

**CITY OF GORDON, NEBRASKA
ORDINANCE NO. 1202**

AN ORDINANCE OF THE CITY OF GORDON, NEBRASKA AMENDING ORDINANCE 2-507 TO REQUIRE BURIAL PERMITS FOR CREMATION REMAINS AND TO PROVIDE FOR A PENALTY; ESTABLISHING REGULATIONS FOR THE USE AND PRESENCE OF FLOWERS AND DECORATIONS IN THE CITY CEMETERY; ESTABLISHING HOURS OF OPERATION AND PENALTIES, AND AN EFFECTIVE DATE;

RECITALS

WHEREAS, the City of Gordon, Nebraska owns and manages the Gordon Cemetery; and

WHEREAS, in the interest of keeping areas in and around gravesites clear for mowing, tree trimming and such general maintenance as may be necessary, the City of Gordon desires to establish guidelines for the use and presence of flowers and decorations in such cemetery;

WHEREAS, the City of Gordon further desires to establish hours of operation for the Gordon Cemetery;

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GORDON, NEBRASKA:

Section 1. That Chapter 2, Article 5, Section 2-507 of the Ordinances of the City of Gordon shall be amended as follows:

Section 2-507: CEMETERY; BURIAL PERMIT

A. All persons desiring to bury a deceased person shall first be required to file a completed death certificate with the registrar of the county before the body may be buried in the city cemetery. If it is impossible to complete the certificate of death within the legal period of time prescribed by state law, the funeral director shall notify the registrar and obtain written approval before the deceased person may be buried in the cemetery. The burial permit so issued by the registrar shall then be filed with the city clerk. It shall be unlawful for the sexton or other person to allow the interment of a body, or remains thereof, without first receiving such permit. The burial permit shall then be countersigned and dated by the sexton.

B. The applicant shall also file with the burial permit an application containing the name, age, sex, race, and cause of death of the deceased person for the records of the city manager. Upon completion of the requirements herein, the manager shall then issue a city burial permit, which shall entitle the applicant to bury a deceased person in the city cemetery. The interment of a body shall be performed under the direct supervision of a licensed funeral director. In the event that removal of the body of any deceased person is requested, the manager shall issue no permit until the applicant shall have first complied with state laws with respect to such disinterment. (Neb. Rev. Stat. §71-605)

C. All persons desiring to bury the cremated remains of a deceased person in the Gordon Cemetery shall submit to the City Clerk an application containing the name, age, sex, race, and cause of death of the deceased person for the records of the city manager. Upon completion of the requirements provided for herein, the city manager shall then issue a city burial permit for cremated remains which shall entitle the applicant to bury such remains in the city cemetery.

D. Any person who shall violate or refuse to comply with the enforcement of any provision of this section shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to a fine of \$500.00.

Section 2. That Gordon City Ordinance Section 2-511 shall be established and added to Chapter 2, Article 5 of the Gordon City Ordinances as follows:

Section 2-511: CEMETERY; PRESENCE OF FLOWERS AND DECORATIONS

Flowers and decorations shall be allowed on the day of funeral and burial at the gravesite where such funeral and burial shall occur.

Flowers and decorations may be present and shall be allowed to remain on any or all gravesites for a period commencing ten (10) days prior to the following described holidays and terminating ten (10) days thereafter, as listed:

<u>Holiday</u>	<u>Removal Date</u>
Easter	Ten (10) days after Easter
Memorial Day	Ten (10) days after Memorial Day
Veteran’s Day	Ten (10) days after Veteran’s Day
Christmas	Ten (10) days after Christmas (including wreaths)

Any flowers or decorations remaining after ten (10) days from the holiday listed, or after the date of any funeral, will be subject to removal by the City.

Flowers and decorations include, but are not limited to, any flower or plant, whether fresh or artificial, any wreath, sign, shepherd’s hooks or garden hooks, toys, ceramic statues or flower pots, or any other ornament, adornment or decoration.

Veterans organizations’ metal markers shall be allowed to remain at gravesites at all times and are not subject to removal so long as such markers are placed at the base or foundation of the marker, monument or headstone on such grave.

Solar lights shall be allowed to remain at gravesites year round so long as such light is located or placed immediately adjacent to the monument base.

Artificial flowers placed in vases which are attached to, or otherwise built into a headstone or monument base may remain throughout the year so long as such flowers do not otherwise violate the provisions of this section.

No wire or glass shall be allowed at any time. The City of Gordon shall have authority to remove any flowers or decorations which become unsightly, dangerous or detrimental to the overall appearance of the cemetery, or which are otherwise in violation of the provisions of this ordinance at any time including during the holiday time periods identified herein. No person may plant any flowers, shrubs, trees or other plants in any burial space in the cemetery.

The City of Gordon shall not be liable for any lost, broken or removed flowers, vases and decorations.

Section 3. That Gordon City Ordinance Section 2-512 shall be established and added to Chapter 2, Article 5 of the Gordon City Ordinances as follows:

Section 2-512: CEMETERY; HOURS OF OPERATION

The Gordon Cemetery shall be open to the public every day of the year from dawn to dusk. No person or vehicle shall be within the cemetery except during operating hours. Pets are not allowed in the Gordon Cemetery at any time.

Any person who shall violate or refuse to comply with the enforcement of this section shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to a fine of \$250.00.

Section 4. This ordinance shall become effective on the date passage.

PASSED AND APPROVED AND ORDERED PUBLISHED this 10th day of December, 2020.

CITY OF GORDON, NEBRASKA

 /s/ Nancy

NANCY RUSSELL, Mayor

Russell

ATTEST:

 /s/ Kim Buchan

Kim Buchan, City Clerk

Motion by Bounous, seconded by Grant to waive 2nd and 3rd readings of Ordinance 1202. Ayes: Paul, Russell, Grant, Bounous, and Evans.