

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 7 - CEMETERIES - OF THE CITY CODE OF THE CITY OF KIRKSVILLE, MISSOURI, REGARDING RULES AND REGULATIONS.

WHEREAS, it is necessary to make some changes to the rules and regulations of the Forest-Llewellyn Cemetery to provide for the proper setting of markers; and

WHEREAS, to make changes for flowers and flags placement to allow for the safety of city employees when mowing and maintaining the Cemetery grounds.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KIRKSVILLE, MISSOURI, AS FOLLOWS:

Section 1. That Section 1 of Article 1, of Chapter 7, be amended to read:

ARTICLE I. - IN GENERAL

Sec. 7-1. - [Forest-Llewellyn Cemetery.]

- (5) *Markers.* The space available for a marker is five (5) feet. **No more than seventy (70%) percent of the five (5) foot space can be used for a marker.** A one (1) foot ~~base~~ **space** should be allowed between the head of the grave and the marker.

Notice must be given to the City of Kirksville Public Works Department prior to placement of a marker.

- a. *Material of markers.* All markers shall be first-quality granite, marble or bronze. No foot markers shall be allowed unless otherwise stated.
- b. *Prohibited materials.* Markers made of concrete, artificial stone, wood, tin or iron shall not be permitted. The only exception shall be the temporary markers placed by the funeral directors for the purpose of identifying the interment.
- c. *Installation.* Only licensed monument dealers/builders, city employees or city-approved agents shall install or erect monuments and markers in the cemetery.
- d. *Damaged or deteriorated.* When any monument or marker becomes unsightly, damaged or deteriorated, the city shall do what it can within the resources available to have the monument or marker repaired or removed.
- e. *Cremation markers.* If the cremain is inurned at the foot of the grave, a foot marker will be allowed, so long as all rules and regulations are followed for a traditional burial space.

- f. *Military markers.* The city will adhere to the department of veterans affairs standards for all federally supplied markers.

(6) *Decorations.*

- a. *Flowers.* Flowers (~~fresh/artificial~~) will be allowed at anytime on a burial space, except when otherwise prohibited.
- b. *Winter decorations.* Winter decorations consisting of wreaths and headstone sprays are allowed from November 1 to April 1.
- c. *Flags.* Flags may only be placed at burial spaces by military officials and/or their agents. **Flags will be removed by the city after two (2) weeks of a holiday observance, unless a flag is damaged whereupon it will be removed immediately.**
- d. *Permitted.* ~~Vases on a marker, shepherd hooks placed in the ground against the marker~~ and statues of a size that can be placed **fully adhered or attached** on the marker are the only other decorations allowed at a burial space.
- e. *Prohibited.* Unless otherwise stated, all other decorations will be prohibited including, but not limited to: Solar lights, **shepherd hooks of any size**, statues, figurines, vases, pottery, ceramics, wind chimes, decorative rocks, wood chips, landscape timbers, furniture, Christmas trees, ornaments, trinkets, adornments, borders, flag poles and banners.
- f. Flowers placed on a burial space for Memorial Day and Independence Day must be removed after two (2) weeks of each holiday, or they will be discarded by the city.

~~Flags will be removed by the city after two (2) weeks of the Memorial Day observance, unless a flag is damaged whereupon it will be removed immediately.~~

- (7) *Plantings.* ~~The planting of one (1) peony may be allowed on either side of the marker. Prior to planting, approval must be obtained from the public works director.~~ **No plantings of any kind will be allowed.**

- (8) *Trust fund.* All revenue derived from lot sales, perpetual care fees and donations will be deposited in the cemetery trust fund, with only interest earned on said funding being used for the operation and care of the cemetery.

Individual donations are tax deductible under Section 170 of the IRS Code.

Section 2. This Ordinance shall become effective on the date of its passage.

Section 3. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the City of Kirksville, Missouri, as an addition or amendment thereto, and shall be appropriately re-numbered to conform to the uniform numbering system of the Code.

Passed by the City Council of the City of Kirksville on the _____ day of March, 2015.

Glen Moritz, Mayor

ATTEST:

Vickie Brumbaugh, City Clerk