ORDINANCE 07-30

TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "BOARDS, COMMISSIONS AND COUNCILS" - Re: Administration of the City's Cemeteries

WHEREAS, the City of Bloomington Municipal Code designates the Department of Public Works as the entity responsible for the maintenance and control of the Rose Hill Cemetery Department; and

WHEREAS, the City of Bloomington Municipal Code further designates the Director of Public Works to appoint a Superintendent to administer the Rose Hill Cemetery Department; and

WHEREAS, the Department of Parks and Recreation, via the Board of Parks Commissioners, has actually been the entity responsible for the maintenance and control of the Rose Hill Cemetery in the recent past; and

WHEREAS, the Superintendent of the Rose Hill Cemetery Department has actually been employed by the City of Bloomington Department of Parks and Recreation instead of the Department of Public Works in the recent past;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Section 2.11.060 of the Bloomington Municipal Code entitled "Rose Hill Cemetery Department" shall be deleted.

SECTION II. Chapter 2.20 entitled "Bloomington Board of Park Commissioners" shall be amended to add a new Section 2.20.140 entitled "Cemetery Services" to read as follows:

2.20.140 Cemetery Services.

(1) Administration. Cemetery Services shall be administered by an employee of the City of Bloomington's Department of Parks and Recreation and appointed by the City of Bloomington Board of Parks Commissioners. The Department of Parks and Recreation shall administer all cemeteries owned and operated by the City according to the rules and regulations established by the City of Bloomington Board of Parks Commissioners.

(2) Procedures.

(a) Prepayment. All grave space fees and interment fees shall be paid to the Department of Parks and Recreation of prior to the time the body is interred.

(b) Proof of Ownership. It shall be the duty of the person requesting a burial permit in one of the City's cemeteries to provide proof of ownership and location of the cemetery lot in which such person intends to make the interment to the satisfaction of the Department of Parks and Recreation.

(3) Fees. All fees for any service available at any cemetery owned and operated by the City shall be established by the Board of Park Commissioners and are subject to an annual review by said Board.

(4) All money received from any source from any of the cemeteries owned by the City shall be placed in the Department of Parks and Recreation General Fund.

SECTION III. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION IV. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 19th day of DECEMBER, 2007.

DAVE ROLLO, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 19th day of DECEMBER, 2007.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 20th day of DECEMBER, 2007.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the Bloomington Municipal Code to reflect current practice by shifting the administration of the City's two cemeteries from the Department of Public Works to the Parks and Recreation Department. It also eliminates the grave and interment fee schedule and gives the Board of Parks Commissioners authority to set such fees. Lastly, it makes clear that any monies collected by the cemeteries shall be deposited into the Parks and Recreation General Fund.

Signed copies to:
legal (10)
controller
public works
Parks & Rec Dept.
CA/CA (3)
clerk
file
BUC (2)
IT Webmaster
L/N