

STATE OF TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS, SUPPORTING THE REQUEST BY THE CITY OF NEW BRAUNFELS TO SUPPORT LEGISLATION IN THE 87<sup>TH</sup> LEGISLATIVE SESSION THAT CREATES AN EXCEPTION TO TEXAS HEALTH AND SAFETY CODE SECTION 711.008 WHICH ALLOWS THE CITY OF NEW BRAUNFELS TO APPROVE THE CREATION OF A PRIVATE CEMETERY WITHIN THE BOUNDARIES OF THE CITY OF NEW BRAUNFELS AND REQUESTING THAT STATE LEGISLATORS SUPPORT ANY SUCH BILL BY VOTING IN FAVOR OF THIS LEGISLATION

**WHEREAS**, Texas Health and Safety Code Section 711.008 states: "an individual, corporation, partnership, firm, trust, or association may not establish or operate a cemetery, or use any land for the interment of remains" within the boundaries of municipalities; and

**WHEREAS**, cemeteries located within the corporate limits of New Braunfels are at or near full utilization; and

**WHEREAS**, the City of New Braunfels is one of the fastest growing cities in Texas and the United States of America; and

**WHEREAS**, the City of Seguin and New Braunfels share common corporate limits as well as a potential need for more cemetery space; and

**WHEREAS**, passing a law that will provide an exception to the application of the prohibition described above will allow the individual who owns the property covered by this legislation to proceed with the establishment of a private cemetery; and

**WHEREAS**, the private landowner will also need to seek City Council approval of the proposed private cemetery project and abide by all future ordinances for the benefit of the health, safety, and welfare of the citizens of New Braunfels; and

**WHEREAS**, it is the desire of this City Council to support the City of New Braunfels effort and provide a copy of this resolution with appropriate names affixed be presented to the Mayor of the City for his use in the legislative process.

**NOW THEREFORE BE IT RESOLVED**, by the City of Seguin, Texas:

**PART 1.** The City Council of the City of Seguin, Texas, hereby expresses its support of the effort by New Braunfels for encouraging state legislature to entertain the following legislation:

An amendment to the Texas Health and Safety Code Section 711.008 to create an exception to the prohibition against cemeteries that will allow the City of New Braunfels to approve the creation of a cemetery within its city limits.

**ADOPTED AND APPROVED** on this the 2<sup>nd</sup> day of February 2021.

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**DONNA DODGEN, MAYOR**

**ATTEST:**

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Naomi Manski, City Secretary