



Document 22-3928

Type 06 038                      Pages 2  
 Date 11/02/2022    Time 1:40 PM  
 Rec Amt \$ .00

ARLENE SCHAUF, RECORDER/REGISTRAR  
 JACKSON COUNTY IOWA

## **COUNTY ORDINANCE #308**

### **JACKSON COUNTY CEMETERY COMMISSION ORDINANCE**

**WHEREAS**, on May 27, 1997, a Cemetery Commission was established by Jackson County Ordinance #120 to assume jurisdiction and management of pioneer cemeteries in Jackson County, Iowa, pursuant to Section 331.325 of the Code of Iowa; and

**WHEREAS**, changes in Iowa law and changes in circumstances in Jackson County, Iowa necessitate that Ordinance #120 be amended.

**NOW THEREFORE, BE IT RESOLVED**, that Ordinance #120 is hereby repealed, and the following is hereby adopted:

**SECTION 1.** A Cemetery Commission is established to assume jurisdiction and management of pioneer cemeteries in Jackson County, Iowa, pursuant to Section 331.325 of the Code of Iowa.

**SECTION 2.** The Commission shall retain jurisdiction and management over any cemetery that no longer qualifies as a pioneer cemetery due to the number of burials.

**SECTION 3.** Upon request by the Commission the Board of Supervisors, by resolution, may approve and authorize the Commission to expend available funds to restore and care for any cemetery that had between thirteen and twenty-four burials within the previous fifty years, having never obtained the qualifications of "pioneer cemetery".

**SECTION 4.** The Commission shall consist of nine persons, residents of Jackson County, Iowa, appointed by the Board of Supervisors for staggered three-year terms. Appointments to fill vacancies shall be for the unexpired term.

**SECTION 5.** The Commission shall annually elect a Chairperson, Vice Chairperson, Secretary, Treasurer, and such other officers as the Commission shall deem necessary.

**SECTION 6.** The Commission shall have authority to establish such rules and regulations governing its organization and procedure as it shall deem necessary.

**SECTION 7.** The Commission shall have all powers and duties relating to pioneer cemeteries which may otherwise be exercised by Township Trustees under Sections 359.28 through 359.40 of the Code of Iowa, except the Commission shall not have the authority to certify a tax levy pursuant to Sections 359.30 or 359.33 of the Iowa Code.

**SECTION 8.** The Commission shall submit a proposed budget including the amount of available funds and proposed expenditures to the Jackson County Auditor no later than January 1st of each year. All funds budgeted and approved by the Board of Supervisors shall be paid out of the County General Fund.

**SECTION 9.** The Commission may establish a special trust fund through the Auditor's Office which shall contain monies received as donations for use by the Commission. These

funds shall be separate and not used for annual budgeted expenses. Use of funds from the special trust fund shall be controlled by the Commission to further the wishes of the donors.

SECTION 10. The Commissioners shall receive no compensation for their services as such but may be reimbursed for expenses incurred in the performance of their duties.

SECTION 11. Should any part of this ordinance be held invalid, the remaining part shall be severable and shall continue to be in full force and effect.

SECTION 12. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

SECTION 13. This ordinance shall take effect and be in full force and effect after its passage and publication as required by law.

Passed and approved by the Board of Supervisors of Jackson County, Iowa, on the 14<sup>th</sup> day of November, 2022.

Attest:

John J. Willey  
John J. Willey, Chairman

Alisa Smith  
Alisa Smith, Auditor

Larry McDevitt  
Larry McDevitt, Member

Mike Steines  
Mike Steines, Member