

**CHAPTER 14 - CITY CEMETERIES** (#1)

**SECTION 101. ESTABLISHMENT.** There is hereby created a Cemetery Board which shall consist of five (5) members appointed by the City Council for three year terms which shall expire on December 31<sup>st</sup>. The current Cemetery Board shall serve as Board members for the balance of their respective terms. Effective December 31, 2002, the terms of the present duly appointed and existing Cemetery Board members whose terms are scheduled to expire December 31, 2002 shall be extended to March 31, 2003, the terms of members scheduled to expire December 31, 2003 shall be extended to March 31, 2004, and the terms of members scheduled to expire December 31, 2004 shall be extended to March 31, 2005. Thereafter the terms of each member shall expire on March 31<sup>st</sup>. Effective April 1, 2004, the Cemetery Board membership shall be reduced from five (5) members to three (3) members. (#2) (#3)

**SECTION 101.1. VACANCY.** Should a vacancy occur on said Board by death, resignation or otherwise, the same shall be filled for the balance of the term by appointment by the City Council.

**SECTION 102. CHAIRMAN.** The Board shall annually elect one of its members to be and act as Chairman thereof.

**SECTION 103. DUTIES OF BOARD.** The Cemetery Board shall:

**SECTION 103.1. RULES AND REGULATIONS.** The Board shall serve in an advisory capacity to the city staff and recommend Rules and Regulations for the operation and use of all City owned cemeteries which shall be subject to the approval of the City Council.

**SECTION 103.2. CLERK.** The Director of Parks and Recreation shall serve as Cemetery Clerk and shall perform duties such as keeping records of burials; process sale of lots; be custodian of cemetery records, which at all times shall be housed at the office of the Parks and Recreation Department; answer all cemetery related correspondence; and act as clerk for the Cemetery Board. (#4)

**SECTION 104. CHARTS.** A chart of the various cemeteries, showing the location of roads and avenues, and identifying number in each cemetery shall be in the custody of the Superintendent and with the Clerk of the Cemetery Board.

**SECTION 104.1 EXCEPTION.** Notwithstanding any of the foregoing or any rules and regulations adopted by the Cemetery Board, in ground seasonal flowers may be planted within eight (8) inches of any grave marker in the Woodlawn Cemetery. The City reserves the right to disturb said flowers as necessary for burials and for cemetery maintenance. The City shall not be responsible for replacement of flowers so disturbed. (#2)

**SECTION 105. SUPERINTENDENT.** The Director of Parks and Recreation shall appoint the Superintendent of Cemeteries. The general care and supervision of all the City Cemeteries is committed to and exercised by the Superintendent, who shall be responsible for the care of all cemetery grounds, including that of attending the burial of the dead, the digging of the graves and filling of same. The Superintendent shall be responsible for the care and maintenance of all lots, the hiring of personnel, the purchase of equipment and the care and maintenance of same, the locating of lots for various reasons including burials, monument location, genealogy searches, lots left in estates, the planting of flowers and shrubs, maintenance of water systems, maintenance of flag poles and flying the flags at proper times, transporting manpower and equipment to the various Cemeteries and maintenance of buildings and the general appearance and care of the Cemeteries. (#4)

**SECTION 106. PAINE VAULT.** The Paine Memorial Building located at Woodlawn Cemetery belongs to the City of Brewer and is subject to the free use of all citizens of Brewer and people owning lots in City Cemeteries therefore, the supervision and care of the vault is the responsibility of the Superintendent.

**SECTION 107. FINANCIAL PROVISIONS.** The following provisions shall relate to the Cemeteries.

**SECTION 107.1. SALES OF LOTS.** The City Treasurer shall make the sale of lots in the City Cemeteries, at the price established by the Cemetery Board as approved by the City Council and, when paid for, give to the purchaser a good and sufficient deed. All monies received from such sale shall be paid directly into the City Treasury, but no deed shall be given and no lot occupied until paid for.

**SECTION 107.2 CEMETERY TRUST FUND.** A Cemetery Trust Fund is established for the perpetual care of the Cemeteries. Interest and other earnings of money deposited with the City Treasurer as a Cemetery Trust Fund to provide perpetual care for certain designated lots shall be used for such purposes only, and a careful and accurate record kept of the amount, earnings and disbursements of earnings of each individual sum so deposited.

END OF CHAPTER NOTATIONS - CHAPTER 14

1. revised 11/07/02, effective 11/12/02 (2002-C061)
2. amended 12/10/02, effective 12/15/02 (2002-C066)
3. amended 03/02/04, effective 03/07/04 (2004-C007)
4. enacted 05/29/12, effective 06/03/12 (2012-C007)