

Chapter 12

CEMETERIES*

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ARTICLE I. IN GENERAL

Sec. 12-1. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- **Cemetery or Municipal Cemeteries:** All developed or undeveloped sections of Elmhurst Cemetery, Lincoln Heights Cemetery, and any other property acquired by the City and dedicated for the interment of human remains.
- **City:** The City of Elberton, Georgia, acting through its City Council, City Manager, or designated Cemetery Administrator.
- **Department:** The Department of Public Works of the City.
- **Grave:** A space of land in a cemetery used or intended to be used for the burial of human remains.
- **Interment:** The permanent disposition of human remains by:
- **Burial:** Earthen burial in a grave.
- **Entombment:** Placement in a crypt within a mausoleum.
- **Inurnment:** Placement of cremated remains in an urn within a grave, crypt, or niche.
- **Memorial:** Any monument, tombstone, grave marker, or tablet used to identify a grave or crypt and preserve remembrance.
- **Marker:** A small memorial placed at the head or foot of a grave (headstone/footstone).
- **Monument:** A large memorial, typically used on family lots, often inscribed with a family name.
- **Owner:** Any person or entity in whose name an interment plot/easement is recorded in the official cemetery records of the City of Elberton.
- **Plot:** A specific grave, crypt, or niche.

Sec. 12-2. Authority to Regulate; Limitation of Liability.

- a. The Mayor and Council reserve the right to amend, modify, or add to these rules and regulations at any time to ensure the safety, maintenance, and dignity of the municipal cemeteries.
- b. **Non-Liability of City:** The City, its officials, agents, and employees shall not be liable for any damage, loss, or injury—whether in tort or contract—resulting from acts, omissions, or negligence related to cemetery operations, including but not limited to the maintenance of monuments, markers, or mausoleums.
- c. **Acceptance of Terms:** By purchasing an interment easement, the purchaser

and their heirs agree to be bound by all provisions of this chapter and any future amendments.

Sec. 12-3. Enforcement.

This chapter shall be strictly enforced. Any person violating these provisions shall, upon conviction, be punished as provided in **Section 1-9** of the City Code.

Sec. 12-4. Establishment and Burial Restrictions.

Elmhurst Cemetery and Lincoln Heights Cemetery are declared public burial grounds. No person shall establish a cemetery within city limits without express authorization from the City Council. Interment is prohibited anywhere within the City except within a municipal cemetery or a cemetery duly authorized by the City Council.

Sec. 12-5. Supervision and Administration.

The City Manager is responsible for the administration of municipal cemeteries, including:

- Ensuring proper care and maintenance of grounds and enforcing all regulations.
- Maintaining detailed accounts of receipts, expenditures, and trust fund remittances.
- Managing grave preparation (digging) and interment services.
- Directing the duties of the Cemetery Sexton and Public Works Director as needed.

ARTICLE II. SALES AND CONVEYANCE OF INTERMENT RIGHTS

Sec. 12-6. Nature of Ownership and Rights.

- a. **Burial Easement:** The City retains free simple ownership of the land. A purchaser receives only an **easement for the exclusive right of interment**. This right does not grant any other property or easement rights in the land.
- b. **Succession of Rights:** In the absence of a specific will or written declaration, the primary right of interment belongs to the owner and their spouse. Remaining space may be used by descendants (children first, then closest relatives) in order of need.
- c. **Pricing:** Fees for lots and interment services shall be established by the Mayor and Council and maintained in the City's official fee schedule.
- d. **Execution:** Conveyances shall be executed by the Mayor and City Clerk under the City seal. The Department shall maintain permanent records of all easement owners, grave locations, and burial data.

Sec. 12-7. Purchase Procedures and Installment Plans.

