



## **Memorial/Tribute Donation Program Policy Terms and Conditions**

The City of Thomaston (the “City”) supports the needs and principles of allowing memorial/tribute park benches, steel benches, trees, swings, and bike racks in parks and green space areas but is also mindful that these facilities have many uses and are enjoyed by a wide range of people. Therefore, the City desires to manage and regulate the donations for the mutual benefit of all.

- The Memorial/Tribute Donation Program Policy applies to all City-owned parks and green space areas, and any other area in which the City may permit the donation of memorials/tributes.
- The City reserves the right to, and may, decline any application for any reason.
- All donations of memorial/tribute items are non-refundable and, once donated, the item is and will remain the property of the City throughout the life of the item.
- Memorials/tributes will be approved in locations selected by the City, based upon the specific needs of the City and in accordance with the City’s general parks and municipal planning. Memorial/tribute will be positioned to maximize the benefit to an area, and the positioning of any memorial/tribute remains at the sole discretion of the City.
- The number of memorials/tributes shall not detract from the prime recreational purpose of an area, and the City may reject and/or limit the number of memorials/tributes in any particular area.
- Donors are not permitted to add additional plantings, flowers, or decorations to the area where the memorial/tribute is located, or to otherwise alter the memorial/tribute to any condition other than as may be expressly approved by the City.
- All inscriptions for the memorial plaque must be approved by the city. Religious symbols, extraneous content, and any content which is obscene, vulgar, or sexual in nature are not prohibited. The City retains the express right to reject any proposed inscriptions that, in its sole estimation, violate these guidelines, or which the City determines do not comply with the spirit of the Memorial/Tribute Donation Program as envisioned by the City. Plaques will not be available for tree memorials.

- Trees will be planted in January or February of each year. You may select a tree from the tree memorial list. Some tree species may not be available.
- The City will perform normal maintenance on the donated item but does not guarantee its condition or existence in perpetuity. The need for, and what constituted, “normal maintenance” is within the sole discretion of the City.
- The City shall have no liability for damages or theft to any memorial/tributes from vandals or third parties and damaged or stolen memorials/tributes will not be replaced by the City. If a donor wishes to replace the item, it will be replaced at cost by the donor and a new application is to be submitted.
- The City retains the sole right to remove the memorial/tribute at any time for any purpose. The City shall have no liability, to any donor or otherwise, for the discretionary removal of any memorial/tribute.
- All memorials/tributes are added to a database with status, location, type of donation, donor, and the person memorialized.
- A receipt can be provided at the donor’s request for tax purposes.
- While the agreement with this Memorial/Tribute Donation Program Policy is a requirement to apply for a donation, this Memorial/Tribute Donation Program Policy does not confer upon the donor or any other person any contractual or other rights to the donated memorial/tribute, to the memorial plaque, to the existence or placement of the memorial/tribute, to any other city property, or with regard to the City, generally.

**As a condition of application to the Memorial/Tribute Donation Program, the undersigned agrees to the above-stated terms and conditions. By signing below, the undersigned confirms that he/she has fully read the above-stated terms and conditions.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date