

ORDINANCE NUMBER 263

AN ORDINANCE FOR THE REGULATION AND  
CARE OF THE LAS ANIMAS CEMETERY.

Be it ordained by the City Council of the City of Las Animas:

Section 1. That the real estate described as: Parts of Sections Fourteen (14), Fifteen (15), Twenty-two (22) and Twenty-three (23), in Township Twenty-three (23) South, of Range Fifty-two (52), West of the Sixth Principal Meridian; commonly known as the Las Animas Cemetery, Las Animas, Colorado, as shown by the present boundary of said Cemetery, be and the same is hereby set aside as a burial place for the dead to be known as the Las Animas Cemetery.

Section 2. Immediately after the passage and adoption of this Ordinance the Mayor of Las Animas shall appoint five citizens and residents of Las Animas, Colorado, who together with the Mayor and City Treasurer, ex-officio shall constitute a Cemetery Board, who shall have general supervision and management of said Cemetery. It being provided that the members of said Cemetery Board, shall serve for a period of two years; five of the members to be appointed immediately after the adoption of this Ordinance, three to be appointed for one year and two to be appointed for two years, the Mayor and City Treasurer, ex-officio members of said Board during their terms of office. It is also provided that the ex-officio members and the hold over members shall be authorized and are authorized to select new members to the Cemetery Board upon the expiration of the term or terms of any members.

Section 3. The Cemetery Board shall employ a Sexton when they deem it necessary or such other help as may be necessary to properly manage and care for the Cemetery.

Section 4. It shall be the duty of the Cemetery Board or those whom they may employ as Sexton or other help to supervise, dig graves, set monuments, markers and corner stones, to properly care for and irrigate all trees, shrubbery, flowers and grass growing in the Cemetery; to keep the driveways and walks in good condition, to see that the monuments and markers are not defaced or destroyed: or otherwise injured; to protect all property in the Cemetery and see that the rules and regulations of the Cemetery are complied with.

Section 5. The Cemetery Board through its secretary shall keep all records of the Cemetery and shall procure suitable books and blanks for that purpose.

Section 6. Block and grave spaces shall be sold at the following prices: \$10.00 per burial lot. It being further provided that the Mayor of the City of Las Animas is hereby authorized to execute deeds conveying blocks and lots in the Cemetery to purchasers. All blocks and lots are to be used for burial purposes only and will not be permitted to be resold without the consent of the Cemetery Board and must be paid for at the time of purchase.

Section 7. All graves shall be at least twenty-four inches within the boundary of the block or lot and shall be at least five and one-half feet in depth. A reasonable fee will be charged for opening and closing graves.

Section 8. Any person desiring a lot owned by them to have the perpetual care of the City shall pay therefor as follows:

- Subdivision 1, \$40.00 per burial lot;
- Subdivision 2, \$25.00 per burial lot;
- Subdivision 3, \$15.00 per burial lot;

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it being provided that all blocks or lots purchased for burial purposes in the divisions known as No. 1 and 2 must be bought as lots for perpetual care and that the charge for perpetual care shall be paid for at the time said blocks or lots may be purchased after the adoption of this Ordinance.

A certificate shall be issued under the Seal of the City of Las Animas, Colorado, signed by the president of the Cemetery Board and attested by the City Clerk, obligating the City to perpetually care for the lot of grave space for which the certificate is issued.

The City Treasurer shall place the money derived from perpetual care sales in a special fund, known as the "Cemetery PERPETUAL Care Fund" and shall invest the money of said Fund in the City of Las Animas warrants, or in the event there is no outstanding City warrants, the money shall be invested in securities approved by the Cemetery Board. The interest derived thereby shall be used in caring for the lots thus endowed and under no circumstances shall the principal be used for any other purpose whatsoever.

Section 9. All work upon or decoration of blocks, lots or graves, within the cemetery shall be under the supervision of the Sexton or other employee or employees of the Cemetery Board and any person desiring to do any work upon any block or grave shall first consult the Sexton or employee in charge in reference thereto. Fences, railings, hedges, copings, or other enclosures around lots or graves are prohibited. Nothing shall be placed upon lots or graves other than flowers and vases therein containing the same, wreaths, flags and other temporary decorations, which will be removed as soon as they become unsightly, and unless previous arrangements have been made, the Cemetery Board or its employees will not return them to the owner of the blocks or lots.

Section 10. The Cemetery Board through its Sexton or other employees shall have charge of the planting of all trees and shrubs for the ornamentation of the Cemetery and additional planting by the owners of the blocks is permitted and invited with the understanding that the same is to be under the direction of the Cemetery Board or its employees. If any tree or shrub growing upon any lot or block shall become detrimental to adjacent lots, walks or roads, or interferes with the general design of the Cemetery, the Sexton or other employees of the Cemetery Board may remove the same. No person shall disturb the sod, plants or flowers upon any lot in the cemetery except with the permission of the Cemetery Board or its Sexton or other employee.

Section 11. No monument or grave marker shall be placed in the cemetery constructed of wood, iron, plaster paris, cement, limestone, soap stone, artificial stone, salt or tin, but must be constructed of granite, standard bronze or marble.

Section 12. No person shall erect a monument or marker in the cemetery until a permit has been issued by the Secretary of the Cemetery Board.

Section 13. No vault shall be erected until the plans, specifications and location thereof shall have been approved by the Cemetery Board.

Section 14. All vaults, monuments and markers shall be erected under the

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supervision of the Sexton or other employee of the Cemetery Board. All work of this kind shall be done as rapidly as possible. Upon completion of such work, all rubbish shall be removed. Any person engaged in such work shall be held responsible for any damage to monuments, trees, driveways or any other thing in the cemetery.

Section 15. BLOCKS may be marked with corner stones of granite not less than six inches dressed on top and not less than ten inches long and shall not project above the level of the lot.

Section 16. The Cemetery Board shall have a right to close any walks or driveways now existing in the cemetery, establish grades and have a right to make any additional rules for the government of the cemetery not inconsistent with this ordinance.

Section 17. Any person violating any provision of this ordinance shall be deemed guilty of an offense and upon conviction shall be fined in any sum not exceeding one hundred dollars (\$100.00)

Section 18. IN THE OPINION of the City Council of the City of Las Animas the passage of this ordinance is necessary for the immediate preservation of public peace, health, and safety of the community, we therefore declare that an emergency exists and that this ordinance shall take effect and be in force ten days after final passage and publication.

Approved and adopted this 2nd day of July, A. D. 1928.

*Chas. M. Cheek*  
Mayor

Attest: *Lizzie E. Collett*  
Clerk.

It was moved by Alderman Chas. M. Cheek and seconded by Alderman Gilliland that the foregoing Ordinance No. 263 be passed on final reading. Upon roll call the following vote was had:

Aye: Alderman Chas. M. Cheek Claude Sydner, B. H. Faucett, H. E. Gilliland and H. D. Kennedy. Clyde Simons

Naye: None.

STATE OF COLORADO }  
                                  } ss.  
COUNTY OF BENT }

I, Lizzie E. Collett, City Clerk in and for the City of Las Animas, Colorado, do hereby certify that the foregoing Ordinance No. 263 was read at a regular meeting of the City Council of the City of Las Animas, Colorado, and published in full in the Bent County Democrat, a weekly newspaper of general circulation, published in the City of Las Animas for ten days before its passage, and published once after its passage and approval, in said Bent County Democrat.

In Witness Whereof, I have hereunto set my hand and affixed the official seal of the City of Las Animas, Colorado, this 2nd day of July, A. D. 1928.

(SEAL) *Lizzie E. Collett*  
City Clerk.