

AN ORDINANCE AMENDING AN ORDINANCE ESTABLISHING AND REGULATING THE MUNICIPAL CEMETERY; PROVIDING FOR CHARGES FOR SERVICES PROVIDED BY THE CEMETERY AND THE SALE OF LOTS AND PERPETUAL CARE; AND DEFINING THE DAMAGING OF CEMETERY PROPERTY OR OTHER ACTS INIMICAL TO CEMETERY OPERATIONS AS MISDEMEANORS.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SHENANDOAH, IOWA:

SECTION 1. Section 9 of the Ordinance entitled "AN ORDINANCE ESTABLISHING AND REGULATING THE MUNICIPAL CEMETERY; PROVIDING FOR CHARGES FOR SERVICES PROVIDED BY THE CEMETERY AND THE SALE OF LOTS AND PERPETUAL CARE; AND DEFINING THE DAMAGING OF CEMETERY PROPERTY OR OTHER ACTS INIMICAL TO CEMETERY OPERATIONS AS MISDEMEANORS", which appears on Pages 23 through 29 of Volume II of the Ordinance Book of the City of Shenandoah, Iowa, is hereby amended to read as follows:

"Section 9. Burial Charges.

The charge for burials shall be as follows:

Opening and closing graves, other than for Infants or Crematory Remains	\$200.00
Opening and closing graves of Infants	75.00
Crematory Remains	50.00
Opening and closing graves on a Saturday, Sunday or Holiday, other than for Infants or Crematory Remains	250.00
Opening and closing graves of Infants on a Saturday, Sunday or Holiday	100.00
Opening and closing graves for Crematory Remains on a Saturday, Sunday or Holiday	75.00"

SECTION 2. Section 10 (c) of the Ordinance entitled "AN ORDINANCE ESTABLISHING AND REGULATING THE MUNICIPAL CEMETERY; PROVIDING FOR CHARGES FOR SERVICES PROVIDED BY THE CEMETERY AND THE SALE OF LOTS AND PERPETUAL CARE; AND DEFINING THE DAMAGING OF CEMETERY PROPERTY OR OTHER ACTS INIMICAL TO CEMETERY OPERATIONS AS MISDEMEANORS", which appears on Pages 23 through 29 of Volume II of the Ordinance Book of the City of Shenandoah, Iowa, is hereby amended to read as follows:

"(c) The cost of all lots in all additions of the cemetery shall be Two Hundred Dollars (\$200.00) for each single grave lot. No graves in any part of the cemetery are to be sold without payment for perpetual care. The proceeds from the sale portion shall be deposited in the general fund."

SECTION 3. Section 11 of the Ordinance entitled "AN ORDINANCE ESTABLISHING AND REGULATING THE MUNICIPAL CEMETERY; PROVIDING FOR CHARGES FOR SERVICES PROVIDED BY THE CEMETERY AND THE SALE OF LOTS AND PERPETUAL CARE; AND DEFINING THE DAMAGING OF CEMETERY PROPERTY OR OTHER ACTS INIMICAL TO CEMETERY OPERATIONS AS MISDEMEANORS", which appears on Pages 23 through 29 of Volume II of the Ordinance Book of the City of Shenandoah, Iowa, is hereby amended to read as follows:

"SECTION 11. Long-term care of Lots. In addition to the purchase price for each single grave lot, purchasers of burial space shall pay a perpetual care charge. The charge for perpetual care of graves shall be Twenty Dollars (\$20.00) for each single grave lot.

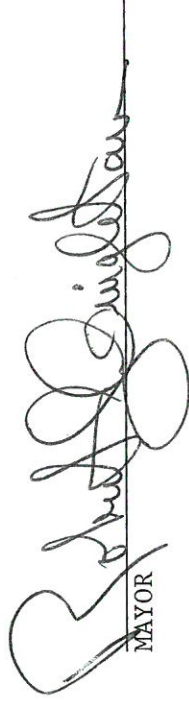
The City Clerk shall deposit such amount into a Cemetery Perpetual Care Fund. The City Council, by Resolution, may accept gifts or donations of land, money or investment assets to be placed to the credit of the perpetual care fund. The assets of the perpetual care fund shall be invested by the Treasurer as permitted by state law for municipal cemetery investment. The City shall use the income from such investments in caring for the property of the donor, or as provided in the terms of such gift or donation, or as agreed in the instrument for sale and purchase of a cemetery lot. Nothing herein required shall be construed as destroying any vested right as to investment heretofore made prior to the date that the City acquired title to the cemetery or said fund, but such investments may be continued until their maturity and then reinvested according to the provisions of this section."

SECTION 4. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed. These are Section 9, 10 (c), and 11 of the Ordinance entitled "AN ORDINANCE ESTABLISHING AND REGULATING THE MUNICIPAL CEMETERY; PROVIDING FOR CHARGES FOR SERVICES PROVIDED BY THE CEMETERY AND THE SALE OF LOTS AND PERPETUAL CARE; AND DEFINING THE DAMAGING OF CEMETERY PROPERTY OR OTHER ACTS INIMICAL TO CEMETERY OPERATIONS AS MISDEMEANORS", which appears on Pages 23 through 29 of Volume II of the Ordinance Book of the City of Shenandoah, Iowa.

SECTION 5. If any Section or provision or part of this Ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the Ordinance as a whole, or any Section, provision of part thereof not adjudicated invalid or unconstitutional.

SECTION 6. This Ordinance shall be in effect after its final passage, approval and publication, as provided by law.

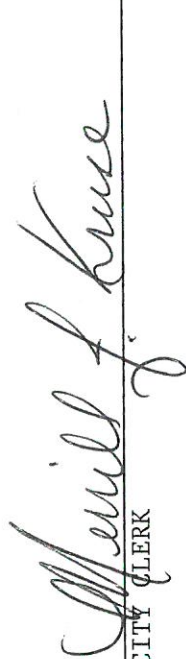
Passed by the Council the 27th day of April, 1993, and approved this 27th day of April, 1993.


MAYOR

Attest:


CITY CLERK

I, Merrill J. Kruse, City Clerk of the City of Shenandoah, Iowa, do hereby certify that the above Ordinance was duly passed and adopted by the City Council on the 27th day of April, 1993; authenticated by the City Clerk on the 27th day of April, 1993; and published in The Evening Sentinel on the 28th day of April, 1993.


CITY CLERK