

ORDINANCE NO. DRAFT

AN ORDINANCE REPEALING AND REPLACING ORDINANCE 871, OF THE DEFUNIAK SPRINGS MUNICIPAL CODE, ENTITLED "CEMETERIES"; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, The City of DeFuniak Springs has determined that an overall amendment is needed for Ordinance 871 of the Municipal Code of the City of DeFuniak Springs, Florida.

NOW THEREFORE, be it ordained by the City Council of the City of DeFuniak Springs, Florida, that Chapter 6 of the DeFuniak Springs Municipal Code is hereby amended in its entirety to read as follows:

ARTICLE I. IN GENERAL

6-1 Composition.

The Cemetery Board of Trustees of DeFuniak Springs, Florida, is hereby disbanded and all administrative duties and functions will be replaced by the City Clerk and Cemetery Coordinator.

- a. The City Clerk shall keep a permanent record of those interred, rights ownership and lots sold. The Cemetery Coordinator will ensure maintenance and general upkeep is maintained.
- b. The City Clerk, Cemetery Coordinator or their designee is authorized to sell or provide transfer of Warranty Deeds or Certificate of Internment Rights and is hereby empowered and authorized to make, execute and deliver cemetery burial plots and to execute such documents necessary to convey the same.

6-2 Definitions.

For the purpose of this ordinance the following terms, phrases, words, abbreviations and their derivations shall have the following meaning herein given. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words not defined shall be given their common and ordinary meaning, or for those so included, the meaning found in Section 1-2 of the Municipal Code of the City of DeFuniak Springs, Florida.

Burial Plot shall mean a space of ground in a cemetery intended to be used for the interment in the ground of human remains. The size of burial plots shall be 5 ft. x 10 ft in Sections A – I, 4 ft. x 10 ft. in Sections K-S, more or less.

Cemetery shall mean Magnolia Cemetery located within the City of DeFuniak Springs, owned by the City, to be used or intended to be used for the permanent interment of human remains.

Columbarium A structure consisting of small vaults or niches for urns containing cremated remains. The columbarium shall be located in Block J of the cemetery.

Dawn to Dusk shall mean one-half hour after sunrise and one-half hour before sunset.

Grave Blocks shall mean a series of contiguous burial lots as platted.

Indigent shall mean in a general sense, one who is destitute and does not have the financial resources to purchase a burial plot. Walton County in conjunction with the Funeral Director shall make that determination.

Lot shall mean an individual burial plot or group of contiguous burial plots not to exceed twelve.

Marker shall mean a ground level marker either used as a headstone or foot marker used to identify a grave site not to exceed 12 inches in width and 24 inches in length.

Memorial Vase Retractable or removable memorial vase to assist with mowing and maintenance.

Monument shall mean any product used for identifying a grave site and cemetery memorials of all types, including monuments, markers and vases.

Niche A space in a columbarium used or intended to be used for the interment of cremated human remains.

Perpetual care shall mean the general upkeep of the cemetery grounds including, but not limited to maintenance of roadways, mowing, removal of dead trees, etc. but specifically excludes the care of privately owned individual gravesites.

Vault shall mean an outer burial container or enclosure into which a casket is placed and includes, but is not limited to, vaults made of concrete, steel, or equivalent material.

Vehicle shall mean any wheeled conveyance, whether motor powered, animal-drawn or self-propelled. The term shall include any trailer in tow of any size, kind or description. Exception is made for baby carriages, wheelchairs, and vehicles in the service of the City vault installers, monument installers and funeral directors.

6-3 City cemetery grounds or property.

