

ORDINANCE NO. 1141-11-17

AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 1.13 ENTITLED "CEMETERIES", DIVISION 1. TO ADD "SECTION 1.13.044 - ADDITIONAL RULES FOR OAKWOOD CEMETERY ANNEX" IN THE CITY CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City currently owns and operates municipal cemetery referred to as Oakwood Cemetery Annex; and

WHEREAS, the City now wishes to establish specific rules for the Oakwood Cemetery Annex to ensure public safety and for the orderly use of this municipal cemetery.

NOW, THEREFORE BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF HONDO, THAT:

SECTION 1. AMENDMENT. Chapter 1, "General Provisions", Article 1.13 "Cemeteries" of the Municipal Code of Ordinances of the City of Hondo is amended to add Section 1.13.044 – ADDITIONAL RULES FOR OAKWOOD CEMETERY ANNEX, shall read as follows:

Sec. 1.13.043 Additional Rules for Oakwood Cemetery Annex

In addition to the rules included in this Chapter, the following rules shall apply to the Oakwood Cemetery Annex:

(a) Grave Markers. Only Flush Markers are permitted in this section. The maximum size for a grass level flush marker is as follows:

Type of Grave	Flush Marker Dimensions
Single Grave or Double – Deep (2 in 1)	24 inches x 12 inches x 4 inches thick
Double Grave (side by side)	48 inches x 14 inches x 4 inches thick
Infant Graves and Niches	20 inches x 12 inches x 4 inches thick

(b) Tree, Flower, And Shrubby Planting. The planting of any trees, shrubs, plants, and grass ornamentation is prohibited without written approval by the Cemetery Superintendent.

1. The planting of trees on burial lots or burial spaces is not permitted. The placing of rocks, borders, or decorative materials around trees is prohibited.
2. Live flowers may only be planted or cultivated on a burial lot or burial space with the written approval of the Cemetery Superintendent. All plantings shall be located within twelve (12) inches of the front of a memorial or in an approved vase. Flowers must be native, drought tolerant, and may not exceed a height of twelve (12) inches.

(c) Decorations. The placing of boxes, shells, toys, metal, frames, ornaments, chimes, chairs, settees, statues, lights, pinwheels, unattached vases, wood or iron, glass, urns, fences, decorations "on a stick", anything fragile or easily breakable and similar articles upon lots is prohibited. City may remove any such items placed on a burial lot or burial place.

1. Decorations placed on, around, or beneath benches, trees, and shrubs is not permitted.
2. One metal (shepherd) hook shall be permitted per plot in the upright section, must not exceed 5 feet in height and contain no more than one flower basket or potted plant.
3. Benches are permitted only along roadways with adequate spacing as approved by the Cemetery Superintendent.
4. Borders and fences of any kind along the boundaries of a burial lot or burial place are not permitted.
5. Fresh cut or artificial flowers, fixed vases containing flowers, wreaths, and other temporary decorations are allowed. All decorations must be placed within twelve (12) inches of the memorial.
6. City will conduct at a minimum of twice a year a general cleanup of the cemetery. All decorations are removed at that time. The clean up dates are the first full week of March and October, or at such times as established by the City Manager. Memorials can be appropriately decorated after the clean-up week.

SECTION 2. REMAINDER UNCHANGED. The remainder of Chapter 1, "General Provisions", Article 1.13 "Cemeteries" shall remain unchanged by this Amendment.

SECTION 3. INCORPORATION OF RECITALS. The City Council finds the recitals in the preamble of this Ordinance are true and correct and incorporates them as findings of fact.

SECTION 4. REPEALER. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed. The provisions of this ordinance apply to all existing and future irrigation systems located at the Hondo Cemetery.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and that in lieu of each clause or provision of this Ordinance that is invalid, illegal, or unenforceable there be added by the Mayor as necessary with the approval of the City Attorney as to form, and as a part of the Ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective upon the adoption of this ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HONDO, TEXAS, THIS 13th DAY OF NOVEMBER, 2017.



JAMES W. DANNER, SR., MAYOR

ATTEST:



**MIGUEL CANTU
CITY SECRETARY**