- a. **Sales:** Interment rights are sold during normal business hours (Monday–Friday), except in cases of immediate need as approved by the Cemetery Sexton.
- b. **Installment Plan:** Lots may be purchased via an installment plan requiring a **20% down payment**, with the balance paid for in monthly installments of **10% of the total price**. The lot must be paid in full within eight months.
- c. **Default:** If an installment payment is more than **six months delinquent**, the City reserves the right to:
 - Reselling unused portions of the lot.
 - Declare all rights and titles forfeited; or
 - Relocate interred remains to a location selected by the city.
- d. **Restrictions:** No easement document shall be issued, and no monument, marker, or structure may be placed on a lot, until the purchase price is **paid in full**. Full payment is required prior to any interment.

Sec. 12-8. Abandoned or Unused Interment Spaces; Buy-Back Policy.

- a. **Presumption of Abandonment:** To ensure the efficient management of municipal burial grounds, any interment space shall be presumed abandoned if there has been no recorded activity (such as burials, marker installations, or ownership updates) for a period of **sixty (60) years**.
- b. **Notice of Reclamation:** Before reclaiming an abandoned lot, the City shall provide written notice via regular mail to the owner of record at their last known address. The notice shall state that the City intends to declare the space abandoned unless the owner (or their legal heir) notifies the City of their intent to retain burial rights within **thirty (30) days** of the notice date.
- c. **Reversion to City:** If no response is received within the 30-day period, the interment rights shall revert to the City of Elberton. The city may then resell or dispose of the unused space as deemed appropriate by the City Manager.
- d. **Repurchase of Lots:** If a lot owner determines they no longer require unused interment space, they may elect to sell the rights back to the City. The City's repurchase price shall be limited to the **original purchase price paid** at the time of the initial sale. No private third-party sales of interment rights are permitted without City approval.

Sec. 12-9. Succession of Interment Rights.

- a. **Ownership at Demise:** Burial easements are presumed to be held by the person named on the official City record until their death. In the absence of a specific bequest in a valid Will or other recorded legal declaration, the right of interment in any unused space shall pass to the **surviving legal spouse**.
- b. **Vested Rights of Spouse:** The legal spouse of a deceased owner holds a vested right of interment in any remaining unused burial space. This right is waived only if the spouse provides a written waiver to the City or is interred elsewhere.
- c. **Order of Succession (Descendants):** If no surviving spouse exists, or after the spouse's interment, any remaining burial spaces may be used by the **direct descendants** of the original owner in the following order:
 - **Children of the Owner:** Spaces shall be allocated to children in order of need (at the time of death).
 - **Spousal Reservation:** If a child of the original owner is interred in a family plot, a reservation for that child's legal spouse is automatically established for the adjacent or next available space in that plot.
 - **Extended Descendants:** Once all children of the original owner are deceased or have formally relinquished their interest, the rights of interment pass to the grandchildren and subsequent descendants in order of need.
- d. **Intestate Reversion:** Should an owner of interment rights die without a Will, legal heirs, or surviving spouse, all unused interment rights shall automatically revert to the City of Elberton.

ARTICLE III. INTERMENT SERVICES AND PROCEDURES

Sec. 12-10. Exclusive Service Provider; Scheduling and Fees.

- a. **Exclusivity:** The City of Elberton is the exclusive provider of interment services—including the opening and closing of all graves, niches, and crypts—within municipal cemeteries.
- b. **Availability:** Services are available seven days a week, subject to personnel availability. The City requires a minimum of **24 hours' notice** prior to a funeral service and reserves the right to refuse service if this window is not met.
- c. **Operating Hours:** Interments must be completed, and all funeral parties must exit the cemetery, by **sunset**. No service shall commence later than two hours prior to sunset.

- d. **Fees and Holiday Restrictions:** All fees must be paid in full prior to the rendering of services. Additional surcharges apply to:
- Burials before 9:00 a.m. or after 4:00 p.m. (Monday–Friday).
 - Weekend burials (Saturday–Sunday) or City-observed holidays.
 - **Prohibited Days:** No interments are permitted on **Thanksgiving Day** or **Christmas Day**.

Sec. 12-11. General Rules for Interment.

- a. **Authorization:** No interment shall occur until the Cemetery Sexton verifies that:
- The applicant has the legal right to use the designated lot; and.
 - The lot has not reached its maximum burial capacity.
 - A legal burial order has been issued, and the deceased's vital statistics are recorded.
- b. **Supervision:** All grave preparation shall be performed by the City under the direction of the **Cemetery Sexton** or **Public Works Director**.
- c. **Vault Requirements:** All burials must utilize an outer burial container (vault) made of approved **steel, concrete, or reinforced non-biodegradable material**.
- Vaults must be water-resistant, airtight, and feature a tongue-and-groove locking system.
 - **Wooden vaults are strictly prohibited.**
 - All vaults must maintain a minimum of **12 inches of earth cover** (mound) from the top of the vault to the finished grade.
- d. **Memorialization:** While not required, the city strongly recommends the installation of a permanent marker at the place of interment.

Sec. 12-12. Interment Orders and Instructions.

- a. **Written Consent:** No remains shall be interred or entombed without the written consent of the interment right owner or their legal agent. The City assumes no liability for verbal or telephonic instructions or for errors resulting from imprecise location descriptions.
- b. **Physical Selection:** The owner or agent must **physically select and sign** a burial space selection order prior to interment, unless a notarized interment plan is already on file with the Department.
- c. **Marking:** The City shall mark all burial lots and the placement of corner markers or monuments before they are set up to ensure alignment and

prevent encroachment.

d. Cremation (Urn) Standards:

- Urns interred in-ground must be placed in a protective outer container (maximum 18"x18"x18") or specifically designed for direct burial.
- **Capacity:** A single burial space is limited to either **one (1) full casket/vault interment** OR up to **four (4) urns**.

e. If a space contains a full casket, no additional urns may be added.

f. Under no circumstances will a previously interred urn be moved or exhumed to accommodate additional burials on the same grave.

Sec. 12-13. Funeral Directors' and Arrangers' Responsibilities.

- Conduct and Traffic:** Funeral Directors are legally responsible for the conduct of all employees, vehicle drivers, and participants within a funeral procession. All state and local traffic regulations must be strictly followed, and vehicles must be parked so as not to obstruct cemetery thoroughfares or damage turf.
- Assumption of Responsibility:** In instances where a Funeral Director is not engaged, the individual signing the interment order assumes all responsibilities and liabilities otherwise assigned to the Director.
- Equipment Oversight:** Use of any external equipment is subject to City supervision. The storage of vaults or construction materials within cemetery boundaries is strictly prohibited.

Sec. 12-14. Private Columbaria and Mausolea.

- Maintenance of Structures:** Owners of private columbaria or mausolea are responsible for the actual inurnment or entombment process.
- City Supervision:** All such activities must be scheduled with and performed under the direct supervision of the city. City personnel will not operate, open, or close doors, niches, or crypts for private structures.

Sec. 12-15. Funeral Service Equipment and Site Restoration.

- a. **Removal Timeline:** All temporary items, including tents, chairs, and lowering devices, must be removed by the owner/provider within **24 hours** of the conclusion of the service.
- b. **Lifting and Lowering Devices:** The City does not provide machinery for handling, lifting, or lowering caskets and vaults. These must be coordinated through a licensed monument company or funeral home.
- c. **Damage Liability:** The removal of equipment or excess material must not result in ruts, soil displacement, or damage to trees, monuments, or adjacent lots. The party responsible shall be liable for the full cost of City-conducted repairs.

Sec. 12-16. Private Contractors: Licensing and Site Management.

- a. **Licensing Requirements:** Any individual or firm performing work (installation, construction, or monument removal) on a lot they do not personally own must possess a **current business license** for the specific trade performed.
- b. **Owner Maintenance:** Lot owners or their legal heirs may perform general cleaning and aesthetic upkeep of their specific plots without a contractor's license.
- c. **Contractor Liability:** Contractors are strictly liable for any damage to City infrastructure (signs, turf, utilities) or private memorials caused by their personnel or equipment. All damage must be reported to the City immediately.
- d. **Restoration of Grounds:** Contractors must restore turf, fill ruts, and remove all tire tracks resulting from their work activities prior to leaving the site.
- e. **Waste Disposal:** All surplus materials, packaging, or vegetative waste must be removed from the cemetery grounds and **legally disposed of daily**. The city may mandate immediate removal if waste interferes with scheduled services.

ARTICLE IV. MEMORIALS, MONUMENTS, AND MARKERS

Sec. 12-17. Mandatory Memorial Permits.

- a. **City Approval Required:** The placement, erection, or modification of any memorial, monument, marker, or mausoleum is subject to the express supervision and written approval of the City.
- b. **Permit Process:** A **Memorial Permit** must be obtained *prior* to the commencement of any work or the purchase of any memorial. Applications are available at the City Customer Service Center or via elbertoncemeteries.com.
- c. **Review Timeline:** The Cemetery Sexton shall review applications and communicate a decision within **five (5) business days**.
- d. **Purpose:** Permits ensure that proposed designs comply with the specific standards of the cemetery section where the lot is located. Fees for permits are established by the City Council Fee Schedule.

Sec. 12-18. General Requirements and Zonal Restrictions.

- a. **Quantity Limits:** Only one (1) monument is permitted for a two-grave plot. Only one (1) marker is permitted per individual grave.
- b. **Limitation of Liability:** The City assumes no financial responsibility for loss or damage to memorials resulting from theft, vandalism, windstorms, or other acts of God.
- c. **Prohibited Features in New Additions:** To facilitate modern maintenance, **grave slab ledgers, benches, coping, paving, and gravel** are strictly prohibited in the following areas:
 - **Elmhurst Cemetery:** 8th, 10th, 11th, and 12th Additions.
 - **Lincoln Heights Cemetery:** Elberta, Sunrise, and Sunset Sections.

Note: Benches in these sections are permitted only if they are structurally integrated into the primary lot monument.)

- d. **Enclosures:** No private curbing, fencing, walls, hedges, or post-and-chain enclosures shall be erected. Roadside curbing may only be installed by the city at the owner's expense.
- e. (e) **City and Aesthetics:** All statues or figurines must be approved via the permit process. The Cemetery Sexton reserves the sole judgment to reject items deemed untasteful or those that depreciate the value of surrounding lots.

- f. (f) **Landscaping:** Private planting of trees, shrubs, or flowers requires written approval from the Cemetery Sexton. This does not prohibit temporary decorations such as potted or cut flowers.
- g. **Mounds:** Grave mounds are prohibited; all graves must be finished to a level grade.
- h. **Mausoleum Siting:** A dedicated mausoleum section exists near the north entrance of Elmhurst Cemetery. Mausoleums placed outside this area require special approval to ensure that door/crypt access does not encroach upon adjacent lots.
- i. **Standards of Dignity:** No structure shall be maintained that is offensive, unreasonably interferes with maintenance, or detracts from the dignity of the cemetery.
- j. **Temporary Removal:** Any monument moved to facilitate a burial must be professionally reset within **seven (7) days** of the interment.

Sec. 12-19. Technical Requirements for Memorial Permits.

- a. **Pre-Installation Disclosure:** No memorial, monument, or marker may be placed within any municipal cemetery until the seller, owner, or donor has submitted a formal application and received a written permit. The application must include:
 - **Location Data:** Specific lot and grave numbers.
 - **Material Specifications:** Trade name of the material and the name of the quarrier/manufacturer.
 - **Design Details:** A sketch or rendering of the proposed memorial showing the exact size, type, and location of all lettering, carvings, and family names.
 - **Quality Certification:** A properly executed certificate confirming the material is free from sap, foreign substances, or structural flaws (such as checks or cracks) that may cause future staining or discoloration.

Note: Artificial coloring used in lettering or design is exempt from the "staining" portion of this certification.

