THE CITY OF BURLESON TEXAS

Public Spaces and Cultural Heritage Board Agenda

Tuesday, November 10, 2026
6:00 PM

City Hall Annex - Conference Room, 135 W Ellison St Suite 109
Burleson, TX 76028

1. **CALL TO ORDER**

2. **CITIZEN APPEARANCES**

   Each person in attendance who desires to speak to the Committee on an item NOT posted on the agenda, shall speak during this section. A speaker card must be filled out and turned in to the City Secretary prior to addressing the Committee. Each speaker will be allowed three minutes to speak.

   Each person in attendance who desires to speak on an item posted on the agenda shall speak when the item is called forward for consideration.

3. **GENERAL**

   A. Consider and take possible action on the minutes from the October 13, 2026 meeting. *(Staff Contact: Sarah Heath, Senior Administrative Specialist)*

4. **REPORTS AND PRESENTATIONS**

   A. Receive a presentation, hold a discussion, and provide staff feedback regarding access to Burleson Memorial Cemetery as well as items placed on gravesites. *(Staff Contact: Sarah Heath, Senior Administrative Specialist)*

5. **REQUESTS FOR FUTURE AGENDA ITEMS AND REPORTS**

6. **ADJOURN**

Staff Contact

Eric Oscarson
Deputy City Manager
817-426-9837
eoscarson@burlesontx.com

CERTIFICATE

I hereby certify that the above agenda was posted on this the **29th of October 2026, by 5:00 p.m.**, on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.

Amanda Campos

City Secretary

ACCESSIBILITY STATEMENT

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THE CITY OF BURLESON TEXAS

Department Memo

Public Spaces and Cultural Heritage Board

DEPARTMENT: **Parks and Recreation**

FROM: **Eric Oscarson, Deputy City Manager**

MEETING: **November 10, 2026**

SUBJECT:

Consider and take possible action on the minutes from the October 13, 2026 meeting. *(Staff Contact: Sarah Heath, Senior Administrative Specialist)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The Public Spaces and Cultural Heritage Board met on October 13, 2026 for a meeting.

RECOMMENDATION:

The Public Spaces and Cultural Heritage Board may approve minutes as presented or approve with amendments.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

None.

REFERENCE:

None.

FISCAL IMPACT:

None.

STAFF CONTACT:

Eric Oscarson
Deputy City Manager
817-426-9837
eoscarson@burlesontx.com

BURLESON PUBLIC SPACES & CULTURAL HERITAGE BOARD
OCTOBER 13, 2026
MINUTES
DRAFT

ROLL CALL

BOARD MEMBERS PRESENT
Payton Byrd, Chair
John Zamaripa, Vice Chair
Joy Larabell
John Weeks
Naomi Jaramillo
Vanessa Shimek
Vaughn Schlegel
Steve Ann Richie

BOARD MEMBERS ABSENT

Staff Present
William "Bud" Humble, Senior Center Supervisor
Sarah Heath, Senior Administrative Specialist/Recording Secretary

Guests
None.

1. **CALL TO ORDER - Time 6:00 p.m.**

   With a quorum of the Public Spaces and Cultural Heritage Board present, Chairperson Payton Byrd called the meeting to order. **Time: 6:00 p.m.**

2. **CITIZEN APPEARANCES**

   None.

3. **GENERAL**

A. **Consider and take possible action on the minutes from the August 11, 2026 meeting. *(Staff Contact: Sarah Heath, Senior Administrative Specialist)***

   Motion made by Vaughn Schlegel and seconded by Payton Byrd to approve the minutes as presented.

   Motion passed 7-0 with Vanessa Shimek absent.

   6:06 p.m. Vanessa Shimek entered the Board meeting.

4. **REPORTS AND PRESENTATIONS**

A. Receive a presentation, hold a discussion, and provide staff feedback regarding a future Lakewood Drive art feature within Chisholm Summit. ***(Staff Contact: Eric Oscarson, Deputy City Manager)***

Sarah Heath, Senior Administrative Specialist, gave a presentation on a future Lakewood Drive art feature within the Chisholm Summit master-planned community. The presentation included:

- How the future art feature aligns with the Public Art Plan
- The themes identified for Chisholm Summit
- The location of the future art feature at Lakewood Drive

Board discussion reflected support for a feature with a scale appropriate to the size of the roundabout. The Board expressed concern for associated landscaping that might unsafely obscure traffic visibility.

Staff requested the Board's direction on the type(s) of artwork and subject matter to guide the call for artists and the selection of the feature. The Board expressed support for interactive or dynamic features with considerations for safety and the avoidance of driver distractions, metal or sculptural artworks, mosaic works with potential community involvement, sculpture incorporating a lighting element, or bronze works. The Board expressed support for depictions such as a cowboy hat, horses, longhorns, cattle, sculptures of hands, and spurs. Board discussion reflected support for modern or rustic styles, highlighting the equestrian theme or a cattle drive.

The Board reflected support for a future project that would place art along medians, such as a sequence of horses or cattle.

Ms. Heath presented the process for commissioning artworks, as outlined in the Public Art Plan and Public Art policy. As this future art feature is planned to exceed $50,000 in value, an Art Selection Advisory Committee for the project will be formed. The Board expressed support for involving local students, such as Hill College Arts & Humanities students, for future projects. Board members Payton Byrd, Joy Larabell, Steve Ann Richie, and Naomi Jaramillo expressed interest in serving on the Art Selection Advisory Committee. The committee will also include recognized experts and representatives of the community demographic.

B. Receive a presentation, hold a discussion, and provide staff feedback regarding senior programming at the Burleson Senior Activities Center. ***(Staff Contact: William "Bud" Humble, Senior Center Supervisor)***

Bud Humble, Senior Center Supervisor, gave a presentation with an overview of the Senior Activity Center's Strategic Plan. The presentation included:

- How the Strategic Plan was developed

- An overview of the facility and FY 2025 metrics
- Current challenges: facility limitations with ADA considerations, awareness gaps

Board discussion reflected support for potential community fundraising as supplemental funding to expedite facility improvements not currently within the approved budget, the center's new social media growth, additional enhanced outdoor spaces at the facility, and consideration for renting open properties in the community to allow for program expansion.

Mr. Humble presented the center's current strengths, which include a loyal and engaged membership, a welcoming staff and inviting atmosphere, diverse programs and activities, broad community support, and the center's role as an affordable and accessible resource. The Board expressed support for volunteers at the center.

6:50 p.m. Vanessa Shimek exited the Board meeting.

6:52 p.m. Vanessa Shimek entered the Board meeting.

The Board recommended that staff explore establishing a presence for the center at City events, through volunteers or staff, to increase public awareness. Mr. Humble clarified that participation at the center is intended for individuals 50 years of age or older, with limited exceptions such as family events. He clarified that future planning is focused on anticipated staffing needs.

Mr. Humble identified renewed outreach to schools as an additional means of engaging volunteers and expanding programming. The Board recommended utilizing student groups for potential volunteer involvement.

Mr. Humble continued to present:

- Overall high levels of participant satisfaction
- Prioritized improvements to address facility limitations and concerns and program delivery

The Board expressed support for considering volunteers to supplement cleaning needs.

Mr. Humble clarified the center's budget encompasses payroll, utilities, information technology, communications, facility maintenance and improvements, foodstuffs, cleaning supplies, office supplies, programming such as crafting supplies, vending supplies, and printing materials. He noted that donation funding is primarily used to support trips and events.

Mr. Humble presented four focus areas: facilities and infrastructure, programs and services, community awareness and engagement, and organizational capacity. He identified improvements with considerations for ADA compliance,

such as the future alteration of the accessible ramp and the installation of cabinets to serve as a barrier for mounted televisions for the benefit of visually-impaired visitors.

Mr. Humble identified robust programming for health and wellness programs and education on scams. He identified flexible scheduling as a challenge due to staffing limitations. He identified shuttle transportation services as an ongoing challenge for the area, with JC Connect providing some local support. He expressed support for student art showcased at the center.

An increased number of family days are being planned in the future to increase community awareness and engagement.

Mr. Humble also expressed an ongoing need for volunteers.

Mr. Humble clarified the budget is reviewed annually.

Mr. Humble also identified a need for increased staffing to facilitate long-term planning and programming, while acknowledging the challenges presented by budget constraints and competitive wages.

The Board expressed support for using community feedback and survey data to inform planning. Mr. Humble identified spreading awareness of the Burleson Senior Activity Center as a way that the Board could support senior programming in Burleson.

Board discussion included acknowledging the ongoing challenges of parking to access the center, especially for visitors who are mobility-impaired. Staff have implemented signage to identify appropriate parking areas around the center. The Board recommended that staff consider implementing a crosswalk with warning lights to enhance safety for pedestrians crossing NW Ellison St to and from the overflow parking area.

C. Receive a tour of the Burleson Senior Activities Center. *(Staff Contact: William "Bud" Humble, Senior Center Supervisor)*

Bud Humble, Senior Center Supervisor, gave a tour of the Burleson Senior Activities Center. The tour included viewing:

- Meeting Room D: Bridge/Domino Room
- Meeting Room A: Classroom
- Meeting Room B: Sewing Room
- Meeting Room E: Main/Front Room
- Kitchen
- Hallway
- Meeting Room C: Exercise and Recreational Room

The Board expressed support for potential intergenerational programming.

Mr. Humble also discussed the flower beds to the exterior of the building and the wind phone to the side of the building.

5. **REQUESTS FOR FUTURE AGENDA ITEMS AND REPORTS**

None.

6. **ADJOURN**

There being no further business, a motion was made by Vaughn Schlegel and seconded by John Zamaripa to adjourn the meeting. Chairperson Payton Byrd adjourned the meeting. **Time: 7:35 p.m.**

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Sarah Heath
Recording Secretary

THE CITY OF BURLESON TEXAS

Department Memo

Public Spaces and Cultural Heritage Board

DEPARTMENT: **Parks and Recreation**

FROM: **Eric Oscarson, Deputy City Manager**

MEETING: **November 10, 2026**

SUBJECT:

Receive a presentation, hold a discussion, and provide staff feedback regarding access to Burleson Memorial Cemetery as well as items placed on gravesites. *(Staff Contact: Sarah Heath, Senior Administrative Specialist)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
Beautiful, Safe, & Vibrant Community	3.1 Encourage a clean and healthy community

SUMMARY:

This presentation summarizes current ordinances governing access to Burleson Memorial Cemetery (490 Memorial Plaza), along with the findings of a regional benchmark regarding items placed on gravesites.

Per current ordinance, the cemetery is closed from sundown to sunup. Current practice is to leave the front gate open for ease of access. Currently, the fencing encloses the cemetery on three sides with an opening on the west side along the trail. Additionally, there are not regulations specific to permitted and prohibited interaction with the fountain at the cemetery other than prohibiting any substance which will or may pollute the water. Staff is requesting feedback from the Board if further consideration and possible action is recommended, additionally accounting for staff capacity and impact to the community.

Additionally, staff researched current practices for cemetery regulations regarding items left by visitors at local cemeteries. The benchmark examined 68 municipalities within the Dallas-Fort Worth region with populations between 10,000 and 100,000 residents. Of these, 12

municipalities were found to operate cemeteries that could be readily identified as municipally owned, and eight of those municipalities maintain ordinances or other regulations addressing decorative or personal items. An additional 15 Dallas-Fort Worth area municipalities with populations exceeding 100,000 residents were reviewed to provide further context on regional practices.

The benchmark addresses the following areas:

- Prohibited items, such as personal or decorative items, flags, candles and additional lighting
- Exceptions for prohibited items for holidays or other occasions
- Removal responsibility and cadence

This regional benchmark provides a foundation for evaluating the City's current ordinances governing items at Burleson Memorial Cemetery. Staff recommends using these findings to guide further discussion on balancing the cemetery's appearance and maintenance needs with the community's desire to honor and remember loved ones.

RECOMMENDATION:

The Public Spaces and Cultural Heritage Board may recommend that current city ordinances address the concerns and no further consideration for possible action is needed regarding access and items at Burleson Memorial Cemetery, recommend that staff consider adjusted communication or enforcement practices in alignment with current city ordinances, or recommend further consideration by City Council for possible action.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

The Public Spaces and Cultural Heritage Board met on August 11, 2026 and conducted a site visit to Burleson Memorial Cemetery. During the visit, Board members and staff observed and discussed the placement of items at the cemetery. While current City of Burleson Code of Ordinances Chapter 18 addresses regulations regarding cemeteries including prohibited structures and floral arrangements, the Board requested that staff to conduct a benchmark study of municipal cemeteries within the area to review policies governing other items.

REFERENCE:

§ 18. Cemeteries.

§ 34-290 Litter in fountains, lakes, etc. No person shall throw or deposit litter in any fountain, pond, lake, stream, bay or any other body of water within the city.

§ 58-9 Sanitation. No person in any city park shall: (1) Throw, discharge, place or cause to be thrown, discharged or placed in the water of any fountain, pond, lake, stream or other body of water in or adjacent to any park, any substance, liquid or solid, which will or may pollute said waters.

§ 58-14 Swimming and bathing. No person in any park shall swim in any water or waterway in any park, except in areas designated for same by the director during hours designated for swimming. Bathing is prohibited in all city parks at all times.

FISCAL IMPACT:

None.

