

Ordinance Summary published in the Miami County Republic on May 22, 2019 and the full text of the Ordinance made available at www.cityofpaola.com for a minimum of 1 week from the date of publication.

Ordinance No. 3140 Summary

On May 14, 2019 the City of Paola, Kansas, adopted Ordinance No. 3140, amending Section 125.120, Regulations, in Chapter 125 Cemetery Provisions, of the Code of the City of Paola, Kansas, 2009, by restricting dogs or cats on any public cemetery grounds. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 19 E Peoria Street or at www.cityofpaola.com. This summary is certified by Lee H. Tetwiler, Paola City Attorney pursuant to K.S.A. 12-3001, et seq.

ORDINANCE NO 3140

AN ORDINANCE AMENDING SECTION 125.120, REGULATIONS, IN CHAPTER 125, CEMETERY PROVISIONS, OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009.

Be it Ordained by the Governing Body of the City of Paola, Kansas:

SECTION 1. That Section 125.120. Regulations, in Chapter 125 Cemetery Provisions, of the Code of the City of Paola, Kansas, 2009, is hereby amended to read as follows:

Section 125.120. Regulations.

A. The following rules and regulations shall govern the use of the cemetery.

1. It shall be unlawful for any person or persons to mar or injure or destroy any trees, grass, shrubbery, walks, streets, monuments or other property in or about the cemetery grounds or break open any gates or fences around or in the same.
2. The regularly designated entrance gates shall be the sole and only means of entering and leaving the Municipal Cemetery. It shall be unlawful for any person or persons to trespass on the property of the Municipal Cemetery.
3. The regularly enforced City traffic regulations shall be enforced in the Municipal Cemetery except that the speed limit shall not exceed fifteen miles per hour (15 m.p.h.).
4. The placing of cut flowers or plastic flowers over individual graves shall be permitted; however, the City shall not be responsible for the care of such flowers or the containers in which they are placed. Further, the City shall remove, without notice, all artificial flowers and containers that remain over fifteen (15) days and all cut flowers and containers that remain over five (5) days.
5. No fence, hedge, curb or planting of any kind around any lot or piece of ground will be permitted.
6. The officers of the Municipal Cemetery hereafter accept no obligation for the regular care of any lot or piece of ground in the Municipal Cemetery surrounded by a hedge,

planting, coping or any other obstruction which by its nature segregates such lot or piece of ground from the regular operation of machinery used in the care of the Municipal Cemetery.

7. It shall be unlawful for any person or persons to enter or be upon the ground of the Municipal Cemetery with firearms of any description in their possession; provided, that the provisions of this Subsection shall not apply to officers of the law nor to members of the Armed Forces of the United States in the discharge of their duties.
8. Children under the age of fourteen (14) years are hereby prohibited from the Municipal Cemetery, except when accompanied by an adult responsible for their conduct.
9. It shall be unlawful for any person or any agent for any person to move or attempt to move any body interred in the Municipal Cemetery without first applying to the City Clerk for permission to do so.
10. All burials in the Municipal Cemetery shall be made in graves excavated to a depth of at least five (5) feet. Exceptions shall be made in case of graves for infants of the age of twelve (12) months and under and for ashes, when such graves may be excavated to a depth of not less than four and one-half (4½) feet. No part of the burial container (box or vault) shall extend above the surface of the ground; provided, that interments may be made in lawfully constructed mausoleums.
11. Burials may not be made in a wooden box, but must be made in a two (2) piece concrete receptacle or a vault approved in advance by the City Clerk or his/her authorized representative. This does not apply to infants under twelve (12) months of age.
12. No dog or cat shall be permitted in any public cemetery. Any dog specially trained as a service animal shall be exempt from this Section.

SECTION 2. That this ordinance shall become effective after its passage, approval and publication in the official city newspaper pursuant to KSA 12-3001, et seq.

PASSED AND APPROVED by the Governing Body this 14th day of May, 2019.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk