



CITY OF COEUR D'ALENE

PARKS & RECREATION DEPARTMENT

CITY HALL, 710 E MULLAN AVENUE
COEUR D'ALENE, IDAHO 83814
208-769-2252 FAX: 208-769-2383

Mission Statement

To actively strive to provide a quality park system that offers a diverse range of experiences, preserves local resources, and provides a safe, pleasant, and enjoyable environment.

Parks & Recreation Commission

October 19, 2026 – 5:30 pm
Community Room, Library

AGENDA

- 1) Roll Call
- 2) Pledge of Allegiance
- 3) “Conflict of Interest” Declaration
- 4) Approval of September 14, 2026, Meeting Minutes-Action Item
- 5) Approval of September 29, 2026, Workshop Minutes-Action Item
- 6) Staff Comments
- 7) Commissioner Comments
- 8) Public Comments (Comments limited to 3 minutes)
- 9) Establish Ad Hoc Committee for City Park Promenade-Action Item
- 10) Panhandle Parks Foundation MOU-Morrison Memorial-Action Item
- 11) Cemetery Ordinance Changes – Action Item
- 12) Land and Water Conservation Fund Update-Information Item
- 13) I-90 Project Maintenance Agreement-Information Item
- 14) Next Meeting / Adjournment:
 - Monday, November 16, 2026-5:30 pm Library Community Room

The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact the Parks Department at (208)769-2252 at least 72 hours in advance of the meeting date and time.

**PARKS & RECREATION COMMISSION
MEETING MINUTES
September 14, 2026
Community Room, Library**

MEMBERS' PRESENT:

Scott Cranston, Chair
Christie Wood
Bridget Hill
Jim Lien
Mason TerDoest, Student Rep

ABSENT:

Mike McDowell
Ginny Tate
Warren Bakes

STAFF PRESENT:

Adam Rouse, Parks & Recreation Director
Melissa Brandt, Administrative Assistant
Barry Porath, Parks Superintendent

GUESTS:

Phil Boyd
Will Osborne
Doug Eastwood
Tom Torgerson

CALL TO ORDER: Commissioner Cranston called the meeting to order at 5:29 p.m.

1. ROLL CALL

Five members present resulting in a quorum.

2. PLEDGE OF ALLEGIANCE

Commissioner Wood led the Pledge of Allegiance.

3. CONFLICT OF INTEREST

None.

4. APPROVAL OF MINUTES – *Action Item*

Commissioner Wood made a motion to approve the minutes of the June 15, 2026, meeting, Commissioner TerDoest seconded the motion, there being no further discussion and all being in favor, motion passed unanimously.

5. STAFF COMMENTS

Superintendent Porath provided an update on current Parks Division activities: cleanup operations will begin throughout the park system, including landscape beds and boulevards. The department is working with the Water Department to install a new irrigation water meter at Atlas Park. The meter will help ensure compliance and should be operational by spring. The I-90 Corridor Irrigation Rebuild project is approximately 75% complete. Landscaping and irrigation impacted by I-90 interchange improvements will be restored through transportation project funding. The playground turf project has been delayed slightly due to material availability but remains on schedule. Staff are exploring expanding the turf installation to include an adjacent high-use area formerly covered with wood chips. Ongoing concerns regarding vandalism at park facilities were discussed. Recent incidents at Memorial Baseball Park, City Park Bandshell, and Major Family Restrooms resulted in approximately \$1,750 in repair and cleanup costs.

Staff are coordinating with law enforcement to identify strategies to address recurring vandalism issues.

Director Rouse provided additional updates: Storm-damaged trees continue to be removed and replaced, with FEMA reimbursement expected. The Trails Park project estimate came in higher than anticipated. Staff will reevaluate the project scope and design. Progress continues with the Special Needs Recreation partnership with Cherry Hill property. Fall soccer registration exceeded 600 participants. Basketball season planning is underway. Jordan Anderson was promoted to Recreation Superintendent, creating a vacant Recreation Coordinator position. Interviews were conducted to fill the vacancy. Another recreation staff vacancy has also been posted. A proposal to elevate the Building Maintenance Superintendent position to full superintendent-level is scheduled for City Council consideration. The Jewett House is nearing the end of its event season. And staff are reviewing operational efficiencies related to support of the Arts Commission. Commissioners discussed the transition of Arts Commission staff support back to Parks and Recreation. Staff noted efforts are underway to improve efficiencies and reduce administrative burdens while continuing support for the commission.

