

STAFFORD CEMETERY
13617 STAFFORD ROAD

POLICIES

The City of Stafford took control of the Stafford Cemetery in accordance with Resolution No. 04-11 approved by City Council on February 16, 2011. These policies regarding the cemetery are adopted for everyone's benefit, protection and reasonable maintenance of the grounds. These Policies may be amended at any time as needed by the Stafford City Council. Anyone needing additional information may contact the City of Stafford Public Works Department.

VISITING THE GROUNDS

You may visit the Cemetery grounds any day between sunrise and sunset.

LOT USES AND IMPROVEMENTS

Burials are prohibited in the Stafford Cemetery as of February 17, 2011 per City of Stafford Resolution No. 04-11.

Gravestones or markers may be placed on existing graves in the Cemetery, however, all markers must be flush with the ground. All existing monuments may remain if installed prior to July 4, 2011 and are properly maintained.

No construction is permitted on Cemetery lots. This includes items such as fencing, curbing, gravel, wood or brick coverings, enclosures of vegetation, etc. These interfere with mowing and other maintenance requirements.

Decorations such as flowers, plants and vases are permitted if they do not interfere with mowing and maintenance. All vases should be of permanent non breakable material and placed in line with the grave marker. Unauthorized containers such as tin cans, jars, baskets, bottles, etc. are not allowed and will be discarded by maintenance crews on scheduled maintenance days. Real flowers left on the grave site will be discarded after one week or when they become dead and wilted. Balloons and other types of decorations are prohibited and will be discarded if found on the grave site on scheduled maintenance days.

Littering or allowing any rubbish, unsightly material or debris to accumulate is prohibited. Trash containers are provided to discard all trash.

Drive only on the driveways and at a speed not to exceed 15 miles per hour. Turn off your vehicle's radio or any entertainment system while visiting the Cemetery grounds.

The City of Stafford is not responsible for vandalism that may occur to any grave sites or markers and cannot be held liable. The City will make every effort to ensure that the Cemetery is properly protected and maintained.

RESOLUTION NO. 04-11

A RESOLUTION OF THE CITY OF STAFFORD, TEXAS TO TAKE POSSESSION AND CONTROL OF A CEMETERY, STAFFORD ROAD CEMETERY, ALSO KNOWN AS CRAVEN CEMETERY, ON BEHALF OF THE PUBLIC, LOCATED IN THE CITY, THAT THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY, COMFORT, OR WELFARE OF THE CITIZENS OF STAFFORD; PROVIDING FOR THE MAINTENANCE OF STAFFORD ROAD (CRAVEN) CEMETERY IN ACCORDANCE WITH STATE LAW; PROHIBITING THE SALE OF FUTURE BURIAL SPACE IN STAFFORD ROAD CEMETERY; AND CLOSING STAFFORD ROAD CEMETERY TO FUTURE BURIALS.

* * * * *

Whereas, Stafford Road Cemetery, also known as Craven Cemetery, is a three acre tract of land located east of the light pole at 136171/3 Stafford Road in Stafford, Texas also described by metes and bounds in a deed from S. H. Cooper to the Missouri City Cemetery Company dated March 6, 1899, filed May 25, 1899 and recorded May 30, 1899 in Book 15, Page 188 of the Fort Bend County Deed Records; and

Whereas, Stafford Road Cemetery has been used as a public cemetery for burials since at least 1900; and

Whereas, the City of Stafford, Texas has provided grounds maintenance for Stafford Road Cemetery at no charge in order to protect the public health, safety, comfort and welfare of the citizens of Stafford for over twenty (20) years; and

Whereas, Stafford Road Cemetery threatens and endangers the public health, safety, comfort, or welfare of the citizens of Stafford; and

Whereas, Stafford Road Cemetery is not a perpetual care cemetery incorporated under the laws of the State of Texas; and

Whereas, Stafford Road Cemetery is not a private family cemetery; and

Whereas, section 713.009 of the Texas Health and Safety Code provides that a municipality with a cemetery inside the municipality's boundaries or extraterritorial jurisdiction may, by resolution, take possession and control of the cemetery on behalf of

the public if the cemetery threatens or endangers public health, safety, comfort, or welfare; and

Whereas, section 713.009 of the Texas Health and Safety Code also provides that the resolution of the municipality must specify that, not later than the 60th day after the date of giving notice of a declaration of intent to take possession and control, the municipality shall present a plan to:

- (1) Remove or repair any fences, walls, or other improvements;
- (2) Straighten and reset any memorial stones or embellishments that are a threat or danger to public health, safety, comfort, or welfare; and
- (3) Take proper steps to restore and maintain the premises in an orderly and decent condition; and

Whereas, the notice of a declaration of intent to take possession and control of Stafford Road Cemetery has been published in newspapers of general circulation in the Fort Bend County as there are no persons shown by the records in the county clerk's office to have an interest in the cemetery; and

Whereas, the notice of a declaration of intent to take possession and control of Stafford Road Cemetery has been sent to the Texas Historical Commission;

Whereas, the notice of a declaration of intent to take possession and control of Stafford Road Cemetery has been published in a newspaper of general circulation in the municipality; and

Whereas, state law provides that the cemetery in the possession and control of a municipality pursuant to this resolution must remain open to the public; and

Whereas, after taking the above described actions the City of Stafford will continue to maintain the cemetery so that it does not endanger the public health, safety, comfort, or welfare; and

Whereas, state law provides that a municipality's responsibility to maintain a cemetery includes:

- (1) Repairing and maintaining any fences, walls, buildings, roads, or other improvements;

- (2) Leveling or straightening markers or memorials;
- (3) Properly maintaining lawns, shrubbery, and other plants;
- (4) Removing debris, including dead flowers and deteriorated plastic ornaments; and
- (5) Promptly restoring gravesites following an interment.

Whereas, state law provides that additional burial spaces may not be offered for sale; and

Whereas, state law also provides that a municipality or an officer or employee of the municipality is not civilly or criminally liable for acts performed in the good faith administration of this section.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STAFFORD, TEXAS:

Section 1. The City of Stafford hereby finds and determines that the information contained in the preamble is true and correct and adopts and incorporates the preamble into this resolution for all purposes.

Section 2. The City of Stafford gives notice of its intent to take possession and control of the Stafford Road Cemetery on February 17, 2011.

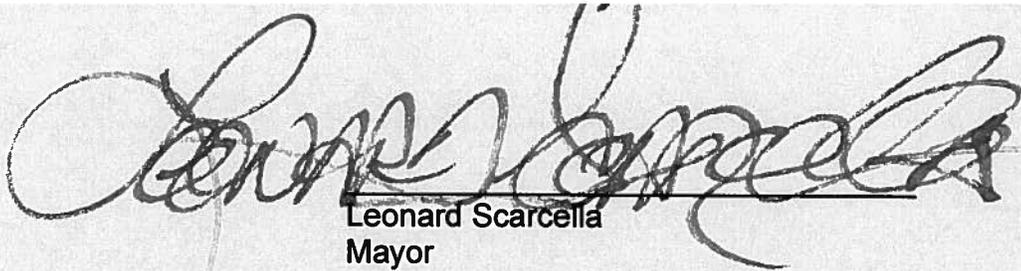
Section 3. Within sixty (60) days City staff will present a plan to the City Council to maintain the Stafford Road Cemetery in accordance with section 713.011 of the Texas Health and Safety Code.

Section 4. Burial space may not be offered for sale in Stafford Road Cemetery.

Section 5. Stafford Road Cemetery will remain open to the public.

Section 6. Stafford Road Cemetery will be closed to future burials.

PASSED, APPROVED, and RESOLVED this 16th day of February, 2011.



Leonard Scarcella
Mayor

ATTEST:



Bonnie Baiamonte
City Secretary

STAFFORD CEMETERY

13617 STAFFORD ROAD

MARCH 22, 2011

INITIAL PLANS TO MAINTAIN CEMETERY GROUNDS

1. Send copy of Resolution No. 04-11 to all funeral homes in Fort Bend and Harris County. (Complete)
2. Place signs at the entrance of the Cemetery stating that the Cemetery is closed for future burials. (Complete)
3. Submit a draft of Cemetery Policies to City Council for consideration.
4. Place signs with Cemetery Policies at the Cemetery after City Council have adopted them.
5. Remove all fences that have been installed within the last twenty (20) years and not approved by City Council.
6. Straighten and reset any memorial stones that are a danger to public health.
7. Remove all objects from the grounds that are not related to specific grave sites.
8. Restore and maintain the premises in an orderly and decent condition.
9. Structures and plants installed on or around a grave site that are in place on February 17, 2011 will be allowed to remain if properly maintained.
10. Maintain the Cemetery in accordance with Section 713.011 of the Texas Health and Safety Code.