

2.16.040 CEMETERY TRUSTEES

- A. City cemeteries shall be under the care and management of five trustees, one of whom shall be chosen each year by the City Council for a term of five years.
1. They shall annually, as soon after March first as practicable, meet and organize by the choice of one of their members as chair, and may appoint a Superintendent, a secretary and other assistants and subordinates.
 2. They may adopt and promulgate such rules and regulations for their own government and for the transaction of business as they may deem necessary and appropriate.
 3. The Trustees shall have authority to grant and convey to any person or persons, by deed duly executed, the exclusive right of burial, and of erecting tombs, cenotaphs and monuments in any of the designated lots or subdivisions of city cemeteries upon such terms and conditions as they may by their rules and regulations prescribe. The proceeds of such sales shall be paid into the City Treasury, and be kept separated from any other funds of the city, and shall be devoted to the liquidation of all debts, obligations and expenses of such cemetery incurred for land or the improvement thereof.
 4. The Cemetery Trustees shall have control of all receipts other than the proceeds of the sales of rights of burial.
 5. The Trustees of the Cemeteries are authorized to take and hold any grant, donation, bequest or deposit that may be made upon trust, to apply the same, or the income thereof, for the improvement or embellishment of the cemeteries, in any manner of form consistent with the purposes for which it was established. When such a grant, donation, bequest or deposit is made by the proprietor of a lot for its repair, preservation or embellishment, they may give to such proprietor an agreement or obligation in such form, and upon such terms and conditions as they may establish, binding the City to keep the lot in repair for such period as may be agreed upon.
- B. All money received pursuant to this section shall be deposited in the City Treasury, and invested by the Treasurer, under the direction of the Trustees, in public stocks, or in mortgages of real estate, or by deposit in any savings bank, national bank or trust company in the Commonwealth; and, the principal shall permanently remain in a separate account. The income of such fund or funds shall be received by the City Treasurer, and shall be appropriated by the Trustees in such manner as will, in their opinion, promote the purposes for which such grants, donations, bequests or deposits were made.
- C. Every deed for rights of burial in a city cemetery shall be in such form approved by the City Solicitor and prescribed by the Trustees. Deeds shall be signed by the Chair of the Trustees, and countersigned by the Secretary thereof, and by the City Treasurer. It shall have the City Seal affixed thereto, and shall be recorded by the City Clerk in a book provided for that purpose.