

City of Hastings
COUNTY OF BARRY, STATE OF MICHIGAN

Riverside Cemetery Preservation Advisory Board Meeting Agenda
June 12, 2024

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of the Minutes of the Meeting of May 8, 2024
6. Public Comment and Communications
7. Sexton Update
8. Unfinished Business
 - A. Cemetery Memorial Design
*Progress Report
 - B. Cemetery Front Entrance Landscaping
*Progress Report
 - C. Cemetery Chapel
9. New Business
 - A. Barry Community Foundation (BCF) Funds Reports for April 2024
 - B. Fiscal Year 2024 Revenues and Expenditures through April 30, 2024
 - C. Memorial Project Accounting as of May 6, 2024
 - D. Making the West Section on the hill all cremains' plots
10. Board Member Comments
11. Public Comment
12. Adjourn

Guidelines for Public Comment

Public Comment is welcomed and appreciated. Please follow these simple guidelines to ensure all have an opportunity to be heard.

All comments and questions will be made through the chair. All comments will be made in a courteous and civil manner; profanity and personal attacks will not be tolerated. Please limit the length of your comments to 3 minutes. If you are a member of a group, please appoint a spokesperson to speak on behalf of the group (those speaking on behalf of a group may be provided additional time). Please state your name before offering comment.

City of Hastings
COUNTY OF BARRY, STATE OF MICHIGAN

Riverside Cemetery Preservation Advisory Board Meeting Agenda
May 8, 2024

1. Call to Order by Chair Huntley at 3:00 PM at City Hall
2. Roll Call: Buehl, Coleman, Huntley, Watson, Hubbell, Mayor Tossava, Tate. Guest: Wickham, and Resseguie
3. Pledge of Allegiance
4. Approval of Agenda

Motion by Mayor Tossava and supported by Coleman to approve the agenda as presented. All ayes, motion carried.

5. Approval of the Minutes of the Meeting of April 10, 2024

Motion by Mayor Tossava and supported by Coleman to approve the minutes of the April 10, 2024 Riverside Cemetery Preservation Advisory Board meeting. All ayes, motion carried.

6. Public Comment and Communications

None

7. Sexton Update

Motion made by Mayor Tossava and supported by Coleman to remove in North section T 113-3 and 112-1 due to roots pushing up foundations. Josh to contact plot holders. All ayes, motion passed.

8. Unfinished Business

- A. Cemetery Memorial Design

Tate reported project is in process.

- B. Cemetery Front Entrance Landscaping

Motion by Mayor Tossava and supported by Buehl for the Board to recommend to the City Council to accept Harder and Warner proposal for landscaping the front entrance at Riverside Cemetery but not to exceed \$5524. All ayes, motion passed.

C. Cemetery Chapel

Tabled for now and further discussion needed to decide the future of the chapel.

9. New Business

- A. Barry Community Foundation (BCF) Funds Reports for March 2024
- B. Fiscal Year 2024 Revenues and Expenditures through March 31, 2024
- C. Memorial Project Accounting as of May 6, 2024
- D. Josh Wickham Contract Extension

Motion by Watson and supported by Coleman to accept Wickhams proposal to extend the sexton contract as is until June 30, 2027. Pending City Council approval. All ayes, motion passed.

10. Board Member Comments

None

11. Public Comment

None

12. Adjourn

Motion by Mayor Tossava and supported by Coleman to adjourn the meeting at 4:10 PM. Next meeting will be on June 12th.



