

CITY OF MARCELINE, MISSOURI

BILL NO. 23-05-005

ORDINANCE NO. 23-05.05

**AN ORDINANCE REPEALING AND REPLACING ORDINANCE 23-04.04
THEREBY REVISING SECTION 135.125 IN ITS ENTIRETY AND
AMENDING PARAGRAPH D. OF SECTION 135.140 OF THE
MARCELINE CODE OF ORDINANCES.**

BE IT ORDAINED by the Council of the City of Marceline, Missouri as follows:

Section 1. Ordinance 23-04.04 is hereby repealed.

Section 2. Title I, Chapter 135, Article 1, Section 135.125 is hereby added to read:

“Section 135.125. Cemetery groundskeeping

- A. The City will manage the mowing and general groundskeeping care of Mt. Olivet Cemetery.
- B. Only the following items are allowed on cemetery lots:
 1. Headstones / markers
 2. Shepherd’s hooks placed abutting the headstone/marker.
 3. Mausoleum pads
 4. Urns, vases, artificial flowers and related non-organic material may only be placed on or within the concrete perimeter of headstones to not interfere with care and maintenance of the lot.
- C. Except for markers, memorials, flowers, and urns expressly allowed by this Chapter, and Veteran Flags as authorized by law, no other item (including, but not limited to, ornaments, signs, trellises, statues, benches, lighting features, landscaping, bricks, stones, grave border materials or other structures) that hinders the use of lawn maintenance equipment shall be installed or maintained within the Mt. Olivet Cemetery, nor shall any grading, digging, mounding or similar alteration of the ground or earth occur except as authorized by this Chapter or by the City. Such items will be removed and disposed of by the City without written or verbal notice.
- D. The City reserves the right to remove or trim any existing trees, plants or shrubs located within a cemetery in the interest of maintaining proper appearance and the use of the cemetery. Additionally, flowers or plants will be removed when they wilt or otherwise become unsightly.

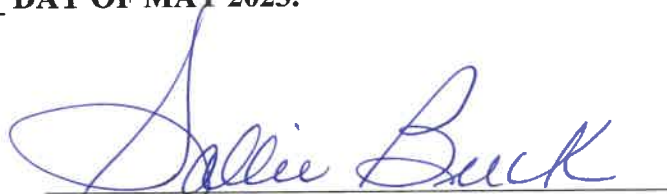
- E. The Sexton shall have the right and authority to remove and dispose of any and all growth, emblems, displays, containers, and other items that through decay, deterioration, damage or otherwise become or are unsightly, a source of litter, or a maintenance problem.
- F. The City, and its officers, employees, contractors, and agents including the sexton and the City Council, assume no liability for damages to property or person, or for physical or mental suffering arising out of the performance of its normal operations related to the construction, management, operation, maintenance, care, and platting of the Mt. Olive Cemetery, including care of the cemetery, any lot and the graves, or for loss by vandalism or other acts beyond its reasonable control at the Mt. Olivet Cemetery.
- G. The City reserves the right to alter, change, or close alleys, roadways, walkways, water mains, and other physical public properties at the Mt. Olivet Cemetery.”

Section 3. Title I, Chapter 135, Section 130.140 paragraph D is hereby amended to read:

- D. The City has no liability to the deceased person’s family or to any other person for disinterment, relocation, or delivery of deceased human remains, made pursuant to this Section or Section 214.208 RSMo. City employees shall not be involved in any funeral or burial ceremony including the placement of remains into a gravesite other than those actions required in Section 135.100 and Section 135.110 of this Chapter.

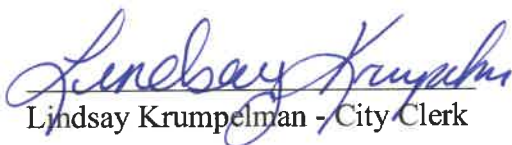
Section 4. This ordinance shall be in full force and effect from and after the date of its passage.

PASSED THIS 14th DAY OF MAY 2023.



Sallie Buck - Mayor

ATTEST:



Lindsay Krumpelman - City Clerk