

RESOLUTION NO. 14-C01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PURCELL, OKLAHOMA AMENDING RESOLUTION 10-C03; AND FURTHER AMENDING CHAPTER 22, SECTION 22-5 (CEMETERY GRAVES), SECTION 22-6 (NOTICE FOR GRAVE OPENING), SECTION 22-7 (REGULATIONS FOR UNIFORMITY WITHIN THE CEMETERY), SECTION 22-8 (MONUMENT SETTING PERMIT FEE), SECTION 22-9 ((MAUSOLEUMS OR CRYPTS), SECTION 22-10 (RESIDUE OF CREMATED BODY), SECTION 22-12 (FUNERALS PROHIBITED), AND SECTION 22-14 (FEES), ESTABLISHING PROCEDURES FOR DISINTERMENT; ESTABLISHING POLICIES FOR GRAVE DECORATIONS AND EXCEPTIONS THERETO; ESTABLISHING POLICIES FOR GRAVE OPENINGS AND CLOSINGS; ESTABLISHING POLICIES FOR MONUMENT SETTINGS; AND ESTABLISHING FEES FOR FILING WARRANTY DEEDS.

WHEREAS, the Purcell City Council is charged with the duty of establishing fees, charges, and assessments for Hillside Cemetery, Purcell, McClain County, Oklahoma; and;

WHEREAS, the Purcell City Council deems it necessary and in the best interest of the City of Purcell to establish new fees, charges and assessments for Hillside Cemetery, Purcell, McClain County, Oklahoma; and

WHEREAS, The Purcell City Council has passed an ordinance (Ordinance #14-C01) directing that all future amendments or modifications to Chapter 22 (Cemeteries) shall be by resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PURCELL, OKLAHOMA THAT:

Section 1. CEMETERY GRAVES. (Chapter 22, Section 5) From and after the adoption of this resolution, cemetery grave openings and closings and the minimum requirements shall be as follows, to-wit:

When any licensed funeral director desires a grave to be opened, he shall apply to the city clerk or his/her designee and deposit the fee(s) therefore. The city clerk or his/her designee shall notify the cemetery superintendent of pending grave openings and closings. The cemetery superintendent shall provide the lot and block to be used.

A minimum of a concrete ground box shall be required.

Section 2. NOTICE FOR GRAVE OPENING. (Chapter 22, Section 6) From and after the adoption of this resolution, notice of grave openings and closings shall be as follows, to-wit:

A licensed funeral director desiring that a grave be opened shall give at least twenty-four (24) hours notice to the cemetery superintendent.

Section 3. REGULATIONS FOR UNIFORMITY WITHIN THE CEMETERY. (Chapter 22, Section 7) From and after the adoption of this resolution, the following provisions shall regulate uniformity within the City's cemetery system, to-wit:

1. Headstones shall be in line at heads of grave;
2. Footstones shall be in line and flush with the ground so as not to obstruct mowers;
3. There shall be no curbing;
4. There shall be no fencing;
5. There shall be no trees or shrubs planted;
6. There shall be no twilight services;
7. There shall be no gravel beds of any kind on grave surfaces; and
8. Hillside Cemetery regular business hours shall be 7:00 a.m. to 3:30 p.m. Monday through Friday excluding holidays.

Section 4. MONUMENT SETTING PERMIT FEE. (Chapter 22, Section 8) From and after the adoption of this Resolution, the monument setting permit fees, charges and assessments shall be as follows:

Monument Set Permit	\$ 20.00
Government Markers	\$ 0.00

(Government markers are required to obtain a permit even though there is no cost for the permit)

Section 5. MAUSOLEUMS OR CRYPTS. (Chapter 22, Section 9) From and after the adoption of this resolution, the following provisions shall apply to mausoleums or crypts, to-wit:

No mausoleums or aboveground crypts shall ever be erected or constructed within the confines of the Purcell Hillside Cemetery.

Section 6. RESIDUE OF CREMATED BODY. (Chapter 22, Section 10) From and after the adoption of this resolution, the following provisions shall apply to residue of cremated bodies, to-wit:

1. Burial of residues of a cremated body requires a permit issued from the city to assure proper legal description of grave space;
2. Burial residue of cremated bodies are required as a minimum to be buried in the plastic shipping container or one designated for that purpose; and
3. No more than two (2) burial residue from cremated bodies shall be allowed per space or one (1) body and the burial residue from one (1) cremated body will be allowed per space.

Section 7. FUNERALS PROHIBITED. (Chapter 22, Section 12) From and after the adoption of this resolution, the following provisions shall apply to funerals being held in the Purcell Hillside Cemetery, to-wit:

Funerals are prohibited on Memorial Day. Funerals shall be allowed on all other days.

Section 8. CEMETERY SPACE FEE: (Chapter 22, Section 14) From and after the adoption of this Resolution, the fees, charges, and assessments of Hillside Cemetery shall be as follows, to-wit:

East of gate	\$500.00 per space
First 10 rows west of gate	\$600.00 per space
Remaining west of gate	\$700.00 per space
Babyland	\$200.00 per space
Veterans <u>in Veteran's Section</u> (with proof of Honorable Discharge)	\$ 0.00 per space
(Opening and Closing Fees still apply to Veteran Spaces)	

The Veteran's Section is comprised of Lots 86, 87, 94, 95, 104, 105, 126, 127, 138, 139, 148, 149, 160, 161, 170 and 171. Each lot contains 24 spaces.

