

**ORDINANCE #2014-784**

**BEING AN ORDINANCE AMENDING ORDINANCE 99-571 CHAPTER 12.20 ASOTIN CITY CEMETERY OF THE ASOTIN MUNICIPAL CODE SECTION 12.20.030, 12.20.070, 12.20.090 AND 12.20.110 AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.**

THE CITY COUNCIL OF THE CITY OF ASOTIN, IN REGULAR MEETING ASSEMBLED, DO ORDIAN AS FOLLOWS:

**SECTION I:**

That Asotin Municipal Code Section 12.20.030, Applicability, shall be amended to read as follows:

12.20.030 Applicability.

A. The city is authorized to improve, embellish, and maintain the lands now owned by and used for cemetery purposes, and to acquire, hold, use and improve, embellish and maintain any additional lands for such purpose.

B. It is unlawful for any person, firm, or corporation to establish or plat any new cemetery or to extend the boundaries of any existing cemetery within the limits of the city of Asotin, and it is unlawful to establish or plat any new mausoleum or crematory, or extend any mausoleum or crematory within the city limits of the city without the permission of the City Council.

C. The city clerk/treasurer shall keep accurate books of account of all transactions pertaining to such funds, and shall keep records of the purchases of lots and interments and other sexton records as required by state law. Investments shall be managed by the clerk/treasurer per RCW 35A.40.050.

D. The city cemetery shall be operated and maintained by the Superintendent of Public Works. He or she shall be designated for the purposes of this chapter as the cemetery supervisor and shall have authority to enforce this chapter and also shall have all duties which are imposed on a sexton by any existing ordinance, excepting those records designated to the City Clerk/Treasurer.

E. No work on gravesites or lots is allowed by another other than city employees excepting those authorized by the Superintendent of Public Works.

That Asotin Municipal Code Section 12.20.070, General regulations, shall be amended to read as follows:

12.20.070 General regulations.

L. No person, whether or not a lot owner or a holder of a deed to a lot or portion of a lot, shall pick any flower or break any limb of any tree or shrub in any cemetery or remove any tree or plant from the cemetery unless he has received permission from the cemetery supervisor. This

regulation shall apply to all trees and plants brought into the grounds by friends or relatives of a deceased person as well as to those furnished by the city.

M. Cut flowers and potted plants in containers are allowed on graves as long as the container remains atop the confines of the marker or memorial or in a foundation floral cup. Wilted flowers and dead potted plants will be removed when they become unsightly. No glass containers will be allowed and such container and items in the container will be disposed of immediately.

N. Flowers, floral designs, wreaths, easels, flags, and temporary markers may be placed at any burial site at the time of a funeral and shall be removed no later than five days after the funeral, either by the family or family representative.

O. Flowers, floral designs, wreaths, easels, flags, and artificial flowers and plants may be placed on graves during the time set for Easter observance, which shall begin the Friday before Easter and end the Sunday following Easter, and the time set for Memorial Day observance, which shall begin the Saturday before Memorial Day and end the Monday following Memorial Day, and shall be removed by the end of the observance days.

P. Artificial flowers or other decorations found to have been blown, scattered, or misplaced due to weather or other causes will be discarded.

Q. If items are not removed by the family or a representative by the designated time limits, items will be removed by City personnel.

R. The city is not responsible for damage to or theft of cut flowers, potted plants, displays or containers. Anyone leaving such articles in the cemetery does so at their own risk. The placing of balloons, toys, ornaments, settees, and similar articles upon plots shall not be permitted and if so placed, City personnel may remove the same.

S. Only personnel authorized by the City shall plant, trim, prune, or remove any part of the trees or shrubs in the cemetery. If any tree or shrub situated on any lot by means of its roots, branches, or otherwise become dangerous to the adjacent lots, walks, or avenues, or to persons within the cemetery, the City shall have the right and it shall be its duty to enter upon the lot and remove the trees or shrubs, or any parts thereof as it may see fit.

T. No person shall place improvements or cornerstones indicating the boundaries of lots except on the lot or portion of a lot itself, nor shall anyone place fences of wood or iron, or walls, coping or curbs of brick, stone or marble on any lot or portion of a lot as an enclosure thereof.