Summary of Fund Activity
Riverside Cemetery Fund - # 00193

9.A

Fund Statement: 4/1/2024 through 4/30/2024

Beginning Fund Balance	1,278,657.16
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Revenue

4120 Investment Gains/Losses Realized	210.13
4130 Investment Gains/losses Unrealized	(38,270.44)
4110 Dividend & Interest Income	467.35
Total Revenue	(37,592.96)

Expenses

5470 Investment Fees	24.68
Total Expenses	24.68

Total Change In Fund Balance	(37,617.64)
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Ending Fund Balance	1,241,039.52
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3000 Current Spending	(68,885.21)
3005 Spendable Contributions	280,121.56
3010 Investment Earnings	(72,939.36)
3020 NonSpendable	1,102,742.53

Gift Summary

<u>Donor:</u>	<u>Date:</u>	
Joint Investment Allocation	04/30/24	37,592.96

Grant Summry

<u>Grantee:</u>	<u>Date:</u>	<u>Amount:</u>
[Akoya Memo]	[Posting Date]	0.00

Other Expense Summry



Summary of Fund Activity
Riverside Cemetery Fund - # 00193

Fund Statement: 4/1/2024 through 4/30/2024

Vendor:

Date:

Amount:

Avg. Balance: 1,278,657.16 for Fund 00193

04/30/24

(24.68)

(24.68)

CITY OF HASTINGS
 DETAIL REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 10 MONTHS ENDING APRIL 30, 2024

9.B

FUND 209 - CEMETERY FUND

	THIS MONTH ACTUAL 30-APR-24	THIS YEAR FISCAL YTD 30-APR-24	REVISED BUDGET 2023-2024	THIS YEAR YTD % OF BUDGET	LAST YEAR FISCAL YTD 30-APR-23	REVISED BUDGET 2022-2023	LAST YEAR YTD % OF BUDGET	LAST YEAR FULL YEAR ACTUAL	
REVENUES									
209-100-403-000	CURRENT PRPTY TAXES - CEMETERY	4,622.18	204,577.35	207,480	99%	191,888.24	199,500	96%	196,514.32
209-100-412-000	DELINQUENT PERSONAL PROP TAXES	.00	.00	100	0%	.00	0	0%	2.46
209-100-432-000	PAYMNT IN LIEU OF TAXES (PILT)	.00	954.99	900	106%	.00	900	0%	968.15
209-100-437-000	INDUSTRIAL FACILITIES TAXES	.00	1,923.37	2,900	66%	2,642.64	2,600	102%	2,642.64
209-100-445-000	PENALTIES & INTEREST ON TAXES	267.59	475.72	400	119%	4,263.21	200	2132%	4,532.89
209-100-496-000	BURIAL OPEN/CLOSE FEES	2,425.00	8,425.00	12,000	70%	9,900.00	7,500	132%	10,800.00
209-100-573-000	LOCAL COMM STABILIZATION SHARE	.00	.00	1,000	0%	1,018.20	3,000	34%	1,018.20
209-100-629-000	MONUMENT FOUNDATION FEES	101.60	4,373.60	7,000	62%	3,739.76	5,000	75%	4,857.36
209-100-642-000	CEMETERY BURIAL RIGHTS SALES	300.00	4,500.00	10,000	45%	12,300.00	8,000	154%	15,300.00
209-100-665-000	INTEREST EARNED ON DEP & INVST	.00	13,017.69	3,000	434%	6,872.43	100	6872%	10,305.93
209-100-674-000	PRIVATE CONTRIBUTNS & DONATNS	.00	.00	0	0%	205,514.00	200,000	103%	205,514.00
209-100-677-000	INSURANCE CLAIMS/REIMBURSEMNTS	.00	3,693.00	0	0%	10,843.00	0	0%	14,293.00
TOTAL REVENUES		7,716.37	241,940.72	244,780	99%	448,981.48	426,800	105%	466,748.95
TOTAL REVENUE & INCOMING TRANSFERS		7,716.37	241,940.72	244,780	99%	448,981.48	426,800	105%	466,748.95

CITY OF HASTINGS
DETAIL REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING APRIL 30, 2024

