

## **ORDINANCE NO. 2025-03**

### **AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF TOMBSTONE, COCHISE COUNTY, ARIZONA, AMENDING THE CITY CODE, TITLE 8, "PUBLIC WAYS AND PROPERTY", CHAPTER 4, "CEMETERY", SECTION 8-4-11, "CHARGES".**

**WHEREAS**, A.R.S. §9-240, grants to Common Council of the City of Tombstone the authority to establish and set Fees for costs associated with the maintenance and services provided in connection with the City Tombstone Cemetery; and,

**WHEREAS**, the establishment of Fees for costs associated with the maintenance and services provided in connection with the City Tombstone Cemetery are reasonable and necessary for the maintenance of the City of Tombstone Cemetery and within the best interest of the citizens of the City of Tombstone.

**NOW THEREFORE, BE IT NOW ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF TOMBSTONE, COUNTY OF COCHISE, STATE OF ARIZONA, THAT THE CITY CODE IS HEREBY AMENDED AS FOLLOWS:**

**SECTION 1:** The City Code of Tombstone, Arizona, Title 8, "Public Ways and Property", Chapter 4, "Cemetery", Section 8-4-11, "Charges", as presently published is hereby repealed in its entirety.

**SECTION 2:** The City Code of Tombstone, Arizona, Title 8, "Public Ways and Property", Chapter 4, "Cemetery", Section 8-4-11, shall now be entitled "Fees" and shall read as follows:

#### **8-4-11: FEES:**

The fee for any plot or other service provided or required pursuant to the terms of this Chapter shall be established by Resolution of the Mayor and City Council.

**SECTION 3:** All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the public record adopted by reference are hereby repealed.

**SECTION 4:** If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the public record adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof.

**SECTION 5:** Pursuant to A.R.S. §§ 9-812 and 39-204, the City Clerk is directed to publish the text of this Ordinance for two (2) consecutive weeks in a newspaper of general circulation, and further, to post a copy of this Ordinance in three (3) or more public places within the City.

**PASSED AND ADOPTED**, by the Mayor and Common Council of the City of Tombstone, Cochise County, Arizona this 12th day of August, 2025.

**CITY OF TOMBSTONE, ARIZONA**

  
DUSTIN ESCAPULE, Mayor

ATTEST:

  
CHARISSA PRESTI, Interim City Clerk

APPROVED AS TO FORM:

  
ANN P. ROBERTS, City Attorney

**CERTIFICATION**

**I HEREBY CERTIFY** the foregoing Ordinance as duly passed and adopted by the City Council of the City of Tombstone, at a regular meeting on August 12, 2025, and that a quorum was present.

  
Charissa Presti, Interim City Clerk

**Ordinance 2025-03**

Passed and adopted by 5 Councilmembers on 8/12/25, 2025.

Posted on website and posting locations on 8/19, 2025

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Clerk's Initials: \_\_\_\_\_