

ORDINANCE NO. C-02-21

AN ORDINANCE AMENDING CHAPTER 10, "CEMETERIES," OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO AMEND SECTION 10-1 PROHIBITING INTERMENTS AND DISINTERMENTS AT WOODLAWN CEMETERY; AMENDING SECTION 10-26, DECLARING WOODLAWN CEMETERY AS A PART OF THE MUNICIPAL CEMETERY SYSTEM; AND AMENDING SECTION 10-60, PROVIDING SPECIFICATIONS FOR MONUMENTS AND FOUNDATIONS AT WOODLAWN CEMETERY.

WHEREAS, Woodlawn Cemetery is an unplatted, built-out, and formerly privately-owned cemetery located in Fort Lauderdale, Florida at NW 19 Avenue and NW 9 Street; and

WHEREAS, the City has taken action to secure ownership of and needed improvements to Woodlawn Cemetery; and

WHEREAS, the City of Fort Lauderdale has secured ownership of Woodlawn Cemetery by Quit-Claim Deed in February 2002, and Warranty Deed in April 2002; and

WHEREAS, it is necessary to make Woodlawn Cemetery a part of the Municipal Cemetery System to bring the cemetery under the rules, guidelines and codes governing the Municipal Cemetery System; and

WHEREAS, in declaring Woodlawn Cemetery as part of the Municipal Cemetery System, certain amendment to Chapter 10 of the Code of Ordinances of the City of Fort Lauderdale are necessary; and

WHEREAS, at its meeting of May 9, 2002, the Cemeteries Board of Trustees recommended that Woodlawn Cemetery be made a part of the Municipal Cemetery System, that Woodlawn Cemetery be regulated by the rules and regulations governing the Municipal Cemetery System, and that Chapter 10 of the Code of Ordinances be amended accordingly; and

WHEREAS, the City Commission of the City of Fort Lauderdale has determined that it is in the best interests of the public to declare Woodlawn Cemetery as part of the Municipal Cemetery System and to amend Chapter 10 of the Code of Ordinances as appropriate;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 10-1, "All burials to be in properly platted and recorded cemetery," of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

Sec. 10-1. All burials to be in properly platted and recorded cemetery.

It shall be unlawful for any person to bury or entomb the dead body of any human being in the city, except in a cemetery, the plat of which has been, before the date of such burial or entombment, submitted to and approved by the commission, showing the size and situation of the cemetery, its subdivisions and the methods used and intended to be used to designate plainly the location of burying lots or graves, entombment crypts, and columbarium niches therein, and which plat shall have been recorded in the public records of the county and a copy thereof furnished to the city cemetery manager or his designee. No burials, entombments, interments, or disinterments shall be permitted at Woodlawn Cemetery.

SECTION 2. That Section 10-26, "Declared public municipal cemetery system; supervision; locations," of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to add subsection (4) as follows:

Sec. 10-26. Declared public municipal cemetery system; supervision; locations.

There is hereby declared a public municipal cemetery system of the city, such cemetery system being under the control and supervision of the city and comprised of the following described properties:

. . . .

- (4) Woodlawn Cemetery, located on all of blocks 1 through 4 and areas identified as roads and walkways of Replat of North Woodlawn Cemetery, according to the plat thereof, recorded in Plat Book 19,

Page 1, of the public records of Broward County, Florida, together with all improvements thereon.

SECTION 3. That Section 10-60, "Specifications for installations," of the Code of Ordinances of the City of Fort Lauderdale Florida, is hereby amended to read as follows:

Sec. 10-60. Specifications for installations.

The following regulations shall govern the installation of memorials, monuments, foundations and curbs in the cemetery system:

. . .

- (2) *Monuments.* Aboveground or ground level monuments of natural stone with a minimum thickness of four (4) inches shall be permitted only in Evergreen Cemetery and Woodlawn Cemetery. No artificial stone of any description shall be permitted.
- (3) *Foundations.* All memorials and monuments installed on the ground surface or below ground shall have a foundation.
 - a. Bronze memorials not installed on a natural stone base or an upright monument shall be installed on a concrete foundation of appropriate size to prohibit the visibility beyond the edges of the bronze. The foundation shall have a minimum thickness of two and one-half (2 1/2) inches and shall contain wire mesh or four (4) one-quarter-inch steel reinforcement rods, two (2) running end to end, two (2) running side to side and tied at the four (4) cross points. The reinforcement shall be placed at a depth of one-half (1/2) the total thickness of the foundation.
 - b. Natural stone monuments in Evergreen Cemetery and Woodlawn Cemetery shall be installed on concrete foundations with four (4) five-eighths-inch steel reinforcement rods, two (2) running end to end and two (2) running side to side, tied at the four (4) cross points and placed at a depth of one-half

(1/2) the total thickness of the foundation. Each foundation shall be at least twelve (12) inches in depth or as deep as the terrain allows, and shall have area at the bottom at least twice that of the base of the monument.

. . .

SECTION 4. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect immediately upon final passage.

PASSED FIRST READING this the 16th day of July, 2002.

PASSED SECOND READING this the 4th day of September, 2002.

Mayor
JIM NAUGLE

ATTEST:

City Clerk
LUCY KISELA

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