That Asotin Municipal Code Section 12.20.090, Interments, shall be amended to read as follows:

12.20.090 Interments.

M. Cemetery deeds shall be executed by the clerk/treasurer and shall limit the use of the lots conveyed to cemetery purposes only. No fractional lot shall be resold except with the consent of

the city council and any sum received in excess of the original price, shall be turned into the cemetery endowment care fund.

N. Any owner desiring to transfer or assign a part of his or her tract to another person must have a record of his or her transfer or assignment noted on the cemetery records and a copy of the transaction shall be kept at City Hall.

O. A descendant of a plot owner without a deed of ownership will be granted use rights as governed by State Law in RCW 68.32.

P. Interments must be scheduled with the City three working days before the intended interment day and time to allow the City to prepare the gravesite.

Q. No interments of remains or cremated remains nor work on portions of lots are allowed by anyone other than those permissions given by the Superintendent of Public Works.

R. Funeral directors or designated representatives who sign on behalf of the family are accepting all responsibility for any decisions of actions taken under their direction.

S. A lot or portion of a lot is intended as a family burial place of the purchaser. The family may permit the interment in a lot or portion thereof of a non-member of the family, but an heir cannot permit an interment of a non-family member except by unanimous consent of all owners. Permissions concerning permission for burial of certain family members, heirs, and non-family persons are governed by RCW 68.32.

T. No interment will be permitted without the proper burial permit as required by the health authorities. Cremated remains must be properly labeled and accompanied by acceptable document documentation to certify identity of the cremated remains.

U. Interments allowed per portion of lot are as follows:

1. No person shall bury one body on top of another.
2. Only one casket per lot shall be allowed.
3. Ashes of human remains may be interred as follows:
  - (a) Three cremated remains may be added to a lot with a casket interred.
  - (b) Four cremated remains may interred to a lot with no casket.

That Asotin Municipal Code Section 12.20.110, Headstones, monuments, markers, graves, etc., shall be amended to read as follows:

12.20.110 Headstones, monuments, markers, graves, etc.

C. Headstones and plate or plaque markers must be installed with foundations. The foundation shall be at least four inches wider on all sides than the stone or other marker. Polished foundations polished to the ground are not recommended due to possible scratching during mowing.

D. After receiving authorization from the City, temporary flush markers may be placed on graves for up to a maximum of eight weeks.

E. No person shall place any post of stone, concrete or marble at the corner of any lot or portion of a lot which shall be less than two and one-half feet in length, and the same shall be placed so as not to project above the surface of the ground.

F. After any monument, headstone, cornerstone, marker or other property has been placed on any lot sold in any city cemetery; it is unlawful to remove the same except with written authority from the cemetery Superintendent of Public Works. It shall be a violation of this chapter for anyone willfully to damage any such property or any city property in the cemeteries.

G. Memorial or permanent marker setting shall be scheduled with the City at least three working days prior to the work. The City reserves the right to remove any memorial which was set or engraved without permission of the city and/or does not conform to the standards set forth in these rules and regulations.

H. If a lot is purchased for single/multi cremations of remains, the burial, headstone and marker must be placed at the head of the plot as marked by the city.

**SECTION II:**

This ordinance shall be in full force and become effective five (5) days from and after its passage, approval and legal publications.

Dated this 11<sup>th</sup> day of August, 2014

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Vikki Bonfield, Mayor

Attest:

Approved as to form:

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Tiffany Rogers, City Clerk/Treasurer

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Jane Richards, WSBA #33542, City Attorney

**SUMMARY OF ORDINANCE NO. 2014-784 of the City of Asotin, Washington**

On the 11<sup>th</sup> day of August, 2014, the City Council of the City of Asotin passed Ordinance No. 2014-784. A summary of the content of said ordinance, consisting of the title, provides as follows:

**BEING AN ORDINANCE AMENDING ORDINANCE 99-571 CHAPTER 12.20 ASOTIN CITY CEMETERY OF THE ASOTIN MUNICIPAL CODE SECTION 12.20.020, 12.20.030, 12.20.050, 12.20.070, 12.20.090 AND 12.20.110 AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.**

The full text of this Ordinance will be mailed upon request.

DATED this 11<sup>th</sup> day of August, 2014.