Section 9. GRAVE OPENING AND CLOSING FEES: (Chapter 22, Section 14) From and after the adoption of this Resolution, the opening and closing fees, charges, assessments and regulations of Hillside Cemetery shall be as follows, to-wit:

Adult	\$500.00
Cremation (Family open and close)	\$ 20.00 (Permit Fee Only)
Cremation (City open and close)	\$ 50.00
Child, (defined as maximum 4ft)	\$ 50.00

Section 10. OTHER FEES: (NEW) From and after the adoption of this resolution, fees related to filing cemetery deeds shall be as follows, to-wit:

Warranty Deed Recording fee shall be the current charge from the McClain County Clerk. No Deed will be issued for space purchased for impending interments.

Section 11. REGULATIONS FOR GRAVE DECORATION (NEW) From and after the adoption of this resolution, the following provisions shall regulate grave decorations, to-wit:

1. Grave decorations shall not interfere with the routine grounds maintenance;
2. Artificial flowers or greenery placed in vases or other containers on the grave marker shall be permitted to remain until such time that they are blown or otherwise placed on the ground;

3. Flowers or other articles found on the ground will be removed and disposed of by the Cemetery Staff;
4. Fresh flowers placed on new graves shall be allowed to remain until such time that they become wilted. Wilted flower decorations shall be removed and disposed of by Cemetery Staff;
5. No new fences and curbing will be permitted.
6. Items that interfere with grounds maintenance are not permitted. Prohibited items include, but are not limited to, flags, borders, fences, curbing, metal rods (shepherd's rods), figurines, plaques or any artifacts that are not originally part of the headstone marker. Cemetery Staff will remove items that are not permitted; and
7. The City shall not assume responsibility for damage that may occur to unauthorized decorations of any kind.

Section 12. DECORATION EXCEPTIONS: (NEW) From and after the adoption of this resolution, the following exceptions to grave decorations shall apply, to-wit:

1. Decorative flowers to commemorate National Holidays (e.g., New Year's Day, Martin Luther King Day, Easter, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas) shall be allowed to remain on the ground for no longer than seven (7) days after the respective holiday. After that time they will be removed by Cemetery Staff.
2. Grave blankets are permitted during the fall and winter seasons as long as they do not interfere with routine grounds maintenance. Grave blankets are not permitted during growing season.

Section 13. POLICIES CONCERNING GRAVE OPENINGS AND CLOSINGS: (NEW) From and after the adoption of this resolution, policies concerning grave openings and closings shall be as follows, to-wit:

1. Hours for grave opening and closing are Monday thru Friday from 7:00 a.m. to 3:30 p.m.;
2. Grave opening and closing shall be contracted between the Funeral Home on Saturday, Sunday and Holidays;
3. A Burial Permit shall be obtained by the Funeral Home from City Hall;
4. A Funeral Home shall provide a minimum of twenty-four (24) hour notice, during business hours, prior to burial to allow ample time to mark the space;
5. Family cremation opening, closing and burial is permitted, providing proper permit(s) is secured and a minimum of twenty-four (24) hour notice is given; and
6. Tent setup and lowering device is privately contracted directly thru the Funeral Home with the Vault Company.

Section 14. MONUMENT SETTING POLICIES AND PROCEDURES: (NEW) From and after the adoption of this resolution, the monument setting policies and procedures shall be as follows, to-wit:

1. The city clerk or his/her designee will collect the fee to set the monument and issue the permit;
2. All monuments shall be set with a four (4) inch thick, precast concrete base that is two (2) feet wide and, as a minimum, the same length as the monument being set. The length of the base shall not exceed four (4) feet per grave space. If an apron is desired at the ends of the monument, it shall neither extend more than six (6) inches from each end nor exceed the four (4) foot overall length requirement. All aprons extending beyond the monument shall be at ground level; and
3. Monuments and/or markers. All monuments and/or grave markers to be placed on any lot in the Hillside Cemetery shall be professionally manufactured and installed per city installation specifications. Materials are limited to professional granite, marble, or bronze. This does not include the footing, which may be concrete or other similar material.

Section 15. DISINTERMENT: (NEW) From and after the adoption of this resolution, disinterment shall be handled in the following manner, to-wit:

Disinterment shall be contracted between Funeral Home and Vault Company with City personnel serving in an observatory capacity only.

Section 16. All matters contained in Chapter 22 of the Purcell City Ordinances and/or any prior resolution of the City Council not modified in this resolution shall remain unchanged.

The foregoing resolution shall be effective immediately from and after its adoption and approval.

ADOPTED and approved by the City Council for the City of Purcell this 6th day of January, 2014.



ATTEST:

Dorothy Kennedy
Dorothy Kennedy, City Clerk

CITY OF PURCELL

David W. Lee
David W. Lee, Mayor

APPROVED as to form this _____ day of January, 2014.

Ted W. Haxel
Ted W. Haxel, City Attorney