



City of Charlottesville
Public Rights-of-Way (PROW) Permit
(Roadside Memorial Installation)

This Permit is issued pursuant to the authority of City Code Sec. 2-154, to authorize placement of a memorial within City-owned rights-of-way, at the site of deaths resulting from automobile, bicycle or pedestrian accidents that occur on public streets within the City of Charlottesville.

Permittee Agreement for Land Use Permit Issuance

I, the undersigned individual hereby acknowledge that I understand and agree to comply with the following requirements, in return for the approval of this Permit:

Type or Print Clearly

Name of Applicant: _____

Applicant's Federal Tax ID No. or Driver's License No.: _____

Applicant's Address: _____

City: _____ State: _____ Zip Code: _____

Business Telephone No.: (____) _____ - _____ 24-Hour Telephone No.: (____) _____ - _____

Fax No.: (____) _____ - _____ E-mail Address: _____

Relationship to Deceased: _____

Applicant's Signature: _____

Applicant's Title: _____

Name of the Deceased Individual: _____

Date and Time of the Fatal Incident: _____

Street Name on which the Fatal Incident Occurred: _____

Right of Way Permit is Required for Roadside Memorials

State law and the Charlottesville City Code prohibit work from being performed on any City-owned property and prohibits installation of structures or signs on or within City streets, unless written permission has been obtained in advance from the City. Written permission is granted for installations and work on and within city-maintained rights-of-way through the issuance of a Right-of-Way permit.

By issuing a permit, the City is giving permission only for whatever rights it has in the public right-of-way; the permittee is responsible for obtaining permission from others who may also have an interest in the property.

In addition to any other remedy the City may have by state law or local ordinance, the individual to whom this permit is issued agrees to reimburse the City for any and all costs, expenses or damages incurred by the City as a result of the permittee's failure to comply with the requirements of this Permit.

Application Requirements

Application for a PROW permit shall be made to the Department of Public Works, Engineering Division. Upon receipt of a permit application, the application shall be reviewed by the each City office or department that may

have responsibility or interest in the specific location that is the subject of the permit application. Generally, this will include the director of public works, the City Engineer, the office of the city manager, and the city's historic preservation planner. The City will make a final decision on the permit application not more than 30 days after receiving it, and the decision shall be communicated in writing to the applicant.

Contact Information

The City offices and contact information may be obtained at the following the City web site: [Click Here](#)

Permit Fees & Charges

There is no permit fee for a Roadside Memorial Permit Application.

If the permit application is approved, the City will install the roadside memorial, at the permittee's expense. The memorial will be a standard format plaque or sign, which will be manufactured to include the deceased person's name. No custom memorials will be authorized.

The City will send the permittee an invoice setting forth the costs of labor and materials to be incurred by the City to produce and install the memorial, and the permittee shall pay the City the amounts set forth within the invoice within 30 calendar days of the date of the invoice. The memorial will not be installed by the City until the invoice amount has been paid in full, or an acceptable payment plan has been agreed to by the city manager's office.

Surety Requirement

There is no requirement to provide a surety bond in connection with the placement of a roadside memorial on city streets, because the City will perform the installation.

General Requirements

1) Any human fatality that occurs on the city public street system is eligible for a memorial. Only immediate family members of the victim may obtain a City of Charlottesville PROW permit for the placement of a roadside memorial on city streets. If any member of the immediate family contacts the City to indicate disagreement with the memorial, to the memorial, the application will be denied or the memorial will be removed if it has already been installed. The City will not be responsible for resolving disputes or disagreements among immediate family members.

For purposes of this Permit process, the term "immediate family member" refers only to the following: the mother, father, wife, husband, partner, or sibling of a deceased individual proposed to be commemorated.

2) Only one memorial per fatality will be permitted. The City reserves the right to install a group memorial in lieu of individual memorials at a location where multiple fatalities have occurred.

3) The applicant must provide sufficient information within the permit application, to allow the City to verify the the victim's name, the date of the fatality, and the location of the fatal incident

4) The applicant will confirm on the application that approval has been obtained from an immediate family of the victim and the adjacent property owner (or owners) to locate the memorial in the designated location.

5) The City's decision on the application shall be final. An applicant whose request has been denied may request a review of the decision by the City Manager's office. The City Manager may authorize a new application process, upon finding that the decision on the prior application was based on inaccurate facts or assumptions.

