

**CITY OF ST. MARIES
ORDINANCE NO. 2026-791**

AN ORDINANCE OF THE CITY OF ST. MARIES, BENEWAH COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING THE ST. MARIES CITY CODE TITLE 7, CHAPTER 2, SECTION 4, TO ADOPT SUBSECTION D AUTHORIZING MEMORIAL BENCHES; AMENDING TITLE 7, CHAPTER 2, SECTION 4, SUBSECTION B TO ALLOW FOR MEMORIAL BENCHES; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Ordinance No. 2026-791 was adopted after notice and hearing required by state law and upon suspension of the rules, upon a roll call vote, and duly enacted at a regular session of the St. Maries City Council, on the 22ND day of June, 2026, and approved by the Mayor.

WHEREAS, Idaho Code §§ 50-301, and 50-320 authorizes the City Council of the City of St. Maries ("City Council") to regulate, maintain, and operate cemeteries; and

WHEREAS, the City recognizes the public interest in having the ability to place memorial benches within a cemetery plot; and

WHEREAS, the City Council held a public meeting on June 22, 2026, on the proposed amendments; and

WHEREAS, the record shows that all other notices required by law were followed; and

WHEREAS, the City of St. Maries conducted a reading of the ordinance, and one half plus one of the members of the full council dispensed of the rule requiring two more readings; and

WHEREAS, pursuant to Idaho Code § 50-902 and other related statutes, the City of St. Maries finds that this amendment is in the best interest of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. MARIES, BENEWAH COUNTY, IDAHO:

SECTION 1: That Title 7, Chapter 2, Section 4, entitled "Design Standards", Subsection D, be adopted as follows:

D. Memorial Benches: Memorial benches are permitted as an approved form of memorialization when installed in accordance with this section and with all applicable cemetery regulations.

1. Installation Requirements

- i. Benches must be installed by a licensed contractor or qualified professional experienced in setting outdoor memorial furnishings.

- ii. Installation must follow manufacturer specifications for anchoring, foundations, and safety.
- iii. All benches must be permanently affixed to a concrete pad or other approved base to ensure stability and prevent movement.
- iv. Prior written approval from the Cemetery Superintendent is required before installation.

2. Location and Placement

- i. Benches may be placed only in locations approved by the Superintendent to ensure consistency with cemetery layout, maintenance needs, and accessibility.
- ii. Benches may not be placed directly on burial plots unless specifically authorized; preferred locations include designated memorial bench areas, section edges, or shared family plots.
- iii. Placement must not obstruct walkways, maintenance routes, or access to adjacent graves.

3. Design and Materials

- i. Benches must be constructed of durable, weather-resistant materials such as granite, metal, or composite materials suitable for long-term outdoor use.
- ii. Designs must be modest, respectful, and compatible with the character of the cemetery.
- iii. Colors, inscriptions, and decorative elements require City approval.
- iv. Advertising, commercial logos, or non-memorial messages are prohibited.

4. Size and Configuration

- i. Bench length may not exceed the plot or plots of the family requesting such.
- ii. Height and width must remain within dimensions that do not impede maintenance equipment or pedestrian movement.
- iii. Custom designs may be considered on a case-by-case basis if they meet all other standards.

5. Maintenance Responsibility

- i. The family or responsible party purchasing the bench is responsible for ongoing maintenance, repair, and replacement.
- ii. If a bench becomes unsafe, deteriorated, or incompatible with cemetery operations, the City may require repair or removal at the owner's expense.
- iii. The City is not responsible for damage caused by weather, vandalism, or normal maintenance activities unless otherwise stated in policy.

6. Review and Approval Process

- i. Applicants must submit a bench design, material description, proposed inscription, and installation plan to the Superintendent for review.
- ii. The Superintendent may require adjustments to ensure safety, consistency, and preservation of cemetery character.

- iii. No bench may be installed without written approval from the Cemetery Superintendent.

SECTION 2: That Title 7, Chapter 2, Section 4, entitled "Design Standards", Subsection B, Subsubsection 2, be amended as follows:

7-2-4: DESIGN STANDARDS:

2. Ornamental Objects: No lot shall contain any glass objects, seat, or metal or rock works, or any other ornamental objects, except by written permission of the Superintendent. No ornamentation, decorating monuments or headstones may be wider than the headstone, except for memorial benches as approved by the superintendent. The cement foundation of the monument or headstone must be at least four inches (4") thick and extend a minimum of six inches (6") from the ornamentation and must be laid at ground level. No ornamentation may extend higher than thirty six inches (36") from the ground.

SECTION 3: SEVERABILITY. Any part of this ordinance found to be unlawful shall be deemed severable and shall not affect the remaining provisions hereof.

SECTION 4: CONFLICTS. All provisions of the ordinances of the City of St. Maries which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

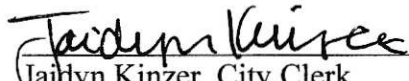
SECTION 5: EFFECTIVE DATE. This ordinance shall take effect and be in full force upon its passage, approval and publication, either in full or by summary as provided in Section 50-901A, Idaho Code, and published in at least one (1) issue of the St. Maries Gazette Record, a newspaper of general circulation within the City of St. Maries and the official newspaper thereof.

PASSED pursuant to the provisions of Idaho Code § 50-902, upon a proper roll call vote and duly enacted at a properly noticed session of the St. Maries City Council held on June 22, 2026.

CITY OF ST. MARIES

By: 
Tina Thomson, Mayor

ATTEST:


Jaidyn Kinzer, City Clerk