CITY OF BIRMINGHAM

ORDINANCE NO. _____

AN ORDINANCE TO AMEND PART II OF THE CITY CODE CHAPTER 34 CEMETERIES, ARTICLE II., GREENWOOD CEMETERY TO ADD SECTION 34-30. ESTABLISHMENT

THE CITY OF BIRMINGHAM ORDAINS:

Part II of City Code Chapter 34, Cemeteries, Article II. Greenwood Cemetery, shall be amended to add Section 34-30. Establishment, which shall read as follows:

Sec. 34-30. – Establishment

(a) Composition

There is hereby established the Greenwood Cemetery Advisory Board for the City which shall consist of seven members who shall serve without compensation. Members must be chosen from among the citizens of Birmingham and, insofar as possible, represent diverse interests, such as persons with family members interred in Greenwood Cemetery; owners of burial sites within Greenwood Cemetery intending to be interred in Greenwood Cemetery; persons familiar with and interested in the history of Birmingham; persons with familiarity and experience in landscape architecture, horticulture, law or cemetery or funeral professionals. The City Manager or his/her designee shall serve as ex officio, non-voting members of the Board.

(b) Terms of members

Each member shall be appointed for a term of three years ending on the first Monday of July of the third year after appointment, or upon the appointment of his successor, whichever is later, except that in the first instance three of the members shall be appointed for a one-year term and two shall be appointed for two-year terms. Vacancies occurring other than through the expiration of term shall be filled for the unexpired term by the City Commission.

(c) Removal of Members

Members of the Greenwood Cemetery Advisory Board shall hold office at the pleasure of the City Commission and can be removed at any time with or without cause.

(d) Organization.

The Greenwood Cemetery Advisory Board shall elect a chairperson and vice-chairperson from its membership annually at its first meeting after the first Monday of July.

(e) Meetings.

The Greenwood Cemetery Advisory Board shall hold at least one regular public meeting in each quarter on such date and at such time and place as may be established by resolution of

the Greenwood Cemetery Advisory Board. The Greenwood Cemetery Advisory Board shall keep a written or printed record of its proceedings which shall be a public record and property of the City.

(f) Expenditures and Assistance.

The Greenwood Cemetery Advisory Board may call upon the City Manager for such services and data from the various departments as it may require. The Greenwood Cemetery Advisory Board may recommend to the City Commission the securing of such professional and consulting services as it may require, however, the Greenwood Cemetery Advisory Board shall not have any authority to authorize or otherwise obligate the City to incur expenses and/or approve contracts. Requests for expenditures shall be routed through the ex-officio member(s) of the Board to the City Commission for consideration.

(g) Powers and duties

In general, it shall be the duty of the Greenwood Cemetery Advisory Board to provide recommendations to the City Commission:

(1) Modifications. As to modifications of the rules and regulations governing Greenwood Cemetery; and

(2) Capital Improvements. As to what capital improvements should be made to the cemetery; and

(3) Future Demands. As to how to respond to future demands for cemetery services; and

(4) Day to Day Administration. The day to day administration of the cemetery shall be under the direction and control of the City, through the City Manager or his/her designee.

(h) Reports.

The Greenwood Cemetery Advisory Board shall make and submit to the City Commission annually a report of the general activities, operation, and condition of the Greenwood Cemetery for the preceding 12 months. The Greenwood Cemetery Advisory Board shall, from time to time, as occasion requires, either in the annual report, or at any time deemed necessary by the Greenwood Cemetery Advisory Board, advise the City Commission in writing on all matters necessary and proper for and pertaining to the proper operation of Greenwood Cemetery and any of its activities or properties.

(i) Protection of property.

No person shall take, use, or occupy the Greenwood Cemetery except in accordance with such rules and regulations governing such as may from time to time be authorized by the City Commission.

Ordained this ___ day of, _____2014, but to become effective upon publication in a newspaper of general circulation within the City of Birmingham.

_____
Scott Moore, Mayor

_____
Laura M. Pierce, City Clerk

I, Laura M. Pierce, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held _____, 2014 and that a summary was published _____, 2014.

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Laura M. Pierce, City Clerk