

# PARKS, RECREATION AND CEMETERY

## CHAPTER 1

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#### SECTION 11-101      CREATION OF BOARD.

There is hereby created a board of cemetery trustees consisting of three (3) members. Each of the members shall serve for a period of six (6) years. It shall be the duty of the board of trustees to appoint the trustees and to designate one of the members to serve for two (2) years, another to serve for four (4) years, and the other to serve six (6) years, and each member thereafter appointed shall serve six (6) years. The mayor of the town may serve as an ex officio member of the board having the same powers to exercise when deemed necessary. (Added 1988)

#### SECTION 11-102      POWERS AND DUTIES.

The board of cemetery trustees shall have charge of, and control of the town cemetery, known as the Porter Cemetery, and is hereby authorized to make rules and regulations governing the control, management and improvement of the cemetery and is authorized to fix the price for which lots shall be sold or a charge for which an interment shall be made, and to make such assessments for the upkeep of the cemetery. It shall be the duty of the board of cemetery trustees to select a superintendent, subject to the approval of the town board of trustees, who shall be under their control and whose duty it shall be to supervise the care of and protect the grounds and their appurtenances, enforce the rules and regulations of the board, to superintend repair and construction of improvements. It shall be the duty of the city clerk to collect, receipt all monies received from any and all sources and to deposit such funds with the town treasurer as a cemetery fund, and treasurer shall, on the order of the board of trustees draw such funds in payment for repairs, materials, maintenance, upkeep and services in the control and management, care and preservation of the cemetery. (Added 1988)

#### SECTION 11-103      CEMETERY CARE FUND, PURCHASE OF LANDS AND INVESTMENTS.

Not less than twenty-five percent (25%) of all monies received from the sale of lots and interments shall be segregated and set aside as a permanent fund to be known as

the "Cemetery Care Fund". The cemetery care fund shall be expended for purchasing lands or cemeteries and for making capital improvements if necessary. The balance of the fund may be invested by the town board of trustees as provided by law. Only the interest from the investments shall be used in improving, caring for and embellishing the lots, walks, drives, parks and other necessary improvements. The board of trustees shall, on the first Mondays in January and July of each year, make a report to the board of trustees of all lots, sold, interments made, and all monies received and expended by the board in and about the cemetery, (Added 1988)

#### SECTION 11-104 CEMETERY RULES

The following apply to the town cemetery:

1. It shall be unlawful for any person to place curbs, enclosures, walks or any other permanent obstruction in the cemetery.
2. Trees, shrubs, or flowers shall not be planted in the cemetery except under the supervision of the caretaker;
3. Cemetery officials reserve the right to have removed any structure or object they may deem objectionable;
4. Flowers shall be displayed only on headstones during mowing season except for Memorial Day and new gravesites. Flowers displayed for Memorial Day shall be removed the first Monday following Memorial Day. Flowers shall be removed from new gravesites after seven (7) days;
5. It shall be unlawful to fill lots above the established grade of the cemetery or fill graves above the level of the lots;
6. No person other than the owner or member of his immediate family shall be buried in any plot without the written consent of the owner thereof;
7. No interments shall be made unless the plot has been paid for to the town;
8. Human bodies only shall be buried in the cemetery;
9. Multiple interments in single space. No more than one interment shall be permitted in a single space, except in the case of a mother and child, two infants buried in one casket, a normal interment and one cremation may be in a single space, or two cremations may be placed in a single space;
10. All headstones must have a concrete base. All monuments and markers must be set on the plot line and shall be set by the monument company or by the caretaker. Veteran's markers can be used for a headstone, or put at the foot of grave within boundaries of the Plot. Charges for setting headstones shall be established by resolution of the board of trustees;

11. No markers shall be allowed which are made of any perishable materials such as wood or sandstone;
12. A concrete or steel box is required as an outside enclosure in all burials in the cemetery;
13. Cemetery lots are non-transferable. Any resale of such lots shall be to the town at a price equal to sixty percent (60%) of original purchase price;
14. Charges for interment, opening and closing graves, single grave spaces and lots and the care and maintenance of cemetery lots shall all be set by resolution by the board of trustees;
15. The lack of a current address of the owner of such unused lots for a period of twenty (20) years shall cause the lots to be deemed abandoned by owner and ownership shall revert back to the town and may be resold;
16. Graves shall be opened and closed by the town only; graves shall not be opened or closed on Sundays and holidays;
17. All gravesite services or services during inclement weather at Greenwood Cemetery shall be held at the shelter with interment occurring after the services;
18. Alleyways in the cemetery shall remain closed at all times;
19. The cemetery gate shall be closed from dusk to dawn;
20. It shall be unlawful to loiter within the cemetery;
21. It shall be unlawful to ride horses within the cemetery;
22. It shall be unlawful for an unauthorized person to disturb, remove or take flowers or other grave decorations from any lot or grave space in the cemetery;
23. It shall be unlawful to vandalize property within the cemetery;
24. No diesel or oil base weed killer may be used in the cemetery at any time;

25. Any person, firm or corporation violating this section or any part thereof shall be deemed guilty of a misdemeanor; and upon conviction thereof, shall be punished as provided in Section 1-108 of this code; and

26. All prices, fees or charges that are to be set by resolution shall be subject to change by subsequent resolution when deemed necessary by the town board of trustees.

27. The Town of Porter, Oklahoma is not responsible for damage of any headstone resulting from a natural disaster.

SECTION 11-105 PENALTY.

Any person who violates any provision of this chapter or the rules and regulations made by the board of cemetery trustees or the town shall be guilty of an offense and upon conviction thereof, shall be punished as provided in Section 1-108 of this code. (Added 1988)

CHAPTER 2

PARKS

Section 11-201 Curfew for park.  
Section 11-202 Use of glass containers prohibited.  
Section 11-203 Penalty.

SECTION 11-201 CURFEW FOR PARK.

All parks located within the corporate limits of the Town of Porter, Oklahoma shall be closed to public use every day from 11:00 P.M. through 5:00 A.M.

SECTION 11-201 USE OF GLASS CONTAINERS PROHIBITED.

The use of all glass containers in all parks located within the corporate limits of the Town of Porter are strictly prohibited by all persons.

SECTION 11-203 PENALTY.

All persons violating Section 1 of this Ordinance shall be subject to a fine of not less than \$100.00.