6. COMMISSIONER COMMENTS

None.

7. PUBLIC COMMENTS

Former Parks Director Doug Eastwood commended Parks Director Rouse and Parks Superintendent Porath for the recently completed renovation of the City Park Bandshell floor. He noted the quality of workmanship exceeded expectations and recommended formally recognizing both staff and contractors involved in the project.

8. RE-ESTABLISH PARKS & REC WORKSHOPS-CITY PARK & TRAIL – *Information Item*

Director Rouse introduced discussion regarding restoring Recreation Commission workshops and using the workshop format to address the City Park seawall/trail project. Discussion included: Forming a project advisory committee; Community involvement opportunities; Development of goals and objectives for the seawall and trail improvements; Potential scheduling of a workshop in late September. Community member Tom Torgerson expressed strong support for moving the project forward and noted interest from several organizations and private partners willing to assist with funding and project development. Commissioners agreed workshops would provide an appropriate forum to further develop project objectives, timelines, and committee structure.

9. HREI BUILDING GRANT – *Information Item*

Director Rouse reported that the Historical Preservation Commission secured a \$65,000 grant for maintenance and restoration work on the HREI Building. Planned improvements include: Brick and mortar restoration; Historical brick matching and repair; Exterior maintenance to preserve the building's historic character.

10. LAND & WATER CONSERVATION FUND UPDATE – *Information Item*

Director Rouse gave an update regarding compliance issues associated with prior Land and Water Conservation Fund conversions. Historical park land and facility changes left the City out of compliance with grant requirements. A meeting is being scheduled with Land and Water Conservation Fund representatives in October, Commissioners will be notified about the meeting so they may attend. Compliance is necessary for future grant eligibility.

11. IGNITE FUNDING-JOHNSON MILL RIVER – *Information Item*

Director Rouse, Phil Boyd and Will Osborne of Ignite CDA presented conceptual plans for improvements at Johnson Mill River Park. Potential improvements include shoreline stabilization and erosion control, trail realignment and connectivity improvements, enhanced landscaping and beautification, improved parking, restroom facilities, additional park amenities including seating and shelters, and protected swimming area improvements and permanent dock concepts. Will Osborne indicated funding may be available through the district's closeout process, with project planning targeted before the river district sunsets in 2027.

12. NEXT MEETING / ADJOURNMENT:

Commissioner Cranston announced the next meeting date.

Next meeting date:

- Monday, October 19, 2026: 5:30 p.m., Meeting; Library Community Room

Commissioner Hill made a motion to adjourn the meeting Commissioner TerDoest seconded the motion. There being no further discussion, motion passed unanimously. Meeting adjourned at 6:27 pm.

**PARKS & RECREATION COMMISSION
SPECIAL MEETING MINUTES
September 29, 2026
Stella's on the Hill – 4176 E Potlatch Hill Rd**

MEMBERS' PRESENT:

Scott Cranston, Chair
Christie Wood
Jim Lien
Ginny Tate

ABSENT:

Bridget Hill
Mike McDowell
Warren Bakes

STAFF PRESENT:

Adam Rouse, Parks & Recreation Director
Melissa Brandt, Administrative Assistant

GUESTS:

Doug Eastwood
Tom Torgerson

CALL TO ORDER: Commissioner Cranston called the meeting to order at 12:03 p.m.

1. ROLL CALL

Four members present resulting in a quorum.

2. CITY PARK ESPLANADE AND TRAIL – *Information Item*

Doug Eastwood introduced the concept of revitalizing the City Park waterfront promenade area from Independence Point to Park Drive. The discussion focused on the area's importance as one of the most heavily used pedestrian corridors in Idaho, with estimates of 800,000 to 1 million users annually. Participants noted that the promenade area has experienced deterioration over time, including aging infrastructure, damaged concrete, outdated furnishings, and loss of landscaping. The intent is to create a long-term vision that enhances the pedestrian experience while preserving the area's character and access to the lake. Discussion centered on forming an ad hoc committee to develop concepts and recommendations for future improvements. Potential participants discussed include representatives from the Parks & Recreation Commission, Parks Department staff, City engineering staff, Rotary Club, Panhandle Kiwanis, Coeur d'Alene Resort, community stakeholders and business representatives.

