

CHAPTER 1-8 MUNICIPAL CEMETERY

1-8-1 BOARD OF MANAGERS

There shall be appointed by the City Council of said City, a Board of Mangers for Graceland Cemetery in the said City, which Board shall consist of five (5) residents of the City, one of such mangers shall be appointed for one year, two for two years, and two for three year, and thereafter each for three year, or until his or her successor is appointed and qualifies.

Authority: SDCL 9-23-13

1-8-2 BOARD MEMBER QUALIFICATIONS

Said managers shall qualify by filing written acceptance with the Finance Officer of the said City within ten (10) days after notice of such appointment. In case of death, resignation or failure to qualify the City Council of said City shall fill such vacancy or vacancies by appointment.

Authority: SDCL 9-23-13

1-8-3 RULES AND REGULATIONS

Such board of managers shall select and appoint from their own number a chairman and Secretary and shall adopt such rules and regulations for their government as they see fit. And it shall be the duty of said board to make a written report to the City Council of said cemetery.

Authority: SDCL 9-23-13

1-8-4 BOARD POWERS

Said board of managers shall have power to enclose, empower and embellish the grounds, avenues and walks and to erect buildings and vaults in and upon said cemetery grounds owned by said City and to prescribe by rules and by laws, for the sale, enclosure or ornamentation of lots, and for the erecting of monuments and markers thereof, and to prohibit any use, division, improvement or ornamentation of any lot which the board of managers may deem improper, providing that no such improvements or expense shall be made by said board that shall exceed the amount of money in their hands.

Authority: SDCL 9-23-13

1-8-5 SALE OF LOTS

All purchases of lots shall be made through and by the consent of the Board of Managers, said managers acting as the agents of said City. It is provided that upon the payment of the purchase price of any lot or lots by any party or parties to the Secretary of the Board of Managers, there shall be issued to said purchaser a receipt for said amount so paid, which upon presentation to the Finance Officer of the said City shall

entitle such purchaser to a deed of the lot so selected and purchased by him or her. Said cemetery is to be self sustained and all receipts derived from the sale of lots are to insure the cemetery board.

Authority: SDCL 9-23-13

1-8-6 BOARD CHAIRMAN

It shall be the duty of the Chairman to preside at all meetings of the board of managers and attest all orders upon the treasurer. Such board of managers or members thereof shall receive no compensation for their services.

Authority: SDCL 9-23-13

1-8-7 BOARD SECRETARY – BOND REQUIRED

It shall be the duty of the secretary of said board to keep a record of all meetings thereof, and to keep a record of all sales of cemetery lots. All moneys from whatsoever source shall be turned over to the treasurer of said City. The secretary of said Board of Managers shall give bond to the City in the sum of \$100.00 conditioned that he will faithfully perform all acts and things required of him in this section.

Authority: SDCL 9-23-13

1-8-8 FINANCE OFFICER DUTIES

It shall be the duty of the Finance Officer to receive all moneys that may come into his Hands from the secretary or any other source and pay the same out only upon the order of the board, attested by the chairman, and the secretary shall make monthly reports at such times as the City Council shall direct, of all transactions of his office. The Finance Officer shall receive and disburse all moneys belonging to the association upon an order signed by the President and Secretary.

Authority: SDCL 9-23-13

1-8-9 RECEIPT OF FUNDS

Whenever money shall have been paid to the Association by any person or persons for the purpose of having the annual income thereof used and expended in the maintenance of any monument or the keeping in good order or the embellishment of any lot or ground situated within the cemetery, such money shall be securely invested in the name of the Association and the income arising there from shall be faithfully applied to the purpose for which it shall have been given.

Authority: SDCL 9-23-13

1-8-10 LOT USAGE RESTRICTION

All lots shall be held in the preservation of the laws of this state relating to cemetery associations and shall be used for no other purpose than the burial of the dead and purposes properly connected therewith.

Authority: SDCL 9-23-13

1-8-11 PERPETUAL CARE FUND

Payments for perpetual care shall be permanently set aside in a trust fund, and only the income from the trust fund investments shall be used for the care and maintenance of the cemetery. Income from perpetual care investments shall be credited to the cemetery maintenance account as maintained within the municipal general fund. Income received from the sale of burial spaces shall be credited to the cemetery maintenance account.

Authority: SDCL 9-32-18

1-8-12 AMOUNT OF DEPOSIT

The sum of money required to be deposited by this ordinance does not prohibit any person from depositing a larger sum than is provided herein.

Authority: SDCL 9-23-13

1-8-13 APPLICATION OF DEPOSITS AND INTEREST

All money deposited for the perpetual care of lots shall be placed in a special fund to be known as the Perpetual Care Fund. The principal of said sum shall consist of money so deposited and shall remain intact as a permanent fund and only the interest thereof shall ever be used for any purpose. Said fund shall be invested in securities satisfactory to the City Council of said City.

Authority: SDCL 9-23-13

1-8-14 COUNCIL CONTROL OVER FUNDS

The said perpetual fund shall be held and managed by the City Council of said City.

Authority: SDCL 9-23-13