COMMONWEALTH OF KENTUCKY
CITY OF LONDON
ORDINANCE NO. 2016-10

AN ORDINANCE ESTABLISHING THE
A.R. DYCHE MEMORIAL PARK CEMETERY BOARD

The City of London recognizes that the A.R. Dyche Memorial Cemetery had its beginning as a family cemetery when Nannie Parker was buried there by her family in December 1896. The Parkers allowed others to be buried there and it became established by Maria Jackson as the Pine Grove Cemetery; it was then purchased by the London Masonic Temple Company and later sold to Russell Dyche who turned the management over to the A.R. Dyche Memorial Park Association, a City of London organization to operate the Cemetery. Russell Dyche contributed acreage to the cemetery afterwards. According to various publications, Russell Dyche wished that the cemetery be a memorial to his father A.R. Dyche. The A.R. Dyche Cemetery has been operated by the City of London Cemetery Board for several years and has acquired property and has undergone several expansions, particularly over the past short while.

The City of London recognizes the efforts of the present cemetery board and its efforts of improvement and expansion of the property comprising the present A.R. Dyche Cemetery. The Cemetery Board has recommended changes to the London City Ordinance relating to the A.R. Dyche Cemetery Board rates the same in this Ordinance. For these reasons and with this recognition,

BE IT ORDAINED BY THE CITY OF LONDON as follows:

The purpose of the Board shall be the operation and maintenance of the A.R. Dyche Memorial Park which has been acquired by Deeds to the City of London.

1. BOARD MEMBERS:

A. A Cemetery Board shall be appointed by the Mayor consisting of at least five (5) individuals. Such persons shall be known as the Board of Directors for the A.R. Dyche Memorial Park ("Board").

B. The term of office of each Board Member shall be for a term of four (4) years, with the option for reappointment.

C. Board Members shall not be paid for their services, however they may recommend to the Mayor the employment of maintenance, clerical, and professional assistance as may be required.

D. A chairperson will be selected by the other Board Members. The chairperson shall preside over all meetings. In the chairperson's absence, the members present shall elect a vice chairperson for the purpose of conducting that meeting. The City Clerk shall serve as secretary for the Board and shall maintain all minutes and records for the Board.

2. BY-LAWS:

The Board may adopt By-Laws for its own internal function and effective operation. When such By-Laws are adopted, they shall be by an affirmative vote of a majority of its members. The Board will meet not less than once each year during the first week in January at which time a report of the complete activities for the previous year shall be made to the City Council of the City of London.

3. OPERATION OF CEMETERY:

A. The Board shall have authority to supervise the transfer of cemetery lots for burial purposes and shall reserve control and maintenance over the property transferred; upon the recommendation of the Board, the Mayor shall designate a single person to act as agent for the Board and City of London in the transfer and sale of such lots. Monies from the transfer of lots shall be maintained by a person designated by the Board to act as its agent. The Mayor of the City of London is authorized to direct the City Clerk to make payments from the Cemetery Board bank accounts to the retirement of the debts owed for such cemetery property. However, no money from the cemetery bank accounts shall be used for the payment of any other City debts or obligations other than those expenses stated and authorized herein.

B. All other money received by the Board shall be used for the general purposes of the cemetery.

C. Notwithstanding the above to the contrary, it is recognized that the Board recently recommended and additional property was purchased by the Board, in the name of the City of London.

D. No burial shall occur within the A.R. Dyche Memorial Park without the consent and approval of this Board or its agent. No permission shall be granted unless the payment for the transfer of the cemetery lot has been made in full.

E. The Cemetery Board shall recommend contracts for the upkeep and maintenance of the cemetery property. The Board shall have authority to make regulations regarding the placement and/or removal of markers, stones, plants, trees, and any other structures or materials in this cemetery.

F. The Board and/or its agent shall maintain records regarding the transfer of lots and shall make regulations regarding all transfers.

G. The Board and/or its agent shall deliver to the City Clerk of the City of London for deposit, in keeping with this Ordinance, all monies from the sale of lots and other revenue raised resulting from the operation of the cemetery.

CEMETERY FUNDS:

A. At this time there exists a Perpetual Care Fund for the cemetery property; this fund exists for the care and maintenance of the cemetery. This Perpetual Care Fund shall continue to exist for this same purpose. Not less than twenty percent (20%) of all money received from the sale/transfer of cemetery lots by the Cemetery Board shall be placed in the Perpetual Care Fund.

B. The City Clerk of the City of London shall maintain all bank accounts in the name of the A.R. Dyche Memorial Park. The City Clerk shall cause an audit of these accounts to be made by the Auditor of the City of London; the Board may also, upon majority vote, authorize an audit of such cemetery bank accounts.

C. Such cemetery bank accounts shall have at least two (2) signatures, one signature being the London City Clerk; the other signature shall be the chairperson or in that person's absence, the vice-chairperson.

This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

This ordinance shall be effective immediately upon its adoption by the City Council on second reading and publication in accordance with the applicable provisions of Kentucky law. Any Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Troy Rudder
Mayor Troy Rudder

Attested: Carolyn Adams
Carolyn Adams, Clerk

Date of First Reading: August 1, 2016
Date of Second Reading: September 6, 2016
Publication Date: September 9, 2016