

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Department of Health and
Human Services
For Reading: June 12, 2007

CLERK'S OFFICE

ANCHORAGE, ALASKA

APPROVED

AO NO. 2007- 84

Date: 6-26-07

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 25.60.100
2 REGARDING THE ANCHORAGE MEMORIAL PARK CEMETERY PERPETUAL
3 MAINTENANCE NON-EXPENDABLE TRUST FUND.

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5 THE ANCHORAGE ASSEMBLY ORDAINS:

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7 **Section 1.** Anchorage Municipal Code section 25.60.100 is hereby amended to read as
8 follows:

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10 **25.60.100 Cemetery perpetual maintenance non-expendable trust fund.**

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12 A. There is hereby established fund 0720, designated the cemetery perpetual
13 maintenance non-expendable trust fund, for the purpose of providing funding for
14 the future maintenance of the Anchorage Memorial Park Cemetery beginning
15 when the cemetery reaches capacity and user fee revenues cease.

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17 B. Definitions: In this section, the following definitions shall apply:

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19 1. Perpetual maintenance shall mean the cutting of all grass at reasonable
20 intervals, the raking and cleaning of grave lots and grounds, the periodic
21 pruning of trees and shrubs and attending to the general care, maintenance
22 and preservation of all grave lots and cemetery grounds so the property
23 described in 25.60.010 shall remain and be reasonably cared for as
24 cemetery grounds forever.

25
26 2. Perpetual maintenance exceptions. Perpetual maintenance shall not
27 include the maintenance, repair or replacement of any grave stones, grave
28 markers, monumental structures or memorials placed or erected on any
29 grave lot or cemetery grounds including those erected on any private
30 tract(s), nor the planting of flowers or ornamental structures, nor the
31 maintenance or doing of any special or unusual work in the cemetery.
32 NOTE: Grave markers and headstones are considered personal property
33 and as such may be eligible for coverage by a homeowner/renter insurance
34 policy.

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36 3. Annual expenditure. The annual expenditure shall be applied to lots,
37 graves and any space within the confines of the cemetery, and shall be

1 limited to no more than five percent of the perpetual maintenance non-
2 expendable trust fund's market value averaged over the previous five
3 years. This limitation does not restrict the expenditure of other sources of
4 income for perpetual maintenance.

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6 (AO No. 97-94, § 1, 7-1-97)

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8 **Section 2.** This ordinance shall become effective immediately upon its passage and
9 approval by the Assembly.

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11 PASSED AND APPROVED by the Anchorage Assembly this 26th day of June, 2007.

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Chair

ATTEST:


Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2007- 84

Title: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION
25.60.100 REGARDING THE ANCHORAGE MEMORIAL PARK CEMETERY
PERPETUAL MAINTENANCE NON-EXPENDABLE TRUST FUND.

Sponsor: MAYOR
Preparing Agency: Dept. of Health & Human Services/Anchorage Memorial Park Cemetery
Others Impacted: None

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	FY07	FY08	FY09	FY10	FY11	
Operating Expenditures						
1000 Personal Services						
2000 Non-Labor						
3900 Contributions						
4000 Debt Service						
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -	
Add: 6000 Charges from Others						
Less: 7000 Charges to Others						
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -	
REVENUES:	N/A					
CAPITAL:	N/A					
POSITIONS: FT/PT and Temp	None					

PUBLIC SECTOR ECONOMIC EFFECTS:

No substantial increase is associated with these changes.

PRIVATE SECTOR ECONOMIC EFFECTS:

No substantial increase is associated with these changes.

Prepared by: Donald B. Warden, Cemetery Director

Telephone: 343-6814



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 385 -2007

Meeting Date: June 12, 2007

1 **From:** MAYOR

2
3 **Subject:** AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE
4 SECTION 25.60.100 REGARDING THE ANCHORAGE MEMORIAL
5 PARK CEMETERY PERPETUAL MAINTENANCE NON-
6 EXPENDABLE TRUST FUND.
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9 A Perpetual Maintenance Non-Expendable Trust Fund was established in 1997 to maintain
10 the cemetery grounds once the grounds are full and no revenues are coming in. A review
11 revealed there was no explanation of exactly what perpetual maintenance covers as it
12 pertains to the Anchorage Memorial Park Cemetery. Many cemetery rules and regulations
13 across the country were researched by the Anchorage Memorial Park Cemetery Advisory
14 Board, as well as the cemetery staff, and both recommend the amendments in this
15 ordinance, defining exactly what the income generated by the perpetual maintenance non-
16 expendable trust fund will be spent for and also indicating the grounds will be maintained
17 as a cemetery in perpetuity.
18

