

ORDINANCE NO. 2383

CONCERNING CEMETERIES OF THE CITY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

1. That Section 8-1 of Chapter 8 of the Code of ORDINANCES OF the City of Grand Junction be repealed and reenacted to read:

Sec. 8-1. Cemetery Created.

(A) There is hereby created a municipal cemetery consisting of land owned by the City, to be known and designated as "The Municipal Cemetery."

(B) The cemetery known as "Orchard Mesa Cemetery" and more particularly described by the plat thereof on file in the office of the City Clerk is hereby established as a municipal cemetery and designated as "Orchard Mesa Cemetery," and is to be used and maintained exclusively for cemetery purposes.

2. That Section 8-2 of said Chapter is repealed and reenacted to read:

Sec. 8-2. Recording.

No grave-plots or lots therein shall be used or sold until the plat or plats of said municipal cemetery shall have been placed on file in the office of the County Clerk and Recorder of Mesa County, Colorado. The City Council may, from time to time, by resolution, provide for additions to the municipal cemetery, securing the platting or replatting thereof and filing of such plats as required herein. Such added lands shall thereafter be subject to all the provisions of this chapter.

3. That Section 8-3 of said Chapter is amended to read:

Sec. 8-3. Management Generally.

The City Manager shall be responsible for the management of the cemeteries, and shall delegate the duties involved in improvement, maintenance and operation thereof to the Director of Parks AND RECREATION. The City Manager shall report to the City Council the financial and physical status of the cemeteries and perpetual care funds, and shall incorporate in proposed annual budget such allocations of funds as may be necessary for their proper management. The City Council shall levy and appropriate for the cemeteries the necessary funds in a manner consistent with all budgeting requirements. (1953 Comp. Ords., Ch. 17 Section 3)

4. That Section 8-6 of said Chapter is amended to read:

Sec. 8-6. Duties of City Clerk.

The City Clerk shall keep and have custody of all books and records pertaining to cemeteries, and shall issue all permits for burial, disinterment, and removal of bodies in said cemeteries, and with the City Manager or President of the City Council, shall execute and issue, to those having paid therefor, appropriate certificates of purchase of grave space in said cemeteries and contracts for perpetual care thereof, in such form as the City manager OR HIS DESIGNATED REPRESENTATIVES may determine, and in compliance with the provisions of this chapter and any and all rules and regulations made thereunder. (1953 Comp. Ords., Ch. 17 Section 6)

5. That Section 8-8 of said Chapter is amended to read:

Sec. 8-8. Conditions of conveyances.

(c) No monument or marker shall be placed in the cemetery which is constructed of material other than granite, marble or bronze, of varieties approved by the city manager, after the submission of samples by the producer. Certificates of conformance with approved samples shall be filed by the monument dealer guaranteeing replacement by the producer if the monument shall show discoloration, deterioration, chipping, cracking, or obliteration within twenty years after erection, resulting from causes beyond the reasonable control of the city. All monument and marker bases not in rough rock finish shall have rounded edges and corners having radii of not less than three-eighths inches.

6. That Section 8-8(d) of said Chapter is amended to read:

(d) The City shall construct, OR ARRANGE FOR THE CONSTRUCTION OF, all monument foundations, and shall set all corner and grave markers.

7. That Section 8-8(e) of said Chapter is amended to read:

(e) No mausoleum or vault shall be erected except under special permit from the PARKS AND RECREATION DIRECTOR OR HIS DESIGNATED REPRESENTATIVE, in accordance with the approved regulations.

8. That Section 8-8 of said Chapter be amended by the addition of the sections (k) and (l) reading as follows:

(k) All smooth finished monument and marker bases shall be required to have protective landscaping installed by the City for which a charge shall be made as provided under Sec. 8-7.

(l) Any lot or grave space with a rough rock monument or marker base may have protective landscaping installed by the City. Installation shall be done only at the owner's request and upon payment of the designated fee provided under Sec. 8-7.

9. That Section 8-9 of said Chapter is amended to read:

Sec. 8-9. Regulation in Block 6 of Municipal Cemetery.

In Block 6 of the Municipal Cemetery one monument for each two grave sections will be permitted. Monuments shall be placed only in the center of a plot at the place reserved for same. No monument, mausoleum or other structure shall be placed in the Municipal Cemetery until a design of same, with specification, has been submitted to and approved by the PARKS AND RECREATION DIRECTOR OR HIS DESIGNATED REPRESENTATIVE.

10. That Section 8-11 of said Chapter is amended to read:

Sec. 8-11. Perpetual care funds.

All payments made and received for perpetual care of grave spaces in city cemeteries shall be kept separate and apart from all other funds of the city, and shall constitute permanent trust funds, for the purposes herein provided, to be known as the Cemetery Perpetual Care Fund, and the same shall be invested and reinvested in such investments as the city treasurer may determine, provided that no investment thereof shall be made except in securities in which estate funds may be invested under the laws of the State of Colorado except that such funds may be invested in bonds of any special improvement district within the city. The principal of said funds shall be preserved as an endowment for the perpetual care and maintenance of grave spaces in the cemeteries, and the income from said fund shall be used solely for such purpose. And the aforesaid funds shall be entirely independent of, and in addition to, payments made for the purchase of lots or burial spaces for which perpetual care is purchased. (1953 Comp. Ords. Ch. 17, Sec 12)

11. That Section 8-13 of said Chapter is amended to read:

Sec. 8-13. City Manager to make regulations.

The city manager is hereby authorized and empowered to make, enforce, and modify or repeal, from time to time, such rules and regulations as may be advisable for the management use, improvement and maintenance of the cemeteries and for the administration of endowment funds not inconsistent with the provisions hereof.

PASSED and ADOPTED this 4th day of May, 1988.

John W. Bennett

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2383, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 6th day of April, 1988, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 5th day of May, 1988.

Neva B. Lockhart, CMC

Neva B. Lockhart, CMC
City Clerk

Published: April 12, 1988

Published: May 6, 1988

Effective: June 5, 1988