



## Commemoration Policy

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Final Approver	Corporate Management Team
Training Course Code	not applicable
Document State	<b>CURRENT</b>

### 1.0 Purpose

This policy provides guidelines for managing Commemoration requests that are on City-owned property or that require City resources or approval. The concept of commemorating people, places, events and ideas in Kingston is formally established in the Kingston Commemorations Strategy (2015-2024) and is prevalent in other City policies.

The goal of this policy is to establish an administrative process to coordinate the applications for approval of Commemoration requests. A streamlined customer process channels all requests for new Commemorations through the Heritage Resource Centre or the City website, which are managed by the Cultural Services Department. This policy supports the recommendation in the Kingston Culture Plan "that the City of Kingston develop a cultural heritage strategy that develops Kingston's powerful historical narrative, built heritage and natural heritage features into a broad based strategy for telling Kingston's stories to each other and to the world."

### 2.0 Persons Affected

2.1 This policy applies to:

- 2.1.1 Council;
- 2.1.2 the Commissioner of Community Services;
- 2.1.3 the Cultural Director;

- 2.1.4 the Director of Planning, Building & Licensing;
- 2.1.5 the Director of Recreation & Leisure Services;
- 2.1.6 the Director of Public Works;
- 2.1.7 the Clerk; and
- 2.1.8 Directors.

### 3.0 Policy Statement

- 3.1 It is the policy of the City to ensure that:
  - 3.1.1 a Commemoration shall comply with the law including but not limited to the OHA, OHRC, AODA and the Charter of Rights and Freedoms;
  - 3.1.2 fees relating to a Commemoration shall be administered in accordance with the Fees and Charges Bylaw 2005-10;
  - 3.1.3 a Commemoration category shall be in a form outlined in the Appendix, or any other Commemoration approved by Council, and shall be administered as follows:
    - i. a civic award shall be administered in accordance with the Distinguished Citizen/Honourable Award Program;
    - ii. a Proclamation shall be issued for special events and/or activities to recognize the effort and commitment of organizations within the City of Kingston that enhance the community and shall be administered in accordance with the Proclamations Policy;
    - iii. a flag raising on City property shall mark special occasions in recognition of activities or events that benefit or enrich the City and shall be administered in accordance with the Flag Display and Flying Policy;
    - iv. a Commemoration related to motions of congratulations, recognition, sympathy, condolences and speedy recovery at Council shall be

administered in accordance with the Council Procedural Bylaw 2010-1;

- v. a Commemoration related to a mayoral portrait shall be administered in accordance with the Mayor's Portrait Policy;
- vi. a Commemorative Bench shall be a form of remembrance of a loved one, a celebration of a birth or anniversary or to honour others' personal and professional contributions to the community and be administered in accordance with the Commemorative Bench Policy;
- vii. a Commemoration related to an event, festival or ceremony shall be administered in accordance with the Special Events Policy, First Capital Place Policy and other applicable policies;
- viii. a Dedication Tree shall be planted in a City park to commemorate a loved one or special event and be administered using the guidelines set out in report MHC-13-010;
- ix. a Commemoration related to a City heritage building or property, including heritage property markers and roadside signs, shall be administered in accordance with the Heritage Commemoration Program Guidelines;
- x. the alteration, addition or renovation to existing physical Commemorations, including alterations, additions or renovations that may impact the original meaning and/or intent of an existing physical Commemoration, shall be administered in accordance with the Civic Collections Policy, the Kingston Commemorations Strategy (2015-2024) and the Copyright Act;
- xi. a Commemoration related to the naming of a City asset shall be administered in accordance with the Naming of Corporate Assets Policy;
- xii. a Commemoration related to civic addressing or street naming shall be administered in accordance with the Civic Addressing and Road Naming Bylaw 2005-98, with due regard to this policy; and

xiii. a Commemoration related to an external illumination of City Hall or Springer Market Square shall be administered in accordance with the City Hall and Springer Market Square External Illumination Policy.

