

ORDINANCE #810

**AN ORDINANCE AMENDING AND REENACTING
ORDINANCE No. 800 ESTABLISHING THE TOWN OF HUDSON
MUNICIPAL CEMETERY AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES
IN CONFLICT THEREWITH; PROVIDING FOR RULES AND REGULATIONS FOR THE
CEMETERY WITHIN THE TOWN OF HUDSON, WYOMING, PROVIDING FOR
THE PROTECTION, MAINTENANCE AND IMPROVEMENT OF THE CEMETERY PROPERTY,
PROVIDING FOR THE ESTABLISHMENT OF A CEMETERY BOARD, AND PROVIDING FOR
AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF HUDSON, WYOMING

Section 1. Designated.

The municipal cemetery, as the same is designated in the plat on file in the office of the clerk of the municipality, is hereby made and designated the municipal cemetery.

Section 2. Operations.

The municipal cemetery shall be operated under Rules and Regulations which have been established and adopted by the governing body of the Town of Hudson and which shall be held on file in the office of the Clerk of the Town of Hudson. Such Rules and Regulations may be changed or adapted as deemed necessary from time to time by the governing body of the Town of Hudson. A copy of the Rules and Regulations may be obtained from the clerk's office for a nominal fee.

Section 3. Ownership.

a. Cemetery Certificate – Ownership of a plot or plots within the cemetery shall be evidenced only by a Cemetery Certificate of Sale issued by the Town of Hudson and signed by the Mayor of the Town of Hudson and attested by the Town Clerk upon full payment of the purchase price.

b. The price of all burial lots in the municipal cemetery shall be determined by the governing body of the Town of Hudson, which price may be changed from time to time as is deemed necessary. Priority in the purchase of lots shall be given to residents of the Town of Hudson, which bear the burden of taxation for the municipal cemetery. Price for lots purchased by non-residents will be set at a 50% higher basis than those set for Town residents.

Section 4. Abandoned Unoccupied Lots.

a. Where there has been no contact with or knowledge of the owners, heirs, or assigns, as the case may be, of any cemetery lots for more than twenty-five (25) years, the Town of Hudson may declare abandoned the ownership of such lot or lots.

b. Prior to declaring the lot or lots abandoned, notice shall be served by registered mail at the last known address of the owner of the lot or his heirs or assigns. If the last known address cannot be ascertained, notice shall be given by one (1) publication in a newspaper.

c. The notice shall allow thirty (30) days for the owner, heir or assign to advise the Town of Hudson of his or her identity and address; and if so advised, the Town shall not declare the abandonment.

d. If the Town of Hudson receives no response as set out above, the Town shall be resolution declare the lot or lots abandoned. The Town may then resell the lots, but shall place in trust and amount equal to the original selling price, which trust fund shall be placed in legal investments, and the interest thereon shall be placed in the Town's general fund. If the original owner or his heirs or assigns have not contacted the Town within twenty-five (25) years after the funds are placed in trust, the money may be withdrawn and placed in the Town's general fund. So long as the lot or lots remain unsold, the original owner, heirs or assigns may reclaim them by establishing their right to such lot or lots.

Section 5. Prohibited Acts.

a. No advertising of any kind shall be permitted in the cemetery.

b. The Cemetery Sexton, as well as local law enforcement as directed by the Town of Hudson, shall have the power to enforce all ordinances, rules and regulations pertaining to the municipal cemetery and to exclude from the cemetery any and all persons found in violation thereof.

c. Violation of any of the provisions of this ordinance or the Rules and Regulations for the municipal cemetery shall constitute a misdemeanor and may be punishable as provided in Section 1-5 of the Code of the Town of Hudson.

Section 6. Cemetery Board.

a. A cemetery board is established.

b. The cemetery board will be made up of not less than three members nor more than five members, who shall be annually appointed by the mayor with the advice and consent of the council.

c. The members of the cemetery board shall serve without compensation.

d. A vacancy on the town cemetery board shall be filled by appointment by the mayor with the advice and consent of the council.

e. The town council may, by majority vote, remove any members of the cemetery board whenever it appears that such removal would be in the best interest of the town, as determined by the town council.

f. The members of the cemetery board shall elect from their number a chairperson, and shall designate their own times and places of meeting; except, that the mayor or the town council may request their convening in extraordinary session at any time. All meeting of the board shall be open to the public.

g. The board shall keep minutes of its meetings showing the vote of each members upon each questions, or if absent or failing to vote, indicating such fact, all of which shall be immediately filed in the office of the town clerk and shall become a public record.

h. The duties of the cemetery board shall include recommendations concerning improvements to the town cemetery, recommendations on the rules and regulations for the cemetery, and any other matter directed to the board by the town council.

Section 7. All ordinances inconsistent with this Ordinance are hereby repealed.

Section 8. This ordinance shall become effective upon the date of its final passage, approval and publication as required by law.

PASSED ON FIRST READING THIS 10TH DAY OF SEPTEMBER, 2002.

PASSED ON SECOND READING THIS 8TH DAY OF OCTOBER, 2002.

PASSED ON THIRD READING THIS 12TH DAY OF NOVEMBER, 2002.

TOWN OF HUDSON, WYOMING

JAKE HAMON
Jake Hamon, Mayor

ATTEST:

Keith L. Stortroen
Asst. Town Clerk

CERTIFICATION OF PUBLICATION

I hereby certify that the above and forgoing Ordinance was duly published by posting in three locations within the Town of Hudson on the 21st day of November, 2002 and for at least ten (10) days thereafter, as required by law.

(SEAL)

Keith L. Stortroen
Asst. Town Clerk