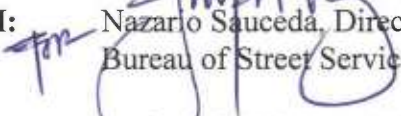



CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

DATE: August 22, 2014

TO: The Honorable Joe Buscaino, Chair  
Public Works and Gang Reduction Committee

FROM:  Nazario Saucedo, Director  
Bureau of Street Services  
 Enrique C. Zaldivar, Director  
Bureau of Sanitation

SUBJECT: CF# 13-1604 TEMPORARY STREET MEMORIALS

**SUMMARY**

The City Council referred a Motion (Englander-Busciano), Council File# 13-1604, to the Public Works and Gang Reduction Committee, regarding a Citywide policy for the display and removal of roadside memorials after a reasonable period of time.

Street memorials are commonly embraced as a way to honor loved ones, especially those that have lost their lives in traffic collisions. Throughout the City, memorials have been set up in the public right-of-way as a place of grieving, whether it be family members placing pictures, friends holding candlelight vigils, or more organized memorials.

One example of these types of memorials are "Ghost Bikes". The website for Ghost Bikes provides this description: "Ghost Bikes are small and somber memorials for bicyclists who are killed or hit on the street. A bicycle is painted all white and locked to a street sign near the crash site, accompanied by a small plaque. They serve as reminders of the tragedy that took place on an otherwise anonymous street corner, and as quiet statements in support of cyclists' right to safe travel".

While being sensitive to the need for appropriate mourning time, public safety considerations require the City to take a uniform approach in regulating the display placement and duration of these temporary placements. To accomplish this goal, the Bureau of Street Services (BSS) and the Bureau of Sanitation (BOS) have developed the following recommendations to safely allow a reasonable period for the display of memorials during the grieving process.

**Background**

The City currently lacks a policy specific to the placement and removal of temporary roadside memorials. These types of encroachments, under current City ordinance (LAMC Section 6.11), are illegal. LAMC 56.11 states: "No person shall leave or permit to remain any merchandise, baggage or any article of personal property upon any parkway or sidewalk. Provided, that boxes, barrels and other receptacles for merchandise may be unpacked and their contents removed upon parkways or sidewalks outside of the Central Traffic District if such boxes, barrels and other receptacles for merchandise are removed immediately thereafter."

However, the BSS and BOS have allowed these memorials to remain on the right-of-way for varying periods, understanding there is a need for grieving and remembrance.

The intent of the roadside memorial policy is to standardize the City's response to placement and requests for removal, while respecting the grieving process and balancing public safety related to these currently non-permitted memorial placements. In addition to requiring notification by City forces before removal in the form of posted notices, the policy clarifies the time such memorials should be allowed on public property.

By contrast, the State of California, Department of Transportation only allows roadside memorial signs that must be paid for by the accident victim's family or sponsor. The State "Victims Memorial Sign Program" is only for deaths due to driving under the influence, and the sign may be displayed for a one year period. The State does not allow temporary memorials. The proposed City policy would apply to any tragedy and would not require grieving families to purchase City signs.

### **Recommendations**

That the City Council adopt the following policy guidelines to enhance public safety relative to roadside memorials:

When a memorial is identified and determined to be on the public right-of-way, a reasonable time frame for removal will be established based upon the following.

1. To ensure the accessibility and safety of pedestrians, vehicular traffic and the general public, temporary memorials placed on the public right-of-way shall ensure that:
  - (a) pedestrians are provided with a minimum path of travel that is 5 feet wide to comply with accessibility standards established by the American with Disabilities Act (ADA);
  - (b) traffic control devices (signs, signals, poles, control buttons/boxes, etc.) remain visible; and,
  - (c) no items are placed on the roadway and;
  - (d) the display shall be allowed to remain on public property for a maximum of 30 days.
2. The Department of Public Works, BSS, will make efforts to contact organizers of the temporary memorial regarding non-compliance with the above items, including posting advisory notices in the location of or on the temporary memorial. However, items that pose an imminent hazard may be removed immediately by BOS, upon request from BSS, to ensure public safety.

Stronger requirements for public safety and improved notification procedures will greatly improve the timely removal of temporary roadside memorials after appropriate time has been allowed. This policy addresses safety concerns while being sensitive to the need of families to grieve.

If you have any questions or concerns, please contact Gary Harris, Chief Investigator II, at (213) 847-6000.