

CHAPTER 10
CEMETERIES¹

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ARTICLE I. IN GENERAL

Sec. 1. Definitions

As used in this Article, the following words and phrases will have the following meanings, unless the context clearly indicates a different meaning:

Cemetery or city cemetery: Any cemetery owned or managed by the City, including any new land added thereto at any time in the future. This includes Longview Cemetery, Woodland Cemetery and the Old City Cemetery also known as Fairview Cemetery.

Sec. 10-2. Application of City Laws.

All provisions of the City Code now in force or hereafter enacted, relating to and defining public offenses in the City, shall, insofar as the same shall be applicable, be in full force and effect in any city cemetery.

Sec. 10-3. Unlawful entry.

It shall be unlawful for any person or persons, other than duly authorized officers, officials or employees of the City, to enter into or be upon cemetery grounds of the City during the time after sunset and before sunrise of any day without first obtaining the permission of the city officer in charge of said cemetery. It shall further be unlawful at all times for any person to enter or leave the grounds other than by the established and open entrances of gateways.

Sec. 10-4. Trespass, loitering; exceptions.

It shall be unlawful for any person to loiter or trespass upon lots and graves of any city cemetery or for the parent or guardian of any child under the age of sixteen to permit such child to be within said cemetery grounds unless accompanied by an adult person. Provided, nothing herein shall be construed to prohibit any person having lawful business in a cemetery in connection with improvement thereof or persons visiting the graves of relatives or friends from being in said cemetery in accordance with the rules.

Sec. 10-5. Speed of vehicles.

It shall be unlawful for any person to drive any vehicle in any City cemetery faster than five (5) miles per hour.

Sec. 10-6. Operation of vehicles and parking.

No person shall drive or move any vehicle within any cemetery except over a roadway open for vehicular traffic, or obstruct any path or driveway within the cemetery open to vehicular traffic. No person shall use any cemetery grounds or any driveway therein as a public thoroughfare or drive any vehicle through said grounds except for purposes of making deliveries in the cemetery, attending a graveside service or burial service, or visiting

any grave site. This section shall not apply to persons performing maintenance work or grave site preparation or closure.

Sec. 10-7. Grave decorations (flowers).

The placing of cut flowers or plastic flowers over individual graves shall be permitted; however, the City shall not be responsible for the care of such flowers or the containers that they are placed in. Further, the City may remove, without notice, all flowers, real or artificial, that remain over fifteen days.

Sec. 10-8. Headstones and grave markers.

The placing of headstones and grave markers over individual graves shall be permitted; however, the City shall not be responsible for the care, theft or damage of such headstones and grave markers, and the City reserves the right to relocate them.

Sec. 10-9. Rubbish; debris.

It shall be unlawful for any person to dispose of any rubbish, trash, waste, materials, litter, or debris of any kind in any city cemetery.

Sec. 10-10. Property damage.

No person shall remove, molest, injure, mar, deface, throw down or destroy any headstone, monument, survey marker, corner marker, tomb, vault or mausoleum, or decoration on any cemetery lot in said cemetery, or open, disturb or molest any grave or place of burial therein. This shall not prohibit acts by cemetery officers and employees, or public officials, in carrying out their duties.

Sec. 10-11. Trees, shrubs and flowers.

It shall be unlawful for any unauthorized person to plant any tree, shrub or other plant in the cemetery except those permitted by the general landscape plan approved by the City. It shall be unlawful for any unauthorized person to cut down, injure, break or destroy any tree, shrub or other plant growing in the cemetery or to pick, pluck or cut any flower or decorative plant except as authorized by the cemetery rules.

Sec. 10-12. Religious discrimination in sale, etc., of grave space.

No religious test shall be made, and no one shall be denied ownership in the city cemetery because of the religious affiliation of the deceased or the purchaser.

Sec. 10-13. Price and size of lots.

The price of lots in the city cemetery shall be as set forth in Appendix Y. (Ord. 14272, §6, 10-15-2007)

Sec. 10-14. Grave spaces to be paid for in advance; certificates of grave ownership.

All grave spaces must be paid for in advance, except where the burial is to be in paupers' row, and all grave spaces shall be conveyed by certificates prepared by the general custodian, signed by the Mayor and countersigned by the City Clerk, under the seal of the City, specifying that the purchaser to whom the same is issued is the owner of the lot or space described therein by numbers, as laid down on such map or plat, for the purpose of interment. Such certificates may be recorded in the office of the recorder of deeds of the county, without further acknowledgment, and such description of lots shall be deemed and recognized as a sufficient description thereof.

(Ord. No. 10005, § [10-1, 10-5], 7-5-83); (Code 1977, § 10-6); (Code 1977, § 10-7); (Code 1977, § 10-8; Ord. No. 10005, § 1[10-8], 7-5-83); (Code 1977, § 10-9); (Ord. 12121, 7-18-94)

NOTES

1. . **Cross reference** - Definitions and rules of construction generally, § 1-2.

State law reference - Municipal authority to acquire, regulate, etc., cemeteries, RSMo. §§ 77.120, 77.130; cemeteries generally, RSMo. Ch. 214.