6) The memorial shall be located as close as possible to the site of the fatal incident, but location of the memorial may vary depending on the particular site and safety conditions.

7) If the City's right-of-way is insufficient for a memorial to be installed at the site of a fatal incident, the director of Public Works, in consultation with the City Engineer, may propose a suitable alternate location as close as possible to the incident site. If the alternate location is rejected by the applicant, the permit may be denied.

8) The City reserves the right to temporarily remove or relocate a memorial at any time, as necessary for public street maintenance, snow removal, construction activities, or other circumstances. Removal and re-installation of the memorial shall be at the City's expense.

9) Each permit for a Roadside Memorial shall be issued for a period of three years from the date of installation, at

which time the permit shall expire.

10) The permittee or a different member of the immediate family of the victim may request that the memorial be removed at any time after installation. The City will not be responsible for resolving disputes or disagreements among immediate family members. If any immediate family member requests removal of a monument, the City will remove it and revoke the permit.

11) The applicant, family, or friends of the victim shall not park, stand, or loiter at the memorial site. It is illegal to park along the roadways with designated parking restrictions. Due to safety concerns for the traveling public, and friends and family of the deceased, parking, stopping, and standing along any roadway is discouraged.

Physical Requirements

1) The applicant is responsible for the fabrication of the memorial sign. The memorial sign shall be designed in accordance with all applicable sections of the Code of Virginia, the Rules and Regulations controlling Outdoor Advertising and Directional and other Signs and Notices, and the Vegetation Control Regulations for state maintained highway rights-of-way and the approved design specifications contained herein.

2) The use of symbols, photographs, drawings, logos, advertising, or similar forms of medium is prohibited on or near the memorial.

3) Memorials must be located outside of the mowing limits and roadside ditch line, and as close to the right-of-way line as reasonably possible.

4) Memorials must be located in such a manner as to avoid distractions to motorists or pose safety hazards to the traveling public.

5) Memorials will not be installed in the median of any roadway, unless as determined permissible by the Director of Public Works' designee.

Removal

1) Roadside memorials will be removed by City personnel at the end of the initial two-year permit term or any authorized extension thereof.

2) Upon removal, the memorial nameplate will be returned to the applicant or a designated family member, if specified on the permit application.

3) If the applicant does not wish to retain the nameplate, the nameplate will be reused, recycled, or disposed of at the City's discretion.

Permit Revocation

At the discretion of the Director of Public Works' designee, the PROW permit may be revoked and the memorial removed from the right-of-way for non-compliance with all requirements contained herein and/or specific conditions of the permit.

Permittee Notice

The preceding provisions are intentionally condensed in format and should not be loosely interpreted by the permittee without consultation with the Director of Public Works' designee and affirmation from the PROW Permit regulations.

Roadside Memorial Sign Specifications



SHAPE	<u>Top Panel</u> Square <u>Bottom Panel</u> Horizontal Rectangle
COLOR	Message and Border: Black (Non-reflectORIZED) Field: Gray (Non-reflectORIZED)
SIZE	<u>Top Panel</u> 24"x24" Min – 30"x30" Max Circle Diameter: 22" Max <u>Bottom Panel</u> Width: 24" Min – 30" Max Height: 6" Min – 9" Max
MESSAGE	<u>Top Panel</u> Line 1: Capital Letters - 3" D Line 2: Capital Letters - 3" D Line 3: Capital Letters - 2" D Line 4: Capital Letters – 2" D <u>Bottom Panel</u> See Notes Below
BORDER WIDTH	<u>Top Panel</u> 1" <u>Bottom Panel</u> 3/8"
CORNER RADIUS	<u>Top Panel</u> 1-1/2" <u>Bottom Panel</u> 1-1/2"

NOTES: Top Panel - Vertical spacing between the top of the panel and Line 1 is 4½". Vertical spacing between Lines 1 and 2 is 2.25". Vertical spacing between Lines 2 and 3 is 2". Vertical spacing between Lines 3 and 4 is 1½".

Bottom Panel - Vertical spacing between the top of the panel and Line 1 is 2". The use of initials and/or avoidance of hyphenated names may be needed for the deceased's name to fit the bottom panel. If necessary, the bottom panel may be increased to 9" in height and a second line used to accommodate those names that will not fit onto one line. When a 9" panel is used, vertical spacing between the top of the panel and Line 1 is 2" and vertical spacing between Lines 1 and 2 is 1". When the applicant requests that the deceased's name not be indicated, the message "A LOVED ONE" should be used on the bottom panel.

