

ORDINANCE NO. 3433  
AN ORDINANCE REGARDING CEMETERY MEMORY LIGHTS

WHEREAS, New Castle City Code Section 91.01(A)(5)(b) requires the placement of memory lights be permanently affixed to the concrete foundation or memorial base, and

WHEREAS, such placement is not in most cases possible.

NOW THEREFORE BE ORDAINED BY THE COMMON COUNCIL of the City of New Castle that Section 91.01(A)(5)(b) shall hereby be amended as follows:

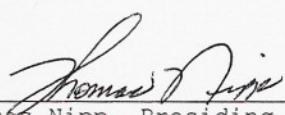
(b) No item shall be placed on the ground surrounding the gravesite foundation between the dates of April 1 and November 30 same being the mowing season of the cemetery, with exception of permitted items mentioned below regarding special holidays. The only items permitted during the mowing season shall include vases that are integral to the monument and placed on the monument foundation, monument saddles, and small statues permanently affixed to the concrete foundation or memorial base. Further memory lights shall also be permitted during the mowing season, however they shall be placed as close to the base as possible so as not to restrict or hinder the mowing of the graves. In no event shall the placing of a memory light at a gravesite require special maintenance or care or cause difficulty in mowing or maintaining the gravesite.

This ordinance shall become effective immediately upon passage.

**REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

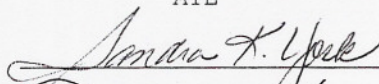
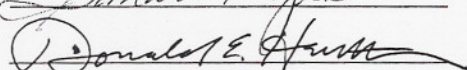
**SEVERABILITY:** Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS 15<sup>th</sup> DAY OF August, 2005.

  
Thomas Nipp, Presiding  
Officer, Common Council, City  
of New Castle, Indiana

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NAY

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James P. Kidd

Todd S. Hickey

Louise Felt

Jeff Hammonds

Richard Hahn

ATTEST:

Janice Lavarney

Janice Lavarney,  
Clerk-Treasurer

APPROVED BY ME THIS 15<sup>th</sup> DAY OF August, 2005.

Thomas D. Nipp

Thomas Nipp, Mayor of the City  
Of New Castle, Indiana