

ORDINANCE NO. 2010-27

**AN ORDINANCE AMENDING FAIRVIEW CEMETERY ORDINANCE NO. 2009-31
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on July 8, 2010 the Fairview Cemetery Advisory Board met and approved changes to Cemetery Ordinance No. 2009-31 ; and

WHEREAS, the City Council of the City of Bastrop has now determined that the changes approved by the Fairview Cemetery Advisory Board on July 8, 2010 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 :

PART 1. That the following Sections of the Fairview Cemetery Ordinance 2009-31 are amended to read as follows:

Sec. 15.13. Opening or Reopening of Graves; Interment Permit Required.

....

f. *Grave Depth.* Grave Depth shall be in compliance with state law.

....

Sec. 15.22. Miscellaneous Provisions.

a. *Notarization of signatures.* The City reserves the right to require any or all signatures to be notarized.

b. *Final decision.* In the event of a misunderstanding or dispute as to the meaning of any of these rules or regulations, the decision of the City Council shall be final and is not appealable.

c. *Materials and equipment.* No material, machinery, equipment, or other implements for the construction of memorials, the digging of graves, or other permitted structures may be placed in the Fairview Cemetery until required for immediate use and, when not in use, shall be parked/stored away from other gravesites No such material, machinery, equipment, or implement shall be placed upon an adjoining lot without the express permission of the City.

No material, machinery, equipment, or implement may be left in the Fairview Cemetery overnight.

PART 2: That the following section of the Fee Schedule in Appendix "A" of the Bastrop Code of Ordinances is amended to read as follows:

Article A15.01 Fairview Cemetery

Sec. A15.01.012 Sale of cemetery plots: generally

Cost.

- (1) Cost to purchase one (1) cemetery plot: \$1000, of which \$400 shall be deposited into the Permanent Fund and \$600 of which shall be deposited into the Operating Fund*.
- (2) Cost to file warranty deed with county clerk's office: \$20.00*.
- (3) Permit fee: 0.00*.

*The City and county clerk's office reserve the right to change the above referenced fees at any time at its discretion.

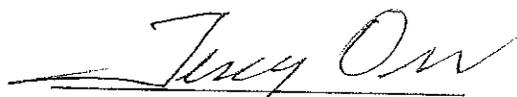
PART 3: That all ordinances, resolutions and orders heretofore passed, adopted and made, or any part of the same affecting the Fairview Cemetery which are in conflict with this Ordinance, shall be, and the same are hereby, in all things repealed to the extent that the same conflict with this Ordinance, or with the laws of the State of Texas.

PART 4: 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.

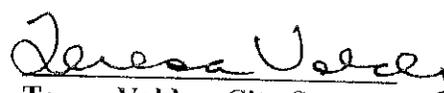
READ AND ACKNOWLEDGED on FIRST READING on the 12th day of October 2010.

PASSED AND APPROVED on SECOND READING on the 26th day October 2010.

APPROVED:


Terry Orr, Mayor

ATTEST:


Teresa Valdez, City Secretary

APPROVED AS TO FORM:
Jo-Christy Brown, City Attorney