STAFF CONTACT:

Eric Oscarson
Deputy City Manager
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THE CITY OF BURLESON TEXAS

Considerations for Burleson Memorial Cemetery

PUBLIC SPACES AND CULTURAL HERITAGE BOARD

NOVEMBER 10, 2026

Points of Discussion

- Operational considerations and feedback
  - Hours of operation and public access
  - Cemetery fountain
- Item regulation review and feedback
  - Current ordinances and signage
  - Benchmark results
  - Maintenance cadence

Operational Considerations: Access

Current Hours of Operation and Public Access

- Per current ordinance, the cemetery is closed from sundown to sunup.
- The front gate is left open for ease of access.
- The fencing partially encloses the cemetery with an opening along the trail on the west side.



Feedback Requested

If further consideration and possible action is recommended:

- *Are there specific hours of operation that the Board would like to be considered?*
- *Does the Board recommend the gat stay open or should it be closed at designated times?*
- *Does the Board recommend that staff explore the cost of fully enclosing the cemetery?*



Operational Considerations: Fountain

Cemetery Fountain

- Currently, there are not regulations outlining permitted and prohibited interaction with the fountain at the cemetery other than prohibiting litter and any substance which will or may pollute the water.
- There is an ordinance prohibiting bathing in city parks as well as prohibiting swimming in parks except in areas and during hours designated for swimming. However, the cemetery is not considered a park.

Feedback Requested

If further consideration and possible action is recommended, does the Board recommend that swimming, bathing, or washing in the cemetery fountain should be specifically prohibited?



Item Regulation: Purpose

- Safe and consistent landscaping care and other maintenance
- Prevent unsightly weathering and breakage
- Respect for others interred and their visitors
- Potential safety hazards

- Staff wants to be respectful of the cemetery patrons and the itemsplaced, but also need to maintain the area.

Item Regulation: Scope

- Guidelines based on maintenance needs
- Prohibited items
- Exceptions for prohibited items for holidays or other occasions
- Multicultural considerations
- Removal responsibility and cadence

Item Regulation: Current Ordinances

Prohibited Items

- No glass containers
- No structures of any kind, such as curbing, fencing, benches (memorials excluded), flagpoles, etc.
- No plantings without prior approval
  - Placed at head of the grave
  - Not to exceed 12-18” in height

