



Legislation Details (With Text)

File #: Ord. 2019-17 **Version:** 1 **Name:**
Type: Ordinance **Status:** Individual Consideration
File created: 5/23/2019 **In control:** City Council
On agenda: 6/4/2019 **Final action:**
Title: Consider approval of Ordinance 2019-17, on the first of two readings, amending Chapter 22, Cemeteries, of the San Marcos City Code by, among other things, eliminating the requirement for payment of a Perpetual Care Fee and dissolving the Perpetual Care Fund, providing for Cemetery Commission approval of monuments over eight feet in height, limiting placements in lots and columbarium niches, and providing for other miscellaneous changes; providing for the repeal of any conflicting provisions; and providing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Cemetery Ordinance Redlined.pdf, 2. Cemetery Fees.pdf, 3. Cemetery Fees Tier 2.pdf, 4. Recommendation Resolution - PRESENTED MAY 7th.pdf

Date	Ver.	Action By	Action	Result
6/4/2019	1	City Council	approved	Pass

AGENDA CAPTION:

Consider approval of Ordinance 2019-17, on the first of two readings, amending Chapter 22, Cemeteries, of the San Marcos City Code by, among other things, eliminating the requirement for payment of a Perpetual Care Fee and dissolving the Perpetual Care Fund, providing for Cemetery Commission approval of monuments over eight feet in height, limiting placements in lots and columbarium niches, and providing for other miscellaneous changes; providing for the repeal of any conflicting provisions; and providing an effective date.

Meeting date: June 4, 2019

Department: Community Services

Amount & Source of Funding

Funds Required: Click or tap here to enter text.

Account Number: Click or tap here to enter text.

Funds Available: Click or tap here to enter text.

Account Name: Click or tap here to enter text.

Fiscal Note:

Prior Council Action: Council held a discussion on this item at their May 7, 2019 Regular Meeting.

Consensus was to move forward with an Ordinance.

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☐ Land Use - Choose an item.
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☐ Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

The Cemetery Commission recommended changes that would dissolve the Perpetual Care Fund, change the Cemetery Fee structure and schedule, and amend Chapter 22 of the City Code of Ordinances.

Perpetual Care Fund - The city recently acquired approximately 4.2 acres located on Old RR 12 for the purposes of expanding the cemetery. The Perpetual Care Fund balance was depleted to assist in the acquisition of the property. The Cemetery Commission is recommending the Perpetual Care Fund be dissolved and the perpetual care fee be incorporated in the purchase fee of a lot.

Cemetery Fee Structure and Schedule - Currently, the city has a three-tier structure for the purchase of burial lots:

- Residents of San Marcos
- Non-Residents but have a San Marcos address or pay school taxes
- Non-Residents who do not meet the above criteria

The Cemetery Commission is recommending the structure change from a three-tier structure to a two-tier structure consisting of residential rates and non-residential rates.

The Commission is also recommending the fees for the new structure should be set initially at the following amounts with a \$50 per year escalation:

- Resident rate \$1,900
- Non-Resident rate \$2,400

Chapter 22 modifications - In spring 2017, the Cemetery Commission initiated a review of Chapter 22

- Cemeteries. The Commission has had lengthy discussions over the past two years concerning recommended modifications to this section of the Ordinance. The proposed change to the Ordinance is attached for City Council for consideration.

Council Committee, Board/Commission Action:

Please see above. These are Cemetery Commission Recommendations.

Alternatives:

Click or tap here to enter text.

Recommendation: