

ORDINANCE NO. 752-23

AN ORDINANCE AMENDING FOWLER, COLORADO CODE OF ORDINANCES, TITLE 2-ADMINISTRATION AND PERSONNEL, CHAPTER 2.56 CEMETERIES-SECTION 140 PROHIBITIONS

WHEREAS, the Town of Fowler has previously adopted Code of Ordinances to include provisions for the Town Cemetery; and

WHEREAS, the Code of Ordinances included Title 2, Chapter 2.56, Section 140 that pertained to prohibited conduct in the cemetery; and

WHEREAS, the Town of Fowler has experienced a growing need to regulate and prohibit vandalism and trash that has occurred overnight within the cemeteries' limits; and

WHEREAS, the Cemetery Committee has requested that the Town of Fowler protect the committee's investments.

NOW THEREFORE, BE IT ORDAINED by the Town of Fowler as follows:


A new section 2.56.140 entitled "Prohibitions" is enacted as follows:

No person in the cemetery shall:

- A. Drive or ride any machinery or animal on lots, lawns or walks;
- B. Drive an automobile or other vehicle in excess of twenty miles per hour or such lesser speed as shall be prudent under the conditions and circumstances then existing;
- C. Launch or discard paper boxes and other unsightly articles in the cemetery;
- D. Cause any employee to do work for lot owners without an order from the superintendent or give to any employee any valuable consideration to do work for a lot owner;
- E. Do work on the grounds, except by permission of the superintendent;
- F. Perform or cause to be performed a burial in the cemetery on Sunday without a special permit therefor issued by the town administrator on written recommendation of the health officer;
- G. Hunt or in any way disturb the birds or fowl or discharge any firearms, fireworks or other missiles within or over any portion of the cemetery or around the gates, fences or roads adjoining the same, except as a part of military funerals or similar occasions;
- H. Take any animal or permit any animal to be taken into the cemetery;
- I. Deface, damage, destroy or injury any monuments, markers, or other property or thin in the cemetery;
- J. Defecate or urinate;
- K. Camp, stay over-night, or stay beyond dusk;

- L. Erect any type of structure (permanent, semi-permanent, or temporary), except for coverings for a funeral service;
- M. Cook or prepare any meals;
- N. Light a fire, campfire or stove, or cause to be lit any fire, campfire or stove.
- O. Any violation of this Section 2.56.140 (a-n) shall be fined and assessed a penalty not to be more than \$250.00 for the first violation; \$500.00 for the second violation; and \$1,000.00 for the third and subsequent violations.
- P. The Town Police and/or code enforcement officer shall be able to enforce the provisions of this Section 2.56.140 (a-n) by removing any such person(s) from the cemetery.

INTRODUCED, PASSED AND ADOPTED THIS 12TH DAY OF JUNE, 2023.



Lucas Flanscha, Mayor, Town of Fowler

ATTEST:



Town Clerk