The committee would be responsible for reviewing existing conditions, developing improvement concepts, working with a landscape architect, identifying potential funding sources, and returning recommendations to the Parks & Recreation Commission. Commissioners agreed that formal committee creation would need to occur at the October 19, 2026, regular meeting. The goal is to have this item go out to bid in mid-summer and a start date after Labor Day, a less busy time for the park.

Doug Eastwood reported discussions with retired landscape architect Dale Hatch regarding assisting with conceptual design work. The committee would work with the designer to evaluate multiple concepts and determine preferred improvement alternatives before presenting recommendations to the Commission including an estimate of probable costs. Potential improvements discussed included widening pedestrian circulation areas; replacing aging benches and site furnishings; improved lighting; enhanced landscaping and tree replacement strategies; upgraded bike parking facilities; improvements to restroom facilities; general beautification and modernization of the promenade.

Commissioners discussed the long-standing goal of improving the connection between Independence Point, the Coeur d'Alene Resort area, and City Park. There were prior planning efforts and concepts with potential relocation or redesign of Independence Point parking areas that would improve pedestrian safety and flow from city hall all the way through City Park. The changes would also enhance the visual connection between downtown, the resort, and City Park. Several members emphasized that Independence Point may ultimately be a separate phase of improvements due to the larger scope and potential public discussion associated with parking modifications.

There was discussion regarding funding for the project that include city participation, private donations, community partnerships, service club contributions, sponsorship opportunities, and grant funding. Participants emphasized the importance of project oversight, quality control, and construction management if the project advances.

Commissioners discussed an upcoming meeting regarding Land and Water Conservation Fund compliance issues. Staff reported that a meeting with state representatives is scheduled for October 19 to review historical park conversions, compliance questions, potential impacts on future grant eligibility, and steps necessary to regain compliance if required.

Staff will prepare an agenda action item for the October 19, 2026, meeting regarding the formation of an ad hoc committee for Commission discussion and approval. Commissioners will identify potential committee participants. The Commission will receive additional information following the October 19, Land and Water Conservation Fund meeting. Concept development and funding discussions will continue as the project moves forward.

3. NEXT MEETING / ADJOURNMENT:

Commissioner Cranston announced the next workshop and meeting dates.

- Monday, October 19, 2026: 10 a.m., Workshop in the City Hall Ron Edinger Room.
- Monday, October 19, 2026: 5:30 p.m., Regular Meeting in the Library Community Room.

Commissioner Tate made a motion to adjourn the meeting Commissioner Wood seconded the motion. There being no further discussion, motion passed unanimously. Meeting adjourned at 1:22 pm.

applicable City policies, procurement requirements, environmental review, public processes, and City Council approval.

DECISION POINT/RECOMMENDATION:

Parks and Recreation Commission approves the formation of an Ad Hoc Committee to evaluate and develop recommendations for improvements to the City Park Promenade corridor, including potential Centennial Trail enhancements within City Park and consideration of future connectivity opportunities involving Independence Point.

PARKS & RECREATION COMMISSION STAFF REPORT

DATE: October 19, 2026

FROM: Adam Rouse, Parks & Recreation Director

SUBJECT: Create Ad Hoc Committee for the Re-Design of the City Park Corridor

DECISION POINT:

Should the Parks and Recreation Commission approve an Ad Hoc Committee to evaluate, develop, and recommend improvements to the City Park corridor, including potential realignment of portions of the Centennial Trail and evaluation of future connectivity opportunities associated with Independence Point.

HISTORY:

The waterfront promenade extending from Independence Point through City Park is one of the most heavily utilized pedestrian corridors in the region, with estimated annual usage ranging from 800,000 to 1 million visitors. The area serves residents and visitors as a primary recreational, tourism, and transportation corridor connecting downtown Coeur d'Alene, the Coeur d'Alene Resort, Independence Point, and City Park.

Over time, the corridor has experienced deterioration of infrastructure and amenities, including aging concrete surfaces, outdated benches and site furnishings, declining landscaping, limited bicycle parking, and other amenities that no longer meet the needs of current users. Portions of the corridor also present challenges related to pedestrian circulation, safety, accessibility, and overall visitor experience.