No person in any City cemetery shall:

1. Willfully mark, deface, disfigure, injure, tamper with, use inappropriately, or displace or remove, any buildings, benches, paving or paving material, water lines, irrigation systems or other public utilities or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, monuments, stakes, posts or other boundary markers, fences, gates, copings, curbing, head markers, tombstones, vault covers, slabs, vases or other monuments or structures within any City cemetery without the approval of the Cemetery Coordinator.
2. Dig, remove, or disturb any soil, shell, rock, stones, trees, shrubs or plants, or construct or erect any building or structure, coping, curbing, monument, marker, tombstone, vault cover, slabs, or other structure without obtaining the required permit from the board of Cemetery Coordinator or designee or their designee. All persons, other than owner of said plot, shall acquire a permit before work is performed. Permission to remove a dead tree or shrub shall be at the discretion of the cemetery Coordinator or Public Works Director. Permit fees are established by resolution of the DeFuniak Springs City Council. **Lot owners are not allowed to add soil, lay sod, plant grass seed or otherwise alter the landscape of their lot without permission from the Cemetery Coordinator.**
3. Damage, cut, carve, transplant or remove any tree, shrub, plant(s), floral arrangements or injure tree bark, pick the flowers or seeds, of any tree or plant. A person shall not dig or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area. The City shall have the right to trim and maintain all trees and shrubs that extend into the rights of way. Individual(s) **do not** have the right to maintain existing trees and shrubs on their family designated lot, unless an approved permit is issued.
4. Climb any tree or walls, stand or sit upon monuments, vases, fountains, railing, fences, or gates, copings, curbing, head markers, tombstones, vault covers, slabs or upon any other property not designated or customarily used for such purposes. There shall be "No Trespassing Signs" installed on Cemetery grounds and those in violation shall be fined \$50 or 5 hours of community service for the first occurrence and the fine shall be doubled for each additional violation.

5. Allow the entry of any horse, dog, cat or other domestic animal inside any City cemetery. This section shall not apply to any service animal when such animal is actually being used in a service capacity.
6. Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw any kind of projectiles at any animal, reptile or bird; nor shall he remove or have in his possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird.
7. Excavate and/or dig a burial or cremation interment location unless an approved cemetery permit has been obtained from the City Clerk, Cemetery Coordinator or their designee and shall not be excavated or dug within 48 hours of the interment service.

6-4 Refuse and trash prohibited.

No person in any City cemetery shall have brought in or shall dump, deposit or leave any bottles, glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse, or any other trash. No such refuse or trash shall be left anywhere on the grounds thereof, but shall be placed in the proper receptacles where provided; where receptacles are not provided, all such rubbish or trash shall be carried away from the cemetery by the person responsible for its presence, and properly disposed of elsewhere.

6-5 Traffic.

No person in any city cemetery shall:

- (1) Fail to comply with all applicable provisions of the state motor vehicle traffic laws in regard to equipment and operation of vehicles together with such regulations are contained in this and other ordinances.
- (2) Fail to obey all traffic officers, City employees, or funeral directors, such persons being hereby authorized and instructed to direct traffic whenever and wherever needed in any city cemetery and on the highways, streets or roads immediately adjacent thereto in accordance with the provisions of these regulations.
- (3) Fail to observe carefully any and all traffic signs or markings indicating speed, direction, caution, stopping, or parking, and all others posted for proper control and to safeguard life and property.
- (4) Ride or drive a vehicle on established roadways, if applicable, at a rate of speed exceeding five (5) miles an hour, except upon such roads as the City may designate, by posted signs, for faster travel.
- (5) Drive any vehicle on any area except the established roadways, paved roads, parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the City. Rights of way between grave blocks are for pedestrian use only and their use by vehicles, other than those required for maintenance by the City or for installations of facilities under direction of the City, is prohibited.
- (6) Park a vehicle in other than an established or designated parking area, and such use shall be for the purpose of attending funeral, grave site visits, maintenance by the City, or other official business.
- (7) Leave a vehicle standing or parked at night.
- (8) Double-park any vehicle on any road or parkway unless directed by a City official.

6.6 Prohibited conduct.

No person in any City cemetery shall:

(1) Enter an area posted as "Closed to the Public," nor shall any person use, or abet the use of any area in violation of posted notices.

(2) **Cemetery grounds are sacredly devoted to the interment and repose of the dead. Strict observance of decorum due such a place shall be required of all visitors.** Sleep or protractedly lounge on the seats, or benches, or other areas, or engage in loud, boisterous, threatening, abusive, insulting, indecent language, or engage in any disorderly conduct or behavior tending to be a breach of the public peace.

(3) Disturb or interfere unreasonably with any person or party lawfully present in any City cemetery.

(4) **The discharging of firearms is prohibited, except for an approved military funeral or patriotic service.**

6.7 Merchandising, Advertising and all Signs Prohibited.

A. No person in the entire cemetery shall:

(1) Expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing.

(2) Announce, advertise, or call the public attention in any way to any article or service for sale or hire. Funeral tents are exempt but shall be removed within 24 hours of the burial service.

(3) Paste, glue, tack or otherwise post any sign, placard, advertisement, or inscription whatsoever, nor shall any person erect or cause to be erected any sign whatsoever on any public lands or highways or roads adjacent to any City cemetery.

(4) Install a political sign on the cemetery property.

6.8 Burial Plots.

1. Burial plots shall be purchased and used only for the purpose of burial of human remains. A Certificate of Rights of Interment shall be issued with each sale.
2. (Ordinance 918 Language) 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 internment 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

such certificate will be recorded as a new permanent record for the city owned cemetery when such transfers occur.

3. Persons desiring to dispose of unused burial plots or niches within Magnolia Cemetery must surrender the original Warranty Deed or Certificate of Interment Rights to the City Clerk, Cemetery Coordinator or their designee, and provide legal documentation stating they are the sole heir of the burial plot(s) or niche(s) and may only be reimbursed by the city for the original purchase price of the burial plot or niche, after documentation has been provided. (Monies deposited into the perpetual care fund are non-refundable.) If the original burial plots/niches purchaser is deceased, no reimbursement shall be made to the heirs, successors, and/or assigns unless a written notarized notice from all heirs has been received naming one-person sole heir along with appropriate legal documentation. If said persons desiring to dispose of an unused burial plot/niche that does not have or cannot obtain an original Warranty Deed or Certificate of Interment Rights, the City of DeFuniak Springs will take ownership with no reimbursement being made for said burial plot(s) and/or niche(s).
4. A limited number of burial plots are reserved to **Walton County** indigent residents and are available based on financial need. The City Clerk, Cemetery Coordinator or designee shall receive an authorization letter from the funeral home director showing the Walton County Commissioners have approved the indigent status, and the funeral home director shall pay the current fee along with the completed Magnolia Cemetery Permit. All indigent burials shall follow all guidelines as outlined in this ordinance and the Magnolia Cemetery Permit Policy, including permit fee and unmarked grave marker fee, including but not limited to a 48-hour business day notice prior to interment.
5. Within the indigent section, all spaces shall not exceed 12 inches x 12 inches. There shall be no trinkets, benches, statues, or any other ornamental items installed in any part of the cemetery.
6. Entire Cemetery (Rules are applicable to the entire cemetery unless specifically addressed in a particular section):
 1. No private sprinkler or sprinkler systems are permitted. Existing sprinklers or sprinkler systems will not be allowed to run over two (2) hours a day. If a person or persons violate this privilege, the water service could be disrupted for three consecutive days and a penalty will be assessed at \$25 for the first offense, \$50 for the second offense, and \$100 for the third offense and each subsequent offense(s).
 2. Refuse, dead flowers or faded artificial arrangements and litter shall be removed to designated disposal areas. Plants, floral arrangements or other matter shall not be placed on the right-of-way. **(Set up a designated clean-up day – March time frame?)**
 3. Temporary markers shall be removed when permanent markers are placed. Temporary markers cannot be used in lieu of permanent markers. Temporary markers will be removed when they become illegible or within three (3) months whichever comes first. The city reserves the right to install a marker on an unmarked grave for identification purposes, and the family will be billed.
 4. If existing enclosures or curbing's are not properly maintained, they may be removed at the direction of the Cemetery Coordinator or their designee.
 5. Only secure vases are permitted. Loose flowers are prohibited. The City reserves the right to remove any plants or other matter that have become unsightly. The city shall remove any items, including but not limited to PVC piping, concrete blocks, or other material, that may hinder the maintenance of the cemetery. **The City reserves the right to enter upon any lot for purpose of removal and**

remediation of anything that is non-compliant, offensive, improper, or injurious from graves and lots.