Mounting height of the memorial markers shall be 3' from the top of pavement at the pavement edge to the top of the top panel except in areas behind guardrail and barrier where the mounting height shall be increased as necessary for the markers to be visible.



City of Charlottesville Public Rights-of-Way (PROW) Permit

APPLICATION is hereby made for permit as shown on the accompanying plan or sketch and as described below. Said activity(s) will be done under and in accordance with the rules and regulations of the City of Charlottesville, in so far as said rules are applicable thereto and any agreement between the parties herein before referred to. Where applicable agreements may be attached and made a part of the permit assembly including any cost responsibilities covering work under permit. Applicant agrees to maintain work in a manner as approved upon its completion. Applicant also hereby agrees and is bound and held responsible to the owner for any and all damages to any other installations already in place as a result of work covered by resulting permit. Applicants to whom permits are issued shall at all times indemnify and save harmless the City of Charlottesville, the Commonwealth, and all City employees, agents, and offices, from responsibility, damage, or liability arising from the exercise of the privileges granted in such permit to the extent allowed by law. In consideration of the issuance of a permit, the applicant agrees to waive for itself, successors in interest or assigns any entitlements it may otherwise have or have hereafter under the Uniform Relocation and Assistant Act of 1972 as amended in event the City or its successor, chooses to exercise its acknowledged right to demand or cause the removal of any or all fixtures, personality of whatever kind or description that may hereafter be located, should this application be approved.

Applicant information:	
Driver's License or Tax ID No. _____	Contact Name _____
Owner Name _____	E-mail Address _____
Address _____	Telephone Number _____
City _____ State _____ Zip Code _____	Emergency Telephone Number _____
	Fax Number _____
Agent information:	
Driver's License or Tax ID No. _____	Contact Name _____
Owner Name _____	E-mail Address _____
Address _____	Telephone Number _____
City _____ State _____ Zip Code _____	Emergency Telephone Number _____
	Fax Number _____

Permit Term Requested _____ Fees Enclosed \$ _____ Check Number _____ Money Order _____
Estimated cost of work to be performed on the City Right of Way \$ _____, (see attached estimate).

Surety Information:

Surety Posted by: Owner Agent Waived

If cash/check surety is posted, please complete Commonwealth of Virginia's Substitute Form W-9.

Bonding Company Name _____ Bond # _____

Irrevocable Letter of Credit - Bank Name _____ Irrevocable Letter of Credit # _____
Surety paid by Check - Check Number _____

Amount of Surety \$ _____ Obligation Amount \$ _____

Request permission to perform the following activity(s): _____

_____ as per attached plans.

Location: _____ Route No. _____ Street Name _____
Between Route No. _____ Street Name _____ and Route No. _____ Street Name _____
Latitude _____ Longitude _____ Tax Map Number _____ Applicant Job No. _____

Applicant shall provide proof of registration as an operator with the appropriate notification center in accordance as defined in §2.2-1151.1 of the Code of Virginia & must provide a notarized affidavit, stating that the utility owner has notified the commercial and residential developer, owner of commercial or multifamily real estate, or local government entities with a property interest in any parcel of land located adjacent to the property over which the right-of-ways being requested, that application for the permit has been made.

IF APPLICABLE, I AGREE TO PAY THE FULL SALARY AND EXPENSES OF A STATE ASSIGNED INSPECTOR IN CONJUNCTION WITH ACTIVITIES AUTHORIZED UNDER THE AUSPICES OF A THE CITY RIGHT-OF-WAYPERMIT.

By signing below, I acknowledge that I am fully cognizant of all the LUP-SPG requirements associated with the issuance of a THE CITY Right-of-wayPermit.

Signature of Applicant: _____ Title _____ Date _____
Signature of Agent: _____ Title _____ Date _____

All applicable items on this form must be completed to avoid delay in processing the issuance of a City Right-of-Way Permit. Prepayment required with remittance payable to City of Charlottesville.

CITY USE ONLY

Receipt is hereby acknowledged for: CHECK No.: _____ MONEY ORDER No.: _____
In the Amount of \$ _____ for PERMIT FEE \$ _____ CASH SURETY \$ _____
Authorized THE CITY Signature: _____ Date: _____