



## CITY OF WASILLA

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ORDINANCE SERIAL NO. 91-24

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA REPEALING EXISTING CHAPTER 13.16, WASILLA AURORA CEMETERY, AND REENACTING CHAPTER 13.16 IN A REVISED AND EXPANDED FORM IN THE WASILLA MUNICIPAL CODE.

BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA AS FOLLOWS:

SECTION I. Classification. This ordinance is of a general and permanent nature and shall become a part of the Wasilla Municipal Code.

SECTION II. Purpose. To repeal Chapter 13.16 and Ordinance Serial No. W80-S-2, 82-28 and 85-39 and re-enact Chapter 13.16.

SECTION III. Repeal. Chapter 13.16 and its underlying ordinance cites are hereby repealed.

SECTION IV. Enactment. Chapter 13.16 is hereby enacted as follows:

### CHAPTER 13.16

#### WASILLA AURORA CEMETERY

#### SECTIONS:

- 13.16.005 Definitions
- 13.16.010 Purpose
- 13.16.014 Intent
- 13.16.020 Exercise of Powers
- 13.16.025 Financial
- 13.16.030 Administration
- 13.16.040 Memorial Markers in the East Division
- 13.16.045 Memorial Markers in the West Division
- 13.16.050 Grave Excavation

#### 13.16.005 Definitions. As used in this chapter:

A. "Burial disinterment permit" means a valid State of Alaska disinterment and re-interment permit allowing the removal of a deceased person's remains from a grave in any of the cemeteries.

B. "Burial permit" means a valid State of Alaska permit allowing the burial of a deceased person in the cemetery.

C. "City cemetery" means the several tracts within the Wasilla "Aurora" Cemetery described as Parcel 1, 2, 3, 4 and 5 of Plat #63-22, dated August 2, 1963, Palmer Recording District encompassing an area of 0 acres more or less.

D. "City clerk" means the Wasilla Municipal Clerk who is responsible for all permits and keeps records for the cemetery.

E. "Department" means the Wasilla Public Works department or its director.

F. "Director" means the director of the Wasilla Public Works department.

G. "Grave" means the individual place of burial.

H. "Grave preparation" means the excavation, backfill, and removal of excess material from a burial lot and replacement of the turf.

I. "Grave reservation permit" means a revocable use permit to reserve a lot or lots in the cemetery.

J. "Lot" means a parcel of land within a plot for burial of one or more persons, as designated by city regulations.

K. "Plot" means a ground area containing four lots or as shown on the official cemetery plats.

L. "Remains" means any part or parts of the body of a deceased person.

M. "Irreducible fund" means a Special Revenue Accounting Fund, the earnings of which shall be used exclusively for cemetery maintenance, operation and capital improvements.

13.16.010 Purpose. The City of Wasilla hereby assumes cemetery powers to serve the residents of the City of Wasilla as set forth in AS 29.35.010 and 1.08.050 of this Code.

13.16.014 Intent.

A. The intent of the City of Wasilla is to sell the remaining lots as may be laid out in existing property and to maintain the existing Cemetery in perpetuity. No further acquisitions of land are anticipated at the existing site or other new sites.

B. Only natural persons may purchase a grave lot and each purchaser shall be limited to acquisition of no more than ten (10) grave lots. The intention of this paragraph is to encourage family motivated grave lot use and discourage institutional speculation on purchasing grave lots for re-sale. However, mortuaries, funeral parlors or other similar corporate or business entities may purchase grave lots upon presentation of satisfactory evidence that the purchase is not for speculative or profit purpose (e.g. purchase of grave site for burial of indigents).

13.16.020 Exercise of Powers.

A. Administration. The Mayor shall be responsible for general administration of the Wasilla Aurora Cemetery and shall promulgate rules and regulations subject to approval by Council.

13.16.025 Financial. All receipts from the Wasilla Cemetery Association and sales of Cemetery lots shall be deposited in a irreducible Special Revenue Accounting Fund, the interest of which shall be used exclusively for the maintenance, operation of and capital improvements construction in the Cemetery.

13.16.030 Administration.

A. Any grave lot may be purchased or reserved by purchase, on a first come, first served basis by any person, regardless of race, creed, color or religion, by payment to the City Clerk of the required purchase fee established by Council.

B. Purchase fee for grave sites is as follows:

Standard Lot	\$200.00
Double Interment Lot	\$350.00
Cremains Lot	\$100.00
Additional Burials within Standard Lot	\$100.00

Upon purchase of a lot or lots a "Grave Reservation Permit" shall be issued by the City Clerk.

C. The designation of areas of the Aurora Cemetery are as follows:

East Division	Section 1	General Section	Plots	1 - 135
East Division	Section 2	Veterans Section	Plots	151 - 240
East Division	Section 3	Catholic Section	Plots	241 - 277
East Division	Section 4	General Section	Plots	280 - 329
Note: Plots 136 - 150 used for Road				

West Division      Section 5      General Section      Plots  
Un-numbered

Undefined      Section 6      Cremains Section      Plots      Undefined

Persons purchasing grave sites shall be informed of the designated areas but may purchase grave plots in any of the the four sections they may choose.

D. The City Administration shall maintain permanent records indicating the lot and plot numbers, names and date of burial of all deceased persons interred in Aurora Cemetery. A properly completed State of Alaska Burial Permit shall be provided to the City Clerk by Funeral Directors, Embalmers, Executors, or other persons or agencies lawfully permitted and required to execute Burial Permits. Such permits shall be permanently maintained on file by the City.

E. Records shall be maintained by the City Administration that indicate pre-purchased or reserved lots and plots, the name and address of the purchaser, and the date of purchase. The City shall not authorize the use of pre-purchased or reserved lots or plots to anyone other than the purchaser or properly designated representative of the purchaser. A purchaser may relinquish rights to any unused lot or plot and receive full refund of the purchase price paid, but may not sell to a third party unless the original purchaser or properly designated representative of the purchaser and such third party:

1. mutually present, to the City, satisfactory proof the transfer of the permit; and
2. request re-issuance of a new permit in the name of the third party.

F. Disinterment. The remains of any person may be disinterred upon submission of a State "Disinterment and Re-interment Permit" to the City Clerk and a deposit made per 13.16.050. If a private contractor is to be used the deposit will be refunded once the grave has been properly backfilled and inspected by the Public Works Department. The purchase price of graves described above will not be refunded and the grave shall return to the pool of unsold lots. The City Clerk shall maintain records to indicate the Interment and Disinterment.

13.16.040 East Division. The East Division shall be designated in the following manner: Section 1, General; Section 2, VFW; Section 3, Catholic; and Section 4, General. Memorial Markers shall be allowed in Section's 1, 2, 3 and 4 as follows:

A. Headstones, plaques or other memorial markers may be placed on the Westerly end of each lot but shall not extend beyond the width of the lot, nor extend more than Thirty (30) inches from the Westerly end of the lot.

B. Fences, rock outlines or other structures are not permitted except as provided in 13.16.040(A) above. The ground surface of all grave plots shall be maintained to be level and at the same elevation as the surrounding surface.

C. Planting or placement of flowers on the grave lot within twenty-four (24) inches of a memorial marker or from the Westerly end of the lot is permitted. Planting or placing shrubs, flowering bushes or trees that exceed three (3) feet in height or beyond the longitudinal limits stated herein are prohibited. Plants, flowers, and containers placed beyond the dimensions stated herein for more that forty-eight (48) hours shall be considered abandoned and may be removed and discarded by City employees.

D. Structures, other than headstones or memorial plaques that do not comply with the provisions of this section may be removed and discarded by City employees after one hundred twenty (120) days following adoption of this section.

13.16.045 West Division. The West Division shall be designated in the following manner: Section 5, General. Memorial Markers shall be allowed in Section 5 as follows:

A. Headstones, plaques or other memorial markers may be placed on the Westerly end of each lot but shall not extend beyond the width of the lot and shall be flush mounted (level with the surrounding ground) and shall not extend more than thirty (30) inches from the Westerly end of the lot. No marker, containers, plants, or other items shall be permitted to permanently extend higher than the level ground surface.

B. Fences, rock outlines or other structures are not permitted except as provided in 13.16.045(A) above. The ground surface of all grave plots shall be maintained to be level and at the same elevation as the surrounding surface.

C. Structures, other than headstones or memorial plaques found to be in violation of this section may be removed without notice.

13.16.050 Grave Excavation

A. Persons in need of grave excavation are encouraged to engage private contractors for these services. The City Clerk may maintain a list of contractors who indicate a desire and capability to perform the work. Emergency grave excavation services may be provided by the City employees at rates to be established by the Mayor.

B. The Public Works Director or his representative shall mark the excavation limits for each grave prior to a contractor beginning work. All graves shall be excavated to a East-west length direction. Cremains must be in a sealed container and may be dug with an auger.

	<u>Depth</u>	<u>Length</u>	<u>Width</u>
Single Interment (Adult)	6'	7'6"	3'
Double Interment (Adult)	8'	7'6"	3'
Single Interment (Child)	6'	6'	3'
Double Interment (Child)	8'	6'	3'
remains	2'	As Needed	As Needed

C. No person shall prepare a cemetery lot for burial unless that person has received instruction and orientation as to proper grave excavation and closing procedures by the Public Works Department.

SECTION V. Effective Date. This ordinance becomes effective upon adoption by the Wasilla City Council.


Introduction: August 12, 1991

Public Hearing: August 26, 1991

ADOPTED by the Wasilla City Council on this 9th day of September, 1991.

  
JOHN C. STEIN, Mayor

ATTEST:

  
ERLING H. NELSON, CMC  
City Clerk