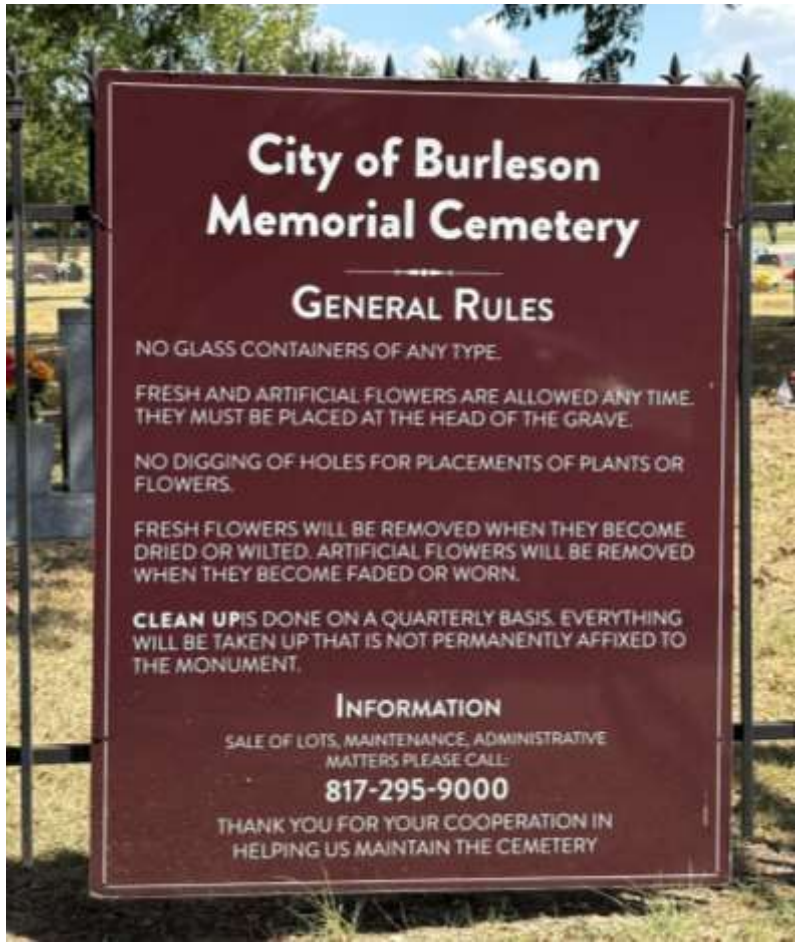
Item Regulation: Current Ordinances

Permitted Items

- Cut flowers or artificial flowers placed at the head of the grave
  - Holders such as clay or plastic pots, wire, frames, etc., containing flowers or other decorations may be removed as soon as the flowers fade or wither.
  - Placing of potted plants, cut flowers, or baskets is permitted adjacent to the headstone only.
  - Funeral designs or floral pieces will be removed from graves when they become wilted or unsightly. Persons desiring to retain the same must remove them within 72 hours. Artificial flowers may be moved 30 days after the holidays.

Item Regulation: Signage

This is the current signage of rules posted at the cemetery entrance.



Benchmark by City

12 DFW mid-size cities were identified with municipal cemeteries.

Eight of those cities have city ordinances or other guidance regarding decorative or personal items.

General Guidance

Other Municipal Cemeteries

Common guidance for floral arrangement aligns to current practice and is sometimes limited to 1-3 pieces.

Common guidance is for items to be removed if unsightly or deteriorated.

Common guidance is to prohibit glass, signs and advertisements, seating such as benches, curbing, and any plantings (without prior approval).

Six of the 12 mid-size cities with municipal cemeteries included in the benchmark outline specific regulations about general items placed at gravesites.*

- *Additionally, two cemeteries have regulations similar to current Burleson ordinances or leave items to staff discretion.

General Guidance by City

Items Permitted
- **Benbrook**
- **Granbury:** Requests notice for items to be installed

Items Prohibited: personal items, decorative items, shepherd's hooks, decorated flags, standup decorations, wind chimes, boxes, toys, shells, statues or crosses (other than a part of the monument)
- **Cleburne**
- **Coppell**
- **Greenville**
- **Mineral Wells**
- **Waxahachie**
- **Weatherford**

General Guidance in Large Cities

Items Permitted

Similar to current Burleson ordinances

- **Arlington**

Items Prohibited

- **Denton**
- **Grand Prairie**
- **Mesquite**
- **Dallas-Fort Worth National Cemetery**

Flags

Other Municipal Cemeteries

Common guidance includes removing flags as they become torn, tattered or faded for proper flag disposal.

Some cities specify guidance for flags only during certain holidays and specify guidance for types of flags. Permitted flags may have size limits such as less than 12” in height.

Five of the 12 mid-size cities with municipal cemeteries included in the benchmark outline specific regulations about flags placed at gravesites.*

- *Additionally, two cities leaves items to staff discretion.

Flags by City

Flags Permitted
- ***Benbrook***
- ***Granbury***

Flags for Holidays
Commonly Memorial Day, Independence Day, Flag Day, Veterans Day
- **Cleburne**
- **Coppell**: removed within ten days
- **Greenville:** removed within ten days

Flags for Individuals
- **Mineral Wells:** American flags and firefighter flags
- **Weatherford:** United States and/or Texas flags and only on the graves of veterans and police officers/firefighters killed in the line of duty

Flags Prohibited
- ***Waxahachie***

Flags in Large Cities

Dallas

- **Freedman's Memorial Cemetery:** No placards, banners, flags or similar materials unless it is part of the ceremony or memorial service authorized by the Park and Recreation Department

Denton

- The flag of the United States of America
  - Memorial Day, Independence Day, Patriot Day, Veterans Day
  - Strict size and mounting restrictions

Additional Lights and Candles

Other Municipal Cemeteries

Common guidance does not always include lighting beyond installed lighting or lights as a part of a funeral ceremony or memorial service.

Three of the 12 mid-size cities with municipal cemeteries included in the benchmark outline specific regulations about additional lights and candles.

Lights Prohibited

- **Cleburne**
- **Coppell:** No candles are to be left unattended (must be removed after each use); no solar, battery or electrical lighting, holiday, devotional or decorative lighting
- **Greenville**

Additional Lights and Candles in Large Cities

Grand Prairie

- Candles may not be left unattended at the gravesite and must be removed at the end of each visit
- Solar lights are only permitted when placed inside an approved vase; battery-powered or electrical lighting, including holiday, devotional, or decorative lights, are not permitted

Holiday Considerations

Other Municipal Cemeteries

Common guidance may include wreaths, sprays, and grave blankets if not included in a floral arrangement rule.

Common guidance is placement is allowed seven to ten days prior to a holiday with removal seven to ten days after the holiday.

