

Meeting Date (?) 06/27/2017

Subject Matter* (?) Approval of Amendments to Cemetery Ordinance
This must match rolling agenda entry

Department of Origin* PARKS & RECREATION

Submitted By* M. Darrell Lovelette

Type of Meeting* BCD Special Regular

Classification* Public Hearing Consent Statutory Regular

Ordinance* None First Read Second Read First & Only Read

Strategic Initiative* Public Safety Service
 Economic Development Infrastructure
 Quality of Life

Agenda Item Description* Consider approving a revised ordinance amending Chapter 22 "Cemeteries", Section 22-1 "General", Section 22-5 "Planting and Other Decorations in Cemeteries", Section 22-6 "Copings, Hedges, Fences, Benches, Etc.", Section 22-7 "Monuments, Headstones, and Markers", Section 22-8 "Mausoleums", and Section 22-11 "Purchase of Lots" of the Bryan City Code.

Summary Statement *

In the last several years, City staff has developed growing concerns about, and citizens have expressed concerns about, the general appearance of the cemeteries in Bryan, especially the Bryan City Cemetery. A number of grave sites are covered with an assortment of benches, flowers, statues, lights, etc. that were in violation of the cemetery ordinance. Upon reviewing the cemetery ordinance, staff included the Cemetery Advisory Board in ordinance enforcement discussion and in the ordinance review process. The Board determined the ordinance needed to be amended to clarify rules, improve the ability to enforce the rules, and codify the process for memorializing transfers and sales of cemetery spaces.

At the January 24, 2017, Cemetery Advisory Board meeting, staff presented ordinance amendment options to the Board, and over five months, the Board reviewed the ordinance. The Board discussed many aspects of the ordinance and at the May 24th meeting, the Board recommended finalized changes by a unanimous vote.

A summary of the changes are:

Section 22-1. General -- Recommendation to remove the word "Owner" as it is confusing. Individuals do not own the space., but are provided a space licensee, which provides a right to bury a person in a specific space.

Section 22-5. Plantings, landscaping, and other decorations in cemeteries -- Clarifies that planting requests are to be submitted in writing, clarifies the duration temporary decorations are allowed before removal, and clarifies the type of allowed plantings.

Section 22-6. Copings, hedges, fences, benches, and other permanent decorations in cemeteries -- Adds that written approval is needed to place these items on a space, and addresses the type(s) of accepted material(s) to use for the construction of fences and benches. Additionally, this section clarifies acceptable items placed before and after the last ordinance change in September 25, 2007; essentially a grandfather clause for specific items.

Section 22-7. Monuments, headstones, and markers -- Changes include clarifying rules governing temporary markers and that written approval is needed before monuments, headstones, and markers can be placed.

Section 22-8. Mausoleums -- Written approval must be received before one can be constructed.

Section 22-11 Purchases of spaces -- Changes the wording from lots to spaces and clarifies rules governing the process, what is being purchased, and use and rights associated with the space licensee.

Staff Analysis & Recommendation *

Along with the Cemetery Advisory Board, City staff recommends approving the proposed ordinance changes in an effort to bring clarity to the rules, and to enhance standards and expectations at City cemeteries. Additionally, the proposed ordinance changes should address concerns expressed by citizens who question the City's cemetery standards.

Recently, city staff has begun to more stringently enforce existing cemetery standards. For several weeks, the City advertised and notified citizens about this enhanced enforcement effort. As may be expected with change, City staff anticipates individuals expressing concerns about the proposed ordinance changes and enhanced enforcement.

Options *

(In Suggested Order of Staff Preference)

1. Approve the recommendation.
2. Do not approve the recommendation and give direction to staff.
3. Do not approve the recommendation and keep the ordinance as currently exists.

Funding Source *

No funding is needed for this item.

Attachments

Changes to Cemetery Ordinance - Mark Up.docx	23.75KB
Changes to Cemetery Ordinance - Clean.docx	24.06KB

Please detail attachments and note attachments available for viewing in City Secretary's Office:

1. Full Ordinance - Marked Up -- Changes made by Jonathan Koury based on Board feedback
2. Full Ordinance -- Clean copy

Dept. Head Signature

M. Darrell Lovellette

Deputy City Manager
Signature

Hugh R. Walker

City Manager Signature



City Attorney Signature

Janis K. Hampton