

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF DEFUNIAK SPRINGS, FLORIDA, REPEALING AND REPLACING, IN PART ORDINANCE 871 OF THE CITY OF DEFUNIAK SPRINGS, FLORIDA, THEREBY AMENDING THE MUNICIPAL CODE CHAPTER 6, ENTITLED "CEMETERIES", SECTION 6-11, ENTITLED "BURIAL PLOTS"; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE**

*WHEREAS*, The City of DeFuniak Springs has determined that the practical implementation of its existing policy related to transfer of burial plots and disposition of burial plots upon death of the owner(s) of burial plots is an inefficient and unreasonable process to both the public and the staff of the City,

*NOW THEREFORE*, be it ordained by the City Council of the City of DeFuniak Springs, Florida, that Ordinance 871 of the City DeFuniak Springs, Florida is repealed and replaced in part, thereby amending Municipal Code Chapter 6, Entitled "Cemeteries", Section 6-11, Entitled "Burial Plots" as follows:

**Sec. 6-11. Burial Plots.**

(c) The City of DeFuniak Springs Cemetery Board of Trustees or their designee shall be the only entity authorized to sell burial plots within a city cemetery. The City Clerk shall prepare a certificate of interment rights, with the Chairman of Board of Trustees approving such permanent record for said city owned cemetery. All transfers of warranty deeds or certificates of interment rights to heirs, successors, and assigns by will or otherwise will be effectuated by the City upon a showing of satisfactory documentation, as deemed satisfactory in the sole discretion of the City, of the party requesting transfer being the actual heir, successor, or assign of the owner. Such transfers shall be made on a first-come, first-served basis, with priority given to interment of spouses, parents, and children of those already interred in a specific plot. The City shall defer to any probate order(s) that exist in making these determinations. A person in possession of the original warranty deed or certificate of interment rights to the city, and who provides legal documentation stating they are the sole heir to the original purchaser shall be transferred all remaining burial plots of the original purchaser. The City shall issue a new certificate of interment rights and then shall such certificate is be recorded as a new permanent record for the city owned cemetery when such transfers occur.

**Severability.**

Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

**Effective Date.**

This ordinance shall become effective upon its adoption by City Council.

DULY ADOPTED in regular session this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Robert "Bob" Campbell, Mayor

ATTEST:

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Maryanne Schrader, City Clerk