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**Section:** Administration  
**Policy Title:** Commemorative Asset Dedication Program  
**Policy No.:** A09-CORP-006  
**Approved By:** Council  
**Effective Date:** 2025-09-04  
**Revised Date:**

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## COMMEMORATIVE ASSET DEDICATION PROGRAM

### 1. POLICY STATEMENT

- 1.1. The Corporation of the Township of Malahide (“Township”) recognizes that individuals and community organizations may wish to commemorate persons, groups, or events of significance that reflect the values and objectives of the Township through the dedication of certain commemorative assets on municipal land.
- 1.2. This Policy provides a clear and efficient process for participation in the Commemorative Asset Dedication Program (“Program”), ensuring that dedications are managed and maintained in a manner that respects public spaces and aligns with community values.
- 1.3. The Clerk, or designate, shall be responsible for the administration and interpretation of this Policy, including its procedures and discretionary decisions.
- 1.4. Where a conflict arises between this Policy and any other Township policy regarding dedications or asset installations, this Policy shall prevail unless Council has approved an exception by resolution.
- 1.5. This Policy shall be reviewed every five (5) years or sooner at the discretion of the Clerk or Council.

### 2. PURPOSE

- 2.1. The purpose of this Policy is to outline the terms, conditions, and procedures for the dedication of Commemorative Assets. It aims to ensure consistency, fairness, and transparency while preserving the integrity, safety, and accessibility of municipal land.

### 3. DEFINITIONS

For the purposes of this Policy, the following definitions apply:

- 3.1. **Applicant:** An individual or organization that submits a Commemorative Asset Application Form to the Township.
- 3.2. **Asset:** A municipally-owned physical item, such as a park bench, or similar item, available for dedication under this Program.

- 3.3. **Commemorative Asset:** A municipally-owned Asset that has been designated, purchased, or installed under this Program for the purpose of recognizing or honouring a particular person, group, event, or theme of significance. A Commemorative Asset includes both the physical Asset (e.g., bench, tree, or similar item) and the associated plaque or inscription approved by the Township.
- 3.4. **Council:** The elected Council of the Corporation of the Township of Malahide.
- 3.5. **Inscription:** The approved wording or message placed on a plaque or Asset, intended to commemorate a person, group, event, or theme in a respectful, concise, and meaningful manner.
- 3.6. **Municipal Land:** Property owned by the Township, excluding cemeteries, unless otherwise indicated.
- 3.7. **Plaque:** A flat plate or tablet of metal, stone, or other durable material affixed to an Asset and bearing an inscription approved by the Township.
- 3.8. **Public Consultation:** A process by which the public is invited to provide input on a proposed commemorative asset or location, typically by way of notices posted on the Township's official website and other communication channels for a specified period. Public Consultation is non-binding and intended to inform Council decision-making, ensuring transparency and public awareness.
- 3.9. **Township:** The Corporation of the Township of Malahide, including its Council, officers, employees, volunteers, and agents.
- 3.10. **Useful Life:** The period during which a Commemorative Asset remains safe, functional, accessible, and in good repair for its intended public use, as determined by the Township. An asset is deemed to have reached the end of its useful life when it no longer meets these standards or is no longer suitable for continued use due to safety, accessibility, structural, or operational considerations.

#### 4. APPLICATION & REVIEW PROCESS

##### **Application Submission:**

- 4.1. Applicants must submit a complete Commemorative Asset Application Form, specifying the preferred Asset to be procured or an existing Asset to be repurposed, proposed inscription, and requested location.
- 4.2. Cemeteries are excluded from the Program.
- 4.3. Submission and payment of any applicable fees indicate the Applicant's agreement to the terms and conditions of this Policy.
- 4.4. While Applicants may suggest the type and location of a commemorative asset, the Township will determine the final asset type, design, and placement to ensure it is a functional and meaningful addition to the community's recreational infrastructure.

##### **Initial Review:**

- 4.5. Township staff will review the application for completeness and preliminary feasibility. A written response regarding the suitability and availability of the requested location will be

provided within thirty (30) calendar days, unless further information or Council consideration is required at the discretion of the Township.