The Parks and Recreation Commission discussed the need to develop a long-term vision for the promenade and trail system during its workshop meeting. Commissioners expressed interest in forming an ad hoc committee to evaluate existing conditions, explore enhancement opportunities, and provide recommendations for future improvements. The Commission discussed various representatives as participants in the committee from a variety of stakeholder groups, including Parks & Recreation Commission; Parks Department staff; City Engineer; Rotary Club; Panhandle Kiwanis; Coeur d'Alene Resort; Community members; Business representatives; Design and planning professionals; and other individuals identified by the Commission. The committee's work will also consider any applicable Land and Water Conservation Fund requirements that may affect future project implementation.

FINANCIAL ANALYSIS:

Formation of the Ad Hoc Committee has minimal immediate fiscal impact. Future costs may include conceptual design services, engineering evaluations, public engagement efforts, and project development expenses. Any future expenditures associated with design or construction would require separate Commission and City Council consideration through the City's normal budgeting and capital improvement processes. Recommendations developed by the Ad Hoc Committee will be advisory in nature. Any proposed improvements requiring expenditure of City funds, design contracts, property modifications, or construction activities will be subject to

**PARKS & RECREATION COMMISSION
STAFF REPORT**

DATE: October 19, 2026

FROM: Adam Rouse, Recreation Superintendent

SUBJECT: Panhandle Parks Foundation MOU-John Morrison Memorial

DECISION POINT:

Should the Parks and Recreation Commission ask Council to approve a Memorandum of Understanding (MOU) with Panhandle Parks Foundation to establish a permanent memorial at or near Independence Point honoring John Morrison, a City of Coeur d'Alene firefighter killed in the line of duty.

HISTORY:

The Parks and Recreation Department has been working with Morrison family representatives, co-workers, and other vested community parties to establish a memorial for John Morrison. There are already donors identified as well as a conceptual drawing.

FINANCIAL ANALYSIS:

The Parties understand that construction of the memorial is contingent upon the availability of sufficient funding through donations, grants, City contributions, or other approved funding sources. Nothing in the MOU obligates either Party to expend funds beyond those separately approved through its respective authorization processes.

PERFORMANCE ANALYSIS:

The purpose of the MOU is to memorialize the Parties' shared commitment to plan, fund, construct, and maintain a permanent memorial honoring John Morrison. The Parties recognize the significance of honoring Mr. Morrison's service and sacrifice through a public memorial accessible to residents and visitors.

DECISION POINT / RECOMMENDATION:

Recommend Council approve the Memorandum of Understanding with Panhandle Parks Foundation to establish a permanent memorial at or near Independence Point honoring John Morrison.

PARKS & RECREATION COMMISSION STAFF REPORT

DATE: October 19, 2026

FROM: Adam Rouse, Parks & Recreation Director

SUBJECT: Parks & Recreation Cemetery Code Amendments (*City Council Action Required*)

DECISION POINT:

Should the Parks and Recreation Commission recommend City Council adopt amendments to the City Code with respect to cemetery operations.

HISTORY:

The Cemetery Code has not undergone a comprehensive update in more than two decades. Over that time, operational practices, industry standards, and community needs have evolved, necessitating a review of the existing regulations.

The proposed amendments include substantial revisions regarding the roles and responsibilities of the American Legion, Kootenai Post 14, and the Veterans of Foreign Wars (VFW), Coeur d'Alene Post. Staff also conducted a thorough review of the existing code to update outdated provisions, clarify ambiguous language, improve administrative efficiency, and ensure consistency throughout the chapter.

FINANCIAL ANALYSIS:

The proposed amendments have no direct financial impact on the City. Any costs associated with implementation will be limited to staff time required to update administrative procedures and City Code references.

PERFORMANCE ANALYSIS:

The proposed amendments will improve the administration and long-term management of Forest Cemetery by modernizing operational standards and clarifying existing regulations. Key changes include: allowing up to three cremated remains (urns) to be interred within a full-size burial lot; allowing the interment of one casket and up to two cremated remains within a full-size burial lot; clarifying procedures and responsibilities related to cemetery operations and management; establishing provisions that allow the City to reclaim abandoned or unused cemetery lots in accordance with Idaho law; updating provisions related to the American Legion and Veterans of Foreign Wars to reflect current practices and responsibilities; and improving clarity and consistency throughout the Code for cemetery staff, lot owners, and the public.

These amendments will help maximize available burial space, improve operational efficiency, and ensure the continued stewardship of the City's cemetery facilities.

DECISION POINT/ RECOMMENDATION:

The Parks and Recreation Commission recommends that the City Council adopt the proposed amendments to the Municipal Code pertaining to cemetery operations and management.

4.10.010: FEES:

The Mayor and City Council will, from time to time, establish fees for all services provided by the City in providing cemetery services including, but not limited to, setting markers and monuments, opening and closing graves, burial of ashes or cremains, disinterment, furnishing concrete linings, setting stones and the price of lots, niches and nameplates. (Ord. 3382 §17, 2010)

4.10.020: ALLOCATION OF FUNDS:

Thirty percent (30%) of the revenues received from the sale of lots will be placed in the permanent cemetery investment fund and seventy percent (70%) will be placed in the cemetery maintenance fund. (Ord. 3382 §17, 2010)

4.10.030: SUPERVISION OF CITY CEMETERIES:

The Parks Superintendent is responsible for the maintenance and operation of the City cemeteries, including enforcement of all ordinances and rules adopted regarding City cemeteries. Unless otherwise provided in this chapter, all work in the City cemeteries must be done by City employees working under the direction of the Parks and Recreation Director. (Ord. 3382 §17, 2010)

4.10.040: CEMETERY RECORDS:

- A. The Parks and Recreation Director, or designee, will keep and maintain a record of:
 - 1. All interments, including the name, age, gender, date of birth,, and date and place of burial, to include lot and/or niche location.
 - 2. All disinterments; and
 - 3. All lots sold, repurchased, or transferred from one owner to another.
- B. Records to be maintained for the above purposes include an interment book, index book, lot map book, and database. (Ord. 3382 §17, 2010)

4.10.050: SALE AND TRANSFER OF CEMETERY LOTS:

- A. All cemetery lots are sold subject to the City's ordinances, rules and regulations regarding cemeteries and can only be used for the burial of human dead.
- B. The price of a cemetery lot includes the cost of perpetual care of the lot, not including extra care or labor such as planting trees, shrubs or flowers, or for any care over and above that exercised generally in the cemetery.

C. No transfer or assignment of any lot will be valid without the written approval of the Mayor as attested by the City Clerk following approval by the City Council, which authorization shall appear in the minutes of the meeting when such authorization was given. (Ord. 3382 §17, 2010)

4.10.060: BURIAL LOTS RESERVED FOR VETERANS:

A. Blocks 50, 51, and 52 of section E of Forest Cemetery are reserved for the burial of veterans of World War II. A lot in this section will be provided free for the burial of a World War II veteran who received an honorable or medical discharge. An additional lot in the section will be provided free for the burial of one spouse of the veteran. The City will not pay the expense of opening and closing the graves.

B. Blocks 3, 4, 5, 6, 23, 24, 25, and 26 of section A of Forest Cemetery (190 lots total) are reserved for burial of members and members' spouses of Kootenai Post 14 of the American Legion.

C. Blocks 61 to 67 of section B of Forest Cemetery (182 lots total) are reserved for burial of members and members' spouses of the Coeur d'Alene Post of the Veterans Of Foreign Wars.

D. Blocks 68 and 69 of section B and lots 1 to 11 of block 70 of section B of Forest Cemetery (59 lots total) are reserved for burial of members and members' spouses of the Coeur d'Alene Post of Veterans Of Foreign Wars.

4.10.070: GRADE AND FENCING OF LOTS:

A. The grade of all lots shall be determined by the Parks Superintendent.

B. Each lot or block in the cemetery shall be marked by an iron pin or pipe at each corner set level with the ground.

C. No enclosure of any nature, such as fences, copings, hedges or ditches, are allowed upon or around any plots, lots or blocks.

