

JOINT ORDINANCE 2000 - 07

**ORDINANCE FOR THE ESTABLISHMENT OF THE CEMETERY COMMISSION OF
NEWTON COUNTY, INDIANA**

WHEREAS, the cemeteries of Newton County are falling into neglect and disrepair due to inadequate funding and supervision.

WHEREAS, the neglect and deterioration of the cemeteries of Newton County is detrimental to the aesthetic beauty of Newton County and the general welfare of its residents.

WHEREAS, the County is desirous of implementing a long term, comprehensive plan and repair the cemeteries of Newton County.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF NEWTON COUNTY, INDIANA that under the authority of the laws of the state of Indiana (I.C. 23-14-67-2) the Cemetery Commission of Newton County shall be established for the repair of the cemeteries of Newton County.

I. SHORT TITLE

This Ordinance and any parts herein shall be known as the Cemetery Commission Ordinance of Newton County, Indiana.

II. DEFINITIONS

A. Cemetery

1. For the purpose of this Ordinance, the word "cemetery" shall mean:
 - i). All public cemeteries within the boundaries of Newton County, Indiana, and
 - ii). Any cemetery that is:
 - a). within the boundaries of Newton County,
 - b). established before 1850,
 - c). may be the burial site of an Indiana pioneer leader or a veteran of an American war,
 - d). have Suffered neglect and deterioration.

B. Commission

1. For the Purpose of this ordinance, the word "Commission" shall mean the Cemetery Commission of Newton County, Indiana.

III. DUTIES OF THE CEMETERY COMMISSION

- A. The Commission shall be responsible for the restoration in all cemeteries of Newton County, Indiana, including:
 - 1. The monuments and markers,
 - 2. Leveling and seeding the ground.
- B. The Commission shall have the duty to create and maintain records of all cemeteries and graves of Newton County.
 - 1. This record, and all subsequent additions and amendments thereof shall be submitted annually for preservation to the Newton County Historical Society.
- C. The Commission shall have the duty to file an annual report to the Newton County Historical Society and the Indiana Historical Bureau, such report shall contain:
 - 1. The budget of the Commission for the preceding year,
 - 2. Expenditures made by the Commission during the preceding year,
 - 3. Activities of the Commission during the preceding year, and
 - 4. Plans of the Commission for the calendar year in which the report is filed.

IV. AUTHORITY OF THE CEMETERY COMMISSION

- A. The Cemetery Commission shall have the powers necessary and proper to execute its duties as required by Section III of this Ordinance, including:
 - 1. The power to enter into covenants and agreements with private persons or corporations *with the Commissioner's approval.*
 - 2. The power to raise funds on its own behalf, including the power to solicit and accept donations from any private or public entities.

V. FUNDING FOR THE CEMETERY COMMISSION

- A. The funding for the Cemetery Commission shall be from:
 - 1. The Newton County Landfill Tipping Fees, and
 - 2. Charitable donations.
- B. The Commission shall present an annual budget and an annual report to the Board of County Commissioners and the County Council. No part of the County's fund shall be conveyed to the Commission without the approval of both the Board of Commissioners and the County Council.

VI. MEMBERSHIP IN THE CEMETERY COMMISSION

- A. The Cemetery Commission shall be composed of five (5) Newton County Residents appointed by the Board of County Commissioners.

- B. Each member of the Commission shall be appointed for a term of five (5) years, and the appointments shall be staggered so as to permit the appointment or reappointment of only one (1) member per year.
- C. Members shall be paid a sum of \$25.00 per each meeting they attend.
- D. No member of the Commission shall accept any gifts, gratuities, or contributions in any form except on behalf and for the benefit of the Commission.

EFFECTIVE DATE

This Ordinance shall take effect on January 1, 2001.

PASSED ON THIS 20TH DAY OF NOVEMBER, 2000.

Newton County Board of Commissioners:

Russell Collins
Russell Collins

Lorrie Laffoon
Lorrie Laffoon

Roxanna Hanford
Roxanna Hanford

Newton County Council:

Richard Miller
Richard Miller

John Whaley
John Whaley

Scott Madison
Scott Madison

Stanley Madison
Stanley Madison

Sharon A. Miller
Sharon A. Miller

James Staton
James Staton

Steve Wilson
Steve Wilson

Attested by:

Marcia L. Scott
Marcia L. Scott, Newton County Auditor