FUND 209 - CEMETERY FUND

	THIS MONTH ACTUAL 30-APR-24	THIS YEAR FISCAL YTD 30-APR-24	REVISED BUDGET 2023-2024	THIS YEAR YTD % OF BUDGET	LAST YEAR FISCAL YTD 30-APR-23	REVISED BUDGET 2022-2023	LAST YEAR YTD % OF BUDGET	LAST YEAR FULL YEAR ACTUAL	
CEMETERY									
209-567-702-000	FULL-TIME WAGES	.00	.00	0	0%	(864.00)	0	0%	(864.00)
209-567-703-000	ADMINISTRATR/SUPERVSR SALARIES	726.56	7,974.57	9,300	86%	6,527.16	9,450	69%	7,957.92
209-567-704-000	PART-TIME WAGES	.00	.00	5,000	0%	4,452.00	10,647	42%	4,452.00
209-567-709-000	SOCIAL SECURITY TAXES	54.59	601.91	1,094	55%	794.12	1,537	52%	902.16
209-567-716-000	MERS DEFINED CONTRIBUTIONS	30.28	328.69	380	86%	257.33	591	44%	312.13
209-567-717-010	MERS DEFINED BENEFIT HYBRID	66.06	484.31	551	88%	361.19	354	102%	449.49
209-567-718-000	HEALTH INSURANCE - PREMIUMS	54.20	547.04	687	80%	549.40	1,560	35%	659.48
209-567-718-010	HEALTH INSURANCE - HSA	.00	25.78	0	0%	8.36	0	0%	12.54
209-567-719-000	DENTAL INSURANCE PREMIUM	2.82	249.47	35	713%	29.75	64	46%	35.39
209-567-724-000	LIFE INSURANCE	1.17	11.70	12	98%	8.21	15	55%	10.55
209-567-751-000	OPERATING SUPPLIES	.00	129.50	1,000	13%	.00	750	0%	.00
209-567-756-000	REPAIR & MAINTENANCE SUPPLIES	.00	25.58	100	26%	.00	100	0%	121.85
209-567-777-000	OFFICE SUPPLIES	.00	19.66	100	20%	37.44	100	37%	37.44
209-567-792-000	SOFTWARE SUBSCRIPTIONS	.00	.00	0	0%	.00	1,000	0%	.00
209-567-806-000	LEGAL SERVICES	.00	.00	0	0%	.00	0	0%	1,516.00
209-567-807-000	ARCHITECT SERVICES	.00	4,518.00	0	0%	.00	15,000	0%	1,732.00
209-567-808-000	SEXTON CONTRACTED SERVICES	13,875.00	62,437.50	90,000	69%	62,437.50	85,000	73%	83,250.00
209-567-826-000	OPEN/CLOSING SERVICES	2,900.00	7,900.00	12,000	66%	6,950.00	7,500	93%	10,685.76
209-567-849-000	CELL PHONE/STIPEND	3.00	30.00	36	83%	15.00	0	0%	21.00
209-567-851-000	MAIL/POSTAGE	.00	.00	100	0%	.00	150	0%	.00
209-567-900-000	PRINTING AND PUBLISHING	.00	536.57	500	107%	540.73	400	135%	540.73
209-567-906-000	PROMOTIONS/MARKETING	.00	.00	0	0%	.00	50	0%	.00
209-567-911-000	CONFERENCES	.00	.00	0	0%	277.03	800	35%	277.03
209-567-915-000	MEMBERSHIPS	.00	.00	45	0%	45.00	50	90%	45.00
209-567-918-000	WATER/SEWER	.00	137.24	500	27%	544.60	500	109%	544.60
209-567-920-000	ELECTRIC	28.92	291.52	400	73%	293.44	400	73%	351.63
209-567-929-000	GROUNDS REPAIR AND MAINTENANCE	.00	5,337.00	12,000	44%	8,000.00	12,000	67%	19,392.50
209-567-929-010	MONUMENT FOUND SETTINGS & REP	.00	43,269.12	40,000	108%	30,582.65	30,000	102%	30,582.65
209-567-929-020	TREE TRIMMING AND REMOVALS	.00	1,837.30	2,500	73%	.00	2,500	0%	.00
209-567-933-000	SOFTWARE MAINTENANCE AGREEMNTS	.00	.00	650	0%	681.00	650	105%	681.00
209-567-935-000	PROPERTY LIABILITY INSURANCE	.00	399.00	500	80%	403.00	500	81%	403.00
209-567-939-000	WORKERS COMPENSATION INSURANCE	.00	36.04	60	60%	51.00	81	63%	51.00
209-567-940-000	EQUIPMENT FUND RENTALS	.00	.00	1,000	0%	1,958.65	0	0%	2,617.90
209-567-947-000	GIS SERVICES	.00	.00	500	0%	.00	600	0%	.00
209-567-965-000	PROPERTY TAX REIMBURSEMENT	.00	.00	200	0%	.00	150	0%	.00
209-567-974-000	LAND IMPROVEMENTS - DEPRECIABL	.00	.00	89,850	0%	205,514.00	200,000	103%	205,514.00

