

CITY OF GLENDALE CEMETERY ORDINANCE

ARTICLE I. IN GENERAL

Sec. 11-1. Perpetual care fund; creation.

An irrevocable trust fund is hereby established for the future payment, as hereinafter provided, of expenses associated with the expansion, operation and maintenance of Glendale Memorial Park Cemetery. The irrevocable trust fund shall be known as the "perpetual care fund."

(Ord. No. 1384, § 1, 10-1-85; Ord. No. 1982, § 1, 1-13-98; Ord. No. 2330, § 1 (part), 7-8-03)

Sec. 11-2. Purpose of perpetual care fund.

The purpose of the perpetual care fund is to provide future funds sufficient to pay all or a portion of the operational and maintenance expenses of Glendale Memorial Park Cemetery when operations no longer produce revenue. The fund may be used to expand the Cemetery by acquiring real property adjacent thereto, improving existing property, and making capital improvements, provided that the projected revenues to be generated from such expansion and improvements (including projected investment income) exceed the costs of acquiring the adjacent property, making the improvements, and operating and maintaining the property and improvements as a part of the cemetery.

(Ord. No. 1384 § 1, 10-1-85; Ord. No. 1982, § 1, 1-13-98; Ord. No. 2330, § 1 (part), 7-8-03)

Sec. 11-3. Perpetual care fund; procedures.

All revenues from sales of lots, headstones, domes, appurtenances and services provided through the operation of Glendale Memorial Park Cemetery shall be deposited to the City's general fund. The perpetual care fund shall be invested pursuant to the City investment policy and consistent with A.R.S. § 9-453(B), and investment earnings shall continue to accumulate in the perpetual care fund. Moneys may be withdrawn from the perpetual care fund when: (1) the Cemetery may be expanded by acquiring adjacent real property, improved or enhanced through capital improvements, and the projected revenues (including interest and investment earnings) generated from sales of lots, headstones, grave boxes, appurtenances and services related to such expansion or improvement exceeds the costs of acquiring the adjacent property or making the capital improvements plus the costs of operating and maintaining such property or improvement as a part of the Cemetery; (2) to cover the costs of operating and maintaining the Cemetery when the burial rights in all plots have been sold (after which these moneys shall continue to be available for operating and maintenance costs regardless of the subsequent repurchase of any burial rights); or (3) the perpetual care fund is self-sufficient. Self-sufficiency shall be considered achieved when the interest and investment earnings on the balance in the perpetual care fund are sufficient to

meet projected operational and maintenance costs. The determination of self-sufficiency shall be made by the City Council in conjunction with the City budgetary process.

(Ord. No. 1384 § 1, 10-1-85; Ord. No. 1982, § 1, 1-13-98; Ord. No. 2330, § 1 (part), 7-8-03)

Sec. 11-4. Cemetery operations.

Glendale Memorial Park Cemetery shall be operated consistent with best industry practices. The sale of interment rights in the cemetery shall be restricted to individuals who:

- (a) At the time of the sale reside in the City of Glendale;
- (b) Are purchasing a lot for a deceased Glendale resident; or
- (c) Are immediate family members of an individual who is then interred or has an interment right in the Cemetery at the time of the sale. Immediate family members are grandparents, parents, siblings, spouse, children, grandchildren, and lawful guardians and dependents.

Fees for the sale of interment rights and other products and services shall be determined based on current market rates. Management shall use appropriate mechanisms to ensure fees are set properly for the Glendale market. The City Manager or designee shall have the authority to update the adopted fees set for the Cemetery annually. Residents of the City of Glendale at the time of the sale or the person making the arrangements for a deceased Glendale resident shall be charged eighty percent (80%) of the fees set for interment rights as stated above. All other individuals shall be charged the fee set as stated above. Fees for all products and services other than interment rights shall be charged at market rate to all individuals.

(Ord. No. 1384 § 1, 10-1-85; Ord. No. 1982, § 1, 1-13-98; Ord. No. 2330, § 1 (part), 7-8-03)

Secs. 11-5--11-15. Reserved.