

CEMETERIES

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CEMETERIES**

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ARTICLE I IN GENERAL

Sec. 7-1. Board may provide Public Cemetery and Regulate Same.

The Board of Aldermen shall have power to purchase, receive, and to hold real estate, as herein mentioned, for public cemeteries, either within or without the City, within a distance of three miles thereof, and the Board of Aldermen and Mayor shall have jurisdiction over the same cemeteries wherever located; provided, that no such cemetery shall exceed 80 acres in one body. The Board of Aldermen shall provide for the surveying, platting, grading, fencing, ornamenting and improving of all the cemetery ground, and the avenue leading thereto, owned by the City, and may construct walks and protect ornamental trees and provide for paying the expenses therefore. 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 officers of the City of Iberia, shall have as full jurisdiction and power in enforcing of such rules and ordinances as though they related to the City itself. (1975 Code)

Sec. 7-2. Cemetery lots – How Sold.

The cemetery lots shall be conveyed by certificates, signed by the Mayor, countersigned by the 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 down on the official plat or map of such cemetery made by the City, for the purpose of internment, and such certificate shall vest in the purchaser, his or her 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 creating monuments, tombstones and ornaments on cemetery lots, and prohibit any improper enforcement thereof, but no religious tests shall be made to the ownership of the lots or the burials had therein, or the ornamentation of graves or lots. (1975 Code)

Sec. 7-3. Cost of Lots.

The Board of Aldermen shall have the authority from time to time, by resolution to determine the purchase price of lots in a cemetery owned by the City and may provide by said resolution for different purchase prices for lots therein for residents or non-residents. (1975 Code)

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Sec. 7-4. Sale of Lots to be approved by Board.

Each sale of a cemetery lot within the City cemetery or cemeteries shall be approved by the Board of Aldermen. (1975 Code)

Sec. 7-5. Proceeds from Sale.

All moneys received from the sale of cemetery lots belonging to the City shall be paid to the Treasurer who shall place the same in the cemetery fund of said City. (1975 Code)

Sec. 7-6. Cemetery Sexton.

The supervisor of City Employees shall serve as Sexton of all City cemeteries and likewise be responsible for the care and upkeep of all cemetery ground. (1975 Code)

Secs. 7-7 to 7-10. Reserved.

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**ARTICLE II
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Sec. 7-11. Drives dedicated to public.

That the drives in said cemetery are designated to the public for use as such. (Ord. 1991-4)

Sec. 7-12. Division of Lots.

All full lots in the Iberia Cemetery shall be divided into two (2) grave sites each. (Ord. 1991-4)

Sec. 7-13. Financing of Cemetery.

The financing of said Iberia Cemetery shall be as follows:

(a) Full-size grave sites: The purchase price of each full-size grave lot shall be one hundred dollars (\$100.00), of which the entire amount shall be placed in the perpetual care trust fund of which the interest from the perpetual care trust fund is to be used for the upkeep and maintenance of the Iberia Cemetery. (Amendment to Bill No. 1991-4 passed July 1, 1996)

(b) Trust and Endowment Fund: The perpetual care trust fund fee and sale of site endowment fund fee referred to above shall be maintained separate and apart from other city funds except that income from the corpus of said fund may be used by the Cemetery Board for the purpose of upkeep and maintenance of the Iberia Cemetery, said funds may be invested in time deposits U.S. Government Bonds, or similar investments authorized by law for investment of municipal funds. (Ord. 1991-4)

Sec. 7-14. Records.

A system of records shall be maintained as follows:

(a) All permanent cemetery records shall be maintained in the City Clerk's Office and shall be of such type, style and nature as are necessary for the efficient operation of the Iberia Cemetery. Said records may be in written, microfilm, magnetic media or such other form as is reasonable. (Ord. 1991-4)

Sec. 7-15. Requirements.

The following requirements shall be set out for all City of Iberia Cemeteries:

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(a) Concrete Box or Vault: Any grave site opened for occupancy shall be equipped with a concrete box or a vault of same or better quality as the concrete box. No grave shall be occupied until said box or vault has been installed.

(b) City to Sell and Locate Grave Site: In order that grave sites be properly located, it shall be a requirement before opening a grave that one or more city employees accompany the funeral director or family to assist in properly locating the grave site. All grave sites shall be sold by the City of Iberia.

(c) City to Regulate Grave Openings: The City shall designate and regulate who opens graves in the City of Iberia Cemeteries.

(d) Notification of Funeral: Funeral Directors shall notify the City of Iberia of a pending funeral immediately upon being contracted by the family of the deceased.

(e) Grave depth and size: All adult graves shall be at least five (5) feet in depth and large enough in length and width to accommodate the concrete box or vault. Cremation graves shall be at least three (3) feet in depth. (Ord. 1991-4)

Sec. 7-16. Transfer of Grave Sites.

An owner of grave site(s) in the Iberia Cemeteries may transfer ownership either by gift or by sale to another party. The following steps shall be used in the transfer of grave sites:

(a) Provide the City Clerk with a notarized letter stating the intention to dispose of the site(s) and the manner of disposition desired.

(b) Submit the original deed for said site(s) to the City Clerk for disposition.

(c) Owners may designate in the letter to have the City sell the site(s) for them. Sites offered to the City for resale shall not be given special selling considerations by the City of Iberia.

(d) It shall be the responsibility of the owner to have the site(s) free of any unpaid fees prior to disposition.

(e) The City of Iberia shall remit monies to seller upon payment by the purchaser of said site(s). (Ord. 1991-4)

Sec. 7-17. Collection of Fees.

The following forms of collection for fees associated with the sale of sites and opening of graves shall be utilized.

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(a) The perpetual care trust fee, grave site fee and the grave opening fee must be paid to the City Treasurer before any grave is opened. Any purchaser must pay the perpetual care trust fund fee and the grave site fee at the time of the purchase, but the grave opening charges or fees, shall be paid as the graves are actually opened for occupancy. A deed for the site (s) purchased shall be issued to the purchaser upon full payment of the grave site fee and perpetual care fee.

(b) The purchaser may make installment payments upon credit approval by the City Clerk. Said installment payments shall be not less than twenty five dollars (\$25.00) per month and shall be paid monthly until paid in full. All accounts outstanding after ninety (90) days shall accrue interest at the rate of ten percent (10%) per annum until paid in full. (Ord. 1991-4)

Sec. 7-18. Decorating of Graves.

Graves may be decorated with one (1) flower arrangement throughout the year, except Memorial Day Weekend, at which time there is no limit on the number of flowers allowed on the graves. Permanent attachments to the grave stones intended for holding flower arrangements shall be allowed. Any plantings shall first be approved by the City of Iberia. All memorial decorations will remain on the graves for a period of two (2) weeks. At the end of the two week period, all arrangements but one (1) shall be removed and discarded. Notice of said removal of decorations shall be in the Miller County Autogram Sentinel prior to Memorial Day. (Ord. 1991-4)

Secs. 7-19 to 7-23. Reserved.

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