**Evaluation Criteria:**

4.6. The Township will consider the following factors:

- a) Use and Design Considerations: Cultural/historical context, space availability, pedestrian flow, accessibility compliance (e.g., AODA), and visual integration with surroundings.
- b) Environmental & Infrastructure Considerations: Avoidance of sensitive areas, suitability of materials, and alignment with future municipal plans.
- c) Legal & Policy Compliance: Adherence to municipal by-laws, provincial legislation, and confirmation that the placement is on Township-owned land free of encumbrances.

**Council Approval & Public Consultation:**

4.7. Applications deemed to have a significant community impact at the discretion of the Township may require a fifteen (15) calendar-day Public Consultation period.

4.8. The Township reserves the right to approve, modify, or reject any application at its sole discretion. All inscriptions are subject to Township approval. Inappropriate language or imagery will not be permitted (e.g., no profanity, hate speech, or discriminatory content).

4.9. Appeals: If an application is denied, the Applicant may submit a written appeal within fifteen (15) calendar days. Council will review and provide a final decision at an upcoming regular Council Meeting. Council's decision on any appeal shall be final and is not subject to further reconsideration.

## **5. OWNERSHIP & INSTALLATION**

5.1. Ownership: All Assets and Commemorative Assets installed under this Program shall be the property of the Township, including plaques and inscriptions.

5.2. Installation Timeline: The Township will provide a time estimate to the Applicant for when the installation shall be scheduled. Delays may occur due to seasonal conditions or logistical constraints.

## **6. MAINTENANCE & ALTERATIONS**

6.1. The Applicant may make a request to the Township for the maintenance and upkeep of the Commemorative Asset. The Township may approve or deny this request at its sole discretion. For approved requests, maintenance and upkeep shall be undertaken by the Township upon submission and payment of any applicable fees by the Applicant to the Township. Only the Township or its authorized agents shall undertake the maintenance and upkeep of the Commemorative Asset to a standard at its sole discretion.

6.2. The placement of personal items or decorations around the Commemorative Asset is prohibited.

6.3. Should the Commemorative Asset or a part of it be damaged, vandalized, or stolen, replacement is at the Applicant's discretion and expense. If the Applicant does not request a replacement within ninety (90) calendar days of notice from the Township, the

remaining elements of the Commemorative Asset may be removed without further notice and without obligation for refund.

- a) In cases where the Commemorative Asset contains offensive or discriminatory content due to vandalism, or where its condition has deteriorated to the point of being unsightly, unsafe, or otherwise poses a hazard to the public or the integrity of the site, the Township may remove or alter the Commemorative Asset at its sole discretion without waiting for the full ninety (90) day period. Any such decision shall be made to uphold public safety, accessibility, and the respectful use of municipal spaces. The Township will make reasonable efforts to notify the Applicant of such action.

## **7. DEDICATION TERM**

- 7.1. A dedication term shall be for the useful life of the Commemorative Asset, plaque or inscription based on its condition, as assessed by the sole discretion of the Township.
- 7.2. Applicants are responsible for providing and updating their current contact information to facilitate communication regarding the term's end and any related matters.

## **8. RELOCATION OR REMOVAL**

- 8.1. While the Township strives to uphold the dedication term of the Commemorative Asset, the Township reserves the right to relocate or remove a Commemorative Asset at its sole discretion at any time.
- 8.2. Reasonable efforts will be made to inform the Applicant of relocation or removal when current contact information is available.
- 8.3. If the Township removes a Commemorative Asset before the end of its useful life for reasons other than damage, vandalism, or theft, it may, at its discretion, provide the Applicant with a partial refund. Any refund will be calculated on a pro rata basis, reflecting the remaining expected useful life of the asset, as assessed by the Township.
- 8.4. Where a dedication commemorates a person, group, or event of historical, cultural, or community significance to the Township, and no Applicant or representative remains available to be contacted, Council may, at its discretion, extend or renew the dedication beyond the asset's useful life. In such cases, the Township will assume the cost of providing and installing a replacement asset or otherwise preserving the recognition, in a form and location determined by Council.

