

AN ORDINANCE ESTABLISHING REGULATIONS FOR THE MANAGEMENT AND BURIAL IN THE ST. MARY CITY CEMETERY AND DESIGNATING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

WHEREAS, the City of St. Mary, Missouri has purchased a tract of land adjacent to the present cemetery for future cemetery use, and,

WHEREAS, Ordinance No. 19 enacted in 1892 is obsolete and needs revision, so now therefore,

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. MARY, MISSOURI, AS FOLLOWS:

SECTION 1. GENERALLY

The Board of Aldermen shall have the power to purchase, receive, and to hold real estate, as herein mentioned, for the public cemeteries, either within or outside the city limits, within a distance of three (3) miles thereof, and the city and its officers shall have jurisdiction over the cemeteries wherever located. The board of aldermen shall provide for the survey, platting, grading, fencing, and improvements of the entire cemetery grounds as well as roads leading in. The board of aldermen may make rules and pass ordinances imposing penalties and fines, regulating, protecting and governing city cemeteries, the owners of lots therein, visitors thereto, and punish trespassers therein, and the city shall have full jurisdiction and power in the enforcing of such rules and ordinances as though they are related to the city itself.

SECTION 2. NAME

The city cemetery shall be named the "**St. Mary City Cemetery**". The original cemetery was established in 1892 by Ordinance No. 19 and this section shall now forever be known as Tract I. The next addition to the cemetery that was deeded in 1928 shall be known as Tract II. The tract that was deeded from Vernon Bruckerhoff in 2003 shall be known as Tract III of the St. Mary City Cemetery.

SECTION 3. SALE OF LOTS

It shall be the duty of the Board of Aldermen to furnish the city clerk, who is hereby authorized to sell lots, with a correct map of the St. Mary Cemetery. The map and all records pertaining to the sale of lots shall be kept on file in the office of the City Clerk.

All grave lots shall be four (4) feet wide and eight (8) feet long. The price of grave lots shall be set by the Board of Aldermen and reviewed from time to time. All fees shall be placed in the Cemetery Fund and used solely for the purpose of maintenance and improvements to the cemetery. All accounts against a grave lot must be paid in full before interment.

The Cemetery lots shall be conveyed by certificate, signed by the mayor and countersigned by the city clerk, under the seal of the city, specifying that the purchaser to whom the same is issued is the owner of the lot described therein by numbers as laid out upon the official map or plat of such cemetery made by the city, for the purpose of interment, and such certificate shall vest in the purchaser, his heirs or assigns, a right in fee simple to such lots, for

the sole purpose of internment, under the regulations of the board of aldermen. The board of aldermen may limit the number of lots owned by the same person at the same time, and may prescribe rules for enclosing, adorning and erecting monuments, tombstones and ornaments on cemetery lots, and prohibit any improper adornment thereof.

SECTION 3. CITY CEMETERY RULES

- A. The City reserves the right to alter or change the appearance of the City Cemetery and all burial privileges are subject to such right.
- B. City personnel at the direction of the Board of Aldermen shall perform all work done in the City Cemetery unless the board of aldermen shall make provisions for work to be contracted to outside individuals.
- C. No person shall place toys, chairs, trellises, bric-a-brac, lights, balloons and other such objects anywhere in the City Cemetery. No person shall place markings or enclosures of any kind around any lot. City personnel shall remove any such items found in the cemetery.
- D. No person shall ride or drive any vehicle within the cemetery faster than 5 miles per hour.
- E. Grave lots in the cemetery shall have only one monument and shall be of good quality granite or marble. All monuments are to be maintained by the person/persons who have ownership of the lot.
- F. Flowers must be located on or attached to the monument. Planting is not permitted on lots after the passage of this ordinance. Previously planted material remains the responsibility of the lot holder. Funeral flowers will be removed when they become faded and unsightly.
- G. The hours of operation for the cemetery will be dawn to dusk year around.

SECTION 4. RULES FOR TRACT THREE ONLY

No above ground tombstones shall be allowed in Tract Three (3). In Tract Three (3) only two lots shall be sold to any one person. Lots may be purchased in advance but the city will not issue a Certificate until the time of burial. All lots will be sold in consecutive order. All other rules in Section 3 shall apply to Tract Three (3).


SECTION 4. PENALTY

Any person who shall violate, fail, neglect or refuse to comply with any of the provisions, regulations or requirements of this ordinance shall be guilty of a misdemeanor punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00). If the offense be willful, on conviction thereof the punishment shall be not less than one hundred dollars (\$100.00) or more than two hundred fifty dollars (\$250.00).

SECTION 5. SEVERABILITY

All ordinance or parts of ordinance in conflict are hereby repealed. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this the 8th day of February, 2005.


MAYOR CARLTON WYATT

ATTEST:



CITY CLERK JOANN E. DONZE

<u>BOARD OF ALDERMEN</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gloria Bader	x			
Robert Bequette	x			
Roger Odem	x			
Robert Schultz	x			

I, JoAnn E. Donze, Clerk of the City of St. Mary, Missouri, do hereby certify that the foregoing ordinance was duly passed and adopted by the Board of Aldermen of the City of St. Mary, Missouri at a meeting thereof assembled this the 8th day of February, 2005.


JOANN E. DONZE, CITY CLERK