6. All enclosure methods are prohibited in the Alpha section (The lettered areas within Section 1527 and 1528). Coping is only permitted in the historic section. Monuments shall be installed within the specified plot, with the monument companies and/or funeral homes being responsible for all adjustments, as authorized by the Cemetery Coordinator or designee.
7. A permit must be obtained before any work is done for repairs, leveling or realigning of monuments.
8. Burial plot enclosures, fences, curbing, slabs of any kind, plants or potted plants, trees, flowers (other than what is in the permanent vases on the headstones), statues, stands, easels, wreaths, pictures, ornaments, jewelry, stuffed animals, glass, cans of any kind, etc., and coping are prohibited because they inhibit proper care and maintenance of burial plots. Unless removed by family or friends within five (5) days after interment, floral arrangements or other displays will be removed by the Cemetery Coordinator or designee. The items shall be held for fourteen (14) days at the cemetery office. The city shall reserve the right to remove any item that is not in keeping with general appearance of the cemetery.
9. Monuments are limited to a three-foot length base for a single burial plot, the height is limited to three feet, and the width is limited to 12 inches. Multiple burial plots monuments are limited to no more than seventy-five (75) **(Specific measurement?) percent** of the width of the land purchased with the same height and width limits of a single burial plot. Veteran foot markers shall be placed at ground level only. Such markers shall not exceed 12 inches in width and 24 inches in length and shall be flush with grounds.
10. Flower vases must be permanently attached. No other vases will be allowed. If a ground marker is used only one (1) holder for flowers shall be attached.
11. Any pictures or items placed on or around the grave is prohibited.

(f) Columbarium Section

1. Niches shall be purchased and used only for the purpose of interment of human remains. A Certificate of Rights of Interment shall be issued with each sale.
2. Plaques are limited to the following description: bronze plate, dark finish, bevel edged, flat face letters, and must be eight inches in length by three inches in height.
3. Temporary plaques shall be permitted until interment is complete. Temporary plaques shall be removed when permanent plaques are placed. Temporary plaques cannot be used in lieu of permanent plaques. Temporary plaques will be removed when they become illegible or when interment is complete, whichever comes first.
4. Items such as pictures, flowers, memorabilia or any other items of any kind may not be placed on or around the columbarium. The City will not be responsible for any loss or damage to such items. The City shall remove any pictures, flowers, memorabilia or any other items of any kind that is placed on or around the columbarium.

(g) Memorial Gardens:

The City of DeFuniak Springs reserves the right to hold grave spaces for the purpose of greenspace, landscaping or utilities.

(h) Section K - R: **(Suggested name for this area – historical figure?)**

1. No curbing, chipping, benches, statues or anything that cannot be permanently affixed to the headstone is permitted.
2. Slabs are not permitted.
3. Foot markers at ground level only.
4. Vaults are required.
5. Sprinkler systems are not permitted.

(i) Blocks A – I. **(Suggested name for this area – “Janet Whalen” – This is the lady who included Magnolia Cemetery in her estate)**

Coping is permitted in Block A – I. Sprinkler systems are not permitted.

Coping, slabs and sprinkler systems are not permitted in Blocks K – S. Vault lids are permitted to be exposed in Block S only.

Foot markers must be at ground level only.

(j) Historic Section –

The area containing the numbered blocks.

6-9 Burial Plot Requirements.

1. Burial plots must have a minimum of 18 inches of earth above each vault and shall not exceed the elevation of the surrounding area.
2. Interments within burial plots shall be positioned to ensure preservation of the symmetry for future tombstones, markers, or other monuments.
3. Each and every burial casket and urn shall be contained in a vault that meets the specifications of this ordinance.
4. After each burial, turf, (if any), must be replaced and the ground leveled in a workmanlike manner with as little disturbance to surrounding areas as possible. Excess waste materials present after a burial shall be disposed of in designated areas, as directed by the Cemetery Coordinator.
5. A plot measured at 42” x 96” is required and survey pins shall be placed every 200 feet.

6.10 Magnolia Cemetery Operating Policy

Section 1. Contractors

Any work provided at Magnolia Cemetery must be done by a licensed contractor under current rules and regulations approved by the City Council. **Funeral directors will be held responsible for damage and loss of time or labor caused by them in providing incorrect information to the City Clerk.** The contractor will prepare the site for the installation of a vault, to include setting and sealing of the vault.

Access to some grave sites is difficult and can require the movement and replacement of headstones and coping. The contractor shall be responsible for promptly repairing and replacing headstones, grave markers, coping, and the like, or other surface disturbances caused by it, its employees or agents, during the execution of their duties and no more than 48 hours after such occurrence.

The contractor shall be responsible for opening the grave to a depth of at least 5' 4" to install a concrete vault.

The contractor shall have the burial spaces prepared for the interment by approximate scheduled funeral time or a minimum of one (1) hour prior to graveside services. All closings shall be completed immediately following the burial services. All work shall be done during daylight hours.

The contractor shall provide cribbing, as necessary, grass, tent, lowering device, and a minimum of 20 chairs unless other arrangements have been made with the Cemetery Coordinator.

The contractor shall have workers available during the service to provide any assistance that the funeral home or cemetery personnel may need and ensure expedient closing of the grave.

The contractor shall be responsible for promptly repairing or replacing property such as headstones, grave markers, coping (only where authorized), etc., that may be damaged during the execution of their duties but not more than 48 hours after such occurrence.

Section 2. General Operating Policy

1. Except for unusual and unforeseen emergencies, Magnolia Cemetery shall be open to the public every day of the year thirty minutes after dawn and thirty minutes before dusk. The opening and closing hours for each individual cemetery shall be posted therein for public information.
2. Any section or part of any City cemetery may be declared closed to the public by the Cemetery Coordinator or designee, at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise), as the Cemetery Coordinator or designee shall find reasonably necessary.
3. A Magnolia Cemetery burial permit shall be made to the City Clerk or Cemetery Coordinator or designee, by the Funeral Director two business days (48) hours prior to internment. This shall include a burial transit permit for the deceased, and a permit fee, as set by resolution of the DeFuniak Springs City Council.
4. No grave/niche will be opened, and no deceased person shall be interred in Magnolia Cemetery unless the City consents thereto and is in compliance with the following:
 - a) A state issued burial transit permit has been received by the City Clerk, Cemetery Coordinator or designee.
 - b) The burial plot/niche has been fully paid or determination of indigence has been made in accordance with fee established by resolution.
 - c) The person arranging for such burial has proper authority to submit the permit.
 - d) The City will verify ownership before permit is issued. If verified, the City will permit the burial plot/niche to be marked and consent issued.
 - e) The Funeral Director shall give notice no less than 48 hours or two business days during regular business hours Monday through Friday 8:00 a.m. to 4:00 p.m. in advance of a burial. On Friday, cut-off time will be 12 Noon to allow time for layout of the plot. Any request after 12 Noon on Friday, including holidays, involving work beyond normal business hours will be billed to the funeral home at the employee's said pay rate by one and a half times. Note that 3:00 p.m. is the latest time for a funeral.
 - f) A burial permit shall be issued to the Funeral Director with a burial permit fee being paid prior to any work being performed. The burial permit fee shall be set by

Resolution and adopted by the DeFuniak Springs City Council. All permit fees for the installation of a veteran marker shall be waived, however, a burial permit is still required. A burial permit is valid for a period of thirty (30) days. A burial permit is required to be on all person(s) while performing work within Magnolia Cemetery.

