

## Cedar County Ordinance 64

An ordinance establishing a Pioneer Cemetery Commission to assume jurisdiction and management of pioneer cemeteries in Cedar County, Iowa.

### Section 1. Purpose.

The purpose of this ordinance is to establish a pioneer cemetery commission to assume jurisdiction and control of pioneer cemeteries in Cedar County, Iowa pursuant to Iowa code section 331.325, as may hereafter be amended. As used in this ordinance, "pioneer cemetery" means a cemetery as defined in section 331.325 of the Iowa Code, presently, "where there have been twelve or fewer burials in the preceding fifty years" or as may be subsequently amended.

### Section 2. Commission structure.

The Commission shall consist of nine persons, all residents of Cedar County, Iowa. Appointed by the Board of Supervisors as follows: Three of the members shall be appointed for a term expiring December 31, 2022; three for a term expiring December 31, 2023; and three for a term expiring December 31, 2024. Their successors in all cases shall be appointed for a term of three years, and all appointments to fill vacancies shall be for the unexpired term.

### Section 3. Officers.

The Commission shall select a chairperson, vice chairperson, secretary, treasurer and such other officers as the commission shall deem necessary.

### Section 4. Rules and Regulations.

The Commission shall have the authority to establish such rules and regulations governing its organization and procedure as it shall deem necessary.

### Section 5. Powers and Duties.

The Commission shall have all powers and duties relating to Pioneer Cemeteries, which may otherwise be exercised by counties and township trustees pursuant to the Code of Iowa, except those pioneer cemeteries being maintained by township trustees or cities, with the exception that the Commission shall not have the authority to certify a tax levy.

Section 6. Budget.

The Commission shall submit a proposed budget including the amount of available funds and proposed expenditures to the Cedar County Auditor no later than January 1<sup>st</sup> of each year. The budget shall be subject to approval by the Board of Supervisors.

Section 7. Compensation.

The Commissioners shall receive no compensation for their services as such but may be reimbursed for their necessary expenses incurred in the performance of their duties.

Section 8. Severability Clause.

If any portion of this ordinance shall be held invalid, the remainder of the ordinance shall sever and shall continue in full force and effect.

Section 9. Effective Date.

This ordinance shall take full force and effect upon its passage and publication as required by law.

Passed and approved this 13<sup>th</sup> day of December 2022.