

ORDINANCE NO. 17-\_\_\_

AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA, AMENDING CHAPTER 6, “CEMETERIES” OF THE CODE OF ORDINANCES, BY CREATING A NEW SECTION 6-20, “USE BY RESIDENTS”; PROVIDING FOR EXCEPTIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, City owned and operated cemeteries are near capacity and the City Commission finds it in the best interest of the City to limit future cemetery use to City residents.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, THAT:

**Section 1.** The foregoing "Whereas" clauses are true and correct and incorporated herein by this reference.

**Section 2.** That Chapter 6, is hereby amended by creating a new Section 6-20, entitled “Use by Residents”, to read as follows:

1. **Sec. 6-20. –Use by Residents.** Cemetery lots may only be purchased by current full time residents of the City for their use and that of their immediate family and their direct descendants. Immediate family means father, mother, children, spouse, domestic partners, siblings, step children, half siblings and in-laws.
2. Multiple lots may be purchased by a resident but must be contiguous and all grave sites limited to the interment of the resident and their immediate family and descendants.
3. Ownership of a lot descends through family blood lines, i.e., from parent to child or other heirs-at-law. A spouse or domestic partner of a deceased resident owner has the right to burial.

35 4. If the present owner desires, and the lot configuration permits, the City authorized  
36 to purchase unused graves at 80% their original cost.

37 5. Interpretation and application of the foregoing rules are delegated to the City  
38 Manager.

39 **6. Exceptions to residency rule:**

40 A. Any person who maintained full time residency in the City for at least ten (10) years  
41 but has moved away.

42 B. Any Military Veteran.

43 C. Any former Mayor or City Commissioner.

44 **Section 3.** Each and every other provision of Chapter 6, of the Code of Ordinances of  
45 the City of Boynton Beach not herein specifically amended shall remain in full force and  
46 effect as previously enacted.

47 **Section 4.** All ordinances or parts of ordinances in conflict herewith be and the  
48 same are hereby repealed.

49 **Section 5.** Should any section or provision of this ordinance or portion hereof, any  
50 paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid,  
51 such decision shall not affect the remainder of this ordinance.

52 **Section 6.** Authority is hereby granted to codify said ordinance.

53 **Section 7.** This ordinance shall become effective immediately upon passage.

54

55 **FIRST READING** this \_\_\_\_ day of \_\_\_\_\_, 2017.

56

57 **SECOND, FINAL READING AND PASSAGE** this \_\_\_\_ day of  
58 \_\_\_\_\_, 2017.

59

60

CITY OF BOYNTON BEACH, FLORIDA

61

YES NO

62

63

Mayor – Steven B. Grant

\_\_\_\_\_

64

65

Vice Mayor – Mack McCray

\_\_\_\_\_

66

67

Commissioner – Justin Katz

\_\_\_\_\_

68

69

Commissioner – Christina L. Romelus

\_\_\_\_\_

70

71

Commissioner – Joe Casello

\_\_\_\_\_

72

73

74

VOTE

\_\_\_\_\_

75

76 ATTEST:

77

78

79

80 \_\_\_\_\_  
Judith A. Pyle, CMC

81

City Clerk

82

83

84

85 (Corporate Seal)

86