

Repealed by 2108

ORDINANCE NUMBER ⁶¹~~58~~.

AN ORDINANCE PROVIDING FOR THE MANAGEMENT AND CARE OF CEMETERIES BELONGING TO THE TOWN OF KIRKLAND, ESTABLISHING A CEMETERY BOARD, AND PRESCRIBING THE DUTIES AND POWERS THEREOF.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF KIRKLAND:

SECTION 1.

That upon the passage of this ordinance, it shall be the duty of the Mayor, by and with the advice and consent of the Council, to appoint two cemetery commissioners who, together with the Mayor, shall constitute the Cemetery Board of the Town of Kirkland. Said commissioners shall hold office at the pleasure of the Mayor who shall be chairman of the board.

SECTION 2.

That it shall be the duty of said cemetery board to care for and improve any cemetery or cemeteries belonging to the town, to regulate burials therein, including the right to set aside, subject to the approval of the council, a certain portion of any cemetery for the burial of paupers dying within and being at the time of death, inhabitants of the town; to dispose of burial lots at such prices and upon such terms, and to set aside for investment such percentage of the proceeds derived from the sale of said lots as the council may from time to time direct; to care for the income of all money and property held in trust for the purposes designated herein, and to invest, subject to the approval of the council in each case, all sums available for that purpose in municipal, county, school or state bonds or in first mortgages on good and improved real estate.

SECTION 3.

All deeds for burial lots shall be executed by the Mayor, attested by the town clerk and sealed with the town seal.

SECTION 4.

That all moneys received or obtained in the manner herein provided shall be deposited with the city treasurer, and shall be kept separate and apart in a fund known as the cemetery Improvement Fund, and shall be paid out by the treasurer only upon warrants drawn by the order of the cemetery board and indorsed by the mayor and attested by the city clerk, provided however that any money or the income from any money or property held by the town upon trust to apply the same in some particular manner shall be kept in a fund to be designated Cemetery Trust Fund and said moneys shall not be commingled with funds that may be used for the general improvement of any cemetery.

SECTION 5.

That upon the organization of said Cemetery Board, a complete inventory shall be prepared of all unsold lots as well as all lots sold upon which a part of the purchase price is still unpaid, and thereafter accurate books of account shall be kept showing all sales made as well as all receipts and disbursements of every nature, which said books shall be open to the public for inspection and shall be audited by the auditing committee of the town. Said Cemetery Board shall file an annual report with the council at the first regular meeting of the council in November of each year, giving a complete statement of its transactions for the year preceding, and shall report at such other times as the council may require.

SECTION 6.

That said Cemetery Board may expend in its discretion for the purposes enumerated in section two hereof any sums not set aside for investment as provided in section two hereof, as well as the income from any investments, but said board shall not incur any liability in excess of the funds available for general expenses aforesaid except upon the express authorization of the council entered upon its minutes and specifying the purposes for which the liability may be incurred, as well as the maximum amount that may be expended for the purposes in question. When said liability has been incurred, the Cemetery Board may present a statement thereof to the council, whereupon it shall be its duty to pay into the Cemetery Improvement Fund, out of the current expense or other general fund of the town, the indebtedness as authorized in this section.

SECTION 7.

All warrants drawn against the Cemetery Improvement Fund shall draw interest after presentment at the rate of six per cent per annum until paid.

Passed by the council this 21 day of March, 1910 and approved by me the same day.


MAYOR

I, J. S. Courtright, Town Clerk of the Town of Kirkland, hereby certify that the foregoing is a correct copy of an ordinance passed by said town on the 21 day of March, 1910 entitled as above set forth, that the same was approved by the Mayor on the day of its passage and that the same has been regularly posted by me as required by law.


Town Clerk of the Town of Kirkland.