CITY OF HASTINGS
 DETAIL REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 10 MONTHS ENDING APRIL 30, 2024

FUND 209 - CEMETERY FUND

	THIS MONTH ACTUAL 30-APR-24	THIS YEAR FISCAL YTD 30-APR-24	REVISED BUDGET 2023-2024	THIS YEAR YTD % OF BUDGET	LAST YEAR FISCAL YTD 30-APR-23	REVISED BUDGET 2022-2023	LAST YEAR YTD % OF BUDGET	LAST YEAR FULL YEAR ACTUAL
209-567-974-010 LAND IMPROVEMENTS - NON-DEPRCB	.00	.00	10,000	0%	.00	7,500	0%	180.00
209-567-975-000 BLDG & BLDG IMPRVMT - DEPRECBL	.00	.00	0	0%	.00	10,500	0%	.00
TOTAL CEMETERY	17,742.60	137,127.50	279,100	49%	330,454.56	400,499	83%	372,472.75
TOTAL EXPENDITURES & OUT TRANSFERS	17,742.60	137,127.50	279,100	49%	330,454.56	400,499	83%	372,472.75
NET REVENUES OVER EXPENDITURES	(10,026.23)	104,813.22	(34,320)		118,526.92	26,301		94,276.20

<p>Riverside Cemetery Memorial Project Project Accounting as of May 6, 2024</p>

	Revenues/ (Expenditures)	Remaining Balance
Beginning Project Balance	\$ 100,000.00	\$ 100,000.00
Clearing of Memorial Site (Wickham)	\$ (4,900.00)	\$ 95,100.00
Conceptual Memorial Design (Landscape Architects & Planners)	\$ (5,250.00)	\$ 89,850.00
Conceptual Memorial Road Design (Landscape Architects & Planners)	\$ (1,000.00)	\$ 88,850.00
Remaining Project Balance (05/06/2024)	\$	\$ 88,850.00

CHAPTER 57 RIVERSIDE CEMETERY

Sec 57-1 Title

Sec 57-2 Definitions

Sec 57-3 Sale Of Lots

Sec 57-4 Purchase Price And Transfer Fees

Sec 57-5 Grave Opening Charges

Sec 57-6 Markers And Monuments

Sec 57-7 Interment Regulations

Sec 57-8 Vaults And Containers For Cremains

Sec 57-9 Grounds Maintenance

Sec 57-10 Records

Sec 57-11 Cemetery Hours And Regulations

Sec 57-12 Sanction

Sec 57-13 Correction Of Errors

Sec 57-14 Riverside Cemetery Preservation Advisory Board

Sec 57-1 Title

This chapter shall be known and may be cited as the "Riverside Cemetery Ordinance."

