

City of Pacific Grove, California

City Council Policy

Policy Governing	Policy No.	Effective Date	Page
City Bench Naming Rights Policy	100-7		Page 1 of 3

PURPOSE Throughout the City, there are benches that have been permitted to various persons on City property. These benches are installed for various reasons, such as memorials to deceased family members, to commemorate charitable organization, and to otherwise recognize persons and entities. The fees associated with the City Bench Program are for naming rights. Unless the bench requires extraordinary repairs, the bench maintenance is the responsibility of the permittee.

POLICY:

- 1 Public Works staff shall generate and maintain an inventory of existing benches.

- 2 If new bench locations are identified by the Public Works Department, then the locations shall be offered to person(s) on the bench waiting list maintained by the Public Works Department, in the chronological order of requests made.

Effective upon the adoption of this policy, the following policy shall be followed with respect to existing as well as new benches placed in the City:

- (a) Person(s) on the list waiting for a bench location shall be contacted only in the case of replacement of an existing bench in an existing location or if a new location becomes available
- (b) The costs associated with the bench program shall be adopted annually in the City's fee schedule;
- (c) Benches are a "permitted" activity in the City, and bench location holders shall be required to obtain a permit to continue their holding of the bench location. The permit is valid for five (5) years, and the initial permit fee shall be set by resolution by the City Council in its master fee schedule. At the end of five years, and every five (5) years thereafter, all bench location holders/owners will be contacted, and a renewal fee as established in the master fee schedule will be due and payable. For this naming rights fee, City staff will ensure the bench's structural condition is in good condition as determined by the Public Works Director or their designee--wood slats, metal supports, and associated hardware. Any cosmetic maintenance (e.g., cleaning) or any improvements will be/remain the responsibility of the bench location holder who has the naming right for the bench. Cosmetic maintenance may include stains or varnishes but painting of the benches will not be allowed. Treatments must maintain a wood appearance. Any deviation request from typical staining or varnishing must be approved by the Public Works Director or their designee.

(d) If a current bench location holder/permittee should not obtain or renew the permit with the City, the City will offer the naming rights of the bench location to the next person on the list of persons waiting for a bench location. Prior to relinquishment, the City will make every attempt to contact the permittee. Notifications will occur by email, Postal Service mail, noticed in the newspaper, by telephone and if required a physical posting on the bench. Reasonable attempts will be made to contact all noted parties associated with the bench. Bench rights may be transferred amongst family members if the language on the bench remains the same through the duration of the current permit.

(e) The City Council will not consider bench placement requests, nor entertain appeals of bench placement decisions of the Department. Should the City, at any time, not be able to provide the services for ordering, engraving, installing, etc., any bench, the City reserves the right to contract with outside vendors for such services.

(f) Notwithstanding the terms set forth in any permit issued pursuant to this policy, if, in the sole discretion of the Director of Public Works, a bench must be removed in the interests of public health, safety or welfare, the bench may be removed, and the bench location holder shall not be entitled to any refund of permit fees or any other expenses associated with the installation.

Adopted:

December 18, 2002, Resolution 2-064

December 18, 2019, Resolution 19-029