

IOWA COUNTY ORDINANCE NO. 15

TITLE: AN ORDINANCE ESTABLISHING CONTROL AND MAINTENANCE OF PIONEER CEMETERIES.

SECTION 1. Purpose. The purpose of this ordinance is to assume jurisdiction and control of pioneer cemeteries pursuant to Chapter 1182, and House File 249, of the laws of the 76<sup>th</sup> General Assembly, 1996 Session, which provides that a County Board of Supervisors may adopt an ordinance assuming jurisdiction and control of pioneer cemeteries in the County.

SECTION 2. Definitions. For use in this ordinance, the following terms or words shall be interpreted or defined as follows:

1. "Board" shall mean the Board of Supervisors of Iowa County, Iowa.
2. "Pioneer Cemetery" shall mean a cemetery where there have been six or fewer burials in the preceding 50 years.
3. "Jurisdiction and Control" shall mean exercising all authority that township trustees have over township cemeteries and shall include all maintenance, repair, establishment of access, condemnation of property, restoration and management of native prairie grasses and wildflowers, and taxation provisions as set forth below.

SECTION 3. General Provisions.

1. The Board assumes jurisdiction and control of pioneer cemeteries in Iowa County, Iowa.
2. The Board shall exercise the powers and duties of the township trustees relating to the maintenance and repair of cemeteries in the County similar to exercise of the authority of township trustees over township cemeteries.
3. The maintenance and repair expenses of pioneer cemeteries shall be paid from the County General Fund.

SECTION 4. Taxation. The Board may levy annually a tax not to exceed 6 <sup>3</sup>/<sub>4</sub> cents per \$1000 of the assessed value of all taxable property in the county to repair and maintain cemeteries under their jurisdiction, including pioneer cemeteries. Proceeds of the tax levy shall be credited to the county general fund and tax limitations of Sections 444.25B of the Iowa Code do not apply to these levies.

SECTION 5. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 6. Changes and Amendments. This ordinance or any provision of this ordinance may be changed or amended from time to time by the board.

SECTION 7. When Effective. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Effective Date: December 13, 1996