

Chapter 140 City Cemetery

Section 140.010 Designation of Cemetery Committee.

A. The City Cemetery property may be managed by a Cemetery Committee consisting of not less than three (3) persons nor more than five (5) persons to be appointed by the Mayor with the approval of the Board of Aldermen.

B. The Cemetery Committee shall meet from time to time, consider policy and make recommendations to the Board of Aldermen.

Section 140.020 Sale of Lots.

A. The City shall sell cemetery lots to persons wishing to purchase the same in the City Cemetery at prices to be set by the Board of Aldermen. Cemetery lots shall be sold in the amount of \$400.00 per individual lot.

B. Payment in full must be received by the City Clerk for the delivery of said deed(s).

C. The City Clerk or designee shall keep a written and computer record of said lot purchase.

D. The City Clerk or designee shall deliver to the County Recorder of Deeds in a timely manner the completed deed for any lot sold, which shall be duly recorded and returned to the purchaser.

Section 140.030 Perpetual Care Cemetery Fund.

A. There shall be established a Perpetual Care Cemetery Fund used for the sole purposes of preservation, care, upkeep and adornment of the Seligman Cemetery property.

B. The full amount of the purchase price of a grave lot will be deposited in the Perpetual Care Cemetery Fund. The accumulated balance from lot sales shall not be encroached upon, but shall serve to generate interest income. Interest income alone shall be used for the perpetual maintenance and upkeep of the cemetery.

C. The income from the Perpetual Care Cemetery Fund shall be expended for the preservation, care, upkeep and adornment of the Seligman Cemetery properties and for no other purpose whatsoever.

D. The principal of the Perpetual Care Cemetery Fund shall not be encroached upon for any purpose except for the repurchasing of cemetery lots previously sold. Money may be transferred out of the fund to be invested in bonds of the United State Government or other accounts backed by the full faith and credit of the United States Government or insured by the Federal Deposit Insurance Corporation.

Section 140.040 *Reserved.*

Section 140.050 City Sexton.

A. The City Maintenance supervisor shall serve as the City Sexton

Section 140.060 Duties of City Sexton.

- A. The Sexton shall identify and mark all graves upon notification of a burial.
- B. The Sexton shall supervise the digging of all graves which shall be a uniform minimum depth of five and one-half (5½) feet for standard burial and a minimum depth of twenty (20) to twenty-four (24) inches for cremation urn burial.
- C. The Sexton shall supervise the erection of monuments as described in Section 140.070 of this Chapter.
- D. The Sexton shall investigate in a timely manner complaints received regarding the City Cemetery.
- E. The Sexton shall assist in the prosecution of all violations of the provisions of this Chapter.
- F. The Sexton shall during the months of November through March remove funeral service flowers within seven (7) days of burial.
- G. The Sexton shall from time to time review the lawn maintenance of the City Cemetery to ensure that lawn care is being conducted in accordance with the specifications.
- H. The Sexton shall perform duties as assigned by the Cemetery Committee with approval of the Board of Aldermen.

Section 140.070 Erection of Monuments.

- A. The owners of lots shall be permitted to ornament such lot in any reasonable way and to erect thereon a reasonable monument, except that no lot shall be enclosed by any fence or railing.
- B. The monument shall be erected in the following manner:
 - 1. Monument companies must contact and make arrangements with the City Clerk or Sexton forty-eight (48) hours prior to installation of footing.
 - 2. Installation of footing and/or monument must take place between the hours of 8:30 A.M. and 4:30 P.M. Monday through Friday.
 - 3. The contractors will provided a copy of a signed work order and a diagram showing layout and location of monument forty-eight (48) hours prior to the installation of the footing.
 - 4. The City will flag all monument locations for the contractor. (White flags.)
 - 5. All monuments will be placed at the head of the grave facing the West, unless otherwise specified and approved. All foot markers will be set flush with the ground.
 - 6. All monuments to include headstone, vases, decorative sculptures and lanterns, etc., will be set on a concrete pad.

- a. Footing will be constructed of concrete blended appropriately with water. (No dry cement is to be poured into the ground.)
 - b. All footing installations will be inspected by Cemetery Sexton prior to contractor leaving cemetery.
 - c. The length of monuments, including the pad, shall not exceed the width of the grave lot.
7. All monuments and footings will be installed with contour of ground.
8. Contractor will not park truck or equipment on cemetery lawn.
9. Contractor will place any excess dirt resulting from footing installation in designated area. (Note: No dirt is to be deposited on cemetery lawn.)
10. The contractor will contact City Clerk or Sexton twenty-four (24) hours prior to actual monument installation.

Section 140.080 Burial of Bodies.

- A. Every body which is buried in the Seligman Cemetery shall be enclosed in a coffin or a casket, such coffin or casket shall be placed in a vault (sealing or non-sealing burial case).
- B. The ashes of a cremated body which are buried in Seligman City Cemetery properties shall be enclosed in an urn, such urn may be placed in an urn vault (sealing or non-sealing burial case).
- C. No more than two (2) urns or one (1) vault and one (1) urn will be allowed on one (1) grave lot.
- D. It shall be unlawful for any person to abandon, dispose of, desert, leave or scatter the ashes of a cremated human body or all or part of a dead human body within the City of Seligman without burying said ashes or body in the Seligman City Cemetery in compliance with this Chapter.
- E. All violations to this Chapter shall be considered misdemeanors which, upon conviction, shall be punishable according to Section 100.100 of this Code.

Section 140.090 Maintenance of Lots.

No grave shall have a mound or any elevation of earth over said grave above the level of the earth adjacent thereto to exceed, along the centerline of said grave, a height of four (4) inches with a gradual slope to the outer edge thereof to a level of the earth adjacent thereto.

Section 140.100 City Care of Cemetery.

The Board of Aldermen may contract with any citizen of the City or other person for the care, repair, maintenance and mowing of the cemetery property upon such terms as the Board may deem advisable. Such contract shall be accepted by resolution of the Board.

Section 140.110 Offenses.

A. Parking is specifically prohibited on the grass or other non-paved areas in the cemetery unless specifically authorized by the City.

B. No person shall:

1. Pull down or in any manner destroy any gate, fence or railing around the cemetery or graveyard or turn loose any animal onto said cemetery property.
2. Without lawful authority erase or deface any inscription upon any monument, slab, head or foot board or stone; or write, carve, scratch or in any manner deface any grave, stone, head or foot board.
3. Pull down or dig up or destroy in any manner any species of flower, shrub, shade or ornamental tree.
4. Discharge any kind of firearm on any cemetery property, except in the performance of a burial ceremony.
5. Drive on or through the cemetery lawn, including funeral processions, unloading casket, vault unloading and tent equipment unloading and loading.

Section 140.120 Penalty.

Persons found guilty of violating any provision of this Chapter shall be punished in accordance with the provisions of Section 100.100 of the Seligman City Code. Each violation shall be deemed a separate offence.

Section 140.130 Burial Fees.

Burial Fees are the responsibility of the lot owner, the lot owner shall arrange the burial with the funeral home of choice, or contact the Sexton or City Clerk for local contractors to perform to work.

Section 140.140 Hours.

The Seligman Cemetery shall be open to the public from 7:30 a.m. through 10:00 p.m. and the hours shall be posted at or near all entrances and exits in the Seligman Cemetery giving notice to the public.