- b. **Permit Fees:** The fee for the issuance of memorial permits shall be established by the Mayor and Council and must be paid in full prior to the commencement of any site work.
- c. **Review and Removal Authority:** For monuments and mausoleums, a

blueprint or scale drawing with complete specifications is required. The City reserves the right to refuse the erection of—or to remove—any memorial that, in the sole judgment of the Cemetery Sexton, fails to comply with the standards, intent, and dignity of the municipal cemeteries.

Sec. 12-20. Foundation Standards and Installation.

- a. **Mandatory Foundations:** To prevent leaning, sinking, or structural failure, a suitable foundation is required for all markers, monuments, and mausoleums. All foundations shall be designed and constructed at the sole expense of the permit applicant or their designated contractor. No memorial shall be set until the City has verified the foundation meets these specifications and has issued the final monument permit.
- b. **Elevation:** No foundation shall extend above the finished grade level of the surrounding soil. Each foundation must be a minimum of four (4) inches wider than the base of the monument or memorial on all sides (creating a 4-inch mowable border/wash).

Sec. 12-21. Technical Specifications for Memorials.

All memorials must be constructed of first-quality granite or marble. Lettering, ornaments, or plaques made of bronze or aluminum are permitted.

- a. **Face Area:** The front face of a monument shall not exceed **15%** of the lot's total square footage (approximately 9 square feet per individual grave space).
- b. **Height Limit:** No memorial shall exceed a total height of **15 feet** from the finished ground level.
- c. **Finishing:** Consistent with industry standards; a **rock-pitch finish** is recommended for monument bases to minimize visible damage from mowing and grave-digging equipment.
- d. **Lettering:** Must be proportional to the memorial size. **Relief lettering** (raised text) is strictly prohibited on markers set flush with the ground to prevent damage from maintenance machinery.
- e. **Thickness/Structural Integrity:** Tablets must be at least **six (6) inches thick** and secured with two (2) dowel pins. Tablets exceeding six inches in thickness do not require dowels.
- f. **Corner Markers:** All corner markers must be **6" x 6"** and **flush with the ground level** at the inside corners of the plot.

- g. **Single Grave Lot Restrictions:** Only one (1) marker is permitted (either at the head or foot), unless a second marker is required for military or public service recognition. . For a single grave lot, the minimum base size for a single grave lot marker is 20 inches in length and 12 inches in width, and the maximum base size is 36 inches in length and 24 inches in width.
- h. **Family Grave Lot Dimensions:** Except for specialized designs approved by the city, monument bases must adhere to the following:

Note: Maximums apply to side-by-side configurations. Head-to-toe configurations are

Lot Description	Min. Base (L x W)	Max. Base (L x W)
Two-Grave Lots	48" x 12"	72" x 24"
Four-Grave Lots	54" x 14"	96" x 24"
Six-Grave Lots	54" x 14"	120" x 24"
Eight+ Grave Lots	60" x 14"	144" x 24"

restricted by the width of the side-by-side layout.

- i. **Placement of Flush Markers:** Individual markers on family lots (12" x 24") must be set **flush with ground level**. The Cemetery Sexton may waive this requirement in historic sections to maintain architectural consistency with existing upright memorials.

Sec. 12-22. Accountability of Monument Companies.

- a. **Damage Liability:** Monument companies and installers are strictly liable for any damage to turf, trees, or adjacent memorials. This includes the prevention of ruts or soil displacement. The permit applicant or the installation company shall be billed for the full cost of City-conducted repairs.
- b. **Debris Removal & The 7-Day Rule:** Installers are responsible for the daily removal of all excess materials.
- c. **Enforcement:** If all debris is not removed and the site restored within **seven (7) days** of installation, the City shall perform the cleanup.
- d. **Cost Recovery:** The full cost of labor and disposal will be charged to the party that obtained the memorial permit.

Sec. 12-23—12-29. Reserved.

ARTICLE V. MAINTENANCE RIGHTS OF THE CITY

Sec. 12-30. Right of Entry and Hazard Abatement.

- a. **Compliance:** The City of Elberton shall comply with all applicable provisions of the **Georgia Cemetery and Funeral Services Act of 2000**, as amended, and all Secretary of State of Georgia rules on file.
- b. **Authority to Enter:** The City reserves the legal right to enter any cemetery lot or grave space to:
 - Correct **hazardous conditions** that pose a threat to public safety.
 - Remove **dilapidated structures**, unauthorized monuments, or undesirable vegetation that impairs the beauty and dignity of the cemetery.
 - Remove any monument or marker installed without a valid **Memorial Permit**.

Notice: The City will make a reasonable effort to notify lot owners of such conditions to allow for private correction before City intervention.

Sec. 12-31. Administrative Supervision.

- a. **Regulatory Updates:** The Mayor and Council may update cemetery ordinances, and the City Manager may establish operational procedures at any time without prior notice to lot owners or heirs.
- b. **Precedent:** Past practices or previous allowances shall not constitute a legal precedent for current or future cemetery operations.

Sec. 12-32. Care of Lots and Structures.

- a. **General Maintenance:** The City provides generalized care for walkways, drives, and common areas. Specialized care for burial lots is provided to the extent practicable but does **not** include the watering of lawns or the cleaning/maintenance of private memorials.
- b. **Private Structures:** Owners of private mausolea or columbaria must keep such structures in a **safe, structurally sound condition**.
- c. **Limitations:** Maintenance levels are subject to budgetary allocations, equipment availability, and weather conditions.
- d. **Employee Conduct:** City employees are prohibited from accepting tips or gratuities.

- e. **Water Service:** City water service is not provided for the cleaning of private monuments or the watering of vegetation.

Sec. 12-33. Prohibited Decorations and Immediate Removal.

To maintain safety and mowing efficiency, the following items are **strictly prohibited** and subject to immediate removal by City staff without notice:

- Glass or metal containers.
- Lighted holiday arrangements or electrical devices.
- Stone chips, gravel, or decorative rocks used to cover plots.
- Open flames, candles, or lanterns.
- Decorations hanging from trees or shrubs.

Sec. 12-34. Tree and Plant Management.

- a. **Unauthorized Planting:** The planting of any vegetation, flowers, shrubs, or trees on lots by owners or heirs is prohibited.
- b. (b) **Encroachment and Disease:** If any tree or plant becomes detrimental to adjacent lots, infrastructure, or safety pathways, or becomes diseased, the City reserves the right to enter the lot and prune or remove the vegetation at its discretion.

Sec. 12-35. Removal of Floral Pieces and Holiday Decorations.

- a. **Funeral Designs:** Following an interment, the City may remove funeral designs and floral pieces after **five (5) days**, or sooner if they become wilted or unsightly. Families wishing to retain these items must remove them within the five-day window.
- b. **Holiday Arrangements:** Holiday-specific decorations may be removed by the City **15 days after the holiday**, or when they become unsightly.
- c. **Authorized Removal:** Only the owner of burial rights, their authorized agent, or City personnel may remove items from a lot.
- d. **Owner Responsibility:** Families are required to keep their lots clear of faded artificial flowers, broken pots, toys, and other debris.

Sec. 12-36. Maintenance of Cemetery Structures and Liability.

- a. **Private Responsibility:** The City does not provide routine cleaning or repair for private monuments, mausoleums, or coping. This remains the responsibility of the owner or heirs.
- b. **Hazardous Conditions:** The City will attempt to notify owners of hazardous or unsightly blights on private structures. If not corrected within the specified timeframe, the **City may perform the correction and assess the costs against the lot.**
- c. **Natural Wear and Tear:** Owners acknowledge that memorials are subject to natural and man-made forces. The city is **not liable** for damaged or broken markers due to environmental causes or aging.
- d. **Unattended Memorials:** Any memorial deemed damaged, dead, broken, or unattended may be removed by the city without prior notice.

