

CITY OF BOERNE CEMETERY SEXTON POLICY

All administrative matters pertaining to the daily operation of a Boerne municipal cemetery shall be under the direction of the City Manager or designee.

The City of Boerne Parks and Recreation Director is assigned responsibility for operations, maintenance and general oversight of all Boerne municipal cemeteries. The City Council may, as they deem necessary, appoint one or more representatives (Sextons) to interact with individuals seeking to purchase cemetery spaces and niches in a Boerne municipal cemetery and to execute a transaction for such lot/niche sale (Ordinance # 2008-08 Section 6-61). The Sexton is considered a liaison acting on behalf of the City with regard to interactions with persons requiring the use of a Boerne municipal cemetery. As such, the Sexton is expected to adhere to a high standard of professionalism in providing funeral services and coordination of sales transactions between individuals, the Sexton, and the City.

Duties of Cemetery Sexton

A Sexton must be State licensed by the Texas Funeral Service Commission and copy of said license(s) shall be provided to the City prior to initiating any business transaction as a Sexton.

The Sexton shall keep municipal cemeteries in good order and see that the burial or interment is made in the proper gravesite.

It shall be the duty of the Sexton to supervise the burial of all deceased persons properly presented to him or her at the cemetery for burial therein, on the presentation of the Certificate of Selection, if applicable

No deceased person shall be buried by the Sexton without a Certificate of Selection.

The Sexton shall promptly prepare or cause to be prepared the graves as requested and superintend burials and shall receive for the account of the City such fees, if any, as may be established by the City Council from time-to-time.

The Sexton shall not bury a deceased person in city cemeteries without first issuing a Certificate of Selection and collecting any applicable fees.

The Sexton shall keep a register or other record showing: (1) the date and time of burial; (2) the name of the deceased person; (3) the date of death; (4) the lot, block and space of burial lot/niche; (5) and the name and address of funeral home. All burials/interments made in a Boerne municipal cemetery shall be entered in the register by the Sexton who performed such burial/interment. Except as may be restricted by any applicable state or federal laws, the register shall be open to inspection by the City.

It shall be the duty of the Sexton to make reports as directed by the City Manager or designee.

The Sexton must maintain their status in good standing with the City by staying current on payments, keeping accurate records, maintaining the register or other record, supplying requested information to the City in a timely manner, and following all provisions of this Policy and the Cemetery Ordinance.

If Sexton fails to comply with any provision of the Cemetery Ordinance, this Policy, or state law, the City has the right to suspend status as a Sexton; including suspension of the ability to sell lots and all other operational activities relating to a Boerne municipal cemetery.

Lot/Niche Sales and Purchase Options

Anyone wishing to purchase a lot/niche in a municipal cemetery shall first contact the Sexton and make known the lot/niche selected. The Sexton must then contact the City to confirm that the selected lot/niche is available for sale before beginning sale processing. The Sexton must receive written permission from the City for sale of the selected lot/niche.

Once the Sexton receives permission from the City that the lot/niche is available for purchase, the Sexton will accept payment of purchase money for the lot/niche and provide the purchaser with a Certificate of Selection. The Certificate of Selection shall show the number of lot/niche purchased, the price paid, the name and address of purchaser, and the signature of both the Sexton and the purchaser. The sale of a lot/ niche is not valid until full payment has been received by the Sexton. The Sexton shall not bury any dead body or the remains from any cremation of a dead body in a municipal cemetery without receipt of a Certificate of Selection from the City.

The Sexton will issue a statement by the 15th of each month accounting for funeral services and sales transactions at Boerne municipal cemeteries rendered in the preceding month. The Sexton will provide a copy of all Certificates of Selection issued. With this monthly statement, the Sexton will provide full payment to the City including payment for lot/niche sales and endowment/burial fees.

The City shall pay the Sexton ten (10) percent of the cost of each lot/niche sold by the Sexton after receipt of the accounting from the Sexton. Payment from the City shall occur in a timely fashion. The City will issue a Cemetery Deed (for cemetery lot sales) and / or a Certificate of Ownership (for niche sales). The Cemetery Deed will be approved by the Mayor and issued by the City of Boerne to the purchaser. The purchaser may then record the Cemetery Deed in the records of the County.

A Cemetery Deed will not be issued until full payment is received from Sexton.

The price of all lot/niches shall be established by ordinance of the City Council, and amended as necessary. The price of lot/niches are established in the current fee schedule available in the office of the City Secretary, or by contacting the Parks and Recreation Department.

All fees due for grave opening and closing costs associated with a burial are established by the Sexton and paid directly to the same.

Burials, Interments and Disinterments

The Sexton shall see that the interment is made in the proper lot/niche. No deceased person shall be buried or interred by the Sexton without a proper Certificate of Selection. The Sexton must receive written permission from the City for burial in the selected lot/niche.

The Sexton shall direct all disinterments in conformity with state laws. The Sexton shall provide the City of Boerne with advanced written notice of any disinterment. Lots and niches shall be opened only by authority of the city manager or designee. All fees associated with disinterment of a lot and/or niche opening shall be paid in advance to the Sexton.

Grave Sites and Boundaries

Only designated City employees will mark gravesite(s). All boundary markers set by the City must remain undisturbed and no gravesite can be dug without boundary markers.

If a weekend/Monday burial is expected, the Sexton must notify City of burial before noon on the Friday (or last workday) prior to expected burial. City recognizes that circumstances may arise when proper notification cannot be made. In these cases, the City would prefer the burial take place on Tuesday. If this is not possible, the Parks and Recreation Director or designee must be notified as soon as possible so that arrangements can be made to mark the boundaries.

APPROVED:

By: _____ Date _____
Ronald C. Bowman, City Manager

I Agree to abide by the terms of this Policy.

Signed:

Sexton Date

Sexton Printed Name