ORDINANCE NO. 2015-13

AN ORDINANCE AMENDING, CHAPTER 15, ARTICLE 15.01 "CEMETERIES" OF THE BASTROP CODE OF ORDINANCES; AND APPENDIX A "FEE SCHEDULE," ARTICLE A15.01 "FAIRVIEW CEMETERY" TO REFLECT AN INCREASE IN FEES FOR THE PURCHASE OF CEMETERY PLOTS; PROVIDING A SEVERANCE CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop ("City") is a Home-Rule municipal corporation with the authority granted by the State of Texas to control, manage and oversee the operation of its municipal cemetery, locally known as the Fairview Cemetery; and

WHEREAS, the Fairview Cemetery Advisory Board ("Cemetery Advisory Board") is the advisory body appointed by the Mayor and confirmed by the City Council to make recommendation to the City Council concerning policies, rules, regulations and matters related to the proper operations of the Fairview Cemetery, for the benefit of the Bastrop community; and

WHEREAS, on July 29, 2015, the Fairview Cemetery Advisory Board met to evaluate and consider whether to recommend that the Council should amend the Cemetery Ordinance, Section 15.01.026 and related Appendix A15.01, to reflect an increase in the fees for purchase of cemetery plots in the Fairview Cemetery, for both residents and non-residents; and

WHEREAS, after careful evaluation of information related to the proper operation of the Fairview Cemetery and the City's costs for operating and maintaining same, the Cemetery Advisory Board determined that an increase in the fees for cemetery plot sales should be recommended to the City Council, for both residents and non-residents; and

WHEREAS, the City Council has considered the recommendation of the Cemetery Advisory Board and has determined that the change in fees, as recommended by the Cemetery Advisory Board on July 29, 2015, is in the best interest of the City and its citizens and, therefore, should be adopted as set forth herein below.

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

PART 1. That the following section of the Fee Schedule in Appendix "A" of the Bastrop Code Fairview Cemetery Ordinance, as it relates to the purchase of cemetery plots in Fairview Cemetery, pursuant to the City's Code of Ordinances, Section 15.01.026(h), is hereby amended to read as follows:

APPENDIX A FEE SCHEDULE

Article A15.01 Fairview Cemetery

Sec. A15.01.012 Sale of cemetery plots: generally

Cost.

(1) Cost to purchase one (1) cemetery plot:

(a) Residents of the City of Bastrop: $1,000.00, of which 100% shall be deposited into the Operating Fund*.

(b) Non-residents of the City of Bastrop: $1,500.00, of which 100% shall be deposited into the Operating Fund*.

(2) Unchanged.

(3) Permit fee: $25.00*

**The City reserves the right to change the above referenced fees at any time at its discretion.*

PART 2: That all other ordinances, resolutions and orders previously passed, adopted and made, or any part of the same affecting the Fairview Cemetery which are in conflict with this Ordinance, shall be, and the same are hereby, in all things repealed to the extent that the same conflict with this Ordinance, or with the laws of the State of Texas.

PART 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.

PASSED AND APPROVED on **FIRST READING** on the 25th day of August 2015.

PASSED AND ADOPTED on SECOND READING on the 8th day of September 2015.

ADOPTED:

Kenneth Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney