

(First published in the Phillips County Review on July 21,
2010.) 1t

ORDINANCE NO. 1361

AN ORDINANCE AMENDING SECTIONS 12-402, 12-403, AND 12-410 OF THE CODE OF THE CITY OF PHILLIPSBURG, KANSAS, 2010, AND REPEALING SAID SECTIONS 12-402, 12-403, AND 12-410 AS ORIGINALLY ADOPTED; AND ADOPTING NEW SECTION 12-416. THIS ORDINANCE PERTAINS TO CEMETERY REGULATIONS.

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

Section 1. That Section 12-402 of the Code to the City of Phillipsburg, Kansas, is hereby amended to read as follows:

12-402. CEMETERY SUPERVISOR; DUTIES. The Public Works Supervisor shall have charge of the care, upkeep and maintenance of the city cemetery and all work in connection therewith. The Public Works Supervisor or designated employee shall open and close all graves and see that all regulations in connection with the enclosure of lots and grave spaces and adornment of the cemetery are observed.

Section 2. That Section 12-402 entitled CEMETERY SUPERINTENDENT; DUTIES, of the Code of the City of Phillipsburg, Kansas, 2010, as originally adopted is hereby repealed.

Section 3. That Section 12-403 of the Code to the City of Phillipsburg, Kansas, is hereby amended to read as follows:

12-403. BURIAL PERMIT REQUIRED. No interment or burial shall be made in the Fairview Cemetery without a burial permit therefor issued by the city clerk, after statement of pertinent information is furnished the clerk, which information shall be kept on record by the clerk. The person in charge of the cemetery shall not inter or permit the interment of any dead body unless it be accompanied by a permit as required by law. He or she shall make a return of such permit to the city clerk and keep a cemetery record of all interments as required by law.

Section 4. That Section 12-403 entitled BURIAL PERMIT REQUIRED, of the Code of the City of Phillipsburg, Kansas, 2010, as originally adopted is hereby repealed.

Section 5. That Section 12-410 of the Code to the City of Phillipsburg, Kansas, is hereby amended to read as follows:

12-410. ENTRANCE PROHIBITED; HOURS. No person or persons shall enter inside the enclosing fence or be on the premises of the Fairview Cemetery between the hours of sunset and sunrise, without the permission of the public works supervisor, city clerk, chief of police or mayor.

Section 6. That Section 12-410 entitled ENTRANCE PROHIBITED; HOURS of the Code of the City of Phillipsburg, Kansas, 2010, as originally adopted is hereby repealed.

Section 7. That new Section 12-416 entitled DECORATION/ADORNMENT REGULATIONS, is hereby adopted by the City of Phillipsburg, Kansas, as follows:

12-416. DECORATION/ADORNMENT REGULATIONS.

(1) No statues, benches, chairs, or other such items are allowed to be placed on burial lots, right-of-ways, or where mowing is required.

(2) No fences are allowed on grave sites unless a detailed diagram is submitted showing how far the fence will be from the memorial stone, the fence will be within the space boundaries, what will be inside the fenced area along with a plan of how the fence and area inside the fence will be maintained by the owner. At no time will fences be allowed to cover the entire grave or lot. At a regular meeting, the Phillipsburg City Council will determine if the fence will be allowed after consulting with the public works supervisor concerning maintenance issues.

(3) Decorations are allowed to be placed at the cemetery 3 days prior to Memorial Day and must be removed by June 10th. If not removed by June 10th the city will cause the decorations to be disposed of. Approval for all other decorations, other than Memorial Day and temporary decorations must be obtained at a regular meeting of the Phillipsburg City Council who will consult with the public works supervisor concerning maintenance issues.

(4) The Phillipsburg City Council may authorize the public works supervisor to cause the removal and disposal of fences and decorations previously approved if not maintained by the owner and the decorations become unsightly or broken. The public works supervisor or his appointees shall be authorized to cause the removal and disposal of items not previously approved by the City Council including but not limited to wilted flowers, faded and broken artificial flowers, solar lights, other decorations which are not on the monument.

Section 8. That this ordinance shall take effect and be in full force from and after its publication in the official newspaper of the City of Phillipsburg, Kansas.

PASSED BY THE CITY COUNCIL THE 19th day of July, 2010.

APPROVED BY THE MAYOR THIS 19th day of July, 2010.


Fred E. Robinson
Fred E. Robinson, Mayor
City of Phillipsburg, Kansas

(SEAL)

ATTEST:

Brenda L. Chance
Brenda L. Chance, City Clerk
City of Phillipsburg, Kansas