19 A common misconception many people have with regards to cemetery perpetual
20 maintenance is it includes everything in the cemetery, including family markers and
21 headstones. This is not true, as the Municipality of Anchorage cannot be responsible for
22 the many and varied memorials, monuments, headstones and markers throughout the
23 cemetery forever and ever. The perpetual maintenance exceptions definition details the
24 maintenance not covered by 'perpetual maintenance'. It should also be noted that section
25 25.60.085I. also discusses events beyond the control of the cemetery: "Reasonable care of
26 the cemetery property, including markers, memorials crypts, and urns, is subject to the
27 exclusion of acts of God, vandalism, fire, or other occurrences beyond the control of the
28 cemetery." Naturally, the Municipality is responsible for replacement or repair of damage
29 caused by cemetery personnel while mowing the grounds or other actions. A detailed
30 investigation by the National Catholic Cemetery Conference, a large national cemetery
31 organization, and review of some prominent insurance companies reveals headstones and
32 markers are considered private property, automatically covered by most private homeowner
33 or renter insurance policies.
34

35 The last section of this change pertains to the expenditures from the Perpetual Maintenance
36 Non-Expendable Trust Fund. In order for the fund to be truly "perpetual", there should be
37 some form of inflation proofing. The Percent of Market Value method is used to inflation
38 proof the fund. This is not to say other sources of income could not be used to provide
39 cemetery perpetual maintenance.

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2 THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE
3 AMENDING ANCHORAGE MUNICIPAL CODE SECTION 25.60.100 REGARDING
4 THE ANCHORAGE MEMORIAL PARK CEMETERY PERPETUAL MAINTENANCE
5 NON-EXPENDABLE TRUST FUND.
6

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8 Prepared by: Donald B. Warden, Director
9 Anchorage Memorial Park Cemetery
10 Approved by: Beverly K. Wooley, Director
11 Department of Health and Human Services
12 Concur: James N. Reeves, Municipal Attorney
13 Concur: Denis C. LeBlanc, Municipal Manager
14 Respectfully submitted: Mark Begich, Mayor

Content Information

Content ID : 004675

Type: Ordinance-InvolvingFunds - AO

Title: ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 25.60.100 REGARDING THE ANCHORAGE MEMORIAL PARK CEMETERY PERPETUAL MAINTENANCE NON-EXPENDABLE TRUST FUND, RETROACTIVE TO JANUARY 1, 2007.

Author: pinkleyda

Initiating Dept: HHS

Description: ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 25.60.100 REGARDING THE ANCHORAGE MEMORIAL PARK CEMETERY PERPETUAL MAINTENANCE NON-EXPENDABLE TRUST FUND, RETROACTIVE TO JANUARY 1, 2007.

Date Prepared: 12/22/06 4:51 PM

Director Name: Beverly K. Wooley

Assembly Meeting Date: 6/12/07

Public Hearing Date: 6/26/07

M.O.A.
 2007 JUN -1 PM 1:02
 CLEMENS OFFICE

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllFundOrdinanceWorkflow	12/22/06 4:53 PM	Checkin	pinkleyda	Public	004675
HHS_SubWorkflow	12/22/06 4:55 PM	Approve	wooleybk	Public	004675
OMB_SubWorkflow	12/28/06 9:23 AM	Approve	mitsonjl	Public	004675
AllFundOrdinanceWorkflow	12/29/06 11:01 AM	Reject	sinzje	Public	004675
AllFundOrdinanceWorkflow	4/17/07 3:40 PM	Checkin	pinkleyda	Public	004675
HHS_SubWorkflow	4/17/07 4:43 PM	Approve	wooleybk	Public	004675
OMB_SubWorkflow	5/14/07 11:00 AM	Approve	mitsonjl	Public	004675
CFO_SubWorkflow	5/15/07 4:27 PM	Approve	mitsonjl	Public	004675
Legal_SubWorkflow	5/15/07 5:26 PM	Approve	fehlenrl	Public	004675
MuniManager_SubWorkflow	6/1/07 9:49 AM	Approve	leblancdc	Public	004675
MuniMgrCoord_SubWorkflow	6/1/07 11:29 AM	Approve	abbottmk	Public	004675