



Comhairle Chontae Mhaigh Eo
MAYO COUNTY COUNCIL



POLICY ON ROADSIDE MEMORIALS

June 2021

Policy on Roadside Memorials

In preparation for progressing proposals to introduce a Policy regulating Roadside Memorials following fatal collisions in County Mayo, consultation in this regard involved liaison between Mayo County Council, An Garda Síochána, and Transport Infrastructure Ireland's Regional Safety Engineer.

Following on from such consultation, this Draft Policy document has been formulated with the intention of providing an open and transparent process whereby the needs of all sides are equally represented, both currently and well into the future. The proposed policy, as outlined herein, shall be placed before the elected members of Mayo County Council, for their consideration and adoption, and if approved, will be recognised as the definitive governing document by which all Roadside Memorial related matters shall be regulated.

This proposed policy, in general, will not affect existing memorials erected by members of the public. However, should an existing memorial become damaged and/or in need of replacement, the replacement memorial must comply with this Policy.

It must be recognised that all roadside memorials have the potential to become a road user hazard, and accordingly a site specific risk assessment will be required to be carried out at all proposed locations.

Overall, the desire to erect a roadside memorial at an accident location must be commensurate with the Roads Authority's obligation to safeguard traffic/public safety, while not creating a traffic hazard and/or infringing on general public sensitivities. Thus, the decision in relation to any Roadside Memorial will be based on the foregoing principals.



Policy on Roadside Memorials

Mayo County Council recognizes and respects the wish of the bereaved to mark roadside deaths by way of erecting a roadside memorial at an accident location, but this Council is also charged with the duty of keeping the public highway safe for all road users. As the Roads Authority for County Mayo, this Council endeavors to balance the wishes of the bereaved with that of public safety. All roads have potential dangers and the site of road collisions may be particularly hazardous. The distraction of motorists and the safety of those placing or maintaining memorials are the overriding safety issues in the consideration of roadside memorials.

The purpose of this policy is to try and provide a clear statement of what will be allowed on carriageways under Mayo County Council's control.

It is assured that all situations involving applications for the erection of roadside memorials will be dealt with in a sympathetic, understanding and sensitive way, and where and when appropriate, staff will liaise directly with those wishing to place memorials along the roadside.

It must be noted that memorials or items associated with same, can only be placed clear of any locations where roadside maintenance is likely to be undertaken, e.g. grass cutting. They should be placed away from locations which are hazardous to access, such as carriageway central reservations and roundabout central islands. Large permanent physical structures (monuments and shrines) will not be allowed along the carriageway, and shall be removed, on safety grounds. In addition, memorials should not be positioned adjacent to safety barriers, and must also be a safe distance away from side road junctions.

DESCRIPTION OF ROADSIDE MEMORIAL

A roadside memorial is a physical object commemorating a site which is in close proximity to where a road traffic fatality has occurred.

In order to ensure roadside memorials are erected with road safety foremost in mind, an Application seeking the consent of the Roads Authority for the erection of any roadside memorial must be submitted in writing to Mayo County Council, providing contact details (name, address and phone number) of a family member or friend who will be responsible for the memorial concerned. The specified person may be contacted by Council in the event the memorial subsequently having to be removed or adjusted to meet these Guidelines, or at a later stage to facilitate roadworks etc.

When considering such application, a Council Representative will liaise with the nominated party, to assist in agreeing the definitive location for the placement of an approved roadside memorial. The Council's Representative will ensure its placement is in accordance with Council standards and requirements, and most importantly, take into consideration the future safety of road users. Council Representatives will consider safety issues such as where the road geometry is less than optimum i.e. road crests, bends and high-speed locations, junctions, etc.

In addition to the foregoing, it will also be a requirement that existing memorials must be kept free from any flowers, ornaments and any other materials which may cause a distraction to drivers, cyclists, pedestrians, etc.

It is important that all visitors to the memorial exercise extreme due care and attention (e.g. park legally, stand away from the road edge etc.) and behave responsibly so as not to endanger themselves or other road users when maintaining or visiting a memorial.

ROADSIDE MEMORIAL MAINTENANCE

The maintenance of any memorial is the responsibility of family or friends.

APPLICATION TO ERECT A ROADSIDE MEMORIAL

An Application to erect a roadside memorial at an accident location must be submitted for consideration in writing to the Roads Department of Mayo County Council. The Council will consider applications on a case-by-case, subject to having all the pertinent information to hand in advance of making our determination. The following documents are required to accompany such Application :

- a) Letter of application to erect a Roadside memorial, must be submitted to the Roads Authority *prior to* any works commencing;
- b) General site Location Map and sketch of the proposed Layout, including photographs if possible;
- c) Dimensioned drawing of the proposed Memorial & details of materials to be used etc.
- d) Written permission from the Landowner concerned should be included;
- e) Written permission from the next-of-kin of the deceased must be included;
- f) Contact details in the event of additional information being required.
- g) No fee applies in respect of processing such Applications.

SPECIFICATION FOR ERECTING A ROADSIDE MEMORIAL

The relevant Engineering/Technical Staff will consider all applications individually and make recommendations in accordance with the Specifications set out below :

1. The maximum area of a roadside memorial shall not exceed 450mm high by 450mm wide, by 150mm deep. The memorial is to be located at the back of the roadside verge.
2. Where it is proposed to erect a free standing memorial in a roadside hedgerow, its height shall not exceed 750mm. In the interest of Road Safety, wooden memorials only shall be erected in this situation.
3. Where it is proposed that a roadside memorial be affixed to a solid structure such as a roadside wall it shall be permissible that the memorial be in the form of a plaque or cross made from wood, stone or metal, with the height not to exceed 750mm.

4. The memorial shall not be illuminated.
5. Landscaping of the memorial with permanent or semi-permanent fixtures, including Kerbing, is not permissible.
6. Floral tributes should not exceed a 1m square area and the Council reserves the right to remove excess floral tributes if deemed a safety issue or receives justifiable complaints from the general public.
7. Memorials must not distract motorists, cyclists etc. and shall be small in scale. Items including but not limited to reflectorized stickers, glass, soft toys, plants, containers, concrete bricks, and solar lights are not permitted.
8. In the case of any Dual Carriageway, NO ROADSIDE MEMORIALS WILL BE PERMITTED in proximity to any section of the Carriageway which has a Speed Limit of 100km/hr.

GENERAL CONDITIONS

- The applicant shall be notified in writing of the decision made by the Council;
- The location of the memorial shall be agreed with the relevant District Engineer. Where it is not appropriate to locate the memorial at the exact site of an accident, particularly if it is on a hazardous section of road, the applicant shall agree an alternative safe location with the District Engineer.
- The policy in relation to the size and layout of roadside memorials is very specific. These memorials are not intended to appear like gravestones or plots as one might expect to see in a graveyard, for example.
- The memorial shall not interfere with the safe use of the public road or interfere with the roadside drainage system or other public utilities.
- The memorial will be kept free from any flowers, ornaments or materials which will give rise to litter over time or cause a distraction to drivers and passer's by.

- The monument contractor/person erecting the memorial shall indemnify Mayo County Council against all claims which may arise during the erection process. Evidence of appropriate insurances shall be provided to the Council prior to any works being undertaken;
- In the event of Mayo County Council carrying out future road improvements in the area and it becomes necessary to relocate the memorial, the applicant(s) will be given the opportunity to relocate it themselves or the Council will arrange for its' re-location. The Council will pay the reasonable cost for the re-location of the memorial in this circumstance;
- Mayo County Council shall not accept responsibility for any roadside memorial, nor the loss, damage or removal of roadside memorials that may occur, wilfully or accidentally, and the person erecting the memorial and his/her successor shall be responsible for its indefinite upkeep and maintenance.
- Mayo County Council reserves the right to review the consent to the placement of any memorial, should such requirement arise at any future date.
- Unauthorised memorials, erected without the appropriate *prior* consent of Mayo County Council, shall be removed immediately.
- The final decision regarding the removal of any memorial rests with the Roads Authority.
- Mayo County Council shall review the Roadside Memorial Policy after a period of two years has elapsed.

