

ORDINANCE NO. 2019-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP CITY CODE OF ORDINANCES, CHAPTER 15, ARTICLE 15.01, SECTION 15.01.016 "MONUMENT, MEMORIAL, OR TOMBSTONES; CONSTRUCTION PERMIT REQUIRED"; REPEALING CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas, a Home Rule municipality incorporated and operating under the Laws of the State of Texas, is the permanent trustee for the perpetual care of lots and graves in the Fairview Cemetery; and

WHEREAS, the City of Bastrop has authority to adopt rules and regulations governing operations of the cemetery; and

WHEREAS, the Fairview Cemetery Advisory Board met on October 24, 2018, to review and discuss changes to monument height restrictions in Chapter 15, Article 15.01, Section 15.01.016 of the code of ordinances of the City of Bastrop; and

WHEREAS, the Fairview Cemetery Advisory Board made a motion to change the restrictions on monument height restrictions as specified in this ordinance; and

WHEREAS, the Bastrop City Council has determined that the changes recommended by the Fairview Cemetery Advisory Board on October 24, 2018, are in the best interest of the City and its citizens and should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1: That Chapter 15 of the Code of Ordinance, entitled Cemeteries Article 15.01 "Fairview Cemetery", shall be amended to read as follows:

ARTICLE 15.01 FAIRVIEW CEMETERY

Sec. 15.01.016 – Monument, memorial, or tombstones; construction permit required.

- (a) *No changes.*
- (b) *No changes.*
- (c) *No changes.*
- (d) *No changes.*
- (e) Height restrictions. There will be no height restrictions for monuments, markers, memorials, or tombstones in the Fairview Cemetery. However, any monuments, markers, memorials, or tombstones that exceed 6' will require the following:

1. Monument Company must submit specifications to the City's Engineer for review and approval before a work permit will be issued.

Section 2: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 3: This Ordinance shall take effect upon the date of final passage noted below in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ AND APPROVED on First Reading on the 12th day of February 2019.

READ AND ADOPTED on Second Reading on the 26nd day of February 2019.

APPROVED:

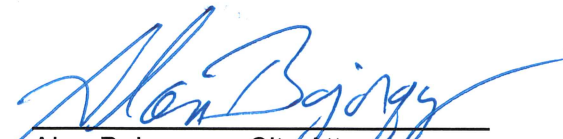


Connie B. Schroeder, Mayor



Traci Chavez, Deputy City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney