

EXHIBIT 1
ORDINANCE NO. 2026-

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION
OF THE CITY OF HALLANDALE BEACH, FLORIDA,
AMENDING CHAPTER 20, ARTICLE 1, "CITY CEMETERY"
TO MODERNIZE THE OPERATION AND ADMINISTRATION
OF THE HALLANDALE BEACH CEMETERY; PROVIDING
FOR SEVERABILITY; PROVIDING FOR CONFLICTS;
PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, the Hallandale Beach Cemetery is approximately 80 percent occupied
and, based on current utilization trends, is projected to reach full burial capacity by
approximately 2036 if existing operational practices remain unchanged; and

WHEREAS, the Hallandale Beach Cemetery is one of the City's oldest public assets
and serves as an important community resource for residents and their families.

WHEREAS, a regional benchmarking analysis further demonstrates that Hallandale
Beach's burial lot prices and opening and closing fees remain among the lowest in Broward,
Miami-Dade, and Palm Beach counties, resulting in an approximate 50 percent increase in
burial demand in the past two years; and

WHEREAS, the proposed operational amendments are intended to slow the rate of
burial space consumption, preserve the remaining available burial capacity for Hallandale
Beach residents, and extend the operational life of the municipal cemetery through updated
eligibility requirements, operational standards, and administrative controls; and

WHEREAS, the Mayor and City Commission find that it is in the best interest of the
residents of the City of Hallandale Beach to authorize the City Manager to adopt the following
amendments.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION
OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

SECTION 1. Incorporation of Recitals. The foregoing “Whereas” clauses are confirmed as true and incorporated herein.

SECTION 2. Chapter 20 of the City of Hallandale Beach Code of Ordinances is hereby amended as follows:

ARTICLE I. CITY CEMETERY

Sec. 20-1. In general.

(a) The city shall operate the cemetery pursuant to the provisions of this article. The city manager will create and maintain rules, procedures, and regulations for the maintenance and operation of the cemetery which, when duly adopted by the city commission pursuant to a resolution, shall have the force and effect of law. Copies of such rules, procedures and regulations, when adopted, shall be at all times kept on file with the city clerk.

(b) The title to all lands shown on the official plats of the City of Hallandale Beach Cemetery, recorded in the Public Records of Broward County, Florida is vested in the City of Hallandale Beach, a municipal corporation of Florida. Nothing contained in this Article shall be construed to allow the sale of the title to any land in the cemetery, but ownership thereof shall remain in the city, and only the privilege of interment shall be sold.

Sec. 20-2. ~~Reservation of grave space~~ Residency Required.

~~Interment in the Hallandale Beach Cemetery shall be by purchase of a cemetery lot, niche and/or mausoleum space. The city manager or his/her designee may reserve a grave space, at the request of a prospective purchaser, for a period not to exceed ten days without formal agreement or full payment of the price of the lot. A record shall be kept of any such reservation made. At the expiration of the ten days, a formal agreement to purchase such space must be signed or the space shall be released and any deposit shall be retained by the city.~~

(a) Effective September 1, 2026, the City shall only sell spaces in the City Cemetery to:

(1) residents of the City at the date of sale,

(2) to persons who are not residents of the City provided that such sales shall be only for the immediate burial of a permanent resident of the City who

met the residency requirements hereunder at the time of the resident's death. or

(3) to a qualified non-resident. A qualified non-resident is a person who has not met the residency requirements set forth herein, but is the legal spouse, father or mother, brother or sister, son or daughter, stepson or stepdaughter, father-in-law or mother-in-law, brother-in-law or sister-in-law, daughter-in-law or son-in-law, grandchild or grandparent to a person buried in the cemetery.

(b) The City shall require satisfactory evidence of such prior residence within the City or qualification for non-residents, and shall specify the necessary evidence in a policy to be approved by the City Commission.

Sec. 20-3. Ownership; Cost and payment for cemetery lots, niches and mausoleum spaces; Abandonment.

(a) The city commission, by resolution, shall set cemetery prices and fees to fund the cost of the cemetery. Cemetery fees, established by the city commission, shall be automatically adjusted beginning on October 1, 2027 to reflect an increase based on June's annual Consumer Pricing Index or 2.5 percent, whichever is greater, without further need for commission action.

(b) *CERTIFICATE OF RIGHT OF INTERMENT.* Ownership of interment rights in city cemetery spaces shall be evidenced by a Certificate of Right of Interment executed by the mayor or his/her designee, attested to by the city clerk, with the seal of the city affixed. The form of certificates shall be as approved by the city commission by resolution.

(1) As used herein, the term "Certificate of Right of Interment" shall apply to any conveyance of ownership of the right to interment given by the City of Hallandale Beach to the original purchaser or transferee, regardless of the title of the document when conveyed (e.g. "deed"). For the avoidance of doubt, all references in the Code or herein to "lot owner" shall be understood to mean person named in the Certificate of Right of Internment, or equivalent, who is deemed to own the right to interment to a lot or other cemetery space.

(2) Ownership of interment rights are hereby declared to incorporate and shall be subject to the city cemetery rules, procedures and regulations adopted

96 by the city commission, and to the provisions of this Code, and subject,
97 further to such other additional rules and regulations, amendments or
98 alterations as shall be adopted by the city from time to time. The
99 instrument conveying interment rights to purchasers and the rules and
100 regulations of the city now in force or which may hereafter be adopted,
101 including modifications or amendments thereof, shall be the sole
102 agreement between the city and the purchaser. The statement of any
103 sales agent or employee of the city, unless confirmed in writing by the city
104 manager, shall in no way bind the city.

105 (c) No interment rights shall be acquired by the purchaser until the cost of the burial
106 space is fully paid and a certificate is issued to the purchaser.

107 ~~(a)~~(d) Any cemetery lot, niche or mausoleum space shall be paid for in cash or U.S.
108 tender. The payment may be made pursuant to an installment agreement which
109 shall be executed with the city and the purchaser. Such agreements shall be
110 prepared by the city manager or his/her designee and approved by the city
111 attorney. The agreement shall designate the specific cemetery lot, niche or
112 mausoleum space purchased and the purchase price. ~~All cemetery lot, niches~~
113 ~~and mausoleum spaces price shall be established by resolution adopted by the~~
114 ~~city commission.~~

115 ~~(b) A down payment of at least ten percent and the number of years of the~~
116 ~~agreement shall be specified in the installment purchase agreement.~~

117 ~~(c) For interments on Saturday, there will be an additional charge. This additional~~
118 ~~charge shall be established by a resolution adopted by city commission.~~

119 ~~(d) Any cemetery lot, niche or mausoleum space must be paid in full prior to~~
120 ~~interment being scheduled.~~

121 (e) *Payment by installment agreement.* Payment for burial spaces may be made by
122 installment agreement after a minimum down payment of 20 percent of the total
123 purchase price and payment of an administrative fee of five percent of the total
124 purchase price provided that the period of the installment agreement does not
125 exceed 18 months for each space and provided that installment payments shall
126 be due and payable on the twentieth day of the month. If an installment payment
127 remains unpaid for 30 days after the date due, the installment agreement shall be
128 cancelled and the city shall require full payment of the unpaid principal balance
129 and shall so notify the purchaser. Notice by certified mail, sent to the purchaser
130 at the last address on file with the city, shall be considered sufficient and proper

131 legal notification. If the balance due remains unpaid for 30 days after such
132 notification, the purchaser shall forfeit his right to the burial space or spaces, and
133 the city shall have the right to offer the space or spaces for resale. The city shall
134 refund to the purchaser all installment payments paid to the city less the
135 administrative fee or \$100.00, whichever is greater.

136 (f) Reservation. The city manager or his/her designee may reserve a grave space,
137 at the request of a prospective purchaser, for a period not to exceed ten days
138 without formal installment agreement or full payment of the price of the lot. A
139 record shall be kept of any such reservation made. At the expiration of the ten
140 days, a formal agreement to purchase such space must be signed or the space
141 shall be released and any deposit shall be retained by the city.

142 (g) Owner Responsibility. It shall be the duty of the lot owner to keep the city
143 informed in writing as to his current correct mailing address and the current
144 address of his legal representative if notices are to be sent to that representative.
145 Notices or other correspondence mailed to the address on file with the city for the
146 lot owner or his representative shall constitute actual delivery and notification. It
147 shall be the duty of the lot owner to keep informed of any changes in the rules,
148 regulations or laws governing the operation of the cemeteries.

149 (h) Presumption of abandonment—Unused burial spaces.

150 (1) There is hereby created a presumption that burial rights in the city
151 cemetery have been abandoned when an owner of unused burial rights
152 has failed to provide the city with a current residence address after fifty
153 (50) consecutive years from the date of purchase and the city is unable to
154 communicate by certified letter with said owner of unused burial rights for
155 lack of address.

156 (2) Upon the occurrence of a presumption of abandonment as set forth in
157 subsection (1), the city will first send a letter to the last known address if
158 available and if no address is available and/or no response to the city's
159 letter is received, the city shall file a notice in a daily newspaper of general
160 circulation in the city. The notice shall do the following:

161 a. Describe the burial rights certified to have been abandoned;

162 b. Set forth the name of the owner or owners of the burial rights, or if
163 the owner is known to the cemetery to be deceased, then the

names, if known to the city, of such claimants as are heirs at law,
next of kin, or specific devisees under the will of the owner;

c. Detail the facts with respect to the failure of the owner or survivors
as outlined in this section to keep the city informed of the owner's
address after a period of fifty (50) consecutive years or more from
the date of purchase.

d. The notice shall run two (2) times in a consecutive two-week
period. After one hundred twenty (120) days from the final
publication of the notice, the city shall have the right to sell such
burial rights. There will be no refund of the original purchase price
for burial spaces that are determined to be abandoned.

Sec. 20-4. Multiple interments.

(a) Cremation interments shall be permitted within a single niche space up to a maximum of two. An additional charge will be assessed each time an individual niche space is opened to accommodate this type of multiple burial. The additional charge shall be established by resolution adopted by the city commission.

(b) Interments of one adult and one infant child, or newborn child, or of a child of sufficiently small stature that would permit use of a single burial vault in a grave space, shall be permitted as a single interment. Existing grave spaces shall not be reopened to accommodate additional burials, except in the case of double burial vaults.

(c) No other multiple interments are authorized.

(d) Monuments or markers for burials described in this section must be consistent with the overall plan of the city cemetery.

Sec. 20-5. Transfer of ownership ~~deceased of another cemetery~~; reversion of grave space.

(a) ~~When a disinterment occurs for the purpose of transfer of the deceased to another cemetery, the grave space shall revert to the city. The purchaser or his/her heirs shall be reimbursed the original sale price of the space less 20 percent for administrative costs. Ownership shall not be transferable without written permission first obtained from the City. Except as otherwise provided for in this section, any purchaser of a cemetery lot from the city may only resell that~~

lot to the city and only for the original purchase price less ten (10) percent for administrative costs, and niche or mausoleum space at 50 percent of the original purchase price. No owner shall allow interments for remuneration, and no sale, transfer or assignment shall be valid without the written consent of the city.

(b) The City shall authorize the transfer of ownership only to the lot owner's legal spouse, father or mother, brother or sister, son or daughter, stepson or stepdaughter, father-in-law or mother-in-law, brother-in-law or sister-in-law, daughter-in-law or son-in-law, grandchild or grandparent.

(1) Transfer to the above family members will only be authorized if the transferee qualifies as a resident pursuant to Section 20-2, is a Qualified Non-resident, or is a non-resident but the lot owner retains ownership of another unused lot.

(2) Transfer of ownership or exchange of cemetery spaces within the city cemetery may be accomplished by the payment of an administrative charge as established for the first space. An additional charge per space shall be made for a transfer of each additional space.

(3) In addition to the administrative charge, a lot purchased at the rate set for a A city resident may be transferred his/her cemetery space to a non-city resident only upon paying the city the difference between the current resident and nonresident cemetery space fees at the time of transfer. A qualified nonresident owner may that transfers his/hers cemetery space to a resident, but such transfer shall not be entitled the nonresident to receive any refund from the city.

(c) ~~The city shall have the first option to repurchase cemetery space at the original purchase price, less ten percent for administrative costs. The city shall have the first option to repurchase niche or mausoleum space at 50 percent of the original purchase price. Any and all transfers of interment rights are subject to all regulations of the cemetery in full force and effect or which may be enacted.~~

Sec. 20-6. Burial permits. Limitations on Liability

~~It shall be the duty of the funeral director, family or friend of any person about to be buried in the cemetery to furnish a proper burial permit and give the place of birth, age and residence at the time of death, sex, date of death, and cause of death of the deceased, so far as is known.~~

- (a) Nothing in this article shall be read as an assumption of liability for any act for which the city is otherwise entitled to sovereign immunity. This section is not an exhaustive list of the limitations to the city's liability.
- (b) The city or its employees assume no liability for damage, actual or mental anguish, in the performance of the cemetery's normal operations, or loss by vandalism or other acts beyond its control.
- (c) The city shall not be responsible for errors in location of graves or lots arising from improper instruction of lot owners. Orders from funeral directors shall be construed as orders from owners.
- (d) No verbal agreement or statement made by any individual which is contrary to this article shall be binding on the city nor shall such agreement or statement in any way change or modify the intent of this article.
- (e) The city shall in no way be liable for damages caused by any delay in the interment of a body where a protest, just or unjust, of the interment has been made, where the rules and regulations have not been complied with, where a burial space has not been paid for, or where the body is not accompanied by a proper burial permit.
- (f) When cemetery fees are insufficient for the perpetual care of the municipal cemeteries, the cost associated with such perpetual care shall be borne by the taxpayers of the city and includes the cutting and irrigation of the grass at reasonable intervals, the raking and cleaning of the grounds, the pruning of shrubs and trees, and the maintenance of pathways and roadways. Perpetual care by the city shall in no case mean the maintenance, repair or replacement of any memorial, tomb or mausoleum placed or erected upon lots by persons, firms or corporations; nor the doing of any special or unusual work in the cemeteries, including work caused by impoverishment of the soil; nor does it mean the reconstruction of any marble or granite work in any section or portion of a cemetery damaged by the elements, an act of God, thieves, vandals, malicious mischief-makers, or unavoidable accidents, whether the damage be direct or collateral.

Sec. 20-7. Burial permits; Notice of interment.

- (a) It shall be the duty of the funeral director, family or friend of any person about to be buried in the cemetery to furnish a proper burial permit and give the place of

birth, age and residence at the time of death, sex, date of death, and cause of death of the deceased, so far as is known. No interment shall be made unless the remains are accompanied by a burial permit as required by state law. The city shall not be liable for the correctness of the information on the burial permit nor for the identity of the person sought to be interred. The cemetery manager shall demand and examine burial permits and may refuse burial until such permit complies with cemetery policies and city restrictions.

(b) Notice to the city manager or his/her designee of an interment must be accompanied by directions as to the lot if pre-owned, and such notice must be presented ~~within 16 working hours of~~ no later than three (3) city business days prior to the interment.

Sec. 20-8. Vaults.

A cement, steel or equivalent strength vault shall be provided, at the cost of the lot owner, for all burials. Such vault shall be of such specifications and weight as to prevent retention of water and cave-ins of the grave space.

Sec. 20-9. Markers and tombstones.

Upright markers or tombstones may not be erected in any portion of the city cemetery. Installation of grass level markers is permitted. Such markers shall ~~not exceed 36 inches in width and 24 inches in length and shall be installed with the top surface flush with the ground level~~ comply with the policies, rules and regulations approved by the city commission. No marker, tombstone or monument shall be erected on grave space until the lot is paid for in full. Any markers placed or erected in violation of this section are subject to being removed by the city and may be collected by the decedent's family within sixty (60) days of removal.

Sec. 20-10. ~~Work orders~~ Disinterment.

~~No person shall erect or place any memorial marker or do any work in the cemetery without first presenting a written order from the lot owner to the city manager or his/her designee and obtaining written permission from the city manager or his/her designee for the work contemplated. Any markers placed or erected in violation of section 20-9 and 20-10 are subject to being removed by the city and returned to the decedent's family.~~

- 297 (a) The City shall not be liable for any damages which may result from opening of a
298 burial site or a removal.
- 299 (b) Although removal contrary to the expressed wish of the original owner of the
300 burial space shall not be allowed, a surviving spouse or heirs desiring graves
301 opened shall secure the necessary disinterment permit from the state and deliver
302 such to the city manager or his designee.
- 303 (1) A disinterment at the request of the surviving spouse or heirs shall be
304 arranged by a funeral director and shall be the responsibility of the funeral
305 director.
- 306 (2) When a disinterment occurs for the purpose of transfer of the deceased to
307 another cemetery, the grave space shall revert to the city. The purchaser
308 or his/her heirs shall be reimbursed the original sale price of the space
309 less twenty (20) percent, which shall be retained for administrative costs.
310 The requestor shall also be responsible for the actual costs of the
311 disinterment to the city, which may include the replacement of the vault, if
312 the city determines that replacement of the vault is necessary. Costs may
313 be deducted from any reimbursement due.
- 314 (3) When a disinterment occurs for the purpose of transfer of the deceased
315 from the original burial space to another burial space within the cemetery
316 at the request of the surviving spouse or heirs when there has been an
317 exchange or purchase of a burial space for that purpose, the requestor
318 shall be responsible for an administrative fee of twenty (20) percent of the
319 current price of the space to which the deceased is being transferred and
320 for the actual costs of the disinterment to the city, which may include the
321 replacement of the vault in the original space, if the city determines that
322 replacement of the vault is necessary. The requestor may retain
323 ownership of the original space or resell it to the city for a refund of the
324 original purchase price.
- 325 (c) A disinterment directed by the order of a court of competent jurisdiction shall be
326 the responsibility of the person, firm or corporation requesting the court order. All
327 costs for the disinterment shall be the responsibility of the of the requestor.
- 328 (d) A disinterment directed by a medical examiner for the purpose of holding an
329 inquest shall be the responsibility of the medical examiner or his lawful agents.
330 All costs for the disinterment shall be the responsibility of the of the medical
331 examiner.

