

ORDINANCE # 1063-03

AN ORDINANCE AMENDING THE CODE OF THE CITY OF VALLEY CENTER, KANSAS  
ESTABLISHING RULES OF OPERATION FOR MUNICIPAL CEMETERIES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY CENTER,  
KANSAS: to wit:

Section 1. The Code of the City of Valley Center, Kansas is amended to add Article 12.70  
which shall read:

ARTICLE 12.70. CEMETERIES

12.70.101. SUPERVISION. There is hereby created a Cemetery Board consisting of the Mayor, City Clerk, Park Superintendent and a City Councilmember appointed by the Mayor with the approval of the City Council. The cemetery shall be controlled by the Board and administered by the City office. The city may hire such personnel as it deems necessary to carry out the purpose and intent of this article. The city council shall have one person to be designated as the cemetery sexton.

12.70.102. HOURS.

(a) All municipal cemeteries shall be open for the conduct of business between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except for holidays. It shall be unlawful for any person to enter any municipal cemetery or to drive any motor vehicle or park the same in the cemeteries from one (1) hour after sunset until sunrise. Any person upon the premises from one (1) hour after sunset until sunrise shall be guilty of a criminal trespass on the cemetery premises and the penalty thereof shall be the same penalty as that imposed for other violations of this ordinance; provided, however, authorized city personnel may enter the cemetery during otherwise prohibited hours.

(b) No burial shall take place on Saturday after 12:00 noon, Sundays or holidays except at a time of catastrophe, disaster or epidemic.

12.70.103. VAULTS. All caskets shall be interred in an outside container to be a minimum type, two-piece concrete box. Steel or concrete vaults also can be used. Wooden vaults shall be prohibited. Arrangements for burial or other installations shall be made in advance to the cemetery sexton at the city clerk's office.

12.70.104. CREMATIONS.

(a) Cremation remains shall be placed in an approved urn.

(b) No more than two (2) cremations shall be allowed to be interred on any single lot space.

(c) Only one (1) headstone marker is allowed on a lot space no matter how many cremation remains are interred thereon. Multiple names may appear on the headstone marker.

(d) All urns shall be installed in concrete and aligned with the head stone.

12.70.105. MONUMENTS, STONES AND URNS.

(a) All monuments and stones shall be set on concrete footings. The footings shall be flush with the ground and shall extend a minimum of six (6) inches outside the base dimensions of any monument or stone. Foundations for single stones to be four (4) inches deep and double stones six (6) inches deep. The depth of the concrete footings and bases shall be inspected by the cemetery sexton. All concrete footings shall be finished and edged.

(b) The general location of all stones or monuments on any grave site shall be located and placed as directed by the cemetery sexton. All headstones shall be positioned and aligned in the same manner. No stone or monument can be set until arrangements are made with the

cemetery sexton and installations are to be made under the supervision of the cemetery sexton. No Saturday, Sunday or holidays stone settings or any other installations will be permitted.

- (c) Monuments and/or stones may not exceed forty-eight inches (48") in height.
- (d) All stones and monuments may be realigned or relocated by the cemetery sexton and the sexton is also authorized to repair and reset bases and stones as the need requires. There will be a charge for labor and materials according to what has to be done.
- (e) Organizational emblems shall be placed on either north or south side of monuments within the extended dimensions of the monument.
- (f) All urns shall be installed in concrete and aligned with the head stones.
- (g) No permanent structure shall be placed on grave spaces other than identified and authorized above.
- (h) No grave closings shall be allowed without permission of the cemetery sexton.
- (i) Any "veteran" stone is the responsibility of the family of the deceased.

12.70.106. DECORATIONS. Decorations shall be permitted from October 1 to May 10 as allowed in subparagraphs (a) and (b) hereto:

- (a) Flowers which are placed in urns which are a part of a headstone and are embedded in a concrete base may be permitted at all times.
- (b) Seasonal flowers, cut flowers, artificial plants or flowers and wreaths shall be permitted over the grave spaces for a period of two (2) days preceding and ten (10) days following Memorial Day.

12.70.107. SHRUBBERY. No one shall be authorized to plant upon any grave site except as authorized by the Cemetery Board.

12.70.108. SPEED LIMIT. The speed limit for motor vehicles in any municipal cemetery shall be 10 m.p.h. and it shall be unlawful for any person to exceed the limit

12.70.109. FIREARMS. It shall be unlawful for any person to have in their possession any firearm or fireworks while in the cemetery. This section shall not apply to military personnel, members of veterans organizations performing ceremony or law enforcement officers. The discharge of any firearm or fireworks in the cemetery is prohibited except for military personnel or members of veterans organizations while participating in military or memorial services.

12.70.110. USE OF LOTS. The lots in the cemeteries shall not be used for any other purpose other than as a place for the burial of human dead and all interments and lots shall be restricted to the immediate family members of the owner and their heirs, unless special permission has been obtained in writing from the lot owner, in which case such written permission shall be attached to the certificate of interment.

12.70.111. ENCLOSURES PROHIBITED. Fences, hedges, curbing and enclosures of any kind around lots are strictly prohibited.

12.70.112. IMPROPER INSCRIPTION REMOVAL. If any monument, effigy or any structure whatever or any inscription be placed in or upon any lot which shall be determined by the sexton to be improper or offensive or injurious to the appearance to the surrounding lots or grounds, the sexton shall report the same to the Cemetery Board and if after due investigation the same is found to be improper, offensive or injurious, the Cemetery Board shall order the owner to remove such improper, offensive or injurious subjects or