

CHAPTER 6

Cemetery and Public Library

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ARTICLE I

Idaho Springs Cemetery

*Division 1
In General*

Sec. 6-1. Established; name.

There is hereby established for the City a cemetery which shall be named the "Idaho Springs Cemetery."
(Ord. 8 §1, 2006)

Sec. 6-2. Supervision and regulation.

The City Council shall have the supervision and control of the City Cemetery and shall regulate the extension of the same and the laying out of lots therein.
(Ord. 8 §1, 2006)

Sec. 6-3. Charges.

The City Council shall, from time to time, fix the price to be charged for lots sold and reasonable charges to be made for the opening and closing of graves. Said charges shall be listed on the City's fee schedule. All such amounts collected shall be paid into the City treasury.
(Ord. 8 §1, 2006)

Sec. 6-4. Record of lot sales; certificate of purchase.

It shall be the duty of the City Clerk to keep an accurate record of all sales of lots in the City Cemetery, showing the name of the purchaser and the number of the lot purchased in a record system provided by the City for that purpose. When any person purchases a lot in the City Cemetery, the City Clerk shall, upon the payment in full of the purchase price, give to the purchaser a certificate of purchase to which shall be attached the signature of the City Clerk and the Mayor, together with the seal of the City.
(Ord. 8 §1, 2006)

Sec. 6-5. Littering or damaging cemetery property.

It is unlawful for any person to leave or deposit any rubbish, litter or waste materials of any kind in the City Cemetery, or for any person to willfully or maliciously damage or destroy any property in the City Cemetery.
(Ord. 8 §1, 2006)

Sec. 6-6—6-10. Reserved.

*Division 2
Cemetery Maintenance Trust Account*

Sec. 6-11. Establishment; funding.

(A) There is hereby established a cemetery maintenance trust account for the City Cemetery, hereinafter called the "trust account," which shall be a restricted account within the general fund of the City, to be held, maintained and administered by the City in accordance with the provisions of this Article.

(B) The trust account shall consist of the proceeds of all sales of cemetery property finalized after June 30, 2002, including burial spaces sold by the City, grants, donations and charitable gifts made to the City for cemetery purposes, and unrestricted gifts to the City designated for such purposes by the City Council.
(Ord. 8 §1, 2006)

Sec. 6-12. Account restrictions.

(A) The principal amount of funds deposited to the trust account shall not be disbursed or expended for any purpose whatsoever, but shall be deposited or invested by the City Treasurer in lawful deposits and investments for the purpose of earning income, with due regard for the safety and preservation of the principal.

(B) Income from the trust account shall be used and expended by the City solely for the purposes of maintaining the City Cemetery in good and attractive condition, which shall include the maintenance and care of burial spaces.
(Ord. 8 §1, 2006)

Sec. 6-13. City ownership and control; disposition of account.

Notwithstanding any other provision of this Article, all amounts in the trust account shall be the sole and absolute property of the City, and no person shall have any interest in or claim thereto, notwithstanding any purported agreement to the contrary. If the City Council determines in its sole and unfettered discretion to discontinue the operation of or maintenance functions at the City Cemetery, the amounts in the trust account may be used for any lawful purpose of the City, as determined by the City Council.
(Ord. 8 §1, 2006)

Sec. 6-14—6-20. Reserved.

ARTICLE II

Idaho Springs Public Library

Sec. 6-21. Established.

There is hereby established within the City a public library to be known as the "Idaho Springs Carnegie Public Library."
(Ord. 8 §1, 2006)

Sec. 6-22. Library Board of Trustees.

(A) Established. The management and control of the public library shall be vested in a Library Board of Trustees, accountable to the Clear Creek Library District.

(B) Composition. The Library Board of Trustees shall consist of five (5) members.

(C) Appointment. The members of the Library Board of Trustees shall be appointed by the Mayor with the consent of the City Council.

(D) Terms. The members of the Library Board of Trustees shall be appointed for staggered terms of five (5) years.

(E) Powers and duties. The powers and duties of the Library Board of Trustees shall be as provided by state law and as designated by the Clear Creek Library District.
(Ord. 8 §1, 2006)

Sec. 6-23—6-30. Reserved.