

ORDINANCE NO. 15,096

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Section 34-166, relating to the perpetual cemetery maintenance fund.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Section 34-166 relating to the perpetual cemetery maintenance fund, as follows:

Sec. 34-166. Fund created.

- (a) There is created a fund to be known and designated as the "perpetual cemetery maintenance fund" for the perpetual care of the cemeteries which shall be funded by the deposit of an amount equal to or greater than 20 percent of the gross selling price, or \$50.00, whichever is more, for each sale of all final resting places of remains or memorials within the cemeteries.
- (1) The perpetual cemetery maintenance fund may also include funds from the following:
- a. Contributions in the form of a gift, grant, or bequest.
 - b. Any accumulated income allocated to principal.
 - c. Money or real or personal property impressed with a trust by the terms of Iowa Code Chapter 523I.
- (2) Expenditures of the income for the perpetual cemetery maintenance fund shall be in accordance with the definition of perpetual care in this chapter and with the purposes and applicable provisions of Iowa Code Chapter 523I.
- (b) The cost price structure should be reviewed every three years to ensure that the perpetual cemetery maintenance fund is adequate for its functions.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Ann DiDonato, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 12-0476), passed by the City Council of said City at a meeting held March 26, 2012 signed by the Mayor on March 26, 2012 and published as provided by law in the Business Record on April 13, 2012. Authorized by Publication Order No. 7904.

Diane Rauh, City Clerk