

Section ID:

Section:

Title: Cemetery (Bill No. 97-01; Ordinance No. 39)

Last Revised Date: 1/15/2003

Description:

97-01 BILL NO.
PAHRUMP TOWN ORDINANCE NO. 39

AN ORDINANCE TO ESTABLISH A UNIFORM POLICY REGARDING
MANAGEMENT AND MAINTENANCE OF THE TOWN CEMETERY; A SHORT
TITLE; DEFINITION; PLOTS; LINERS REQUIRED; BURIAL PERMITS
REQUIRED,
GRAVE DIGGING AND SETTING OF HEADSTONES; DUTIES OF THE SEXTON,
INDIGENT BURIALS; MISCELLANEOUS REGULATIONS; FEES; GENERAL
VIOLATION; PENALTIES THEREFOR, AND PROVIDING FOR SEVERABILITY
AND OTHER MATTERS PROPERLY RELATING THERETO

WHEREAS, the Town Board of the Town of Pahrump has become responsible for the care and maintenance of the cemetery located within the unincorporated Town of Pahrump, and

WHEREAS, The Town Board is desirous of establishing a uniform policy with regard to the use and maintenance of said cemetery.

NOW, THEREFORE, THE TOWN BOARD OF THE UNINCORPORATED TOWN OF PAHRUMP, NYE COUNTY, NEVADA DOES ORDAIN FOLLOWS

state the name, age, sex, cause of death and the name of the place where the human remains will be interred or buried. Such name or location shall be specific as to describing the place for interment or burial. Should there be locations closely associated or commonly named, a more precise description shall be used

39.300 GRAVE DIGGING AND SETTING OF HEADSTONES.

A. Except as hereafter provided, the Town of Pahrump shall open and close all graves in the cemetery.

1. A minimum of one (1) working day or twenty four (24) hours notice must be given for all burials.

2. Burials will not be done on holidays or weekends without forty eight (48) hours notice, and then only if the personnel are available. An extra fee of \$7500 as provided herein, shall be charged for holiday and weekend burials, to cover the increased personnel costs.

3. Except as provided in Subsection 2 above, all burials will take place during normal working hours.

4. Funeral services may be conducted in designated areas and buildings only, unless special permission is obtained for grave side services

5. The practice of stacking one occupant on top of another will be permitted.

In the case of burial of other than the spouse, the person desiring to lie stacked must have the written permission of next of kin of the first person interred prior to the second burial.

B. The Town of Pahrump shall set all headstones and markers in the Cemetary

1. Except as othewise provided in Sub sections B(3) and (4) herein above upright headstones will not be permitted, and all headstones must be flush with the ground

2 Markers and headstones will be permitted in the grassy areas only if flush to the ground, with a cncrete foundation of four (4) inches plus four (4) iinches of concrete on allsides of the stone.

3. Pursuant to Nye County Board of Commissioners Resolution 94-28 a portion of the Pahrump Cemetary has been designated as being a part of the aboriginal lands of the Pahrump Paiute Tribe and will be perpetually maintained in the "natural manner of the Southern Paiutes. Headstones and markers of any type maybe used in this area, so long as the grave is maintained in a natural desert condition.

4. Certain areas of the cemetery have been designated as permitting upright headstones.

5. All headstones will be imbedded or epoxied to the concrete foundation

6. All veteran's plaques will be set in concrete with the cost the same as anyone else.

7. All temporary markers must be replaced with a permanant marker or headstone within one (1) year form the time the headstone is ready for placement.

39.400 DUTIES OF THE SEXTON

A. Plots in the cemetery will be reserved and assigned only by the designated sexton

1. A person reseerving a plot or plots in the cemetery shall be responsible for keeping the Sexton apprized of his or her current address. the resservee shall notify the Sexton every five (5) years to reconfirm intentions. IN the event that the Sexton determines that a perviously reserved plot will not be used or that the person reserving the plot is untracable, the Sexton may petition the Pahrump Town Board for permission to allow the plot to be used or reserved by another person.

