

RESOLUTION NO. CCCLX (360)

A RESOLUTION DEFINING POLICY FOR BURIALS IN BAKER PRAIRIE CEMETERY, PROHIBITING FUTURE BURIAL PLOT SALES, PROVIDING CRITERIA FOR APPROVING TITLE TO PRESENTLY OWNED PLOTS AND ESTABLISHING FEES AND REGULATIONS GOVERNING BURIALS AND GRAVE MARKERS.

WHEREAS, on August 5, 1968, the Canby City Council accepted title to Baker Prairie Cemetery to be maintained within the Park System; and

WHEREAS, Zion Memorial Cemetery has burial rules established by Ordinance No. 678 and authority is granted to set various burial related fees by resolution; and

WHEREAS, the burial records and plot locations at Baker Prairie Cemetery have not been kept with an accuracy that would allow future sales of burial sites without a substantial risk of disturbing already existing sites; and

WHEREAS, it appears that there may be legal claims made to pre-existing burial sites and desire expressed for use of those sites in the future;

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. Baker Prairie Cemetery is closed to all future plot site sales.

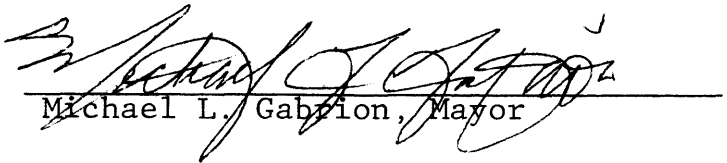
Section 2.

- A. That burials will only be allowed in Baker Prairie Cemetery for pre-existing burial plots or sites when the applicant can show proof of title by deed, certificate of title, or otherwise sufficient proof of purchase; and
- B. Upon execution by the applicant of a hold harmless agreement with the City of Canby wherein the applicant agrees to indemnify the City for any, and all, liability to third persons for disturbing other inturred remains in the course of a burial; and

Section 3. Fees and regulations set by Ordinance No. 678 and its accompanying resolutions shall likewise regulate burials at Baker Prairie Cemetery.

Section 4. Effective date and the rules adopted hereby, shall be effective immediately upon passage by the Canby City Council.

ADOPTED by the Canby City Council at a regular meeting thereof on June 20, 1984.

  
Michael L. Gabriel, Mayor

ATTEST:

  
Marilyn K. Perkett, Deputy City Recorder

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