



# Town of Johnstown

## TOWN COUNCIL AGENDA COMMUNICATIONS

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**AGENDA DATE:** December 21, 2020

**SUBJECT:** **Second Reading** – Ordinance 2020-188, An Ordinance Repealing and Readopting Article VI of Chapter 11 of the Johnstown Municipal Code Concerning the Johnstown Cemetery

**ACTION PROPOSED:** Consider Final Approval of Ordinance No. 2020-188

**ATTACHMENTS:** 1. Ordinance No. 2020-188

**PRESENTED BY:** Diana Seele, Town Clerk

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**AGENDA ITEM DESCRIPTION:** Article VI of Chapter 11 of the Johnstown Municipal Code (“Code”) concerns the Johnstown Cemetery (“Cemetery”). With limited exception, the provisions contained therein were adopted as part of the prior Town Code. To adopt new policies and procedures and omit reference to the amount of the Town’s fees, the Town Manager, Town Clerk and Town Public Works Director recommend that Article VI of Chapter 11 of the Code be repealed and readopted.

Of note, the revised provisions:

- Provide that the Town Manager shall be entitled to: (i) adopt policies and procedures to implement the provisions of the ordinance and manage the Cemetery and (ii) delegate duties related to the Cemetery to qualified Town staff, including the Town Clerk and Public Works Director;
- Acknowledge the newly built columbarium and the availability of niches;
- Recognize a procedure for the sale of burial spaces;
- Designate the allocation of the cemetery funds;
- Endeavor to establish a priority regarding the right to interment in, and use of, burial spaces;
- Refer to state law to determine whether a burial space has been abandoned;
- Direct that Cemetery fees shall be adopted by resolution of the Town Council and set forth in the Town Fee Schedule;

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- Allow the Town Manager to convene the Cemetery Committee to act in an advisory role; and
- Set forth conduct that is prohibited in the Cemetery so that such conduct may be enforced in municipal court.

**LEGAL ADVICE:**

The Town Attorney prepared Ordinance No. 2020-188.

**FINANCIAL ADVICE: N/A**

**RECOMMENDED ACTION:** Approve Ordinance No. 2020-188 as presented on second reading.

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*Reviewed and Approved for Presentation,*

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Town Manager