Four of the 12 mid-size cities with municipal cemeteries included in the benchmark outline specific regulations about holiday exceptions.*

- *Additionally, three cities allow holidays decorations under general guidance within the plot.

Holiday Considerations by City

Holiday Items Permitted

- **Benbrook**
- **Granbury**
- **Weatherford**

Holiday Exceptions by Holiday/Period

- **Cleburne:** holidays, special occasions
  - no Christmas trees
- **Coppell:** November 15th to January 15th
- **Mineral Wells:** Easter Sunday, Memorial Day, Veteran's Day, Mother's Day, Father's Day, Christmas
- **Waxahachie**: Valentine's Day, Easter, Mother's Day, Father's Day, Memorial Day, Christmas (Friday before Thanksgiving to January 15)

Holiday Considerations in Large Cities

Grand Prairie

- One week before the holiday to five days following the holiday; all decorations must remain in the vase
- Christmas decorations: Friday after Thanksgiving - January 5

Denton

- No wreathes, easels, grave blankets, or other special arrangements except during interment and the first seven days unless otherwise approved

Dallas-Fort Worth National Cemetery

- Christmas wreaths and grave blankets: December 1 - January 20, < 2’ x 3’
- Potted plants: 10 days before to 10 days after Easter, Memorial Day, and Christmas

Feedback Requested

After reviewing the provided benchmark, what is the Board's recommendation?

- Current city ordinances may address the concerns and no further consideration for possible action is needed
- A recommendation that staff consider adjusted communication or enforcement practices
- A recommendation for further consideration by City Council for possible action

Feedback Requested

If further consideration and possible action is recommended, are there additional items not currently outlined by the City's Code of Ordinances that the Board would like to identify for consideration?

Number and Size of Floral Arrangements

Size of Items

Wreaths and Grave Blankets

Flags

Candles and Other Lights

Balloons

Stuffed Animals

Food

Unsecured Items

Holiday or Special Occasion Exceptions

Other

Feedback Requested

At this time, general maintenance by Parks is performed weekly. Past guidance included that the City should inspect for faded or outdated décor twice annually the first business days after daylight savings time adjustments or quarterly.

Does the Board recommend staff to consider a specific cadence for clean-up with consideration for operational capacity and efficiency?

Questions / Comments

Sarah Heath
Parks and Recreation Senior Administrative Specialist
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817.426.9206

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, AMENDING CHAPTER 18 "CEMETERIES" OF THE CODE OF ORDINANCES OF THE CITY OF BURLESON, BY REPEALING ARTICLE II "RULES AND REGULATIONS" AND ENACTING A NEW ARTICLE II "RULES AND REGULATIONS"; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Burleson ("City Council") seeks to protect the public safety, preserve the quality of life, and promote efficiency within the City; and

WHEREAS, it is in the best interests of the public health and welfare of the people of the City of Burleson to have orderly rules and regulations that govern the use and activities within the Burleson Memorial Cemetery; and

WHEREAS, the City Council finds that the regulations set forth in this ordinance are necessary for the purpose of promoting the health, safety and general welfare of the community; that such regulations are necessary to protect health, life and property; and that public necessity requires that such rules and regulations be adopted to preserve and enforce the health, safety and welfare and the good order and security of the City and its inhabitants; and

WHEREAS, the City Council finds this ordinance to be reasonable and necessary;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

SECTION 1.

Chapter 18 "Cemeteries" of the Code of the City of Burleson is hereby amended by repealing Article II "Rules and Regulations" and enacting a new Article II "Rules and Regulations," the text of which shall read as follows:

"**ARTICLE II. RULES AND REGULATIONS**

§ 18-41 OBEYING GENERALLY.
The city reserves the right to require all persons entering a cemetery to obey all rules and regulations adopted herein. The rules and regulations may be changed without notice to any owner by the city council.

§ 18-42 ENTRY AND REMOVAL BY CITY.
The city has the authority to enter upon any space and to remove any

objectionable thing that may have been placed there contrary to the regulations of this article.

§ 18-43 PROTECTION FROM LOSS OR DAMAGE.
The city shall take reasonable precaution to protect owners and the property rights of the owners, within the cemetery from loss or damage, but it distinctly disclaims all responsibility for loss or damage caused by the elements, an act of God, common enemy, thieves, vandals, unavoidable accidents, whether the damage is direct or collateral, other than as herein provided.

