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ORDINANCE NO. 1168

AN ORDINANCE AMENDING SECTION 12-505 OF THE HORTON MUNICIPAL CODE REGARDING CHARGES FOR OPENING AND CLOSING GRAVES IN THE MUNICIPAL CEMETERY OF THE CITY OF HORTON, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS:

Section 1. Section 12-505 of the Horton Municipal Code is hereby amended to read as follows:

“SALE OF LOTS; CHARGES FOR OPENING GRAVES. The prices to be charged for lots in the cemetery shall be established by the governing body of the city at such time as needed. No person, shall be allowed to own more than one full lot in Sections "K" and "L". No deed shall be issued to any lot, half lot or single grave space until the purchase price of the same shall have been paid in full to the city. A full lot shall contain eight grave spaces. The prices established for the lots shall include continued services of mowing grass and the filling of graves on the property by the sexton at the first reasonable opportunity. Upon payment as hereinbefore provided, the city clerk is hereby authorized and directed to prepare a deed to the purchaser of cemetery property, upon forms to be provided for that purpose, which the deed shall be signed by the mayor and attested by the city clerk, who shall deliver the same to the purchaser; provided, however, that the governing body is reserved the right to refuse the sale of any lot or half lot to any person when in their judgment the sale of the same would prove detrimental to the cemetery or to the owners of lots therein. All deeds to cemetery property shall recite that the execution of the same is subject to all of the rules and regulations governing the cemetery. All graves shall be dug by a regularly employed or approved section of the cemetery or by an independent contractor who is solely responsible for this service, and who has met insurance requirements established by the governing body of the city. The charge for opening and closing each grave shall be the sum of \$450.00 and shall be payable at the office of the city clerk before burial takes place. The opening and closing for infant burial or inurement shall be \$250.00 provided the grave does not exceed three feet in length. Future increases or decreases in the cost of opening and closing each grave may be made through a majority vote of the city commission at a city commission meeting without the necessity of passage of an ordinance. In such event, the future increase or decrease shall be posted in the office of the City Clerk. Inurement does not include the burial of remains in a stone foundation.

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Section 2. That all ordinances or parts of ordinances in conflict with this ordinance be and are hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED BY THE GOVERNING BODY of the City of Horton, Kansas, this 8th day of January, 2018.

MAYOR

ATTEST:

CITY CLERK