3.1.4 other types of Commemorations requests shall be administered in accordance with the Kingston Commemorations Strategy and this policy and shall meet one or more of the following requirements:

- i. the subject proposed must have relevance to the Kingston area or to communities in Kingston;
- ii. an individual shall only be considered for Commemoration at least ten years after his/her death;
- iii. a group or organization shall only be considered for Commemoration at least ten years after it has been established;
- iv. an idea or event shall only be considered for Commemoration at least ten years after its conclusion;
- v. must not duplicate the themes or subject matter of an existing commemorative site;
- vi. should recognize collective military efforts rather than individuals and in the case of international conflicts, only those sanctioned by the Government of Canada shall be considered;
- vii. should provide opportunities for celebration, reflection, dialogue and critique; or
- viii. or as approved by Council.

3.1.5 any Commemoration considered under section 3.1.4 shall:

- i. be automatically disqualified when the subject denigrates ideological, religious or other beliefs; promotes hate; is contrary to any law; or is a Corporate Sponsorship;
- ii. not normally include a subject that commemorates a natural disaster;

- iii. strive to achieve balance in relation to Commemorations acknowledging that certain thematic areas are underrepresented, such as First Peoples; Ethno-cultural communities; Francophone and Women;
- iv. address geographic and thematic gaps identified in the Kingston Commemorations Strategy;
- v. engage and connect all of Kingston, including youth, through a range of stories and experiences;
- vi. provide opportunities for celebration, reflection, discovery, dialogue and critique;
- vii. honour important achievements and aspirations, discuss uncomfortable truths and build appreciation for the diverse stories about Kingston's past; and
- viii. be considered in future redevelopment of civic spaces.

3.1.6 a Commemoration that is extraordinary and spontaneous in nature shall be permitted if it is in a temporary and acceptable form and it does not cause a risk to public safety. Time limits apply.

3.2 Where any policy referenced in this policy is inconsistent with this policy, the provisions of this policy shall prevail, except when the policy is in the form of a bylaw.

## **Employees**

3.3 Any employee who breaches this policy may be subject to discipline up to and including dismissal.

## **4.0 Responsibilities**

4.1 Council is responsible for approving this policy and physical Commemorations over \$50,000 and of any value on protected heritage properties that need approval under the OHA.

4.2 The Commissioner of Community Services is responsible for directing compliance with and for resolving any issues or conflicts relating to this policy.

4.3 Upon recommendation of the public consultation process, the Cultural Director is responsible for approving the following

Commemoration types, up to \$50,000:

- 4.3.1 civic awards;
  - 4.3.2 mayor's portrait;
  - 4.3.3 display in City facility (City-initiated or partnership);
  - 4.3.4 tours included on City applications;
  - 4.3.5 addition/renovation to existing physical objects;
  - 4.3.6 other new physical object; and
  - 4.3.7 City led event, festival or ceremony.
- 4.4 The Director of Planning, Building & Licensing is responsible for approving the following Commemoration types up to \$50,000:
- 4.4.1 heritage property markers or heritage roadside signs; and
  - 4.4.2 civic addressing or street naming.
- 4.5 The Cultural Director and the Director of Planning, Building & Licensing are responsible for:
- 4.5.1 identifying when public consultation is required for the approval of a Commemoration application;
  - 4.5.2 reviewing the mandate and composition of the ICG; and
  - 4.5.3 establishing and maintaining the Heritage Resource Centre and a portal on the City website for Commemoration applications and information to the public.
- 4.6 The Cultural Director, in consultation with Directors, is responsible for:
- 4.6.1 maintaining an inventory of physical Commemorations on City property and identifying and assessing any items for the Civic Collection and the Kingston Culture Map;
  - 4.6.2 allocating annual funds for Commemoration projects

with local groups that address thematic and geographic gaps;

- 4.6.3 identifying opportunities for partnerships, grants and other external investment to support new Commemorations, particularly to address existing thematic and geographic gaps; and
  - 4.6.4 reviewing applications for temporary Commemoration displays on City property.
- 4.7 The Clerk is responsible for approving the following Commemoration types, up to \$50,000:
- 4.7.1 motion of congratulation;
  - 4.7.2 proclamation;
  - 4.7.3 flag raising;
  - 4.7.4 City Hall or Springer Market Square external illumination; and
  - 4.7.5 naming a corporate asset.
- 4.8 The Director of Public Works is responsible for approving tree dedications and Bench Commemorations, up to \$50,000.
- 4.9 The Director of Recreation & Leisure Services is responsible for approving community-led events, festivals or ceremony Commemorations, up to \$50,000.
- 4.10 Directors are responsible for:
- 4.10.1 managing and maintaining physical commemorative items, including related budgets, in the care and control of their respective departments; and
  - 4.10.2 providing current inventory information to the Cultural Director, annually, on physical Commemorations in the care and control of their respective departments.