- (e) All disinterments shall be subject to the same rules and regulations established by this article for interments. All disinterments for the purpose of removing the remains from the cemetery shall, in addition, require a transit permit signed by the appropriate public authority.
- (f) The city may perform a disinterment to correct an error in interment and may transfer the remains erroneously interred to the correct burial space or to another burial space of equal value and similar location as may be substituted and conveyed in lieu thereof.

Sec. 20-11. Lot enclosures.

No person ~~lot owner~~ shall erect any fence, wall or curbing around any lot or place on a lot, any cement or stone slab or any walkway leading to or from such lot.

Sec. 20-12. Care of grave space.

The following rules for the care of grave spaces shall be enforced by the city manager or his/her designee.

- (1) Flowers from burial services not removed by the funeral director or the decedent's family shall be removed by the city after one week.
- (2) Easels and stands are not permitted at the burial site.
- (3) Permanent plantings are not permitted at the burial site, and will be removed by the city.
- (4) Faded flowers, plastic, potted or fresh plants, picture frames and other personal items shall be removed from the burial site in a timely manner, as prescribed by policy, or will be removed by the city.

Sec. 20-13. Rights reserved to ~~of entry by the city~~.

- (a) The city manager, or his/her designee, and/or any person employed by the city and acting under the directions of the city, shall have the right to entry upon any cemetery lot for the purpose of cutting down or removing any and all weeds, tall grasses, underbrush, trash or routine maintenance or proceed in any manner deemed necessary to maintain the lot and/or cemetery premises in good condition.

- 362 (b) If, for any reason, a previously purchased interment space is unavailable, the
363 city, to prevent a delay in the services, may provide one in a location it deems
364 best and proper. The city, as a result of such action, shall not be held liable in any
365 way.
- 366 (c) The city reserves and shall have the right to refuse admission to the cemetery
367 and to refuse the use of any of the cemetery's facilities at any time to any person
368 or persons whom the city may deem to be in violation of the provisions of this
369 article.
- 370 (d) The city reserves and shall have the right to enlarge, reduce, re-plat or change
371 the boundaries or grading of any or all sections of the cemeteries including the
372 right to modify and change the locations of or remove or re-grade roads, drives,
373 walks, or any part thereof.
- 374 (e) The city reserves and shall have the right to lay, maintain and operate, or alter or
375 change water lines for irrigation systems, gutters for drainage, and the like, and
376 reserves an easement along all lot lines for utility purposes as needed.
- 377 (f) The city reserves and shall have the right to use cemetery property not sold to
378 individual lot owners for cemetery purposes, including the interment of human
379 remains, or for anything necessary, incidental or convenient thereto.
- 380 (g) The city reserves to itself, and to those lawfully using the privileges and facilities
381 of the cemeteries, a perpetual right of ingress and egress over lots for the
382 purpose of passage to and from other lots.
- 383 (h) The city reserves and shall have the right to correct any error that may be made
384 by it in the description, transfer or conveyance of any interment rights, either by
385 cancelling such conveyance and substituting and conveying in lieu thereof other
386 interment property of equal value and similar location as far as possible, or as
387 may be selected by the city manager or his designee, or, in the sole discretion of
388 the city manager, by refunding the amount of money paid on account of said
389 purchase.
- 390 (i) The city reserves and shall have the right to correct any error that may be made
391 by it in making interments, disinterments or removals. In the event such error
392 shall involve the interment of the remains of any person, the city reserves and
393 shall have the right to remove or transfer such remains so interred to such other
394 property of equal value and similar location as may be substituted and conveyed
395 in lieu thereof.