§ 18-44 RIGHT OF ACCESS AND ALTERATION BY CITY.
The city has the right to enlarge, reduce, replat or change the boundaries or grading of the cemetery as it deems appropriate. The city reserves unto itself, and those lawfully entitled thereto, a perpetual right of ingress and egress over lots for the purpose of passage to and from other lots, and to accomplish all necessary maintenance and preservation of said lots.

§ 18-45 SALE OR TRANSFER OF SPACE.
The sale or transfer of any interment right by any space owner shall not be binding unless first approved in writing by the city. The recording fees for the sale or transfer of a space shall be as established on the city's fee schedule. This procedure is required in order that the city may at all times have a complete and accurate record of all owners of spaces.

§ 18-46 CLOSING CEMETERY.
The cemetery shall be closed from sundown to sunup. The city reserves the right to close the cemetery on a temporary basis at any time.

§ 18-47 GLASS CONTAINERS.
No glass containers of any type are allowed in the cemetery.

§ 18-48 PETS.
Pets shall not be allowed in the cemetery.

§ 18-49 INTOXICATING BEVERAGES.
The use of intoxicating beverages within the cemetery is strictly forbidden.

§ 18-50 VANDALISM.
It shall be unlawful to vandalize cemetery property, memorials, or graves at the cemetery and anyone apprehended doing so will be subject to prosecution.

§ 18-51 VEHICLES ON GROUNDS.
(a) *Speed.* Automobiles, trucks, and other vehicles shall not be driven through the grounds at a speed greater than 15 miles per hour, and must at all times be kept on the paved roads throughout the cemetery.

(b) *Use off established roadways.* The city reserves the right to determine when vehicles may be driven off established roadways.

§ 18-52 EXCLUDED STRUCTURES.

No structures of any kind, such as curbing, fencing, benches (memorials excluded), flagpoles, etc., shall be permitted upon any space or lot.

§ 18-53 PLANTING OF HORTICULTURE PRODUCTS.

(a) The planting of any kind or type of horticultural product shall be prohibited without prior approval of the city. Horticultural products, when approved by the city, shall be planted at the head of the grave and shall be miniature in size whose roots will not extend beyond the dripline of the plant and not exceed 12 to 18 inches in height. Those individuals receiving permission to plant horticulture products in the cemetery shall hold the city harmless in the event the plants die or are damaged. Cut flowers or artificial flowers may be used at any time, provided that they are placed at the head of the grave.

(b) Holders such as clay or plastic pots, wire, frames, etc., containing flowers or other decorations may be removed as soon as the flowers fade or wither and the right is reserved by the cemetery to make such removal.

(c) Placing of potted plants, cut flowers, or baskets is permitted adjacent to the headstone only; however, to improve the appearance and to aid in maintenance, all potted plants, and flowers and baskets may be removed at the discretion of the city. Funeral designs or floral pieces will be removed from graves when they become wilted or unsightly. Persons desiring to retain the same must remove them within 72 hours. Artificial flowers may be moved 30 days after the holidays. The digging of holes for placement of plants or flowers is strictly prohibited beyond the limitations of this article.

(d) If any tree or shrubs situated on any space shall become detrimental, unsightly, or impede access to adjacent spaces, walks, or roads, they may be pruned or removed in whole or in part as determined necessary by the city. Once a tree or shrub is removed, the city will determine if a replacement can be planted in the area where the tree or shrub was removed.

§ 18-54 INSTRUCTIONS FOR SPACE HOLDERS AND SPACE HOLDERS' RIGHTS.

(a) Burial vaults either partially or entirely above the ground are prohibited.

(b) A permanent type of container such as a concrete liner or burial vault is requited for any interment where the casket is 36 inches in length or larger.

(c) A maximum of two caskets will be allowed in each space. In the event

cremation is utilized, a maximum of four interments will be permitted in one space.

§ 18-55 INTERMENTS, DISINTERMENTS, AND REINTERMENTS.

(a) Written authorization from the owner of record of a space, or his designated representative or successor interest, or other proper legal authority will be required before an interment or reinterment is allowed.

(b) Proper authorization as required by the local government or public authority having jurisdiction in the matter must be presented to the city office at the time an interment, disinterment, or reinterment is affected. The city shall not be liable for the accuracy of the data contained in said authorization or for the identity of the person to be interred or disinterred.

(c) All interments, disinterments, and reinterments shall be performed by a licensed funeral director, the city or its contractors, or other person as provided for by state and local laws.

(d) Interments are allowed only in areas dedicated for grave spaces and defined on the official cemetery maps.

§ 18-56 MEMORIALS; PERMITS.

(a) Memorial dealers or installation contractors shall abide by all rules and regulations of the cemetery.

