City of Saint Paul Department of Public Works
Policy on Removal of Roadside Memorials
Updated March 31, 2022
Updated October 1, 2026

Background:

Loss of life from a traffic crash or other fatal or serious incident can have a traumatic impact on family and friends of the victim. The City of Saint Paul understands the pain that these events may cause and that some people grieve by placing memorials within a street right of way near the site of the fatal or serious incident. Memorials frequently include flowers, balloons, candles, stuffed animals, signs, glass containers, etc.

The City of Saint Paul also recognizes that placement of roadside memorials can pose potential safety hazards by:

- Obstructing a driver's view
- Distracting a driver's attention
- Endangering the safety of individuals who are erecting or visiting the memorial.
- Presenting obstacles to maintenance crews and adjacent homeowners.

In addition, if left unattended, these memorials can become unsafe, unkempt, and eyesores. Sometimes people will continue to gather at these memorials and leave behind litter and debris which can be dangerous to the general public or the adjacent property owner who has a responsibility to maintain the boulevard. Other objects attached to trees may also damage and possibly kill the tree. At the extreme, gatherings at these memorials can become nuisance activities and can become dangerous not only to the people involved but to pedestrians, neighbors, and other bystanders.

Under state law, a person may not "paint, print, place, or affix any . . . object within the limits of any highway." Minn. Stat. § 160.2715(a)(10). Further, City ordinances do not specifically authorize the placement of signs, markers, tokens, flowers, or other such items for a roadside memorial within the public street right of way. For safety, ordinances require only items that perform a specific function be allowed in the public street right of way.

Moreover, under Minnesota Statutes section 169.34(a)(15), "no person shall stop, stand, or park a vehicle . . . at any place where official signs prohibit parking." City code mirrors this parking prohibition. Sec. 157.01(a)(16). Generally, these state and local prohibitions are meant to protect public safety, prevent interference with routine maintenance operations, and avoid impacts to the free flow of traffic.

Policy:

This policy applies to public right of way operated and maintained by the City of Saint Paul Department of Public Works.

Any roadside memorial placed on public right of way will be removed in accordance with this policy. Roadside memorials will be removed within six months from the time of discovery by the department

and may be removed immediately if they interfere with roadway and right of way maintenance, are safety hazards, are in disrepair, or if a complaint is filed.

Upon discovery by the department, the Right of Way Management Division of the Department of Public Works shall notify the residents in the immediate vicinity of the memorial. Such residents will be informed of this policy, given contact information if they have any complaints and asked to notify the department if they know who is responsible for the memorial so that the department may also notify them of the policy.

The St. Paul Public Works Department may, at any time, remove a memorial if it poses a safety concern, negatively impacts traffic or pedestrians, interferes with routine maintenance, or falls into disrepair. Notification of pending removal shall be posted at the memorial site 24 hours prior to removal when feasible.

Tents or other structures shall not be allowed.

A complaint on a specific roadside memorial may be sufficient cause to remove the roadside memorial at any time if:

- The basis of the complaint is specified in a written form with the person's name and contact information.
- The basis of the complaint is communicated via telephone with person's name and contact information.

Complaints must be directed to the Public Works Department (PublicWorks-Info@ci.stpaul.mn.us and 651-266-6129) during normal business hours and to the Police Non-Emergency number after business hours.

Roadside memorials are not allowed on right of way where pedestrians are prohibited and shall be removed immediately.

Roadside memorials are not allowed in medians. In addition, roadside memorials may not be attached to any City owned trees or infrastructure such as light poles, signal poles, electrical cabinets or utility poles, nor can they be attached to objects intended for public use, for example: bike corrals, benches, vehicle charging stations, bus stops etc. Improperly placed memorials shall be removed immediately.

When a memorial is removed, the City will attempt to contact the owner and identify where the contents may be retrieved and in what time frame.

Alternatives to Roadside Memorials in Right of Way:

The Public Works strongly encourages grieving parties who wish to place a memorial near the site of a fatal incident to work with the adjoining landowner to designate an appropriate location outside of the roadway right of way, for placement of a limited duration memorial. Another option would be to pursue a memorial (bench, tree, or paver) under various programs offered by the Parks and Recreation Department. Please contact the Department of Parks and Recreation at 651-266-6400 for more information.

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Web site: https://www.stpaul.gov/departments/public-works/right-way

Approved:

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