

ARTICLE IV. - CEMETERIES

FOOTNOTE(S):

--- (4) ---

State Law reference— Municipal cemeteries, C.R.S. 31-25-701 et seq.

Sec. 16-76. - Designation, setting apart, purpose.

The Alamosa Municipal Cemetery which was conveyed to the city pursuant to the resolution of the city council adopted May 2, 1923, is hereby designated as the Alamosa Municipal Cemetery and is hereby set apart and shall be maintained forever for the burial of the dead.

(Code 1964, § 6-1)

Sec. 16-77. - Adoption of map.

The map prepared and certified by the city engineer under date of August 5, 1987 which is on file in the city clerk's office is hereby accepted and adopted as the official map for the Alamosa Municipal Cemetery.

(Code 1964, § 6-2; Ord. No. 7, 1987, § 1, 8-19-87)

Sec. 16-78. - Cemetery interment agreements; purchase of spaces.

Upon payment to the city of the full purchase price of the interment rights to a lot or niche, a cemetery interment agreement executed by the city clerk or designated representative shall be delivered to the purchaser. The interment agreement shall contain a description of the space and its purchase price, and a designation of the person to be buried there.

(Code 1964, § 6-3; Ord. No. 4, 2011, § 1, 3-16-11)

Sec. 16-79. - Perpetual care.

All interment rights to lots in the Alamosa Municipal Cemetery shall be sold with endowment for perpetual care only and at prices set by city council resolution.

(Code 1964, § 6-4; Ord. No. 4, 2011, § 2, 3-16-11)

Sec. 16-80. - Fund, establishment, control, use.

There is hereby created a fund which is designated as "Alamosa Cemetery Endowment Fund." Such fund shall be kept by the trustee thereof hereinafter provided, apart from all other funds of the city and shall be invested by the trustee in such securities as the city council shall by resolution direct or approve. The director of finance is hereby designated as the trustee of such funds. All monies and securities at any time in such funds shall be under the joint control and custody of the trustee, the mayor and the city clerk, who shall jointly and severally be personally liable for the full and faithful care and accounting for all monies and securities at any time in such funds. Such fund shall be used only for the endowment for perpetual care of lots or parcels of grounds in the cemetery.

(Code 1964, § 6-5)

Sec. 16-81. - Sales and fees.

- (a) Setting prices and fees. All prices for the sale of interment rights to cemetery spaces and all fees for openings, closings, disinterments, and all other prices, fees and charges shall be set by city council resolution and reviewed annually. Adjustments may be made in such prices, fees and charges, following review, by city council resolution.
- (b) Use of monies received. All amounts received by the city from the sale of interment rights to plots and columbarium niches shall be paid into and used as a part of the cemetery endowment fund of the city. All amounts received by the city for the opening and closing of graves shall be paid into and used as a part of the general fund of the city.

(Code 1964, § 6-6; Ord. No. 7-2002, §§ 1—5, 4-3-02; Ord. No. 4, 2011, § 3, 3-16-11)

Sec. 16-82. - Use conditions.

Interment rights to burial lots or columbarium niches in the cemetery shall be sold subject to the following conditions:

- (1) Only one (1) memorial shall be erected on any single grave lot or any full size lot;
- (2) No foot markers shall be erected;
- (3) No corner markers shall be erected to extend aboveground;
- (4) There shall be no coping or other lot or grave enclosures;
- (5) The interment rights in any lot or space may not be resold, nor may the designated beneficiary of the space set forth in the interment agreement be changed. Interment rights may be transferred to heirs or devisees. A person wishing to relinquish his or her interment rights to a lot must present the parks department with his or her cemetery deed or interment agreement. The original owner of the interment rights to the lot, or, if the owner is deceased or unable to be found, the designated beneficiary of the space, shall be reimbursed the amount originally paid therefor;
- (6) Mausoleums or vaults shall be erected only under special permit from the city council;
- (7) The city shall not be liable for damages for injury from mowing the lawn about any monument or marker that is not of rough granite base for a distance of at least four (4) inches aboveground;
- (8) No interment or interment service will be allowed on Sundays or on city observed holidays. Closure dates will be posted and local funeral homes notified of the dates. Saturday interments will require additional fees due to overtime.

(Code 1964, § 6-8; Ord. No. 4, 2011, § 4, 3-16-11)

Sec. 16-83. - Rules and regulations, may be promulgated.

The city council shall have power to make such rules and regulations, not inconsistent with this article, fixing the charge for the digging and filling of graves and the service of the employees of the cemetery incident to burial and for the disinterment and removal or reburial of bodies and for the care, control, management, beautification, ornamentation and preservation of the cemetery.

(Code 1964, § 6-9)

Secs. 16-84—16-99. - Reserved.