(Ord. No. 496, § I, 6-24-13)

Sec 57-2 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Cemetery lot, burial space and grave shall be used interchangeably herein and mean an area of land of approximately 40 inches in width and ten feet in length or as otherwise established at the time of creation of the lot, which can accommodate one vault; one vault and one cremains; or two cremains.

Head of the grave means the boundary of the grave nearest to the location where monuments and markers have traditionally been located in the cemetery. In any case where the location of the "head" of the grave is questionable, the Clerk/Treasurer, with consultation with the sexton, shall determine the location of the "head" of the grave.

Resident means a person living in the City of Hastings who currently resides in a dwelling unit located within the city.

Tribute area means that part of the surface of a grave located within 36 inches of the boundary at the head of the grave.

Perpetual care means mowing of the grounds and raising of sunken graves when determined by the city to be necessary.

Urn care means turning the urn upright in the spring, removal of dead plants from the urn during the year, and removal of all soils and plant materials from the urn and inverting the urn in the fall.

(Ord. No. 496, § I, 6-24-13)

HISTORY

Amended by Ord. 563 on 2/15/2019

Sec 57-3 Sale Of Lots

- (a) Cemetery lots shall only be sold by the city clerk/treasurer, or designated staff, to residents or non-residents of the city for the purpose of burial of such purchaser, his or her heirs, or next of kin. Cemetery lots shall be sold in a manner that provides for progressive development of the cemetery; provided, however, that the city clerk/treasurer may waive this requirement for good cause.
- (b) Sales shall be recorded and evidenced by a form prepared by the city clerk/treasurer, which grants a right of burial only and does not convey any other title to the cemetery lot or burial space sold. The form shall be executed by the city clerk/treasurer.
- (c) Burial rights may be transferred only by the execution of an assignment upon the original burial rights permit form issued by the city clerk/treasurer. The assignment must be approved by the clerk/treasurer, and entered upon the official records of the city. Upon such assignment, approval and record, the clerk/treasurer shall issue a new burial rights permit to the assignee and shall cancel upon such records, the original permit.
- (d) The city council may adopt separate regulations the effect of which would be to designate and reserve a particular area within the cemetery for the interment of cremains. If adopted by the city council, such regulations shall supersede conflicting provisions of this chapter.
- (e) Cemetery spaces sold after the effective date of this chapter and remaining vacant 50 years from the date of their sale shall automatically revert to the city upon occurrence of the following events:
 - (1) Notice shall be sent by the city clerk/treasurer by first-class mail to the last known address of the last owner of record of the space informing them of the expiration of the 50-year period and that all rights with respect to such lots or spaces will be forfeited if the owner does not affirmatively indicate in writing to the city clerk/treasurer within 60 days of the date of the mailing of the notice of their desire to retain burial rights.
 - (2) If no written response to the above notice is received by the city clerk/treasurer from the last owner of record, or his heirs or legal representatives indicating a desire to retain burial rights within 60 days from the date of the mailing of the notice, the burial spaces will revert back to the city for resale.
- (f) The city may repurchase any burial spaces within the cemetery from the current owner for an amount equal to the original purchase price, provided the city has received written request for the same from the owner.

(Ord. No. 496, § 1, 6-24-13)

HISTORY

Amended by Ord. 563 on 2/15/2019

Sec 57-4 Purchase Price And Transfer Fees

- (a) Cemetery lot purchase fees for city residents, non-resident city property taxpayers and non-residents shall be as established by resolution of the city council from time to time.
- (b) Payment for burial rights shall be made at the time of purchase. No burials shall be allowed unless all fees and charges are paid in full.
- (c) The transfer of burial rights to any cemetery lot to a non-resident of the City of Hastings is allowed contingent upon payment of a fee to the city clerk/treasurer in an amount equal to the difference in the current fee charged to a non-resident for purchase of a lot less the current fee charged to a resident for a lot.

(Ord. No. 496, § I, 6-24-13)

HISTORY

Amended by Ord. 563 on 2/15/2019

Sec 57-5 Grave Opening Charges

- (a) The opening and closing fee for any burial space, prior to or following a burial therein, and including the interment of cremains, shall be as established by resolution of the city council from time to time.
- (b) No burial space shall be opened or closed except under the direction and control of the city clerk/treasurer. This subsection shall not apply to the extent such proceedings are under the direction and control of the proper authorities.

(Ord. No. 496, § I, 6-24-13)

HISTORY

Amended by Ord. 563 on 2/15/2019

Sec 57-6 Markers And Monuments

- (a) All markers and monuments shall be made of stone or other material of equally durable composition. Markers and monuments shall not be "homemade".
- (b) Each monument or marker shall be placed in line with other nearby monuments or markers.
- (c) One marker or monument shall be permitted per burial space for each body or cremains placed in that space. In the case of a double monument only one will be permitted per two burial spaces. One additional military marker shall be allowed per burial space for each body or cremains placed in that space.
- (d) All upright monuments shall be set on a suitable foundation to be installed by the city. The foundation upon which any monument, marker or memorial is placed shall be 24 inches deep with a four-inch border on each side of the monument. The base of the monument must be no more than 22 inches x 22 inches, and the width shall not exceed the width of the burial space. The cost of the foundation shall be as established by resolution of the city council from time to time and shall be payable by the burial rights permittee.
- (e) A monument or marker that commemorates more than one person on contiguous graves may be centered on such graves within the tribute area.
- (f) No foundation will be installed prior to payment being made for the applicable cemetery lot, foundation and interment fees.
- (g) A temporary marker indicating the name of the deceased person may be placed on a grave for up to six months following a burial.

(Ord. No. 496, § I, 6-24-13)

HISTORY

Amended by Ord. 563 on 2/15/2019

Sec 57-7 Interment Regulations

- (a) Only one person may be buried in a burial space except for a parent and infant or two minor children buried at the same time. Burial boxes or caskets over four feet in length will be classified as adult size.

- (b) Two cremains, or one cremains and one casket/vault, may be buried in the same burial plot.
- (c) Not less than 36 hours' notice shall be given to the city clerk/treasurer in advance of any interment to allow for the opening of the burial space and at least 48 hours' notice prior to any disinterment or removal unless accommodations are made otherwise.
- (d) The permit for the burial space, together with appropriate identification of the person to be buried therein, where necessary, shall be presented to the city clerk/treasurer prior to interment. Where such permit has been lost or destroyed, the clerk/treasurer shall review his or her records to establish to his or her reasonable satisfaction that the person to be buried is authorized and appropriate before any interment is commenced.
- (e) The city clerk/treasurer shall have the right to refuse interment in any cemetery lot, and to refuse to open any burial space for any purpose, except on application by the burial rights permittee or his or her duly recorded assignee.
- (f) All graves shall be located in an orderly and neat appearing manner within the confines of the burial space, as approved by the City Clerk/Treasurer.
- (g) When instructions regarding the location of a burial space cannot be obtained, or are indefinite, or when for any reason beyond the reasonable control of the director of public services the burial space cannot be opened where specified, the director of public services may, in his or her discretion, open it in such location in the plot as he or she deems best and proper, so as not to delay the funeral; and the city shall not be held liable in damages for any such error.
- (h) The city and its officials shall in no way be liable for any delay in interment where a protest to the interment has been made, or where this chapter and its provisions have not been complied with; and, further, the city reserves the right under such circumstances, to place the body in the receiving vault until the full rights have been determined.
- (i) Except as otherwise provided herein, no interment shall be permitted in any burial space not fully paid for except by special written consent of the city clerk/treasurer or city manager, and, in the event such consent is given, any such interment shall be considered temporary and no rights shall be acquired by the burial rights permittee or his or her assignee until such charges and fees are fully paid for, including principal and interest if any.

