

ORDINANCE NO. 2026-01-003

AN ORDINANCE TO REGULATE PLACEMENT OF VETERAN MEMORIAL PLAQUES IN THE ELSBERRY CITY CEMETERY BY AMENDING SUBSECTION 35.340.10 TO THE ELSBERRY CITY CODE.

BE IT ORDAINED BY THE BOARD OF THE CITY OF ELSBERRY, MISSOURI THAT THE MUNICIPAL CODE OF THE CITY OF ELSBERRY, MISSOURI BE AMENDED AS FOLLOWS:

SECTION 1: The Elsberry City Code is amended by amending Subsection 10 to Section 35.340 as follows:

“§35.340 PLACEMENT AND STANDARDS FOR MARKERS

There may be placed on each grave in the City Cemetery a headstone marker and footstone marker that comply with this Chapter.

....

10. Veterans' memorial plaques may also be placed on the grave site. It shall be placed either as a footstone, or as a headstone. If it is placed as a footstone, it shall be securely affixed to a pre-cast concrete foundation of at least 4" thick and that will allow a minimum of a three inch border around all sides of the plaque. It shall be installed so that it is flush with the surrounding ground level. If it is installed as a headstone, it can be installed in the same method as a footstone, or securely affixed to a vertical headstone. The City's normal marker and inspection fee, the installer's installation costs shall be paid by the person requesting its placement.”

SECTION 2: Severability. The provisions of this Ordinance shall be severable. In the event that any provision of this Ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this Ordinance are valid unless the Court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION 3. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: Effective Upon Passage. This ordinance shall be in full force and effect from and after the date of its passage.

SECTION 5: Incorporation into the Municipal Code. The City Clerk shall incorporate the terms of this Ordinance into the official City of Elsberry City Code with all due dispatch.

Read two times and passed this _____ day of _____, 2026.

MAYOR

Attest: _____
City Clerk

City Seal

Approved as to Form:

City Attorney