

ORDINANCE NO. 04-5266

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING
THAT THE BILLINGS, MONTANA, CITY CODE BE
AMENDED BY REVISING SECTION 8-333; PROVIDING
THAT CONDITIONS WHEN FAMILY MEMBERS MAY BE
BURIED OR MEMORIALIZED ON A VETERAN'S GRAVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS,
MONTANA:

Section 1. That Section 8-333 of the Billings, Montana, City Code be amended so that such section shall read as follows:

“Sec. 8-333. Dedication and special rules for veteran memorial plot.

(a) The grave spaces in the memorial lot of the cemetery are reserved and dedicated to the sole use and purpose of burying the bodies of veterans and ex-veterans of past and future wars of the United States, subject to the conditions hereinafter specified. Persons to be buried in the veteran memorial plot must be an honorable discharged wartime veteran residing in the city at the time of death.

(b) No charge shall be made for the privilege of using the grave spaces named in subsection (a), nor for any care or maintenance thereon, except that the usual charges for opening and closing graves, curbing and flower containers shall be paid therefor in the manner prescribed.

(c) All rules and regulations prescribed by the city governing the use and care of the cemetery shall be observed by all parties interested in the use of the veterans' memorial plot for burial with the following exceptions:

(1) No grave marker shall be installed in this plot, except upright marble type supplied by the United States government.

(2) All burials shall be made in the spaces in consecutive order as designated by the city.

(3) Cremated veterans shall be inurned in the columbarium erected in the veteran plot for that purpose. A veteran's cremains may not be buried in a traditional full size veteran grave unless that grave could not be used for a traditional burial with casket.

(4) The circular park adjoining the veterans' memorial plot may be used by such parties or organizations as are interested in the care and development of the veterans' memorial plot for the installations of a suitable flag staff, instruments of warfare, implements, memorial monuments or other decorations upon the approval of the city.

(5) The cremains of up to two of the immediate family members of a Veteran who is already buried in the veterans' memorial plot may be buried on that Veteran's grave.

(6) If there is room for additional memorialization on the upright marble VA stone, the spouse of the buried Veteran may be memorialized on said stone at the family's expense.”

Section 2. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

Section 3. Repealer. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

APPROVED on first reading this 9th day of February, 2004.

ADOPTED and APPROVED on second reading this 23rd day of February, 2004.

CITY OF BILLINGS

By _____
Charles F. Tooley, Mayor

ATTEST:

By _____
Marita Herold, CMC/AAE City Clerk