D. Grave mounds are not permitted, and lots may not be raised above the established grade. The graves shall receive the same general care as other parts of the lawn. The grass is to be cut and leaves and debris raked off while the remainder of the lawn is cleaned. (Ord. 3382 §17, 2010)

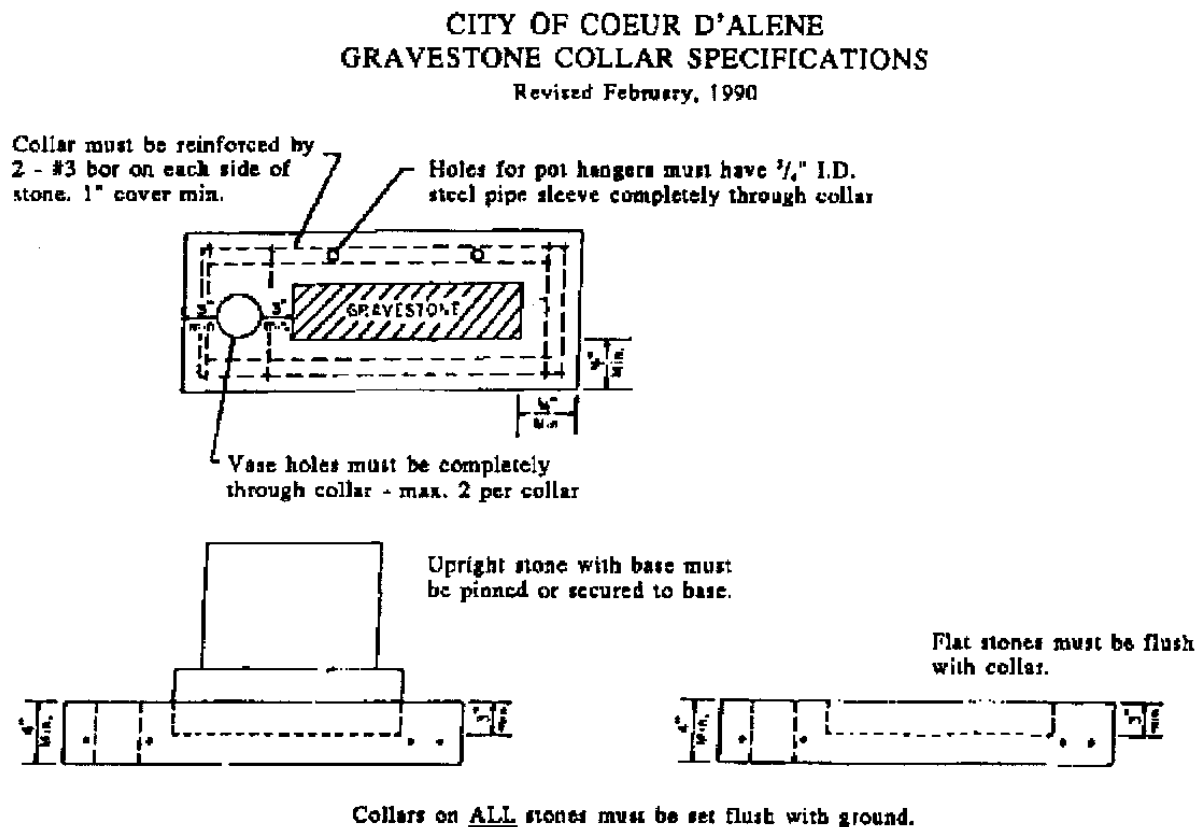
4.10.080: PLANTING AND REMOVAL OF TREES, SHRUBS AND PLANTS:

No trees, shrubs or plants shall be planted, pruned or removed without the consent of the Parks Superintendent. The Parks Superintendent shall have full authority to prune, remove or

transplant any trees, shrubs or plants when he considers it in the best interest of the cemetery.
(Ord. 3382 §17, 2010)

4.10.090: MONUMENTS AND MARKERS:

A. All monuments and gravestones must be placed upon foundations built of solid masonry, which shall not be less in size than the lower base of the structure, and which shall be of sufficient depth, in the opinion of the park and cemetery director, to support the monument. There shall be constructed a collar of concrete four inches (4") wide around the base at the bottom of each monument, or granite may be used as the foundation for the gravestone and must also have a minimum of a four inch (4") wide collar around the base of the monument. The monument must be glued and doweled securely to the granite. The top of the concrete collar or granite collar must be flush with the surrounding ground level. Specifications for a concrete collar are as illustrated in the drawing below.



- B. All stones of sufficient thickness to stand alone shall be properly doweled to their base.
- C. Wooden markers are prohibited.

D. The base of all monuments shall be cut to set fairly level on foundations.

E. The City is not liable for any damage or injury resulting to raised letterings, carving or ornaments on any memorial or other structure on any lot.

F. In all future additions or annexations of the Forest Cemetery Annex (Riverview) and all future additions or annexations to Forest Cemetery, grave markers must be set flush with the surrounding ground level. Width of collar and marker combined is to be four inches (4") less than the width of the lot on which it is to be placed. The length of the marker is not to exceed sixteen inches (16"). No pot hangers may be placed unless inserted within the collar of the headstone.

G. All headstones must be placed at the west edge of the lot except in sections G and F where they must be placed at the head of the lot. Any secondary stones must be placed flush to the first stone and flush with the ground.

H. Temporary markers are not allowed. (Ord. 3382 §17, 2010)

4.10.100: INTERMENTS AND DISINTERMENTS:

A. No interment will be permitted, nor will any body be received for a full burial, unless a proper certificate is furnished to the cemetery office by the funeral home overseeing the burial.

B. At least forty-eight (48) hours' notice must be given to the cemetery office before any interment. A complete burial slip with full name, lot or niche location, birth date, death date, burial date and time, vault or liner status, and lot or niche location.

C. One casket and two (2) urns may be allowed in a full burial lot, or up to (3) urns may be allowed.

D. No interment or disinterment shall be made except by cemetery employees under the direction of the Parks and Recreation Director, and upon the written consent of the record owner of the lot, his or her surviving spouse and/or members of the immediate family.

E. The City is not liable for any damage incurred during a disinterment.

F. The City is not liable for errors in issuing interment permits or establishing the identity of the deceased. Additionally, the City assumes no liability for verbal orders given by telephone, or for errors resulting from vague, incomplete, or inaccurate instructions regarding a burial plot's location, size, or boundaries. G. No interment will be allowed, and no marker may be placed in or on a cemetery lot until all fees are paid in full.

H. Every casket interment shall be enclosed in a concrete vault or liner. Vaults made of heavy noncorrosive metal, fiberglass or other materials which meet or exceed the performance standards and specifications of concrete liners will also be permitted.

I. No interment, disinterment or removal shall be permitted on Sunday or any of the legal holidays recognized by the City except Veterans Day, Presidents' Day, Labor Day, and the day after Thanksgiving; provided, however, that when the death was caused by contagious disease and interment has been ordered within twenty-four (24) hours after death by a health officer with jurisdiction, such interment may be made on other such holidays.

J. Two (2) cremains burials will be allowed in the same lot in Forest Cemetery on lots with trees which cannot otherwise be used for full burial. Said lots will also be restricted to flat markers set flush to the ground and not to be wider than twelve inches (12") or longer than thirty-six inches (36"). All cremains are to be placed in a nonperishable container prior to interment in ground or niche wall.

K. One cremains urn is allowed in each niche in the cremains niche wall, except where companion niches are provided, then two (2) cremains urns are allowed. A standard nameplate may be purchased through the cemetery office, installation fees apply. Bronze nameplates only are allowed in Forest Cemetery and only silver nameplates in Riverview. Newer niche walls in both Forest and Riverview Cemeteries allow for engraving by a third party. When a niche with a nameplate, or engraving, is vacated at the owner's request, the nameplate is to be removed and, if the door is engraved, the owner making the request will be responsible for a new niche door.

L. The Parks & Recreation Director may, in writing, provide criteria under which a private contractor may perform opening and closing services in the cemetery.

M. A memorial marker or plaque can be placed on a lot but must not extend beyond the four feet (4') authorized for the headstone and secondary stone on a lot. A memorial marker must be placed within a collar of the headstone or secondary stone and be flush to the ground, a flat bronze memorial plaque can be secured to the collar of a headstone or secondary stone. A "memorial marker or plaque" is defined as a third stone or plaque on a lot memorializing someone that is not actually interred in the lot. The first interment would have a headstone; the second interment would have the secondary stone. The secondary stone must be flush with the ground, placed directly at the base of the headstone and cannot exceed two feet by two feet (2' x 2') in size. (Ord. 3382 §17, 2010)

4.10.110: RULES OF CONDUCT:

A. No vehicle shall be driven upon the cemetery grounds faster than ten (10) miles per hour.

B. Children unaccompanied by parents or guardians will not be permitted on the grounds.

C. No dogs or other animals will be permitted to run at large upon the grounds, nor shall dogs or other animals be allowed upon the grounds except service animals accompanied by their owners or when dogs or other animals, under proper restraint, are allowed on the grounds as part of a funeral procession.

