

PENDLETON COUNTY FISCAL COURT

ORDINANCE NO. 150.0

AN ORDINANCE CREATING A COUNTY CEMETERY BOARD WITHIN PENDLETON COUNTY, KENTUCKY, FOR THE PURPOSE OF AND PERMITTING IT TO ADOPT RULES AND REGULATIONS CONCERNING CEMETERIES THAT HAVE FALLEN INTO NEGLECT AND DISREPAIR, INCLUDING BUT NOT LIMITED TO: INITIAL CLEANUP AND LANDSCAPING, PURCHASE EQUIPMENT, FENCING, SIGNAGE, IMPROVING INTERIOR ROADS, PRESERVATION AND RESTORATION SUCH AS ACQUIRING CONSERVATION EASEMENTS, SURVEYING BOUNDARIES, REPAIRING AND CLEANING UP TOMBSTONES, HISTORIC RESEARCH, ARCHIVING, AND TRAINING TO SUPPORT CEMETERY PRESERVATION AND IMPROVING ACCESS ROADS; ALL OF THE SAME IN ACCORDANCE WITH KRS 67.680, ET SEQ.

WHEREAS, there are cemeteries within Pendleton County which fall into the category of neglect and disrepair, and

WHEREAS, it is deemed advisable and necessary to create and authorize a County Cemetery Board to adopt certain rules and regulations being approved by the Pendleton County Fiscal Court relating to said cemetery services, as anticipated by KRS 67.680, et seq.,

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE FISCAL COURT OF THE COUNTY OF PENDLETON, OF THE COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

SECTION 1

There is hereby created Pendleton County Cemetery Board pursuant to KRS 67.680, et seq., which shall have all the powers and duties set out in KRS 67.680 et seq., or anticipated therein.

SECTION 2

The county cemetery board shall meet three (3) times annually in space provided by the fiscal court and shall have five (5) volunteer members with no more than three (3) representing the same political party. Members shall be appointed by the county judge/executive with approval of the fiscal court, shall have lived in the county for at least one (1) year prior to appointment, and shall have demonstrated an interest in cemetery preservation, genealogy, local history, or a related area.

SECTION 3

The term of each county cemetery board member shall be four (4) years, except for initial appointment terms. Initial appointment terms shall be as follows: two (2) members appointed to a one (1) year term; two (2) members appointed to a two (2) year term; and one (1) member appointed to a three (3) year term.

SECTION 4

The county cemetery board shall receive and administer, in accordance with the law and any lawfully enacted or propounded regulations, the county cemetery fund identified in KRS 67.682(1), and shall have all rights and duties with respect to accumulating, administering, and accounting for same set out on or anticipated by law or properly propounded regulations.

SECTION 5

The Cemetery Board's powers and duties shall include, but not be limited to:

- (a) Cleaning up and landscaping cemeteries;
- (b) Purchasing equipment;
- (c) Providing for fencing, signage, and improvements to interior and access roads;
- (d) General preservation and restoration;
- (e) Acquiring conservation easements;
- (f) Surveying boundaries;
- (g) Repairing and cleaning grave markers;
- (h) Conducting or providing for historic research; and,
- (i) Providing archiving and training services.

SECTION 6

If any clause, provision, or section of this Ordinance shall be ruled void or unenforceable by any court of competent jurisdiction, the remainder hereof is intended to be enacted and shall be in force and effect notwithstanding.

SECTION 7

All ordinances, resolutions and orders and parts thereof, and particularly any ordinances heretofore adopted prescribing cemetery preservation in conflict herewith, are hereby repealed to the extent of such conflict, and this Ordinance shall become effective immediately upon its enactment, approval and publication as provided by law.

SECTION 8

This ordinance shall be read and published by summary, the full text of the ordinance being available for public inspection in the office of the Judge Executive in the courthouse during ordinary business hours.

First Reading Held: MAY 11, 2004

Second Reading, Adoption and Passage: JUNE 8, 2004

Henry W. Bertram
HON. HENRY W. BERTRAM
Pendleton County Judge Executive

Attest: Darlene Smical DC.
Fiscal Court Clerk