

Ordinance No. 76

Municipal cemetery ordinance of New Auburn.

The City Council of New Auburn ordains:

Section 1:

Location – Plat – Prohibition of other Cemeteries

A cemetery has been established and is continued upon land owned by the City of New Auburn and described as follows: All of block Fifty-two (52), and lots One (1) to Six (6) and the North Rod of Lot Seven (7) and lots Ten (10) to Fifteen (15) and the North Rod of Lot Sixteen (16) all in Block Forty-five (45).

A plat of the cemetery, placed on file in the office of the City Clerk, is hereby adopted as the official plat of the cemetery which shall be called The High Island Cemetery. No person shall lay out or establish any cemetery, or use any lot of land within this city for the burial of the dead except in The High Island Cemetery, or some other tract of land duly designated as a cemetery by ordinance.

Section 2:

Sale of Lots

The price of cemetery lots and other services, as determined by council resolution, shall be filed with the City Clerk. The purchaser shall expressly agree in the deed that his rights are subject to such reasons, rules and regulations as the Council may adopt relative to the use of the cemetery.

Section 3:

Handling of Funds

All money received from the sale of lots and other services shall be paid to the City Treasurer who shall give a receipt thereof. No deed to any cemetery lot shall be issued, nor shall any service be performed until a receipt showing payment to the Treasurer of the cost thereof shall be exhibited to the person whose duty is to give the deed or perform the services. All money received from the sale of lots and for the performance of services shall be placed in the cemetery fund, which fund shall be used for the payment of the purchase price of grounds, or for maintenance and improvements and for no other purpose. The Treasurer shall keep an account of all receipts and disbursements of money belonging to the cemetery fund and shall pay money out of the fund only on orders signed by the Mayor and countersigned by the Clerk, which orders shall specify that the money shall be paid from the cemetery fund.

Section 4:

Burial Permits

Before any interment shall be made in any cemetery in this city, a burial permit shall be obtained from the local or the state registrar of vital statistics. Within thirty-six hours after the death of any person in the city and before the body is removed for burial within the city, the Mortician or person having charge of the interment shall apply for the permit. This application shall be accompanied by a death certificate as prescribed by the State Board of Health. No burial permit shall be issued until the application and death certificate shall have been properly completed and presented. The body of a deceased person shall not be brought into the city for burial unless accompanied by a death certificate and permit for removal issued by the registrar of the registration district wherein the death occurred.

Section 5:

Superintendent of Cemetery – Duties

The City Council shall appoint a superintendent who shall have control and management of the cemetery and be responsible for its maintenance and improvement. He shall have such powers and duties as are prescribed by law or by the City Council.

Section 6:

General Regulations

- a. No person may discharge any firearm or have possession of any firearm within the cemetery grounds without the permission of the superintendent.
- b. No person may remove any object from any place in the cemetery or make any excavation without the consent of the superintendent.
- c. No person may obstruct any drive or path in the cemetery or in any way injure, deface or destroy any structure, grave, flower, tree, or other thing in the cemetery.
- d. No person may drive any vehicle faster than a walk within the cemetery, nor drive over any path or roadway not authorized by the superintendent.
- e. No person may disturb the quiet of the cemetery by noise or improper conduct of any kind.
- f. No person may enter or leave the cemetery except at the gates provided.
- g. No person may use the cemetery grounds or any road therein as a public thoroughfare, nor drive any vehicle through the cemetery ground except for purposes relating to the cemetery.
- h. No child may be permitted within the cemetery unless in the control of an adult.
- i. No person may allow any animal to run at large in the cemetery.

- j. No person may loiter at any time, nor be in the cemetery without permission of the cemetery superintendent at any time between the hours of sunset to 7 a.m.

Section 7:

Penalty

Any person violating any provision of this ordinance is guilty of a misdemeanor and shall be punished by a fine of not to exceed \$700.00, and by imprisonment for a period not to exceed 90 days.

Passed by the City Council this 3rd day of October, 1995.

Roger H. Becker, Mayor

Attest: Eugene E. Grack, Clerk

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