- g) A person or persons to whom consent has been given for burial shall be bound by all City cemetery rules and regulations and all applicable ordinances.
- 5. The person or persons to whom consent for burial has been given shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such consent shall have been given.
- 6. The City Clerk, Cemetery Coordinator or designee, shall have the authority to revoke a Magnolia Cemetery burial permit upon finding any violation, any rule, resolution or ordinance, or upon good cause shown. The Cemetery Coordinator or designee may deny access to the cemetery grounds in the future.
- 7. The City shall keep full and complete records of ownership of all burial plots/niches in any City cemetery; the burial capacity of each burial plot/niche, interred or not interred; the location of each burial plot/niche that has been or shall hereafter be used; and of the name of the deceased, date of birth and date of death of each plot/niche.
- 8. The City shall not be responsible for any major damage caused during normal maintenance activities.
- 9. The City shall not be responsible for owners of burial plots/ niches performing maintenance activities in a city owned cemetery.

6-11 Vaults.

- 1. Every burial either a casket or an urn must have a vault. The vault shall be made of concrete, steel, or other equivalent material and the cost of such shall be the sole responsibility of the burial plot owner. Such vault shall be of specifications and weight, so as to prevent cave-ins. Only one vault will be permitted on each burial plot unless the vault is for cremation human remains, where two vaults shall be installed per burial plot **(or one casket and one urn).**
- 2. A cremation urn vault shall not exceed 24 inches by 24 inches.
- 3. Per each plot, one full casket or two cremation urns are permitted. **(or one casket and one urn).**
- 4. Tombstones, markers, or other monuments must be leveled, and aligned within burial plot perimeters, so as to not infringe on adjacent burial plots or rights of way. Erection of tombstones, markers, and other monuments must be in accordance with acceptable standards so that they will not settle or tilt. The City Clerk, Cemetery Coordinator, or their designee, has the authority to contact family members of the deceased to have the monument, tombstone, maker repaired prior to damage of marker. If no contact can be made, the Cemetery Coordinator has the authority to remove the monument from the gravesite and place in storage until a relative or friend inquiries about said monument.

The city is not responsible or liable for any damage that occurs to monuments that have tilted or fallen.

6-12 Disinterment.

Disinterment shall be in accordance with the laws of the State of Florida and permission must be obtained in advance from City Clerk, Cemetery Coordinator or designee. Disinterment of a person shall require written authorization from the individual or individuals who currently own the interment rights for the burial space from which the disinterment of the decedent is to take place. A disinterment shall not be considered until the City Clerk, Cemetery Coordinator or designee, receives a court order instructing a disinterment may be performed on the decedent, if applicable, and/or legal documentation applicable to the laws of the State of Florida is provided by the funeral director.

6-13 Use of Funds.

The proceeds of all property disposed by City Clerk, Cemetery Coordinator or designee, together with funds which may be provided by the City Council, shall be held and used for cemetery purposes only. **A portion (10%) of proceeds shall be deposited in a perpetual care fund.**

6-14 Fees.

Cemetery burial plot/niche and administrative fees in the cemetery are established by resolution of the DeFuniak Springs Council.

6-15 Enforcement.

(a) The DeFuniak Springs Police Department shall have the authority to eject from a City cemetery any person acting in violation of this Ordinance.

(b) The DeFuniak Springs Police Department shall have the authority to seize and confiscate any property, thing or device in a City cemetery used in violation of this ordinance.

6-16 Penalty.

Any person found in violation of this ordinance shall be punished by a fine of \$500 for the first offense, \$1,000 for the second offense, and \$2,500 for the third offense. If a third offense is determined, termination rights to pull a permit or work within Magnolia Cemetery will be effective for a sixty (60) day - time frame. Each day any violation of any provision of the ordinance continues shall constitute a separate offense. One-hour of community service may be warranted for each increment \$10 charge.

6-17 Validity and reversion.

The trust created herein is for the use and benefit of the city and shall remain in force and effect until duly revoked by the City Council, at which time the title and possession of all trust properties, both real and personal, shall revert to the city.

6-18 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.

6-19 Effective Date.

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

DULY ADOPTED in regular session this _____ day of _____, 20__.

Robert "Bob" Campbell, Mayor

ATTEST:

Maryanne Schrader, City Clerk