

**TITLE 2****BOARDS AND COMMISSIONS, ETC.****CHAPTER****1. CEMETERY COMMISSION.****CHAPTER 1****CEMETERY COMMISSION****SECTION**

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**2-101. Creation of cemetery commission.** There is hereby established a city cemetery commission which shall be known as the Algood Cemetery Commission. The cemetery commission shall consist of six (6) members, three (3) who shall be appointed by the city council, and three (3) shall be elected at the annual decoration held the first Sunday in June of each year at the Algood Cemetery, who shall serve for a term of one (1) year from the date of their appointment. (1997 Code, § 2-101)

**2-102. Officials.** The commission shall elect a chairman and a secretary from its members, and shall promulgate its own rules of business. (1997 Code, § 2-102)

**2-103. Authority.** The Algood Cemetery Commission is hereby invested with general supervisory powers over the city cemetery, and it shall, from time to time as it deems advisable, make recommendations to the city council for necessary expenditures and improvements. The power and right to determine when a cemetery lot is being improperly maintained is delegated to and vested in the said commission. The commission shall also have the authority to see that the provisions of this chapter are complied with and it shall report all violations and noncompliances to the council for appropriate action. (1997 Code, § 2-103)

**2-104. Price of cemetery lots.** The price of lots in the city cemetery is set by ordinance. Future increases may be made by a majority recommendation of the cemetery commission to the city council and accepted by the council in a regular meeting by majority vote of the council. The current ordinance is available in the office of the city recorder.

**2-105. Execution of license.** The mayor and city recorder are hereby authorized and empowered to execute a license to the purchasers of lots in the city cemetery upon the payment of the price set forth above. It shall be the duty of the city recorder to keep a record of all cemetery lots sold, giving the name and address of the purchaser, the lot number and the date of the purchase and the amount received. (1997 Code, § 2-105)

**2-106. General duties.** All lots in the city cemetery shall be maintained and kept in a proper manner by cutting grass, removing debris and doing other acts necessary to keep the cemetery neat and clean in appearance and free from dangerous defects, such as sunken graves and leaning or tilting headstones or grave markers. (1997 Code, § 2-106)

**2-107. Provisions applicable to previously sold lots.** It is expressly declared to be the intent of the city council that the terms and provisions of this chapter shall apply to cemetery lots sold prior to this chapter becoming effective. (1997 Code, § 2-107)

**2-108. Creation of trust fund.** There is hereby created a trust fund which shall be known as the "Algood Cemetery Trust Fund." It is declared the purpose of this trust fund to provide for the perpetual and permanent maintenance of the city cemetery. Said trust fund shall be invested by and under the direction of the said cemetery commission, and the income therefrom shall be perpetually used for the maintenance, preservation and improvement of the cemetery grounds and lots in the Algood Cemetery. (1997 Code, § 2-108)

**2-109. Investment of trust fund.** Funds coming into the hands of the said council for the trust fund shall be invested in types and kinds of investments approved by the state legislature as provided by the statutes of this state for guardians and administrators; that the principal of the said trust fund shall not be encroached upon, and the interest from said trust fund shall alone be used in the perpetual maintenance of the said cemetery. If, at the end of any year, said commission has not expended all of the income arising from the trust fund, or all of the income received as gifts and donations for the care of the cemetery, the said commission is empowered and directed to place such unused interest and gifts in the principal trust fund, at its discretion. (1997 Code, § 2-109)

**2-110. Depositions of funds.** Any funds received by the cemetery commission as interest from the trust fund or as gifts and donations for the purpose of maintenance and care of the city cemetery, shall be deposited in checking and/or savings accounts. (1997 Code, § 2-110)