## **9. FEES & COST RECOVERY**

- 9.1. Applicants are responsible for the full cost recovery of the Commemorative Asset, including procurement, installation, associated materials (such as plaques), and any other expenses incurred by the Township in the course of implementing the dedication.
- 9.2. The fee for the Commemorative Asset shall be determined by the Township based on the current costs of materials, labour, administration, and any other relevant factors at the time of the application.
- 9.3. Following installation, any requested maintenance, repairs, or replacements beyond the standard level of upkeep provided by the Township shall be performed by the Township or its authorized agents at the Applicant's expense. The cost for such additional services

will be calculated on a cost-recovery basis and must be paid by the Applicant prior to the commencement of the requested work.

- 9.4. All fees must be submitted in full at the time specified by the Township. Failure to remit payment by the due date may result in delays or termination of the application or maintenance request.

#### **10. LIMITATION OF LIABILITY & FORCE MAJEURE**

- 10.1. The Township is not liable for any damage, vandalism, or theft of Commemorative Assets or Plaques.
- 10.2. The Township bears no responsibility for delays or failures caused by events beyond its control, including force majeure circumstances.

#### **11. INDEMNIFICATION**

- 11.1. The Applicant indemnifies and holds the Township harmless against any claims arising from participation in the Program.

#### **12. EXEMPTIONS**

- 12.1. The Springfield Swans Paver Program, as outlined in the organization's Memorandum of Understanding with the Township, shall be exempt from this policy and program.

#### **13. CONTACT INFORMATION**

- 13.1. For inquiries regarding the Policy or the Program, contact: [info@malahide.ca](mailto:info@malahide.ca)

#### **14. PRIVACY STATEMENT**

- 14.1. Personal information collected through the application process is collected under the authority of the Municipal Act, 2001, and will be used to administer the Commemorative Asset Dedication Program. Questions about this collection may be directed to the Township Clerk.

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| <b>Applicant Information</b>                          |
| <b>Name of Applicant</b> (Individual or Organization) |
| <b>Authorized Representative</b> (Optional)           |
| <b>Mailing Address</b>                                |
| <b>Phone Number</b>                                   |
| <b>Email Address</b>                                  |

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| <b>Proposed Commemorative Asset Details</b>  |
| <b>Type of Asset Requested</b> (e.g., Park Bench, Other)   |
| <b>Proposed Location</b> (provide as much detail as possible e.g., east side of Malahide Park near trail entrance)   |
| <b>Proposed Inscription</b> (Inscriptions are subject to Township approval. Inappropriate language or imagery, including profanity, hate speech, or discriminatory content, is not permitted.) |
| <b>Reason for Dedication</b> (Please provide a brief explanation of the significance of the person, group, event, or theme you wish to commemorate.)   |

## APPENDIX B - Fees & Agreement

- I acknowledge that submission of this application and payment of any applicable fees indicates my acceptance of the terms and conditions of the Commemorative Asset Dedication Program as outlined in the Township of Malahide's Policy.
- I agree to provide and maintain current contact information so that the Township may inform me of any changes to the Commemorative Asset (e.g., relocation, removal, end of term).
- I understand that the Township owns the Commemorative Asset and has sole discretion over its installation, maintenance, condition assessment, relocation, or removal, in accordance with the Policy.
- I acknowledge that the Township is not liable for damage, vandalism, or theft of the Commemorative Asset or plaque and that I am responsible for any replacement costs.
- I confirm that I have read and understood the Policy, including limitation of liability, force majeure, and indemnification clauses.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### \*\*\* Office Use Only \*\*\*

Date Application Received: \_\_\_\_\_

Fee(s) Received (Y/N): \_\_\_\_\_ Amount: \$\_\_\_\_\_

Initial Review Completed by (Staff Name): \_\_\_\_\_

Date: \_\_\_\_\_

Application Status: ☐ Approved ☐ Denied ☐ Requires Council Consideration

Comments/Conditions: