

ORDINANCE NO. 812

AN ORDINANCE AMENDING CHAPTER 12.28 OF THE CANBY MUNICIPAL CODE BY CHANGING THE FORMULA FOR CONTRIBUTIONS TO THE CEMETERY RESERVE FUND; AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

SECTION 1. Section 12.28.090 of the Canby Municipal Code is hereby ordered to read as follows:

CEMETERY RESERVE FUND:

A. The Cemetery Reserve Fund shall be maintained and allowed to continue to grow in both principal and interest.

B. The City Council shall cause such fund to be properly invested and the income therefrom shall be devoted exclusively to the permanent maintenance or perpetual care of the City's Zion Memorial Cemetery and as hereinafter provided.

C. The obligation to be assumed by the City under the provisions of this section is to expend the income from the cemetery reserve fund in the care, maintenance and beautification of the cemetery and all lots or graves therein as far as the income from such fund shall justify or permit and in the following manner and no other:


In the irrigation of the lots; in keeping the graves green and properly mowed; in reseeding to grass when necessary; in trimming and pruning the trees ;and the flowers and shrubbery permitted to be grown on the lots under the terms of this chapter; in filling in and keeping up the general level of such graves as may cave in or sink; and in keeping in good working order and repair and renew when worn out, the water pipes ;and hydrants now or hereafter installed in the cemetery. The City shall not use any of the revenue derived from such fund to dig any graves, erect or repair any tombstones or monuments, repair any fences or other enclosure, or place or replace any flowers or shrubs which are killed or die through no fault of the City or its agents.

D. Amounts to be taken from the cemetery rates or charges and placed in the Cemetery Reserve Fund shall be set by resolution of the Canby City Council.

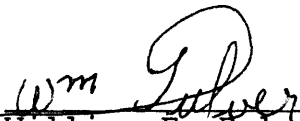
Section 2. An emergency is hereby declared to exist.

This Ordinance shall take effect immediately upon its adoption at second reading by the City Council but shall have retroactive affect to January 1, 1988.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on December 16, 1987; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, January 6, 1988, commencing after the hour of 7:30 p.m., at the City Council Chambers at the City Hall in Canby, Oregon.


Marilyn K. Perkett, City Recorder

PASSED on final reading at a regular meeting of the Canby City Council this 6th day of January, 1988, by the following vote:
YEAS 5 NAYS 0


William F. Pulver, Mayor

ATTEST:


Marilyn K. Perkett, City Recorder