(Ord. No. 496, § I, 6-24-13)

HISTORY

Amended by Ord. 557 on 7/12/2018

Amended by Ord. 563 on 2/15/2019

Sec 57-8 Vaults And Containers For Cremains

- (a) Only vaults constructed for permanent duration may be used. Vaults shall comply with all state and federal regulations.
- (b) Cremains shall be placed in a container and buried in the ground. No scattering of cremains is permitted.

(Ord. No. 496, § I, 6-24-13)

HISTORY

Amended by Ord. 563 on 2/15/2019

Sec 57-9 Grounds Maintenance

- (a) No grading, leveling or excavating upon a burial space shall be allowed without the written

consent of the director of public services or the city clerk/treasurer.

- (b) All flowers, ornamental plantings, etc., shall be placed in an urn only, which shall be set in the tribute area and in line with the headstone. Urns shall be made out of bronze, concrete, steel, clay, copper, marble or granite.
- (c) Urns which are not used for one year may be removed by the department of public services and will be stored on the premises.
- (d) Planting of trees or shrubs upon burial spaces is prohibited without the written approval of the director of public services. Any approved planting must be of a dwarf variety.
- (e) The use of decorative stones, bark or artificial ground cover, or the erection of fences, railings or curbs is prohibited and shall be removed by the department of public services.
- (f) The city reserves the right to remove or trim any tree or shrub already located within the cemetery in the interest of maintaining the proper appearance, safety, and use of the cemetery.
- (g) Except as otherwise provided herein, all grading, landscaping and improvements of any kind, all care of cemetery lots, all openings and closings of cemetery lots, and all trees, shrubs or plantings shall be planted, trimmed or removed only by the department of public services or otherwise at the direction of the city.
- (h) The department of public services shall have the right and authority to remove and dispose of any and all growth, emblems, displays or containers that through decay, deterioration, damage, or otherwise becomes unsightly, a source of litter or a maintenance problem.
- (i) All refuse of any kind or nature, including, but not limited to artificial flowers, wreaths, papers and containers shall be removed or deposited in refuse containers located within the cemetery.

(Ord. No. 496, § I, 6-24-13)

HISTORY

Amended by Ord. 563 on 2/15/2019

Sec 57-10 Records

The city official responsible for administration of the Riverside Cemetery shall be the city clerk/treasurer. The city clerk/treasurer shall maintain all records concerning burials and issuance of burial rights permits separate and apart from other records of the city and the same shall be reasonably available for public inspection.

(Ord. No. 496, § I, 6-24-13)

Sec 57-11 Cemetery Hours And Regulations

- (a) The cemetery exists as a memorial to the deceased. It shall be open to the general public from dawn to dusk for the purpose of memorializing the deceased. It shall be closed to the general public from dusk until dawn each day.
- (b) Profane or boisterous language will not be allowed in the cemetery, and loiterers will not be tolerated in the cemetery.
- (c) No demonstration of any type will be allowed within the cemetery, unless authorized by the City Clerk/Treasurer.
- (d) When deemed necessary by the director of public services, a funeral zone may be established and no one except persons attending the funeral will be permitted to encroach within its boundaries.

- (e) No person shall enter the cemetery except through the established entrance. All vehicles shall remain on or along designated roadways at all times.
- (f) No person shall consume alcohol within the cemetery or carry the same upon the premises.
- (g) The throwing of rubbish, trash, or debris on the drives, or trails, or on any part of the grounds of the cemetery is prohibited.
- (h) All persons are prohibited from gathering flowers, either wild or cultivated, or breaking or cutting trees, shrubs or plants, or disturbing animals within the cemetery.
- (i) Dogs, cats or other animals shall not be allowed on the cemetery grounds. This rule shall not apply to animals trained and used to assist the handicapped or to animals such as horses used in special ceremonies.
- (j) The abuse of monuments, markers, graves or cemetery appurtenance whether intentional or otherwise, and the unauthorized removal of flowers, urns or any of the cemetery equipment will be considered vandalism and/or destruction of property or larceny and will be so treated. Persons entering the cemetery will be held fully responsible for damage by them to the cemetery properties.
- (k) Recreational activities, including, but not limited to, sledding, skating, golf, football, baseball, kite flying, electronically controlled model planes, horseback riding, or the use of off-road vehicles are prohibited within Riverside Cemetery.
- (l) No advertisements, trademarks, or numbers of any description except those necessary for the location of burials are permitted in the cemetery. No solicitation of business will be permitted in the cemetery.
- (m) The director of public services is authorized to enforce all rules and regulations, and to exclude from the cemetery any person violating the same.