(b) For the protection of all space owners, any memorial dealer or installation contractor erecting or repairing memorials must be approved by the city through its parks and recreation director or designee or its designated operating manager and are subject to the installation or repair cost.

(c) The city reserves the right to approve the size, craftsmanship, quality, and foundations of memorials placed or to be placed in the cemetery. The city reserves the right to disapprove any memorial which does not meet the requirements as defined in the rules and regulations. The city is not responsible for any expense, direct or consequential, incurred by the memorial provider and/or memorial purchaser for memorials not approved by the city.

(d) Memorial dealers or installation contractors engaged in placing or erecting memorials or other structures are prohibited from scattering their material over adjoining spaces, or from blocking roads or walks, or from leaving their material on the grounds longer than necessary. Damage done to spaces, walks, drives, trees, shrubs, or other property shall be repaired at their expense to the satisfaction of the city.

(e) Memorial dealers or installation contractors must contact the city or designated operating manager for instruction as to delivery to the Cemetery of memorials. The designated operating manager through

its approved contractor will complete the installation of the memorial within a reasonably scheduled period of time upon receiving delivery of the memorial. The memorial dealer or installation contractor may be request permission from the city to exceed the time frame for installation if such installation is reasonably delayed due to weather, acts of God, or when installation would endanger life or property.

(f) Work of any nature may be stopped if proper preparations have not been made; or when work is being done in such a manner as to endanger life or property; or when there is evidence of misrepresentation; or when work is not being executed according to specifications when a request on the part of the city is disregarded; or when any person employed in the work violates any rule of the cemetery.

(g) All interments shall have a memorial reflecting, at minimum, the full name of the deceased and the date of death within 12 months of the date of internment.

(h) Memorials shall be installed and maintained at the expense of the owner.

(i) The size of the memorial is to be governed according to the ratio of the area of the base of the memorial to the size of the space. The length of the base shall not exceed 75 percent of the width of the space.

(j) Memorials shall be made of granite, marble or cast bronze installed on granite, marble, or concrete base.

(k) Flush type and aboveground memorials are allowed in different sections of the cemetery as reflected on the map maintained by the city.

(l) Mausoleums, structures housing a tomb or numerous tombs, are permitted in only designated areas of the cemetery.

(m) Should an existing memorial or mausoleum become unsightly, dilapidated, or a menace to the safety of persons within the cemetery, the city shall have the right to correct the condition or to remove the same. Any expense incurred may be charged to the space owner.

§ 18-57 MEMORIAL FOUNDATIONS.

(a) The concrete to be used for the memorial foundation shall have a minimum compression strength of 3,000 pounds per square inch.

(b) The memorial foundation shall be two inches longer in either direction than the memorial base.

(c) All memorial foundations must have number three rebar steel reinforcing mats.

(d) Memorial foundations must be six inches in depth.

(e) Memorial foundations must have six-inch rebar grid spacing for foundation mat.

(f) Memorials up to 36 inches wide must include foundations with two 18-inch concrete (3,000 psi) piers with number three rebar steel. Memorials wider than 36 inches must include foundations with three 18-inch concrete (3000 psi) piers with number three rebar steel.

(g) All memorial foundation installation contractors must warranty foundation for a minimum of ten years.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances of the Code of the City of Burleson, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are herebyrepealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

All rights and remedies of the City of Burleson, Texas, are expressly saved as to any and all violations of the provisions of the Code of the City of Burleson, or any other ordinances of the City, that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance, but may be prosecuted until final disposition by the courts.

SECTION 5.

Any person convicted of violating the provisions of the Code of the City of Burleson as enacted by this Ordinance shall be guilty of a Class C misdemeanor and shall be punished by a fine not to exceed $500. This Section does not serve to limit any other remedies available to the City of Burleson in law or equity. Each violation of this ordinance shall constitute a separate offense.

SECTION 6.

The City Secretary of the City of Burleson is hereby directed to give notice of the passage of this ordinance by causing the caption or title and penalty clause of this ordinance to be published as required by Section 36 of the Charter of the City of Burleson.

SECTION 7.

All other provisions of the Code of the City of Burleson, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8.

This ordinance shall take effect upon adoption and publication as required by law.

PASSED AND APPROVED the ____ day of_____, 20_____.

First Reading: the ____ day of_____, 20_____.

Final Reading: the ____ day of_____, 20_____.

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

_____
Amanda Campos, City Secretary

APPROVED AS TO FORM:

_____
E. Allen Taylor, Jr., City Attorney