

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 92, "CEMETERIES," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 92.01, "DEFINITIONS," BY AMENDING THE DEFINITION OF PLOT SIZE; BY AMENDING SECTION 92.02, "DESIGNATION OF NORTH, SOUTH, AND WEST LAWNS," TO REVISE THE DESCRIPTION OF THE SQUARE FOOTAGE AND ACREAGE OF THE CEMETERY; BY AMENDING SECTION 92.05, "EXEMPTIONS AND MODIFICATIONS," TO REMOVE OBSOLETE LANGUAGE; BY AMENDING SECTION 92.06, "CEMETERY HOURS," TO AMEND THE HOURS FOR THE CEMETERY OFFICE; BY AMENDING SECTION 92.32, "PLOT PRICES AND SERVICE CHARGES," TO DELETE THE TABLE FOR SAME; AND BY AMENDING SECTION 92.42, "INTERMENTS, DISINTERMENTS, AND REMOVALS," TO ADD JUNETEENTH AS A CITY HOLIDAY AND MODIFY THE HOURS OF INTERMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

**WHEREAS**, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That Section 92.01, "Definitions," of Chapter 92, "Cemeteries," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

**§ 92.01 DEFINITIONS.**

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

...

**PLOT.** A space of sufficient size to accommodate one adult interment, approximately 4 x ~~10~~ 8 feet.

...

**SECTION 2.** That Section 92.02, "Designation of North, South, West, and Center Lawns," of Chapter 92, "Cemeteries," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

...

(D) Center Lawn. A portion of Lot 11, Pompano Townsite, according to the plat thereof as recorded in Plat Book B, on Page 76, of the Public Records of Miami-Dade County, Florida being more particularly described as follows: Commencing at the southwest corner of Lot 25, a resubdivision in Block 31 – Pinehurst, according to the plat thereof, as recorded in Plat Book 35, on Page 24, of the Public Records of Broward County, Florida; thence south 02°34'43" east along the easterly right-of-way line of U.S. 1 (Federal Highway), a distance of 50.01 feet; thence departing said right-of-way line and along the southerly right-of-way line of that particular 50 foot right-of-way of Southeast 4th Street as shown on the Office of the City Engineer's Map Number 58, City of Pompano Beach, north 88°27'08" east, a distance of 198.24 feet to the point of beginning; thence, continuing along said southerly right-of-way line north 88°27'08" east, a distance of 310.53 feet to the intersection of the westerly right-of-way line of that particular 60 foot right-of-way of Southeast 23rd Avenue as shown on said Map Number 58; thence south 01°50'07" east along said westerly right-of-way line, a distance of 402.16 feet to a point on the south line of said Lot 11, said south line also being 10 feet north of and parallel with the south line of Government Lot 3, Section 6, Township 49 South, Range 43 East; thence south 88°57'46" west along said parallel line, a distance of 344.40 feet; thence departing said parallel line, north 01°34'12" west, a distance of 174.57 feet; thence north 88°24'38" east, a distance of 32.00 feet; thence north 01°34'12" west, a distance of 224.49 feet to the point of beginning.

Said lands lying in the City of Pompano Beach, Broward County, Florida containing ~~130,409~~ 692,608 square feet (~~2.99~~ 15.90 acres) more or less.

**SECTION 3.** That Section 92.05, "Exemptions and Modifications," of Chapter 92, "Cemeteries," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

**§ 92.05 EXEMPTIONS AND MODIFICATIONS.**

(A) Special cases may arise in which the literal enforcement of any rule may impose unnecessary hardship. The City Commission, therefore, reserves the right, without notice, to make exceptions, suspensions, or modifications when, in its judgment, they appear advisable and temporary exceptions, suspensions, or modifications shall in no way be construed as affecting the general application of the rule.