(Ord. No. 496, § I, 6-24-13)

HISTORY

Amended by Ord. 563 on 2/15/2019

Sec 57-12 Sanction

In addition to any criminal penalties or sanctions, any person, firm, corporation, trust or other legal entity which violates or refuses to comply with any provisions in this chapter shall be responsible for a municipal civil infraction and shall be punished by a civil fine of \$100.00 for a first violation and \$500.00 for a second or subsequent violation, as well as such costs as are permitted by law.

(Ord. No. 496, § I, 6-24-13)

Sec 57-13 Correction Of Errors

The city reserves the right to correct any errors made in the description, transference, or conveyance of burial rights, or in making interments, disinterments or removals, either by substituting and conveying a site in another location or, in the sole discretion of the city, by refunding the purchase price of the burial rights permit. In the event that such error on the part of the city shall involve the relocation of interred remains or the relocation of a marker or monument, the city shall bear the expense. The city shall also have the right to correct any errors made by placing a description, including a name or date, either on the memorial or on the container for cremains. Corrective action shall only be taken after the holder of burial rights has been notified and at least 30 days have elapsed during which time the holder of burial rights shall have the right to appeal the corrective action to the City Clerk/Treasurer.

(Ord. No. 496, § I, 6-24-13)

HISTORY

Amended by Ord. 563 on 2/15/2019

Sec 57-14 Riverside Cemetery Preservation Advisory Board

- (a) A Riverside Cemetery preservation advisory board shall be appointed to assist the city council in the development of policies, procedures, funding strategies, plans for capital improvements and other activities at the cemetery.
- (b) The board's role shall be advisory to the city council only. The city council explicitly retains the exclusive right to control all aspects of operation, maintenance, improvement and funding at the Riverside Cemetery.
- (c) The board shall consist of seven members as follows:
 - (1) One member shall be the mayor or another member of the Hastings City Council appointed by the mayor with the advice and consent of the city council.
 - (2) One member shall be the director of public services or a designee from the department.
 - (3) One member shall be the city clerk/treasurer or a designee from the department.
 - (4) Four members shall be nominated by the mayor from the community and appointed by the mayor to the board with the approval of the city council.
- (d) The term of office of the board members shall be as follows:
 - (1) The mayor or city council member, director of public services, and city clerk/treasurer shall each serve terms consistent with their terms of service in elected or administrative office.
 - (2) The community members shall serve four-year terms following the initial term after adoption of this chapter. One community member shall have an initial term of one year, one community member shall have an initial term of two years, and one community member shall have an initial term of three years, and one community member shall have an initial term of four years to result in staggered terms of service in the future.
 - (3) Community members may serve up to a maximum of three consecutive terms, and must then take at least one term off from service with the board.
 - (4) Replacements for the community members serving on the board shall be appointed to fill the remainder of the term of the person they are replacing and shall be appointed in the same manner as described in this section.
 - (5) The board shall elect a chairperson and vice-chairperson annually from among its members.

(Ord. No. 496, § I, 6-24-13; Ord. No. 507, § I, 1-13-14)

HISTORY

Amended by Ord. 563 on 2/15/2019

Amended by Ord. 591 on 9/18/2020