B. The Sexton will keep a record of all plots assigned and reserved. These records will be open to the public.

C The Sexton will keep all records relating to the cemetery in accordance with NRS 440.590

39.500 INDIGENT BURIALS

A. Indigent burials shall be coordinated between the Nye County Department of Health and Human Service and the mortuaries.

B. The Town of Pahrump shall be notified of all indigent burials by notifying the Town Office of the Town of Pahrump as soon as reasonably possible

39.600 MISCELLANEOUS REGULATIONS

A No coping, borders or other decorative installations shall be allowed in the cemetery without the written approval of the Sexton.

B. Old and/or faded flowers will be disposed of by the grounds keeper when he or she deems it appropriate.

C. No trees, shrubs, coping, decorations, fences, or stones may be placed on the graves in the cemetery. The Town of Pahrump will approve and designate where any such installations may be set on the cemetery grounds.

D. The cemetery which is the subject of this Ordinance is reserved for the use and benefit of the citizens and residents of the unincorporated Town of Pahrump, or his/her spouse with reservations.

39.700 FEES all fees shall include liner, plot opening and closing.

A. The fee for opening and closing a standard grave shall be nine hundred dollars (\$900.00) which shall include the cost of the concrete liner.

B. The fee for infant or junior graves shall be six hundred fifty dollars (\$650.00) in the children's section.

C. The fee for opening and closing a cremation plot shall be one hundred fifty dollars (\$150.00)

D. There shall be a fee of fifty dollars (\$50.00) for the opening/closing for a second person stacked in the same grave.

E. An additional fee of seventy five dollars (\$75.00) shall be charged for burials on weekends or holidays.

F. The fee for reserving a plot for the spouse of an interred person shall be two hundred and fifty dollars (\$250.00) per standard plot. The reservation fee of \$250.00 shall be credited against the occupancy fee at the time burial.

G. The fee for setting headstones, plaques or other markers shall be one hundred dollars (\$100.00)

H. All fees shall be paid to the Town of Pahrump. Reservation fees must be paid in full within sixty (60) days of the date of reservation. All other fees must be paid at the time notice is made of an impending burial, but no event later than the opening of the grave.

39.800 GENERAL VIOLATION. Any person who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor

39.810 PENALTIES. Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor; and, upon conviction thereof, shall be punished as the Nevada Revised Statutes allow for a misdemeanor crime. Whenever in this Ordinance any act is prohibited, or is made or declared to be unlawful, or an offense or a misdemeanor, or whenever in such Ordinance the doing of any act is required, or the failure to do any act is made or declared to be unlawful, or an offense or misdemeanor, the doing of any such prohibited act, or the failure to do any such required act, shall constitute a violation of this ordinance. In addition to being subject to fines and any other penalties which may be assessed by a court of competent jurisdiction, any person who is found guilty of having violated any of the provisions of this Ordinance shall be liable for the costs of any subsequent removal and relocation which is necessitated by that person's failure to comply with the requirements of this Ordinance. Every day of violation of this Ordinance constitutes a separate offense.

39.820 SEVERABILITY Every Section of this ordinance, and every part of each section hereof is hereby declared to be independent of each other and parts of each section and the holding of any section or any part thereof to be voided or ineffective for any cause, shall not be deemed to affect, nor shall it affect, any other section or part of section contained in the ordinance.

39.830 REPEAL All ordinances, parts of ordinances, or chapters, sections, subsections or paragraphs or resolutions previously adopted by the Pahrump Town Board which are in conflict herewith are hereby repealed.

39.840 EFFECTIVE DATE The Ordinance shall be in full force and effect from and after its passage, adoption and second publication in a newspaper printed and published within the Town of Pahrump, County of Nye, State of Nevada

Proposed on the 10th day of June, 1997

Proposed by Board Member

Passed on the 28th day of October, 1997