

AN ORDINANCE ESTABLISHING
THE CEMETERY REHABILITATION AUTHORITY
OF THE CITY OF PRICHARD, ALABAMA

WHEREAS, § 11-80-13 of the Code of Alabama 1975 provides that city governments have the power to establish a cemetery rehabilitation authority to designate, register, and maintain neglected cemeteries lying within their municipal limits;

WHEREAS, the governing body of the City of Prichard, Alabama finds and determines that there are neglected cemeteries lying within the municipal limits of the City of Prichard, Alabama; and

WHEREAS, the governing body of the City of Prichard, Alabama desires to create and establish a cemetery rehabilitation authority to designate, register, and maintain neglected cemeteries lying within its municipal limits as provided and permitted under § 11-80-13 of the Code of Alabama 1975.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD, ALABAMA, AS FOLLOWS:

Section 1. In availing itself of the powers and authority conferred pursuant to § 11-80-13 of the Code of Alabama 1975, the governing body of the City of Prichard, Alabama hereby creates and establishes the Cemetery Rehabilitation Authority of the City of Prichard, Alabama, to oversee the registration and maintenance of neglected cemeteries within the municipal limits of the City of Prichard.

Section 2. Members of the Board. (a) The Cemetery Rehabilitation Authority of the City of Prichard, Alabama shall be governed by a five (5) member board each appointed for a term of three (3) years to oversee the duties given to the Authority, except in the first instance:

- (i) one member shall be appointed to Place One for a term of three (3) years;
- (ii) one member shall be appointed to Place Two for a term of two (2) years;
- (iii) one member shall be appointed to Place Three for a term of two (2) years;
- (iv) one member shall be appointed to Place Four for a term of one (1) year;
- (v) one member shall be appointed to Place Five for a term of one (1) year;

and thereafter each member appointed shall serve for a term of three years or until his or her successor is duly appointed.

(b) In appointing members to the board, the governing body is encouraged to include thereon representatives of genealogical and historical societies and other citizens who have shown an interest in preserving cemeteries.

Section 3. Private Assistance, Donated Funds, Trust Fund. The Cemetery Authority herein created may accept the assistance of private citizens as well as money donated by private citizens or

family, in order to afford the upkeep and restoration of cemeteries designated as neglected. A trust fund may be established, pursuant to the terms and conditions authorized and established by the City Council of the City of Prichard, Alabama, to supply continuing needs over a long period of time.

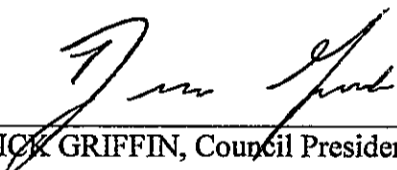
Section 4. Work with Private Landowners, Genealogical Researchers. The Authority may work with private landowners to determine the frequency of access, either for specified work days or for visits by family to restore and or maintain the graves, or by genealogical researchers.

Section 5. Identification, Cataloguing, Recording of Neglected Cemeteries. The Authority may provide for the identification, cataloguing, or recording of neglected cemeteries within the municipal limits of the City of Prichard. A copy of all such surveys shall be forwarded to the Alabama Historical Commission for establishment of a statewide inventory.

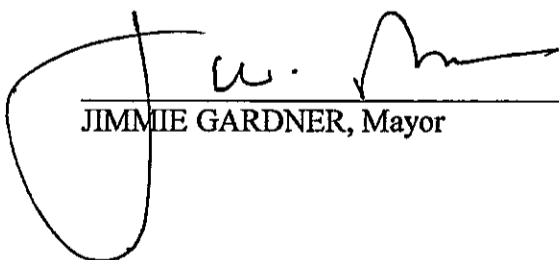
Section 6. Liability. In accordance with § 11-80-139(g) of the Code of Alabama 1975, the City of Prichard nor any person under the supervision or direction of the City of Prichard, providing good faith assistance in securing or maintaining a cemetery under this ordinance, may be subject to civil liabilities or penalties of any type.

Section 7. Effective Date. This ordinance shall become effective immediately upon its adoption and publication as required by law.

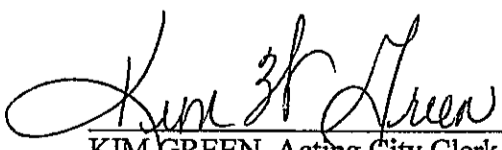
ADOPTED this the 13th day of December, 2018.


DERRICK GRIFFIN, Council President

APPROVED this the 13th day of December, 2018.


JIMMIE GARDNER, Mayor

ATTEST:


KIM GREEN, Acting City Clerk