



# **City of San Marcos**

## **City Council Work Session**

### **Cemeteries Ordinance Amendments and Fees Update**

January 5, 2021



# Purpose

- Following an internal evaluation of service delivery and process it was determined that San Marcos Cemetery related sales and operations should reside within the same department instead of split between the Finance Department and Parks and Recreation.
- Review the proposed amendments to City Code of Ordinances Chapter 22 – Cemeteries, and updated fee schedule recommended by the San Marcos Cemetery Commission.



# Chapter 22 – Cemeteries

- **Striking “Finance Department”** – Instead of listing a specific department within the ordinance it is recommended that it simply say “the city” in the event the cemetery sales and recording is assigned to another department by future City Management. If a specific department is left then the ordinance will need to be updated every time the operational change occurs.
- **Replacing “Deed” with “Cemetery Lot Certificate”** – Following a conversation with the Texas Cemeteries Commission we were informed that we should not be recording deeds with the County as if we are selling real property. We are selling them the right to be interred on cemetery property which is owned by the City.



# Chapter 22 – Cemeteries

- **Clarifying the repayment option within the Ordinance** – The option of paying the purchase price over time has been within the ordinance since February 27, 1995. Due to the large number of accounts going unpaid in full for years it is necessary to set a timeframe within the ordinance.
  - The Cemetery Commission evaluated various options regarding repayment and recommends a 12 month period with a 25% down payment of the total purchase price.



## **Sec. 22.005. Purchase of lots, mausoleum crypts, or niches.**

(a) All purchasers of cemetery lots, mausoleum crypts, or columbarium niches must select the lots, crypts or niches at the cemetery. Once selected, lots, crypts and niches may be purchased in the cityfinance department. The placement or use of private mausoleums at the cemetery is prohibited.

(b) Upon payment of the entire purchase price for a lot, crypt, or niche, the city will issue a deedcemetery lot certificate which conveys the cemetery lot, crypt, or niche to the purchaser. ~~This deed will be recorded in the deed records of the county by the city and returned to the purchaser. The purchaser must pay the recording costs to the city at the time of final payment.~~

(c) Each cemetery lot, crypt or niche deedcemetery lot certificate will be issued to only one person. Cemetery lots that have been conveyed by deedcemetery lot certificate may not be subdivided further without the consent of the cemetery commission.



(f) The price of each cemetery lot, mausoleum crypt, and columbarium niche is established by the city council.

(g) A person desiring to reserve a lot, crypt, or niche at the cemetery may pay the total purchase price or choose to set up an account ~~in~~ with the ~~finance department~~city and pay the purchase price over ~~an extended~~a twelve-month period ~~of time~~ according to the terms set out in this section. However, the city reserves the right to refuse interment in any lot, crypt or niche for which the full purchase price has not been paid. A deed cemetery lot certificate will not be issued for any lot, crypt, or niche until the full purchase price has been paid.

(h) A person desiring to pay the purchase price over ~~time~~a twelve-month period must enter into an agreement with the city and pay 25 percent of the total purchase price. This agreement will provide that the city will, in a default, refund the entire amount paid by the purchaser, less an administrative fee established by the city council.



# Cemetery Fees

## Cemetery Lot Fees

Year	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	<u>2030</u>
Level 1	\$1900	\$1950	\$2000	\$2050	\$2100	\$2150	\$2200	\$2250	\$2300	\$2350	<u>\$2400</u>
Level 2	\$2400	\$2450	\$2500	\$2550	\$2600	\$2650	\$2700	\$2750	\$2800	\$2850	<u>\$2900</u>

**Residents-Level 1** – Residents of San Marcos or a person that owns property inside the zoned city limits of San Marcos.

**Non-Residents-Level 2** – Any person not living in the zoned city limits of San Marcos.

*\* Fees adopted in June 2019.*



## **Other Fees:**

Columbarium Niche - ~~TBD\$550.00~~ (***Following Construction of Columbarium***)

Columbarium Niche Re-Opening Fee - ~~TBD\$100.00~~ (***Following Construction of Columbarium***)

Ossuary Placement - TBD (***Following Construction of Columbarium***)

Ossuary Memorialization - TBD (***Following Construction of Columbarium***)

Archival Fee for buried cremains within Cemetery Lot - \$50.00

Serenity Garden Plaque & Name Archival - \$200.00

Name Archival Fee only - \$50.00

Plaque in Chapel - \$75.00

Payment Plan Administrative Fee - \$50.00





# Direction Needed

- Is Council okay with the amendments and fees as recommended?
- Is Council okay with staff bringing the first reading of the Ordinance for consideration at your next meeting on January 19?



# Questions?