

ORDINANCE 2020-1798

AN ORDINANCE AMENDING CITY OF MURRAY CODE OF ORDINANCES, CHAPTER 91 CEMETERIES, SPECIFICALLY §91.01; §91.03; §91.04; §91.07; §91.09; §91.11 AND §91.12 IN ORDER TO UPDATE AND CLARIFY THE LANGUAGE CONTAINED IN THIS CHAPTER.

WHEREAS, the City of Murray desires to amend Chapter 91, specifically §91.01; §91.02; §91.03; §91.04; §91.07; §91.09; §91.11; §91.12 AND §91.99 of the City of Murray Code Of Ordinances in order to update and clarify the language contained in this Chapter.

WHEREAS, the Murray City Council has reviewed and discussed the following proposed changes to Chapter §91 of the City Of Murray Code Of Ordinances and believe that the proposed changes are reasonable and necessary.

BE IT ORDAINED by the City Council of the City of Murray, as follows:

AMENDMENT - ADDITIONS, ASSERTIONS & CHANGES:

City of Murray Code Of Ordinances, §91 CEMETERIES shall be amended as follows:

§ 91.01 CONVEYANCE OF LOTS.

(A) For the purpose of this section, "FAMILY" shall mean the spouse, parents, grandparents, children, and grandchildren of the owner of the lot; the brothers and sisters of the owner and their spouses; the parents and grandparents of the spouse of the owner; the spouses of the children of the owner; and no other.

(B) No certificate of permissive use or title of any kind to any lot or portions of lot in the Murray Cemetery shall ever be conveyed to other than a natural person and the lot shall never be used or occupied for the interment of the body of any person except the bodies of persons of the family of persons to whom the lots are conveyed, or his their bodily heirs, without express written approval of the Mayor.

(C) Nor shall any person possessing the lot or the heir of persons possessing the lot, nor any other person, firm, or corporation, sell or assign, for a valuable consideration, any lot except as hereinafter provided, nor receive any compensation other than as hereinafter provided.

§ 91.03 Reserved ~~SURRENDERING USE OF ONE HALF LOT.~~

~~(A) All individuals who now own, or may hereafter own, permissive certificates of use to whole lots in the city cemetery, and who may desire to surrender the use of one half of such lot may surrender the use of one half thereof to the city, but to no one else. On surrender of one half of such lot, as hereinafter stated, the city shall pay, out of its general fund, to such individual a sum equal to one half the amount paid the city by the individual for the permissive certificate of use to such whole lot.~~

~~(B) In order to surrender one half of a lot described in a permissive certificate of use, the owner thereof shall surrender the actual possession of such certificate of permissive use to the City Clerk, and the City Clerk shall then issue to the individuals a new certificate of permissive use to one half of such lot, less two feet; the two feet being reserved for a walkway between the two halves of such lot.~~

§ 91.04 CERTIFICATE OF PERMISSIVE USE.

(A) Certificates of permissive use of burial lots in all sections of the cemetery or additions hereafter platted in the city cemetery shall be and are priced as follows, to-wit:

(1) Nonresidents of the city, to whom a certificate of permissive use is issued, shall be charged ~~\$600~~1000 for ~~certificate of permissive use~~ to each grave.

(2) Residents of the city, to whom a certificate of permissive use is issued, shall be charged ~~\$350~~750 for ~~certificate of permissive use~~ to each grave.

(B) Nonresidents of the city who own real estate within the city and pay taxes thereon to the city shall be considered as residents of the city within the meaning of ~~division (A)~~ Section 91.04 (A) (2) above.

(C) No person shall be permitted to purchase a certificate of permissive use to any burial lots in the city cemetery or any new additions thereof for less than two graves, except where single graves remain in a lot.

(D) The city may repurchase certificates of permissive use to burial lots in the city cemetery, but shall not repurchase less than two adjoining lots at a time.

(E) Certificates of use to burial lots in the city cemetery, burial lots, interment rights, shall not be sold, assigned, transferred to any other persons, firms, corporation, associations, or organizations, except to the city.

§ 91.07 INTERMENT SERVICE FEE

(A) A service fee of ~~\$75~~125 shall be charged on each interment in the Murray City Cemetery.

(B) This ~~\$75~~125 service fee shall be collected by the funeral home. The funds will be collected no later than at the time the funeral bill is paid. Funeral homes responsible for burials in the Murray City Cemetery will remit said fees on a quarterly basis at which time they will report the number of interments, the total charges made on behalf of the city, and the amount remitted with said report.

§ 91.09 PAYMENT SCHEDULE FOR CERTIFICATES OF PERMISSIVE USE.

(A) Pre-Need. Persons purchasing Certificates of Permissive Use at Pre-Need will be permitted to make payments to the City Clerk over a period not to exceed twelve (12) months from purchase date. No ~~need(s) certificates of permissive use~~ to any cemetery burial lot shall be surrendered by the City Clerk until full payment is received or no burial space may be used until the conditions of (B) At-Need are met.

(B) At-Need. Persons purchasing Certificates of Permissive Use At-Need shall be required to remit payment for the burial space prior to interment, or, to arrange with the funeral home handling the funeral service, to have the cost of the burial space added to the funeral bill. Funeral homes may remit such receipts as outlined in § 91.07 (B), however, under no circumstances shall any funeral home incur any obligation to the City of Murray if payment is not made by such persons.

(C) The City Clerk is empowered to void any Certificate of Permissive Use if payment is not received as outlined in (A) above.

(D) Upon approval of the Mayor, the City Clerk may designate a burial space to indigent persons.

§ 91.11 OPENING AND CLOSING HOURS.

~~The Murray Police Department shall be responsible for opening the gates to the city cemetery daily at sunrise and closing the gates daily at sundown.~~ The Murray City Cemetery shall be open daily from sunrise to sundown.

§ 91.12 RULES AND REGULATIONS: PRICING CITY OF MURRAY MAUSOLEUM.

(A) The cost of crypts in the City of Murray Mausoleum is as follows:

Garden Singles

Level 4	\$1,850.00 <u>2050.00</u>
Level 3	\$2,275.00 <u>2475.00</u>
Level 2	\$2,275.00 <u>2475.00</u>
Level 1	\$1,850.00 <u>2050.00</u>

Garden True Companions

Level 4	\$3,450.00 <u>3650.00</u>
Level 3	\$3,850.00 <u>4050.00</u>
Level 2	\$3,850.00 <u>4050.00</u>
Level 1	\$3,450.00 <u>3650.00</u>

(B) The cost of columbarium niches in the City of Murray Mausoleum is as follows:

All levels ~~\$550.00~~750.00

(C) The purchase price of crypts includes the opening and closing of crypts at the time of entombment; name plates and appropriate dates.

(D) The purchase price of a columbarium niche includes the opening and closing of the niche at the time of inurnment. There will be a ~~\$100.00~~ 150.00 charge for a subsequent opening of a niche for inurnment purposes.

(E) The City of Murray does not permit hangers for floral arrangements to be installed on crypt or niche doors. Memorial decorations/military plaques may be placed in an area designated in the landscaping outside of the mausoleum.

(F) The City of Murray does not permit more than two (2) urns of cremains in one columbarium niche.

(G) The City of Murray will refund the purchase price of crypts or niches at such time the city has obtained a resale for the unused spaces.

(H) No crypts or niches may be sold by an individual to another individual.

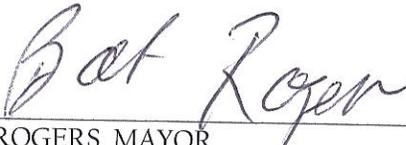
(I) ~~The City of Murray may arrange bank financing for the purchase of crypts or niches but does not handle internal financing.~~ allow for installment payments with approval of the Mayor and City Clerk.

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or

existing, under any act or ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

All other sections and provisions of the Ordinances for the City of Murray, not specifically amended herein, shall remain in full force and effect and shall not be considered amended and shall be incorporated by reference as if fully stated herein.

These ordinance changes shall take effect on November 1, 2020.



BOB ROGERS, MAYOR

ATTEST:



DANNETTA CLAYTON, CITY CLERK

Introduced by the City Council on June 25, 2020.

Adopted by the City Council on July 9, 2020.

Published in the Murray Ledger and Times on July 20, 2020.