

**ORDINANCE NO. 243-22**

**AN ORDINANCE TO AMEND SECTIONS 20-101  
THROUGH 20-106 MUNICIPAL CODE OF THE  
CITY OF UNION CITY, TENNESSEE ENTITLED  
CITY CEMETERIES**

**WHEREAS**, Sections 20-101 through 20-106 of The Municipal Code of the City of Union City, provide for rules and regulations regarding city cemeteries; and

**WHEREAS**, the Mayor and City Council of the City of Union City desire to amend the aforesaid sections of the municipal code of the City of Union City, Tennessee.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Union City, Tennessee that:

**SECTION 1:** Sections 20-101 through 20-106 of the municipal code of the City of Union City, Tennessee are hereby deleted in their entirety and are replaced by the following:

**CITY CEMETERIES**

**SECTION**

- 20-101. City cemetery additions designated.
- 20-102. General regulations for cemeteries.
- 20-103. "Union City Perpetual Care Cemetery Board."
- 20-104. Trust fund for perpetual maintenance of grave lots.
- 20-105. Price of Lots.
- 20-106. Investment of Funds.

**20-101. City cemetery additions designated.** The additions to Eastview Cemetery shall be designated as follows:

(1) **Old addition.** This addition shall comprise all of the addition to the Eastview Cemetery generally bounded as follows: On the north by property formerly owned by Mrs. P.C. Ford, designated as the Perpetual Care addition and now owned by the City of Union City; on the south by the L & N Railroad; on the east by the East Addition to Eastview Cemetery; and, on the west by South Miles Avenue.

(2) **Perpetual Care Addition.** This addition consists of property acquired by the City of Union City from Mrs. P. C. Ford and J. P. O'Bannon, and is generally bounded as follows: On the north by East Church Street; on the south by the Old and East Additions to Eastview Cemetery; on the east by South Sunswept Drive; and, on the west by South Miles Avenue

(3) **East addition.** This addition is generally bounded as follows: On the north by the Perpetual Care Addition; on the south by the L & N Railroad; on the east by South Sunswept Drive; and, on the west by the Old Addition to Eastview Cemetery

**20-102. General regulations for cemeteries.** The following regulations shall be enforced in the operation and maintenance of the city cemeteries and all cemetery deeds issued by the city shall make due and proper reference to these regulations:

- (1) No cemetery lot shall be used for any other purpose than for burial of dead humans.
- (2) The grades of all lots shall be determined by a licensed civil engineer.

(3) No disinterment shall be permitted or allowed without an order from the Chancery Court.

(4) No trees, plants, or shrubs shall be planted on any of the lots. Should any present plants, shrubs, or trees become detrimental to adjacent lots, avenues, walks or drives, or dangerous or inconvenient to visitors, they shall be removed.

(5) Persons purchasing lots in the Perpetual Care Addition to the Eastview Cemetery shall be restricted in the construction of tombstones on those sections consisting of eight (8) grave lots as follows: Only one (1) central tombstone, monument or other sepulchral structure shall be constructed. However, in addition, individual, flat-type markers may be constructed at each individual grave within the section.

(6) Owners of any cemetery lots shall have the right, with the approval of the director of cemeteries, to erect tombstones, monuments, and other sepulchral structures on their respective lots. However, should any inscription, effigy or structure be deemed by the city council as unfitting or improper, or not conducive to the beauty and attractiveness of the cemetery, it shall be removed.

(7) No fence or wall shall hereafter be erected upon any cemetery lot and no slabs or corner markers shall rise above the level of the ground. No other coverings, structures, decorations, or other items shall be installed or maintained on any burial lot so as to interfere with daily maintenance of any cemetery lot.

(8) In order that the city may at all times have a permanent record of the ownership of all cemetery lots, it shall be unlawful for any person or entity owning a cemetery lot in any of the additions to the Eastview Cemetery to sell, transfer or convey the same without obtaining the prior, written consent of the cemetery director.

(9) A rigid grave liner or vault shall be required with any burial that takes place in any cemetery owned or maintained by the City. The grave liner or vault shall be of such material as to withstand the weight and the pressure of the earth around it and of such materials as will not deteriorate because of soil, moisture, and water. The liner or vault shall be constructed of concrete, metal, or other material so long as it meets the requirements set forth in this paragraph.

**20-103. "Union City Perpetual Care Cemetery Board."** There is hereby created a supervisory board known as the "Union City Perpetual Care Cemetery Board," (the Board) consisting of three members. One member shall be the mayor and his term of office on the Board shall terminate with his term of office as Mayor. The other two members shall be appointed by the City Council and shall be residents and property owners of the City. Such appointed members shall serve for a period of four years, except that of the first two members so appointed one shall serve for two years and the other shall serve for four years. The terms of office of the two appointed members shall run from January 1 to December 31.

The Mayor shall serve as secretary and treasurer of the Board. The Board shall meet not less than twice a year; provided, that it may hold special meetings upon the call of the chairman or any two members.

Once each year, during the month of January, the Board shall make a report to the City Council as to its activities and particularly as to the status of the trust fund established herein.

**20-104. Trust fund for perpetual maintenance of grave lots.** There has heretofore been established a permanent trust fund for perpetual maintenance of the grave lots within the Perpetual Care Addition. The trust fund shall be handled and supervised by the Board. The trust is fully funded and no additional funds shall be required to be placed in the "cemetery trust fund." Said funds shall be invested by and under the direction of the board and the income therefrom shall be perpetually used for the maintenance, preservation and improvements of the cemetery grounds and lots in the Perpetual Care Addition to the Eastview Cemetery.

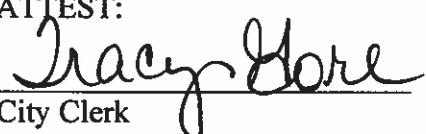
**20-105. Price of Lots.** The price for cemetery lots shall be established by the City Council.

**20-106. Investment of Funds.** The trust fund shall only be invested in investments approved by the state legislature, as provided by the statutes of this state for guardians and administrators. The principal of the trust fund shall not be encroached upon. The interest alone from the trust fund shall be used in the maintenance of the perpetual maintenance grave plots. If, at the end of any year, the board has not expended all of the income from the trust fund, the board may place such unused interest in the principal fund.

**SECTION 2:** This ordinance shall take effect ten (10) days from and after its page on second and final reading after publication in the official city newspaper.

CITY OF UNION CITY, TENNESSEE

BY:   
Its Mayor

ATTEST:  
  
City Clerk

APPROVED AS TO FORM AND LEGALITY:  
  
City Attorney

Passed first reading: May 17, 2022  
Caption published: May 24, 2022  
Passed second reading: June 7, 2022  
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