

ORDINANCE NO. 17-11

**AN ORDINANCE AMENDING THE TARBORO
CODE OF ORDINANCES TO CLARIFY
RESTRICTIONS**

THE TARBORO TOWN COUNCIL ORDAINS:

Section 1. Chapter 5 Cemeteries of the Tarboro Code of Ordinance is amended to as follows:

1. Amend Sec. 5.8 to read as follows:

Sec. 5-8. – Same – Items Prohibited.

- a) No coping, curb, fencing, grave mound or border of any kind shall be allowed on any burial lot in cemeteries owned and operated by the town.
- b) No garden flags, shells, toys, glassware, ground coverings of any type, solar lights, vases, metal designs, ornaments, or other items (other than vases meeting the Town’s specifications) which may be determined by the Town, in its sole discretion, to be dangerous, unsightly, offensive, a nuisance or materials hazardous to lawn care equipment and their operators shall not be permitted on any interment space or elsewhere within the cemetery, and if placed, the Town may remove any such items and shall not be responsible for the storage, care or return of the items.
- c) No benches, chairs or like items shall be permitted to be brought upon the Town cemetery grounds unless present before January 1, 2017.
- d) Upon discovery of a violation of this section of the ordinance, the Town of Tarboro will post on the gravesite a notice of non-compliance. If the prohibited items are not removed within thirty (30) days of this notice, the Town will remove the item(s) found to be in non-compliance.

2. Amend Sec. 5-29 to add a subsection (b) to read as follows:

- (b) No trees, shrubs or other plants may be planted by anyone other than the Town, except with the express written permission of the Town. In the event any such planting is allowed, the Town reserves the right to perform whatever maintenance it deems necessary to preserve the appearance of such landscaping, including complete removal of that landscaping if, in the opinion of the Town, it should become unsightly.

3. Add Sec. 5-32.1 to read as follows:

Sec. 5-32.1 – Loss Disclaimer.

The Town may take reasonable precautions to protect against loss or damage to property or rights with the cemetery; but it expressly disclaims all responsibility for loss or damage from causes beyond its reasonable control, and specifically, but not by way of limitation, from loss or damage caused by the elements.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

Adopted this the ____ day of _____, 2017.

Joe Pitt, Mayor

ATTEST:

Town Clerk