- (j) The city reserves and shall have the right to prohibit, modify or remove any structure, object, improvement or adornment from any lot which may have been placed therein in violation of the rules, or which may be considered objectionable, or injurious to the lot, adjoining lots or to the cemetery in general. For the purposes of this article, the term "objectionable" means that an item interferes with the operation of maintenance equipment, has poor aesthetic value, or does not conform to established societal values.
- (k) The city reserves and shall have the right to adopt additional rules and regulations or to amend, alter or repeal any rule or regulation established by this article, at any time, and subject only to the public notice requirements provided by Florida Statutes for ordinance adoption.
- (l) *Commission discretion to make rule exceptions.* The city commission recognizes that hardships may arise from time to time from strict application of the provisions of this chapter. Therefore, the commission reserves its discretion to make reasonable exceptions or modifications to the provisions of this chapter in order to address any hardship that may arise. Request for an exception or modification shall be filed with the city clerk in writing and state with specificity the nature of the hardship and the exception or modification requested. The city clerk shall provide a copy of each such request to the city manager and public works director and schedule a time for the commission to consider the request. The city commission, in its sole discretion, may allow the exception or modification to the provisions of this chapter to the extent that it finds is reasonable and in the best interest of the public and the cemetery while also serving to prevent or alleviate the stated hardship. The granting or denial of an exception or modification will not serve as precedent for other requests and will not entitle other requestors to the same or similar exceptions or modifications.

Sec. 20-14. Use of roadways and entrances.

- (a) The roadways of the city cemetery are private thoroughfares provided for the attendance at funerals, memorial occasions, visits to burial sites or other similar cemetery business. No person shall use the roadways of city cemetery as public thoroughfares for passage through the cemetery or any other purpose not related to the business of the cemetery.
- (b) No person shall climb over, go through or go over any wall, fence or hedge in the cemetery; or trespass in any manner upon cemetery property. Entry to the

cemetery shall be through the established gateways or entrances during the established visitation hours.

- (c) Any and all violations of paragraphs a and b shall subject the violator to arrest for trespass pursuant to F.S. chapter 810.

Sec. 20-15. Prohibitions; enforcement.

- (a) The city has established regulations for the operations of the city cemetery to ensure the sanctity of the cemetery is observed at all times. The following activities are prohibited in the city cemetery:

(1) Except when in attendance at a funeral, burial visitation or cemetery business, bicycles and motorcycles are not permitted inside the city cemetery.

(2) No dogs or domesticated pets, with the exception of guide dogs, are permitted in the city cemetery.

(3) All persons entering on the grounds of the city cemetery are expected to conduct themselves with the strictest decorum at all times.

(4) Injure or remove. Damage, cut, carve, transplant or remove any tree, plant or floral arrangements or injure the bark, or pick the flowers or seeds, of any tree or plant. A person shall not dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.

~~(4)~~ (b) Violations of any of the above provisions, or rules, regulations and policies approved by the city commission, will subject the violator to removal from the cemetery grounds, in addition to any other enforcement mechanisms or penalties permitted by law.

(c) Ejectment. City employees designated by the city manager shall have the authority to eject from any city cemetery any person acting in violation of this chapter.

(d) Seizure of property. City employees designated by the city manager shall have the authority to seize and confiscate any property, thing or device in a city cemetery used in violation of this chapter.

SECTION 3. Conflict. All ordinances, parts of ordinances, resolutions, or parts of resolutions in conflict herewith are hereby repealed, to the extent of the conflict.

SECTION 4. Severability. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion thereof, other than the part that is declared to be invalid.

SECTION 5. Codification. It is the intention of the Mayor and City Commission that the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention the words "ordinance" or "section" may be changed to other appropriate words.

SECTION 6. Effective Date. This Ordinance shall take effect 30 days after the date of its passage and adoption.

PASSED on 1st reading on _____, 2026.

PASSED AND ADOPTED on 2nd reading, on _____, 2026.

JOY F. COOPER
MAYOR

SPONSORED BY: CITY ADMINISTRATION
ATTEST:

JENORGEN GUILLEN
CITY CLERK

APPROVED AS TO FORM &
LEGAL SUFFICIENCY

JENNIFER MERINO
CITY ATTORNEY

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