### **Breach of Policy**

- 4.11 Employees are responsible for compliance with this policy and shall be aware that any employee who breaches this policy may

be subject to discipline up to and including dismissal.

## 5.0 Approval Authority

<b>Role</b>	<b>Position</b>	<b>Date Approved</b>
Quality Review	Policy & Web Coordinator	05/27/2016
Subject Matter Expert	City Curator	07/04/2016
Legal Review	Senior Legal Counsel	07/05/2016
Director Review	All Directors	06/10/2016
Commissioner Review	Commissioner, Community Services	01/26/2017
Final Approver	Council	02/07/2017

## 6.0 Revision History

<b>Effective Date</b>	<b>Revision #</b>	<b>Description of Change</b>
11/06/2018	1	Revised Clause 3.1.3.x, added Clause 3.1.4.vii and housekeeping updates

## 7.0 Appendix

Commemorative Form Categories, as identified in the Kingston Commemorations Strategy (2015-2024). These categories are based on the amount of processing time and resources required to approve and implement particular commemorations requests. Category A requires the least; Category C requires to the most.

<b>Category A</b>	<b>Category B</b>	<b>Category C</b>
Civic Awards	Displays and exhibitions developed in partnership with City on City property.	Naming of corporate assets
Tree/bench dedication	Tours	Civic addressing or street naming

Motions of congratulations, recognition, sympathy, condolences and speedy recovery at Council	Festival or ceremony	Addition or renovation to existing physical commemorations
Mayor's portrait	Proclamations	Medium to long-term physical commemorations, including plaques
Third party displays and exhibitions on City property	Flag raising	City-led one-time event, festival or ceremony.
	Heritage property markers & heritage roadside signs	
	External illumination of City Hall or Springer Market Square	

### Related Definitions

#### AODA

means the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11

#### City

or Corporation means The Corporation of the City of Kingston.

#### Clerk

means the person appointed by the City as the Clerk in accordance with section 228(1) of the Municipal Act, 2001.

#### Commemoration

means an intentional act of acknowledging the memory of people, places, events and ideas that can be public, private, national, local, tangible or intangible, monumental or modest in scale, permanent or temporary and be represented in a range of forms, including but not limited to memorials, monuments, plaques, artwork, mementos, spaces, events and digital platforms.

#### Commemorative Bench

means a private commemoration on a memorial bench in a City park, which accommodates up to two separate commemorative plaques.

#### Corporate Sponsorship

means a mutually beneficial business arrangement or partnership between the municipality and an external company, organization or enterprise wherein the external party contributes funds, goods, or services to a municipal project, service or initiative in return for recognition, acknowledgement, or other promotional consideration.

#### Council

means the governing body of the municipality formed and operating under the authority of the Municipal Act, 2001, S.O. 2001, Chapter 25. Council membership is composed of a mayor and twelve councillors. The mayor and councillors are each elected for a four-year term.

#### ICG

means the Interdepartmental Commemorations Group that meets bi-annually to review and coordinate commemoration proposals for forms C2 to C5 as listed in diagram 4.1 of the Kingston Commemorations Strategy 2015-2024. Membership includes employee designates from the following departments: Cultural Services, Public Works, Recreation & Leisure Services, Planning, Building & Licensing Services and Facilities Management & Construction Services. Membership may change to meet program or proposal requirements.

#### OHA

means the Ontario Heritage Act, R.S.O. 1990, c. O.18

#### OHRC

means the Ontario Human Rights Code, R.S.O. 1990, c. H.19

#### Operating Budget

means the annual operating budget which outlines the City's spending plans and provides for the day to day expenditures of the City for items such as salaries and benefits, services, supplies, utilities and fuel.

#### Proclamation

means an official public announcement or declaration given by the Mayor and/or Council to formally recognize a special event which is deemed to be of interest and/or benefit to a significant number of citizens of Kingston.