

ORDINANCE NO. 221

AN ORDINANCE REGULATING THE USE OF THE SUGAR CITY CEMETERY, AND ESTABLISHING PROCEDURES FOR SETTING FEES.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUGAR CITY, COLORADO:

Section 1. Administration and supervision. The administration and supervision of the Sugar City cemetery shall be by direction of the town trustees through a superintendent appointed by them and such other persons as may be necessary for the care and maintenance of the Sugar City cemetery.

Section 2. Rules and regulation. The board shall adopt rules and regulations not inconsistent with the provisions of this section governing the cemetery, which rules and regulations shall be on file and available for public examination in the office of the town clerk. Failure to comply with any rule or regulation promulgated under this section shall be deemed a violation of this code.

Section 3. Duties of superintendent. It shall be the duty of the superintendent to dig graves, supervise funerals, set monuments or markers, plant and care for all vegetation, maintain and repair driveways and walks, and carry out and enforce the rules and regulation of the cemetery. After each burial the superintendent shall report to the town clerk in writing in detail the location of the grave.

Section 4. Maps and records. It shall be the duty of the town clerk to keep a map and the records of the cemetery and issue required permits. No permits shall be issued without the name and address of the lot owner and the lot and block number for which application is made. Burial permits shall be addressed to the superintendent giving the lot and block number for burial and the time of the funeral. The town clerk shall require application for all burial permits to be made at least twelve working hours before the funeral and shall not issue permits for funerals less than two hours apart.

Section 5. Applications for burial spaces. Applications for the purchase of burial spaces shall contain a description of the space, purchase price and method of payment, and when executed by the purchaser and the town it shall become a binding contract of purchase and sale. Upon payment of the full purchase price to the town, a cemetery deed by the town, executed by the mayor conveying the space free and clear of all encumbrances shall be executed and delivered to the purchaser.

Section 6. Fees for burial spaces. The price of grave spaces, which may include perpetual care of all spaces, shall be set by the board through resolution adopted by the board.

Section 7. Transfer, assignment or conveyance of property right. No transfer, assignment or conveyance of any property right or interest in the town cemetery shall be valid without the consent in writing of the town. The town shall not consent to the transfer of any property right or interest in the town cemetery upon which there is indebtedness due the town.

Section 8. Selling lots or spaces for resale. No lot or space shall be sold to or purchase by a funeral director or other persons for purposes of resale or speculation.

Section 9. When rights and interest in lot revert to town. In the event a lot or space is vacated by reason of bodies being removed therefrom with intent to abandon the lot or space, all right and interest in the lot or space shall revert to the town.

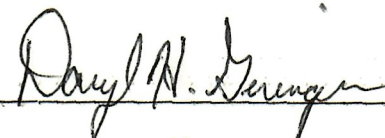
Section 10. Interments. Applications and permission for interment, interment charges and payment, and permissible use of burial space shall be governed by the rules and regulations of the cemetery.

Section 11. Liabilities. The town shall not be liable for any act of lot owners, visitors, licensees or trespassers within the cemetery or for any damage to person or property while within the town cemetery.

THE BOARD OF TRUSTEES OF THE TOWN OF SUGAR CITY, COLORADO hereby finds, determines, and declared that this action is necessary for the preservation and protection of the public health, safety and general welfare because of the purpose of the cemetery and shall become effective immediately upon final passage thereof.


INTRODUCED, READ, PASSED, ADORTED, APPROVED, AND ORDERED
PUBLISHED THIS 25th day of July, 1988.

TOWN OF SUGAR CITY



Mayor

ATTEST:



Town Clerk