

ORDINANCE NO.

21-02  
Series of 2021

**TITLE: AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 17  
OF THE HUDSON MUNICIPAL CODE TO ASSIGN  
HUDSON CEMETERY BOARD DUTIES TO THE TOWN  
COUNCIL**

BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HUDSON,  
COLORADO, THAT:

Section 1. Section 2-212 of the Town of Hudson Municipal Code is amended to read  
as follows:

**Sec. 2-212. – Creation; meetings.**

The town council shall serve as the board of directors of the Hudson Cemetery  
(the "board"). The town council shall take up cemetery business and act as the  
board during town council meetings if and when necessary.

Section 2. Sections 2-213, 2-214 and 2-215 of the Town of Hudson Municipal Code  
are deleted.

Section 3. Section 2-216 of the Town of Hudson Municipal Code is amended to read  
as follows:

**Sec. 2-216. - Duties and authority; Cemetery records.**

(a) The town council, acting as the board, shall have the following duties and  
authority:

(1) To formulate plans and policies to manage and maintain the records and  
the grounds of the Hudson Cemetery;

(2) To adopt by resolution regulations for the operation of the Hudson  
Cemetery, including without limitation a method for determining the purchase price  
of lots and grave plots, regulations as to the size and type of monuments allowed  
on each gravesite, and necessary documentation to be used for the sale and purchase  
of lots and grave plots;

(3) To appropriate funds for the administration, maintenance, and operation  
of the Hudson Cemetery; and

(4) To accept and use gifts for the benefit of the Hudson Cemetery.

(b) The following records are recognized as relevant to the administration of the Hudson Cemetery:

(1) The Official Hudson Cemetery Map, an undated map with the notation "Burial Park, Hudson Colorado," shall be the official map of the cemetery, which shall presumptively identify the blocks, lots and grave plots within the cemetery;

(2) The active burial list dated June 15, 1999 shall be the presumptive list of lots that are currently available for use to the family indicated on the active burial list; and

(3) The "Complete List of Lots and Blocks in the Hudson Cemetery," without date, shall be the presumptive guide for determination of the right to use lots within the Hudson Cemetery, based on the guidelines set forth in section 2-217 below for the issuance of burial certificates.

Section 4. Sections 2-217 of the Town of Hudson Municipal Code is amended to read as follows:

**Sec. 2-217. - Determination of legitimate preexisting claims to burial spaces.**

The town council, acting as the board, will use the following criteria to determine the validity of a claim to a burial lot existing prior to the town's acquisition of the cemetery, and will resolve disputes regarding preexisting claims based on the following criteria:

(1) Whether the claimant possesses a burial certificate from the previous owners of the Hudson Cemetery;

(2) Whether the claimant possesses a burial map claim with a family name in the specific lot on the original burial map;

(3) Whether the lot was an undocumented gift to friends of the previous owners of the Hudson Cemetery. The board is specifically vested with the authority to distinguish between a complete lot given to a family and a single grave plot given to an individual, and determine that the latter does not give the family a claim to all plots in the lot; and

(4) Whether the claimant can show a well-defined history of continuous family burials in the lot.

Section 5. Prior appointments to the Hudson Cemetery Board, if any, are repealed. The Town Council may act in its capacity as the Hudson Cemetery Board immediately upon the effective date of this Ordinance.

Section 6. Safety Clause. The Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town of Hudson, that it

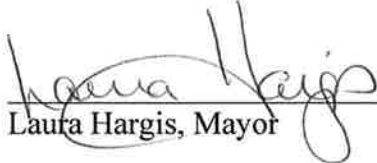
is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 7. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 8. Effective Date. This Ordinance shall become effective ten (10) days after final publication by title only.

INTRODUCED, READ BY TITLE, AND ADOPTED ON FIRST READING this 20<sup>th</sup> day of January, 2021.

TOWN OF HUDSON, COLORADO

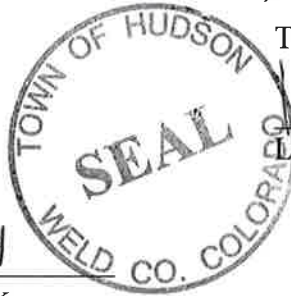
  
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Laura Hargis, Mayor

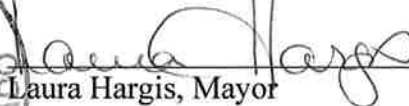
ATTEST:

  
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Charity Campfield, Town Clerk

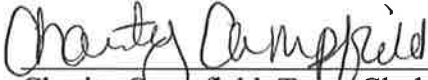
PASSED by a vote of 6 for and 0 against AND ORDERED PUBLISHED BY TITLE ONLY, with a complete copy available for public inspection and acquisition in the office of the town clerk this 3<sup>rd</sup> day of February, 2021.

TOWN OF HUDSON, COLORADO



  
\_\_\_\_\_  
Laura Hargis, Mayor

ATTEST:

  
\_\_\_\_\_  
Charity Campfield, Town Clerk

APPROVED AS TO FORM:

  
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Corey Y. Hoffmann, Town Attorney

