

ORDINANCE NO. 2009-8

AN ORDINANCE AMENDING TITLE 2, CHAPTER 5, OF THE SIGNAL MOUNTAIN TOWN CODE, SECTIONS 2-512 THROUGH 2-519, REGARDING HONOR TREE AMENDMENTS TO THE "SIGNAL MOUNTAIN ACKNOWLEDGEMENT AND MEMORIAL DONATION POLICY."

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, THAT

SECTION 1. Title 2, Chapter 5, of the Signal Mountain Town Code is amended to revise Sections 2-512 through 2- 519 to include the following language:

2-512. Town of Signal Mountain Acknowledgment and Memorial Donation Policy.

A. **Purpose and Objective:**

1. To provide a means for citizens of Signal Mountain to acknowledge or memorialize an individual or individuals, whether living or deceased, by donating either tangibly or intangibly to the Town of Signal Mountain.
2. To permit donations to acknowledge and memorialize any and all individuals without regard to merit or contribution to the Signal Mountain Community.
3. To ensure donations meet certain qualitative criteria that will preserve the character, resources, and natural beauty of the mountain and will be of benefit to its residents.

2-513. Standard Donations – "Needs List".

- A. The Design and Review Commission (DRC) will request and maintain a "Needs List" from each Participating Organization (PO), such as the Town parks, playgrounds and facilities, sports and recreation leagues, schools, guilds, the Signal Mountain Playhouse, the Christmas Train, and other organizations or clubs within the Town.

- B. Such needs may include tangible items such as park benches, plants, planters, , flag poles, bleachers, sports equipment, foot bridges, trails, recreation equipment, computers, audio or video equipment, art supplies, furniture, furnishings, library books or collections, etc.
- C. All tree donations shall be requested from the Tree Board under its Honor Tree Program. The Tree Board will recommend a site, a tree species and will install a special marker inscribed with the names of the honoree, the donor, the tree species and the date of planting. Honor Trees may be donated at any time, but planting will normally take place between October through March to insure survival.
- D. Non-tangible monetary donations may include educational, recreational, sports or camp scholarships, funding for projects or other monetary contributions designated for specific groups such as the Town Employee's or Fire and Policeman's Christmas Fund, Garden Clubs, etc.
- E. The DRC will keep a current "Needs List," approved by the Town Council, in a binder at the Town Hall for potential donors, as well as standardized application forms for requests.

2-514. Non-Standard Donations.

Although donors are encouraged to select items from the "Needs List," there may be exceptions in special circumstances. For example, a donor may wish to donate substantially by gifting land, a public building or expansion, a playing field, a fire truck or funding for a significant community project, etc., to acknowledge or memorialize an individual or individuals. Any such gift of a non-standard donation shall be presented for consideration by the Town Council prior to any acceptance by the Town pursuant to Section 2-518(B).

2-515. General Policy Guidelines and Acknowledgments.

A. Restrictions and Guidelines:

1. The Parks Board shall review standard donations dedicated to parks. The Recreation Board shall review donations dedicated to Recreation. The Town Manager or his/her designee shall review standard Donations to the Town.
2. No donation, memorial or otherwise, may be placed on public or road rights-of-way or in any location that is inappropriate or obstructive or hazardous to vehicles and/or pedestrians.
3. The successful growth of donated plant materials cannot be guaranteed. The Town reserves the right not to replace donated trees, shrubs, or other plant material that are removed, damaged or deceased.

4. The Town reserves the right to remove, alter or discontinue the use of any tangible donation, acquired partially or entirely with donated funds, should it be necessary or in the best interest of the Town.

2-516. Plaque Policy.

- A. Certain donations may qualify for plaques (see "Needs List"). The Town will furnish, engrave and install these plaques at the donor's expense.
- B. Plaque size and wording shall be approved by the DRC prior to ordering and installation.
- C. The Town will not be responsible for vandalism, repair or replacement of plaques.
- D. If a plaque is damaged to the extent that it presents an eyesore or public liability, the Town, at its discretion, may remove it. The donor will be contacted and informed of the action, if taken.

2-517. Type of Plaques.

A. Plant Furnishing Plaque Guidelines:

1. Plaques must be made of corrosive resistant metal (bronze, brass, or aluminum alloy).
2. The exposed surface of plaques must not exceed 50 square inches.
3. Plaques will be flush mounted in a concrete or native stone base with an exposed length X width not exceeding 100 square inches.
4. Installation will be flush with ground surface in a location approved by the Parks and Recreation Board.
5. Installation may not impair mowing, maintenance, tree growth or use of the area by the public.

B. Exterior Site Furnishing Plaques Guidelines:

1. Plaques must be made of corrosive resistant metal (bronze, brass or an aluminum alloy).
2. The exposed surface of plaques must not exceed 50 square inches.

3. Plaques may be either attached securely to the donated item or mounted in a concrete or stone base with an exposed length X width not exceeding 100 square inches.

C. **Interior Site Furnishing Plaque Guidelines:**

1. Plaques will be made of a corrosive resistant metal, polycarbonate or similar durable material and of a color that will harmonize with the site furnishing.
2. Plaques will not exceed 15 square inches (2.5 inches X 6 inches).
3. Plaques will be firmly installed so as to not impair the use of maintenance of the furnishing.

2-518. Donation Process and Procedure.

A. **Standard Donations:**

1. A donor may select a donation from the "Needs List" at the Town Hall and complete and submit an application form.
2. The proposed donation will be reviewed by the Town Manager or his/her designee, with the Participating Organization (PO), if necessary, and if appropriate in form, substance and location, will be approved.

B. **Non-standard Donations or Exceptions:**

1. A donor must contact the appropriate PO to determine if such gift is acceptable and desirable and prepare a detailed description of the proposed donation.
2. A donor in concert with the PO must submit an application to the DRC detailing the proposal in accordance with Article V – Submittal Requirements of the "DRC Design Standards and Principals, Sections 100-104.
3. The DRC will review the request and forward it to the Town Council for approval by a majority vote.

2-519. Appeal Process.

Any donor who desires to appeal a decision by the DRC on any memorial or donation should contact the Town Manager to request a hearing before the Town Council. The request must be received by the Town Manager at least ten (10) days before a regularly scheduled Council meeting

and shall be timely filed in compliance with Section 2-510 of the Town Code. The Town Council shall be the final authority on any memorial or donation decision within the Town.

SECTION 2. Date of Effect. This amendment shall be operative from and after final passage, the public welfare requiring it.

Passed 1st reading 4-13, 2009.

Passed 2nd reading 5-11, 2009.



MAYOR



RECORDER

PAN/kac