the Roadside Memorial Program to the Director of Public Works.

1. The Director of Parks and Recreation, upon receipt of a memorial request form shall determine whether the request is complete. If the Director of Parks and Recreation determines that the form is not complete, he shall contact the applicant and note the deficiencies. If the Director of Parks and Recreation determines that the form is complete, he shall send it to the Board. After receiving a memorial request form, the Board shall review the form and hold a public hearing to obtain input on the requested memorial. Thereafter, the Board shall grant or deny the memorial request based upon the criteria specified in Subsection C.1. The Director of Parks and Recreation shall give notice of the Board's decision to the applicant within ten days of the decision.
2. The Director of Public Works, upon receipt of a memorial request form shall determine whether the form is complete. If the Director of Public Works determines that the form is not complete, he shall contact the applicant and note the deficiencies. If the Director of Public Works determines that the form is complete, he shall send it to the Commission. After receiving a memorial request form, the Commission shall review the form and hold a public hearing to obtain input on the requested memorial. Thereafter, the Commission shall grant or deny the memorial request based upon the criteria specified in Subsection C.2. The Director of Public Works shall give notice of the Board's decision to the applicant within ten days of the decision.

C. Criteria.

1. The Board shall consider the following when determining whether to grant or deny a memorial request under the Parks Memorial Program:
 - a. whether the memorial is appropriate at the proposed location; and
 - b. whether the deceased accomplished significant achievements and/or contributions demonstrating service and commitment to some aspect of the Baytown Community.

2. In order for the Commission to grant a memorial request under the Roadside Memorial Program, the Commission must find that:
 - a. the deceased was killed by a motor vehicle; and
 - b. the deceased was not the operator or a passenger in the vehicle being operated by the party under the influence of illegal drugs or alcohol.

IV. Installation.

- A. If approved, memorials will be designed, constructed and installed by the City of Baytown. The City will be responsible for designing the memorial or designating the type of tree, as appropriate, and ensuring proper and safe placement – the exact location will be at the discretion of the City.
- B. Memorials will not be allowed within the limits of active construction work zones.
- C. Memorials shall not pose a potential safety hazard to the public.
- D. Memorials under the Roadside Memorial Program to be installed in residential areas may only be installed with the written permission of the owner whose property is abutting the residential right-of-way where the memorial is to be placed.
- E. The applicant will be notified once the installation is complete.
- F. The City retains the right to remove the memorial should it become pose a danger to the public or otherwise become a traffic hazard.

V. Time Period

- A. Parks Memorial Program.
For memorials erected under the Parks Memorial Program, the signage on the memorial will be allowed to remain in place for two years after installation unless earlier removal is necessitated by construction activities. After two years, the memorial plaque may be removed by the City.
- B. Roadway Memorial Program.
For memorials erected under the Roadway Memorial Program, memorials will be allowed to remain in place for two years after installation unless

earlier removal is necessitated by construction activities. After two years, the memorial marker shall be removed by the City.

VI. Memorial Design

A. Parks Memorial Program

1. After completion of the planting of the tree or the construction and installation of the fixture (such as a bench), the City shall erect a small but visible memorial plaque.
2. The design, size, and placement of the plaque shall rest in the sole discretion of the City.
3. The plaque message will state 'In memory', and the family will have the option of adding the deceased's name to the sign.

B. Roadside Memorial Program

1. The memorial marker shall be a 15" diameter aluminum sign with a white background and black letters.
2. The sign message will state 'Drive Safely – In memory', and the family will have the option of adding the deceased's name to the sign.
3. As an option, the City can offer an alternate safety message to the 'Drive Safely' legend if desired by the family that would be specific to the type of crash, and as long as it will fit on the sign. Examples could be 'Don't Drink and Drive', 'Buckle Up', 'Slow Down', etc. A sign shall not indicate that the death was the result of intoxicated driving unless the memorial request form is accompanied by proof of a DWI conviction.
4. The sign will be mounted at a height of approximately 3.5' (42") from the ground to the top of the sign.

VII. Cost

The applicant will incur the actual cost of the tree or fixture and plaque under the Parks Memorial Program and the sign under the Roadside Memorial Program. The City will install and remove the plaque or sign in accordance with this policy. Once removed, the plaque or sign may be returned to the applicant upon request.