Sec. 12-37. Offensive Objects.

- a. **Determination of Offense:** If any structure, inscription, or object is deemed by the Cemetery Sexton to be **offensive or injurious** to the appearance of the grounds, the City reserves the right to enter the lot and conceal or remove the object.
- b. **Notice and Billing:** The City will attempt to notify the owner to allow for private correction. If the owner fails to act within the specified time, the city will remove the object and bill the costs to the lot owner.

Sec. 12-38. Comprehensive Rights Retained by the City.

- a. **Operational Flexibility:** The City expressly reserves the right to enlarge, reduce, replat, or changing the boundaries, grading, roads, and walkways of the cemetery at any time.
- b. **Infrastructure Easements:** The City maintains a perpetual right of ingress and egress over all plots and the right to install pipelines, drainage systems, or electrical lines as needed for cemetery management.
- c. **Regulatory Evolution:** The City reserves the right to adopt new rules or amend existing ones at any time to reflect modern Georgia Secretary of State standards or best practices in cemetery management.
- d. **Discretionary Removal:** The Cemetery Sexton has the sole discretion to remove any grave accessory or personal property to facilitate interments, perform general maintenance, or protect the safety of persons and property. The City is not responsible for the loss of or damage to such personal

property.

Sec. 12-39. Exceptions and Modifications.

To prevent unnecessary hardship in unique or unforeseen circumstances, the **City Manager** reserves the right to make temporary exceptions, suspensions, or modifications to any rule in this chapter. Such actions:

- Are at the sole discretion of the City Manager when deemed advisable.
- Do not require prior public notice.
- Shall not be construed as a permanent change to the general application of the rule for other cases.

Sec. 12-40—12-45. Reserved.

ARTICLE VI. VISITOR CONDUCT AND ETIQUETTE

Sec. 12-46. Visitor Conduct and Rules of Admittance.

- a. **Sacred Ground:** All visitors must conduct themselves with respect and decorum appropriate for a hallowed place. The municipal cemeteries are sacredly devoted to the burial of the dead.
- b. **Enforcement & Ejection:** Any person failing to comply with visitation rules will be directed to leave the premises immediately.
- c. **Prohibited Entry:** Entry into any municipal cemetery is strictly prohibited from **sunset to sunrise** for any purpose.
- d. **Criminal Penalties:** The theft, destruction, or defacement of any monument, marker, or mausoleum constitutes a **desecration of a grave site** and is punishable under applicable Georgia law.
- e. **Repeat Violators:** Any individual or organization that habitually violates these regulations may be permanently barred from the grounds, and any unauthorized entry thereafter will be prosecuted as **criminal trespass**.
- f. **Facilities:** Visitors are advised that **public restrooms are not available** within the cemetery grounds.

Sec. 12-47. Proscribed Conduct for Visitors.

To preserve the cemetery as a place of interment and memorial, the following acts are strictly **prohibited**:

- **Trespassing:** Remaining on grounds between sundown and sunrise or entering/exiting through anything other than established gates.
- **Consumption:** Carrying or consuming food, refreshments, or **intoxicating beverages**.
- **Vandalism:** Cutting or injuring plants; defacing, writing upon, or disturbing any memorial, fence, or structure.
- **Littering:** Depositing trash anywhere other than provided receptacles.
- **Animals:** Permitting dogs or domestic animals on the grounds (see exceptions in Sec. 12-48).
- **Firearms:** Discharging firearms or explosives, except for authorized military honors or burial salutes.
- **Unauthorized Use:** Participating in meetings, parades, or recreational activities not related to the commemoration of the dead.
- **Solicitation:** Peddling, soliciting sales, or placing unauthorized signs and advertisements.

Sec. 12-48. Detailed Rules of Etiquette.

- a. **General Decorum:** Visitors must act respectably. Boisterous conduct, horseplay, "scare tactics," and loud noises (yelling, horns, loud radios) are prohibited.
- b. **Sacrilegious Conduct:** Rituals associated with voodoo, witchcraft, Wicca, or occult practices are strictly prohibited.
 - **Physical Restrictions:**
 - **No Climbing:** It is unlawful to sit, lean, play, or climb monuments, markers, slabs, or cemetery walls.
 - **No Tampering:** Moving or altering funeral items or obstructing an interment is prohibited.
- c. **Supervision of Minors:** Children under the age of 16 must always be under the direct supervision of a responsible adult.
- d. **Animal Policy:**

- **Prohibited:** Pets on leashes or running free.
 - **Permitted: Service dogs** under full control and pets fully confined within a visitor's vehicle.
 - **Animal Burials:** The burial of any animal within city cemeteries is strictly prohibited.
- e. **Operational Quiet:** All people, including contractors, must cease operations and remain quiet when in the vicinity of a burial service.
- f. **Prohibited Activities:**
- **Smoking:** Strictly prohibited; littering with cigarette butts is a violation.
 - **Sports:** Golf, baseball, and all athletic competitions are banned.
 - **Treasure Hunting:** Use of **metal detectors** is prohibited (except for city utility location), and no artifacts may be removed.
- g. **Property Rights:** Using cemetery grounds to access adjacent third-party property is prohibited. Loitering on a private lot without the owner's permission is considered trespassing.

Sec. 12-49. Priority of Mourners.

Casual visitors must not intrude upon or loiter near funeral parties or open graves. Any person or vehicle not part of a service must vacate the immediate area. No equipment or vehicles shall operate within sight of a funeral service to ensure the privacy and rights of the bereaved.

Sec. 12-50. Special Events and Assemblies.

- a. **Permit Required:** Activities such as historical tours, weddings, or memorial services must be approved in advance by the **Chief of Police** and **City Manager**.
- b. **Prohibited Events:** The cemetery shall not be used for "haunted" tours, paranormal investigations, or any entertainment-based events.
- c. **Precedence:** Scheduled interments always take precedence over special events.

Sec. 12-51. Assumption of Risk and Liability.

- a. **Warning of Injury:** Visitors enter at their own risk. Monuments may be unstable; climbing on them may result in serious injury. The City is not liable for injuries sustained on the premises.
- b. **Natural Conditions:** Visitors assume all risks associated with the outdoor nature of the grounds, including but not limited to exposed roots, settling graves, uneven terrain due to precipitation, and slick stone surfaces. Barricade areas must be avoided.

Sec. 12-52—12-55. Reserved.

ARTICLE VII. VEHICLES AND TRAFFIC REGULATION

Sec. 12-56. General Traffic Rules.

The speed limit is **15 miles per hour**. Due to narrow, one-way roadways, drivers must remain alert. Parking on graves, lots, or lawns is strictly prohibited.

Sec. 12-57. Vehicle Conduct.

- a. **Funeral Processions:** No vehicle may pass a funeral procession. Turning around on cemetery roads is only permitted at intersections.
- b. **Damage Reporting:** Drivers must immediately report any damage caused by their vehicle to trees, turf, or monuments to the city.

Sec. 12-58. Parking Standards.

Vehicles must park on the shoulders of roadways and must not block traffic or park on grass/brick walking paths. Engines should not be left idling unless required for authorized maintenance operations.

Sec. 12-59. Funeral Procession Oversight.

All processions must be accompanied by a **licensed Funeral Director**, who is responsible for the conduct and parking of all vehicles at the party. Upon entering the cemetery, the procession is under the supervision of City staff.

Sec. 12-60. Size Restrictions.

Vehicles exceeding **35 feet in length** or **12 feet in height**, as well as trailers, are prohibited unless specifically authorized by the Cemetery Sexton.

Sec. 12-61. Authorized Off-Road Activity.

Only City-supervised maintenance equipment (tractors, backhoe, etc.) is permitted off-road. Such equipment must use **turf tires** or **3/4" thick pads** to protect the ground when working away from road shoulders.

Sec. 12-62—12-65. Reserved.