

DRAFT

CITY OF LANGLEY, WASHINGTON

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON, Amending Langley Municipal Code 2.52.050 and Ordinance Nos. 523, 738, 792, 855, 888, 898 and 936 regarding certain funds for the Langley Woodman Cemetery.

WHEREAS, the Cemetery Board has considered the proposed amendments and finds such changes are intended to and will benefit the City's Cemetery and the public if adopted as set forth below in Section 1 of this Ordinance; and

WHEREAS, the Cemetery Board recommends to the City Council that the proposed amendments to LMC Chapter 2.52 by adopted; and

WHEREAS, the City Council, upon review of the recommendations of the Cemetery Board finds the proposed amendments are in the best interests of the City and the public;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANGLEY WASHINGTON, DO ORDAIN as follows:

Section 1. Ordinance Nos. 523, 738, 792, 855, 888, 898 and 936 and Langley Municipal Code 2.52.050 are amended to read as follows:

2.52.050 Cemetery improvement fund.

Forty seven and one half (47.5%) Twenty-five (25%) percent of the proceeds received from the sale of graves for burial purposes shall be set aside into a permanent fund to be known as the "cemetery improvement fund" provided that if the improvement fund balance should fall below \$75,000.00 then fifty percent of the proceeds of grave sales shall be set aside into the improvement fund. Forty percent (40%) of the fee for Scatter Garden rights with stone memorialization space and columbarium sales shall be deposited in the improvement fund. This fund is to be kept perpetually invested in safe, interest-bearing securities. The interest only received from the investment of the fund shall be used in the care and upkeep of the cemetery. This fund shall be perpetual, and shall be used for no other purposes other than those approved by ordinance or resolution of the City Council. This purpose shall be limited to cemetery improvement which should include, but not be limited to, the acquisition of additional land for cemetery use. (Ord. 523, 1988) (Ord. 738, 1997)(Ord. 792, 2000) (Ord. 855, 2005)(Ord. 888, 2007) (Ord. 898, 2008)(Ord. 936, 2010)

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof, consisting of the title.

PASSED BY THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, and approved by the Mayor at a regular meeting held this ____ day of _____, 2010.

PAUL O. SAMUELSON, Mayor

ATTEST:

DEBBIE L. MAHLER, Clerk-Treasurer

APPROVED AS TO FORM:

GRANT K. WEED , City Attorney

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