

March 25, 2021
Item No. 3.7.
Cemetery Ordinance

Sponsor: Steve Wright

Reviewed By CBC: Parks & Recreation Board

Agenda Caption: Presentation, discussion, and possible action related to amending Chapter 10, "Cemeteries," Article II, "City Owned or Maintained Cemeteries," section 10-25, "Purchase Options," of the Code of Ordinances of the City of College Station regarding number of cremates per niche.

Relationship to Strategic Goals:

Core Services and Infrastructure
Financial Stability

Recommendation(s): Parks & Recreation Advisory Board unanimously voted to recommend both changes to the ordinance in Feb. 2020. Staff agrees.

Summary: After requests by customers to allow multiple cremates per niche space in the columbarium, staff compiled research of practices in multiple municipal cemeteries. Findings stated that our "one cremate per niche" was not within the norm. At the February Parks & Recreation Board, staff recommended the following changes:

- ARTICLE II. SECTION 10-25 (g)
 - o A maximum of two cremates shall be allowed per columbarium niche

- SECTION 2-117
 - o Municipal \$825 Single/\$1445 Double
 - o Field of Honor \$1650 Single/\$3000 Double

Budget & Financial Summary:

Reviewed & Approved by Legal: No

Attachments:

1. Cemetery Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10, “CEMETERIES,” ARTICLE II, “CITY OWNED OR MAINTAINED CEMETERIES,” SECTION 10-25, “PURCHASE OPTIONS,” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING TO CREMATES PER NICHE; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 10, “Cemeteries,” Article II, “City Owned Or Maintained Cemeteries,” Section 10-25, “Purchase Options,” of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit “A”** attached hereto and made a part of this Ordinance for all purposes.

PART 2: If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

PART 3: That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 4: This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this _____ day of _____, 20__.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT A

That Chapter 10, “Cemeteries,” Article II, “City Owned Or Maintained Cemeteries,” Section 10-25, “Purchase Options,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

Sec. 10-25. -Purchaser Options

...

“(g) Purchasers are limited to one space per each casket interment. The interment of two cremains shall be allowed in a single standard space. Combinations of casket burials and cremates shall be allowed in a single standard space provided that the cremains are interred towards the head line of the space. A maximum of two cremate burials shall be allowed per designated cremate space in Section LR of the College Station Cemetery. A maximum of two cremates shall be allowed per columbarium niche in the Memorial Cemetery of College Station.”