D. All persons are prohibited from gathering or taking away any flowers, wild or cultivated, or breaking, damaging or destroying any shrub, plant or tree upon the cemetery grounds.

E. All persons are prohibited from writing upon, or in any manner marring, defacing or injuring any monument in the cemetery, from playing any games, washing cars, sunbathing, or any other activities unrelated to the proper use, good order, and decorum of the cemetery. (Ord. 3382 §17, 2010)

4.10.120: CEMETERY HOURS:

All City cemeteries are closed to the public during the hours of ten o'clock (10:00) P.M. until seven o'clock (7:00) A.M., and all persons are prohibited from entering any City cemetery during such hours except by special authorization of the Parks and Recreation Director. (Ord. 3382 §17, 2010)

4.10.130: ENFORCEMENT AND PENALTIES:

A. The Parks and Recreation Director responsible for maintaining quiet and good order in City cemeteries, and is authorized to eject any person violating any of the provisions of this Chapter or who disturbs the quiet, peace and good order of the City cemeteries by loud noise or improper conduct.

B. Any violation of a mandatory provision of this Chapter is a misdemeanor punishable as provided in section [1.28.010](#) of this code. (Ord. 3382 §17, 2010)

New Section:

4.10.140: RECLAMATION OF LOTS:

The City Council may reclaim lots, sites, or portions of a cemetery not used for one hundred (100) years by Resolution as provided by Idaho Code § 27-301. To reclaim a lot, Council shall pass a Resolution requesting that the owner, or his or her heir or assign, of a lot, site, or portion of the cemetery that has been unused for burial purposes for more than one hundred (100) years, file with the City Clerk a written statement of continuing claim or interest in the lot, site, or portion of the cemetery.

(1) The City will deliver a copy of the Resolution to the individual personally or by leaving copies thereof at the individual's home or usual place of abode with some person over the age of eighteen (18) years then residing therein. The Resolution shall notify the owner that the owner must, within sixty (60) days after service of the Resolution on the owner, express his or her interest in maintaining the cemetery lot, site, or portion of the cemetery by filing with the City Clerk a written statement of his or her continuing claim or interest.

(2) If it is determined that the owner is deceased, the requirement to personally serve the owner may be met by mailing a copy of the Resolution to all known or reasonably ascertainable heirs of the owner. A search for heirs shall include an inquiry into the next succeeding owner(s) of a decedent's real property and a basic online search for information about the heirs of the deceased owner.

(3) If the owner cannot be personally served with the Resolution as required in subsection (2) of this section, the City shall publish the Resolution for three (3) successive weeks in the City's official newspaper and shall mail a copy of the Resolution within fourteen (14) days after the publication to the owner's last known address, if available.

(4) If, in response to the Resolution, the owner or one (1) of his or her heirs or assigns submits a written statement of continuing interest in the lot, site, or portion of the cemetery for interment purposes, the City shall reissue to said person a new conveyance document evidencing his or her interest in said lot, site, or portion of the cemetery for interment purposes, in accordance with its usual practices. If more than one (1) heir or assign shall submit competing claims in the lot, site, or portion of the cemetery in question, the City shall notify all such competing heirs or assigns, but shall have no authority to adjudicate the relative merits of said claims or interests. If, within ten (10) years from the date of said notification, the competing heirs or assigns shall not have agreed upon a resolution of their various interests or adjudicated the same, the City may require from each a renewed written statement of each such heir's or assign's continuing claim or interest in the lot, site, or portion of the cemetery, by complying with the provisions of this section. The City may repeat this process every ten (10) years, as necessary, until such time as ownership of the lot, site or portion is vested in an individual. Alternatively, when facing competing claims among heirs, the City may file an interpleader in a court of competent jurisdiction to determine the rights of all persons claiming an ownership interest in the cemetery lot, site or portion in question.

(5) If, for sixty (60) days after the last date of service, mailing and/or publication of the Resolution, the owner, or his or her heir or assign, of the cemetery lot, site, or portion of the cemetery fails to claim an interest, the owner's rights, and the rights of his or her heirs and/or assigns, are terminated, and that lot shall be revert back to the City.