

**Sec. 22-14. Permit--Required for grave digging services.**

No person shall perform any grave digging services in cemeteries owned and operated by the city without first having obtained a permit in accordance with the terms and provisions of this chapter.

(Code 1975, § 7-16; Code 1988, § 6-14)

**Sec. 22-15. Same--Application; fee.**

Any application for a gravedigger's permit shall be made to the office of the city secretary. Such application shall include the following:

- (1) Name of person making application, name of business, name of owner of business, and address of business.
- (2) A nonrefundable annual application fee which shall be set by resolution or ordinance on file in the city secretary's office shall cover the costs of processing the application and the administration and enforcement of the provisions of this chapter.
- (3) An insurance certificate indicating minimum coverage for applicant of workers' compensation coverage of \$100,000.00; comprehensive general liability coverage of \$500,000.00 personal injury per occurrence and \$100,000.00 property damage per occurrence; and automobile liability coverage of \$100,000.00 personal injury per person, \$300,000.00 personal injury per occurrence, and \$25,000.00 property damage per occurrence. The comprehensive general liability insurance shall name the city as an additional insured.
- (4) A list and description of the equipment which the applicant will be using for grave digging. The application shall include an affirmative statement that such equipment is capable of operating between graves which have six-foot walkways.
- (5) A statement by the applicant that he or she is an independent contractor and will hold harmless the city, its officers and employees, from any liability for any claim arising out of the applicant's performance of grave digging services in city cemeteries.
- (6) The application shall include a sworn statement by the applicant that all information provided in the application is true and correct.

(Code 1975, § 7-17; Code 1988, § 6-15)

**Sec. 22-16. Same--Review of application.**

The city secretary shall forward such application when received to the city sexton for his or her review and approval. The city sexton shall inspect the equipment to be used by the applicant to determine if it meets the requirements set forth herein and shall review the application to determine if all requirements have been met. The city sexton shall indicate his or her approval or disapproval upon such application and return same to the city secretary . If he or she disapproves such application, he or she shall indicate the reason thereof and applicant shall

be given the opportunity to correct such deficiency.

(Code 1975, § 7-18; Code 1988, § 6-16)

**Sec. 22-17. Same--Issuance.**

The city secretary, after receiving a recommendation of the city sexton for approval of a permit, shall issue a one-year permit provided the applicant has paid the application fee and has on file with the city the insurance certificates required by this chapter.

(Code 1975, § 7-19; Code 1988, § 6-17)

**Sec. 22-18. Same--Cancellation.**

Upon receipt of complaints from the general public or the city sexton regarding the provisions of grave digging services by the permit holder, the city manager or his or her designee may hold a hearing to consider the cancellation of the permit. The permit holder shall be given at least ten days' advance notice by registered or certified mail of such hearing. The permit holder shall be given the opportunity to appear and contest the cancellation of his or her permit at such hearing. Any cancellation of a permit shall be provided in writing to the permit holder and shall state the reasons for such cancellation. The reasons may include failure to comply with applicable ordinances, unpaid damages to public or private property, or the collection of fees not authorized by the city.

(Code 1975, § 7-20; Code 1988, § 6-18)