

**ORDINANCE NO. 1120-02-17**

**AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 1.13 ENTITLED “CEMETERIES” IN THE CITY CODE OF ORDINANCES BY CLARIFYING CERTAIN CEMETERY REGULATIONS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING PENALTIES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Hondo Cemetery Advisory Committee and staff has determined there are some amendments that are necessary in the Cemetery regulations which they are recommending to the City Council; and

**WHEREAS**, the City Council deems it desirable to amend the existing Cemetery Ordinance for the health, safety, and protection of the residents of the City of Hondo, Texas.

**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 so that Sections 1.13.008, 1.13.017 and 1.13.031 shall read as follows:

**Sec. 1.13.008 Superintendent**

The city manager shall designate a superintendent of the cemetery and grant to him the necessary authority to execute its orders and to put into effect the rules and regulations prescribed by this article.

**1.13.017 Lying on lots or grounds; sitting or standing on graves**

Lounging or lying at full lengths on lots, mounds, or ornamental grounds at the cemetery is strictly prohibited.

**1.13.031 Removal of funeral designs and floral pieces** currently reads: “Funeral designs and floral pieces will be removed from the graves when they become wilted or unsightly and deposited in containers provided. Persons desiring to retain any such design or piece must remove the same within seventy-two (72) hours after the interment. In no case will employees attempt to locate designs or floral pieces after their removal from the lots.”

**SECTION 2.** 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 REPEALER.** All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

**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 FEBRUARY 2017.**



**JAMES W. DANNER, SR., MAYOR**

**ATTEST:**



**GLORIA COLBATH  
CITY SECRETARY**

