

ORDINANCE 23-19

AN ORDINANCE OF THE CITY OF WHITE HOUSE, TENNESSEE DELETING THE MUNICIPAL CODE TITLE 2, CHAPTER 3 CEMETERY BOARD OF TRUSTEES.

WHEREAS, the Cemetery Board has achieved its mission of securing a presence in our community; and

WHEREAS, the Cemetery Board chairman and the City Administrator desire to delete the Municipal Code chapter regarding the Cemetery Board; and

WHEREAS, the Cemetery Board chairman and the City Administrator desire to move the advisory responsibilities of the Cemetery Board to the Leisure Services Board; and

WHEREAS, the Municipal Code Title 2, Chapter 1 Leisure Services Board, section 2-102 Powers and Duties of the Board, states that the Leisure Services Board shall be an advisory body responsible for providing guidelines and direction in meeting the cultural, artistic, athletic/fitness, historic, tourism and natural resource needs of the City of White House;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen that the White House Municipal Code Title 2, Chapter 3 Cemetery Board, be deleted from the Municipal Code as follows:

TITLE 2: BOARD AND COMMISSIONS, ETC.
CHAPTER 3: CEMETERY BOARD OF TRUSTEES

CHAPTER 3
CEMETERY BOARD OF TRUSTEES

SECTION

~~2-301. Board established.~~

~~2-302. Membership, meetings, quorum.~~

~~2-303. Duty of board to invest all money received.~~

~~2-304. Investments to be made in accordance with city's municipal code.~~

~~2-305. Money to be deposited with the city treasurer.~~

~~2-306. Schedule of fees; etc. 2-307. Misdemeanor; exceptions.~~

~~2-308. Violation.~~

~~**2-301. Board established.** There is hereby established a cemetery board of trustees, which board shall be an advisory body responsible for guidelines and direction of the affairs of the Hillcrest Cemetery and shall enforce the rules and regulations provided for by this chapter and for the enforcement of this chapter.~~

~~**2-302. Membership, meetings, quorum.** The cemetery board of trustees shall be composed of five (5) members, one (1) shall be the city treasurer, one (1) shall be the mayor or the city administrator as his/her designee, one (1) shall be the parks and recreation director as chair, one (1) representative from Austin and Bell Funeral Home, and one (1) representative from Cole and Garrett Funeral Home. These latter two (2) representatives shall be determined by the funeral home owners/manager. The cemetery board shall be appointed by the mayor and shall serve three (3) year terms. The cemetery board of trustees shall meet once in the fall and once in the spring of each year as determined by the board chair. Three (3) members of the cemetery board of trustees shall constitute a quorum. A concurring vote of a majority of the members present shall be necessary for action to be taken by the board.~~

~~**2-303. Duty of board to invest all money received.** It shall be the duty of the cemetery board of trustees to invest all sums of money received from the sale of lots and to take and hold any property, real or personal, bequeathed or given upon trust, and apply the income thereof for the improvement or embellishment of such cemetery, or the erection or preservation of any buildings or structures, fences or walks erected or to be erected upon the cemeteries of such city, or for the repair, preservation, erection or renewal of any tomb, monument, grave stone, fence railing or other erection at or around any cemetery lot or plat or for planting and cultivating trees, shrubs, flowers or plants in or around such lot or plat, or for improving or embellishing such cemetery in any other manner or form consistent with the design~~

and purpose of such city or according to the terms of any grant devise or bequest. Responsibility for day to day management and operation of the cemetery shall be assigned to the city department considered most appropriate by the city administrator.

~~2-304. **Investments to be made in accordance with city's municipal code.** All investments of cemetery funds shall be made in accordance with the City of White House Municipal Code.~~

~~2-305. **Money to be deposited with the city treasurer.** All sums of money received or obtained in the manner herein provided shall be deposited with the city treasurer and shall be kept separate and apart in a fund known as the cemetery fund and shall be paid out in accordance with the city's approved purchasing policies and procedures.~~

~~2-306. **Schedule of fees, etc.** (1) The city shall establish by resolution a schedule of fees for the sale of lots, for openings and closings, for the placement of cremains, for the setting of stones, and for any related activities or services.
(2) For each lot sale, fifty percent (50%) of the proceeds shall be deposited in the cemetery endowment fund.
(3) A cemetery lot must be paid for in full before interment.~~

~~2-307. **Misdemeanor; exceptions.** (1) Every person is guilty of a gross misdemeanor who unlawfully or without right willfully does any of the following:
(a) Destroys, cuts, mutilates, effaces, or otherwise injures, tears down or removes, any tomb, plot monument, memorial or marker in a cemetery, or any gate, door, fence, wall, post or railing, or any enclosure for the protection of a cemetery or any property in a cemetery.
(b) Destroys, cuts, breaks, removes or injures any building, statuary, ornamentation, tree, shrub, flower or plant within the limits of a cemetery.
(c) Disturbs, obstructs, detains or interferes with any person carrying or accompanying human remains to a cemetery or funeral establishment, or engaged in a funeral service or an interment.
(2) Exceptions. This provision above does not apply to the removal or unavoidable breakage or injury, of anything placed in or upon any portion of its cemetery by or with the consent of the cemetery authority which has become in a wrecked, unsightly or dilapidated condition.~~

~~2-308. **Violation.** Any person violating any of the provisions of this chapter or the rules and regulations thereof, where no penalty is provided, shall upon being convicted thereof, be fined in a sum not to exceed the sum of \$100.00, together with costs of prosecution.~~

This ordinance shall become effective upon its final reading and adoption by the Board of Mayor and Aldermen, and publication, the public welfare requiring it.

First Reading: November 16, 2023 PASSED

Second Reading: December 14, 2023 PASSED



John Corbitt, Mayor

ATTEST:



Derek Watson, City Recorder