

RESOLUTION R16-04

A RESOLUTION OF THE CITY OF FORT MEADE, FLORIDA; MODIFYING RULES AND POLICIES GOVERNING CITY OWNED CEMETERIES; PROVIDING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

1. The City previously adopted the City of Fort Meade Cemetery Rules and Regulations on December 8, 2015, by Resolution No. R15-21.
2. The City also modified the cemetery fees to be charged on September 8, 2015, by Resolution No. R15-15.
3. There are discrepancies between the fees provided in Resolution No. R15-15 and Resolution No. R15-21.
4. The Commission is adopting this Resolution to clarify which Resolution controls the cemetery fees.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT MEADE, FLORIDA:

SECTION 1. INCORPORATION OF RECITALS AS LEGISLATIVE FINDINGS; MODIFICATION OF RULES AND PROCEDURES FOR CITY OWNED CEMETERIES; REPEAL OF ANY OTHER PRE-EXISTING INCONSISTENT RULES OR REGULATIONS; DECLARATION OF PUBLIC POLICY. The City Commission hereby declares that the above stated recitals constitute the legislative findings of the City Commission. Furthermore, the City Commission hereby adopts the modified City of Fort Meade Cemetery Rules and Regulations, attached hereto as Exhibit "A". The City Commission also declares that the fees to be charged for cemeteries shall be as set forth in Resolution No. R15-15, or as may be amended from time to time by the City Commission. All other such rules and regulations related to cemeteries owned and operated by the City of Fort Meade that are inconsistent with this Resolution are hereby rescinded and repealed. The City Commission hereby declares its intention to operate its cemeteries in a manner consistent with and subject to Chapter 497, Florida Statutes.

SECTION 2. SEVERABILITY. If any provision or portion of this Resolution is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Resolution shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

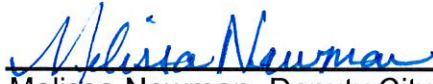
RESOLVED, PASSED, AND CERTIFIED AS TO PASSAGE THIS 12th DAY OF January, 2016.

CITY OF FORT MEADE, FLORIDA



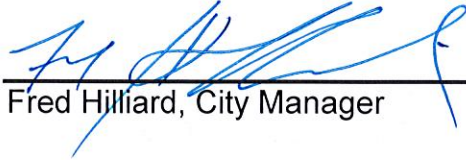
James Watts, Mayor

ATTEST:



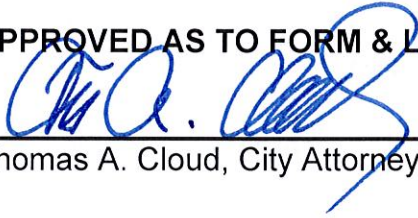
Melissa Newman, Deputy City Clerk

APPROVED:



Fred Hilliard, City Manager

APPROVED AS TO FORM & LEGALITY



Thomas A. Cloud, City Attorney

**THE CITY OF FORT MEADE
CEMETERY RULES AND REGULATIONS**

1. ADMISSION TO THE CITY'S CEMETERIES IS AT THE REASONABLE DISCRETION OF THE CITY, BUT SUCH DISCRETION MAY NOT BE EXERCISED IN AN UNCONSTITUTIONALLY DISCRIMINATORY MANNER. NOR SHALL THE CITY DENY BURIAL SPACE TO ANY PERSON BECAUSE OF RACE, CREED, MARITAL STATUS, SEX, NATIONAL ORIGIN, OR COLOR. THE CITY WILL NOT SELL ANY LOTS IN ITS CEMETERIES TO PEOPLE WHO ARE NOT RESIDENTS OF THE CITY. ADMISSION OF VEHICLES UPON CEMETERY ROADS WILL BE CONSIDERED AS A PRIVILEGE, AND NOT A RIGHT, TO THOSE WHO OBSERVE THE TRAFFIC RULES ADOPTED BY THE CITY. BEING A LOT OWNER DOES NOT INCREASE THIS PRIVILEGE OF VEHICULAR ACCESS.
2. ALL TREES, HERBAGE AND SHRUBS OF ANY KIND WILL BE PLANTED, TRIMMED, OR REMOVED BY THE CITY OF FORT MEADE. NO PERSONAL PLANTINGS WILL BE ALLOWED.
3. METAL EMBLEMS AND MARKERS ARE PROHIBITED.
4. COPING, FENCES, ETC., OR ENCLOSURES OF ANY KIND OR MATERIAL ARE NOT ALLOWED. NO DESIGN OF ANY KIND SHALL BE PLACED ON ANY GRAVE, EXCEPT IMMEDIATELY FOLLOWING A SERVICE. AFTER A BURIAL, ALL FLOWERS, VASES, AND OTHER ITEMS WILL BE REMOVED ONE WEEK AFTER A BURIAL BY THE CITY.
5. BASKETS, GLASS, CROCKERY, WIRE, OR METAL OR ANY OTHER KIND OF RECEPTACLE WILL NOT BE PERMITTED UPON ANY CEMETERY LOT UNLESS DISPLAYED INSIDE A VASE BUILT WITH A MARKER.
6. POTTED PLANTS, WREATHS, BASKETS, AND OTHER DECORATIONS WILL BE REMOVED FROM THE LOT AND GRAVE AS SOON AS SUCH FLOWERS OR DECORATIONS BECOME WILTED OR UNSIGHTLY.
7. FLOWERS, BASKETS, DESIGNS AND FRAMES WILL BE REMOVED FROM GRAVES OR LOTS AT ANY TIME AT THE DISCRETION OF THE CITY. THE CITY WILL HOLD THESE FOR NO MORE THAN TEN (10) DAYS. IF NOT CALLED FOR WITHIN THIS TIME PERIOD, THESE OBJECTS WILL BE DISPOSED OF WITHOUT ANY LIABILITY WHATSOEVER TO THE CITY.
8. SKATING, BICYCLING, AND SKATEBOARDERS ARE NOT ALLOWED IN THE CEMETERIES. DOGS ARE NOT ALLOWED IN THE CEMETERIES.
9. DRIVING PERSONAL VEHICLES ON UNPAVED SERVICE ROADS WITHIN THE CEMETERIES IS NOT PERMITTED UNLESS DIRECTED BY CITY PERSONNEL.
10. THE CITY OF FORT MEADE RESERVES THE RIGHT TO AMEND THESE RULES, REGULATIONS, AND RESTRICTIONS AT ANY TIME AND TIME TO TIME, AS THE CITY COMMISSION SHALL DETERMINE IN ITS REASONABLE DISCRETION.
11. NO MORE THAN __ INTERMENT SITE MAY BE SOLD TO AN INDIVIDUAL TO PREVENT SPECULATIVE PURCHASING AND SCALPING.
12. TRANSFERRING AN INTERMENT SITE FROM ONE PURCHASER TO ANOTHER SHALL BE RECORDED WITH THE CITY AND FILED WITH THE OFFICE OF THE POLK COUNTY CLERK OF COURT.
13. THESE RULES AND REGULATIONS AND ANY CHANGES OR AMENDMENTS THERETO ARE HEREBY INCORPORATED INTO ANY DEED ISSUED BY THE CITY FOR THE SALE OF A CEMETERY LOT.