~~(B) War time conditions may necessarily cause a man power and material shortage so that certain rules of this cemetery cannot be strictly enforced. To meet these conditions the rules, where necessary, will be temporarily modified or suspended. Temporary modification or suspension shall in no way be construed as a waiver, nor affect the strict enforcement of the rules upon the conclusion of the war.~~

**SECTION 4.** That Section 92.06, "Cemetery Hours," of Chapter 92, "Cemeteries," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

**§ 92.06 CEMETERY HOURS.**

Pedestrians are permitted in the cemetery from sunrise to sunset. Vehicular traffic is permitted daily. The cemetery office shall be opened weekdays, excluding Fridays and holidays as observed by the city.

**SECTION 5.** That Section 92.32 "Plot Prices and Service Charges," of Chapter 92, "Cemeteries," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

**§ 92.32 PLOT PRICES AND SERVICE CHARGES.**

~~(A) The following shall comprise the plot~~ A listing of all plot prices for the municipal cemetery, service charges and other pricing as set by the City Commission per § 92.16 (A) shall be maintained in writing in the Cemetery Office and provided to all persons seeking cemetery services or otherwise upon request

<i>Plot</i>	<i>Residents</i>	<i>Nonresidents</i>
4 feet by 10 feet, adult	\$1,275	\$1,800
4 feet by 5 feet, child	\$450	\$700
2 feet by 3 feet, cremation	\$350	\$600
Columbarium	\$550	\$800
<b><i>MONUMENT PLOTS</i></b>		
<i>Plot</i>	<i>Residents</i>	<i>Nonresidents</i>
4 feet by 10 feet, adult	\$1,700	\$2,000
4 feet by 5 feet, child	\$600	\$900

All plot prices to increase at 9.2% per year until year 2021.

(B) — The following shall comprise the opening/closing service charges for the municipal cemetery:

	<i>Weekdays</i>		<i>Saturdays and City-Observed Holidays</i>	
	<i>To</i>	<i>After</i>	<i>To</i>	<i>After</i>
(1) Interments:	3:00 p.m.	3:00 p.m.	3:00 p.m.	3:00 p.m.
Adult	\$850	\$900	\$900	\$950
Child	\$250	\$350	\$350	\$450
(a) Cremated remains:				
Minimal city services:	\$200	N/A	N/A	N/A
City services required:	\$250	\$350	\$350	\$450

(b) — For interment in the south lawn, except Block 37, Block 38, and Block 39, a perpetual care service charge in the amount of 50% of the resident selling price of an adult plot as set forth in subsection (A) above is added to the above charges.

(2) — Removals:

Adult	\$550.00
Child	\$250.00
Cremated remains	\$200.00

(3) — Installation of outside vendor markers — \$70.00

(4) — Bronze marker sales — See price list on file in cemetery office.

(5) — Burial vault sales — See price list on file in cemetery office.

**SECTION 6.** That Section 92.42, "Interments, Disinterments, and Removals," of Chapter 92, "Cemeteries," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

**§ 92.42 INTERMENTS, DISINTERMENTS, AND REMOVALS.**

(A) In addition to these rules and regulations, all interments, disinterments, and removals are made subject to the orders and laws of the properly-constituted authorities of the city, county, and state. All interments, disinterments, and removals must be made at the time, in the manner, and upon those charges fixed by the City Commission.

(B) No interments, disinterments, removals, or interment services shall be permitted on Sundays, or on any of the following holidays: New Year's Eve, New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Juneteenth, Fourth of July, Labor Day, Veteran's Day, Thanksgiving Day, Day After Thanksgiving Day, Christmas Eve and Christmas Day. The city may refuse to make an interment until a more expedient time if the remains arrive at the cemetery gate after ~~4:00~~ 3:00 p.m. or if too many funerals arrive at the same hour. The management shall be notified at least 24 hours prior to any interment, and at least one week prior to any disinterment or removal.

**SECTION 7.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 8.** This Ordinance shall become effective upon passage.

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
**REX HARDIN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**KERVIN ALFRED, CITY CLERK**

MEB/jrm  
5/17/23  
I:ord/ch92/2023-169