

**ORDINANCE NO. 445**

**AN ORDINANCE AMENDING CHAPTER 116 CEMETERY, BY ADDING SECTION 116.17 BURIAL OF PERSONS ON PRIVATE PROPERTY**

Be It Enacted by the City Council of the City of Earlham, Iowa:

**SECTION 1. SECTION ADDED.** Chapter 116 of the Code of Ordinances of the City of Earlham, Iowa, 2017, shall be amended by adding the following:

**116.7 BURIAL OF PERSONS ON PRIVATE PROPERTY.** It is unlawful for any individual or entity to bury persons on private property within the Earlham city limits, except in a legally registered cemetery.

**SECTION 2. 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 3. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved by the City Council of Earlham, Iowa, this 11<sup>th</sup> day of September, 2023

\_\_\_\_\_  
Jeff Lillie, Mayor

ATTEST: \_\_\_\_\_  
Mary Sue Hibbs, City Clerk/Treasurer

Passed First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

<u>Member</u>	<u>1<sup>st</sup> Reading</u>	<u>2<sup>nd</sup> Reading</u>	<u>3<sup>rd</sup> Reading</u>
Baskin			
Fredericksen			
Mudge			
Nelsen			
Swalla			

I certify that the foregoing was published as Ordinance No. 445 on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,

\_\_\_\_\_  
Mary Sue Hibbs, City Clerk/Treasurer