

## **CITY OF KENNESAW CEMETERY REGULATIONS AND GUIDELINES**

It is the desire of the City of Kennesaw to make the cemetery a quiet, beautiful place for the deceased and visitors. While we encourage the use of decorations for loved ones, we must also provide the proper maintenance, safety and care of the cemetery. Therefore, the following rules and regulations have been established as subsequent regulations to the City of Kennesaw Code of Ordinances, Chapter 30-Cemeteries.

### **VISITATION**

The cemetery is open to visitors every day. Vehicles may be operated on designated roads and parking areas only with the exception of deliveries in connection with cemetery work. Parking is not permitted on the grass. The speed limit shall not exceed 5 mph. Due to the number of people visiting the cemetery each year, it is very difficult to control the activity of every visitor or to guarantee decorations from being damaged or lost.

### **GENERAL PROVISIONS**

In order to secure the safety of visitors and staff to the cemetery and to prevent damage to maintenance equipment, visitors shall abide by the following regulations.

1. All forms of decoration not specifically approved by the Cemetery Preservation Commission, or its appointed designee, will be removed. This includes flags no larger than 12" wide by 18" tall, trees, shrubs, plantings and groundcovers; all glass, crockery, Styrofoam, statuary, toys, cans, ornaments, benches and similar items.
2. Family members and/or visitors should arrange a schedule among themselves so that only one decoration is placed on each grave at a time.
3. Flowers and decorations will be removed after the allotted time frame or when they become unsightly.
4. Artificial and fresh arrangements are permitted provided they are in an approved vase that is permanently mounted on the monument or memorial. Any floral arrangement not in an approved vase will be removed. Under no circumstances may vases of glass, porcelain, or similar substances be placed at a grave.
5. Hangers, brackets and other materials used for hanging plants or flowers shall not be used. Saddles on monuments are acceptable but not recommended because they may cause damage to the monument. The City is not responsible for damage caused by any of the fore mentioned.

6. All floral decorations will be removed as soon as, in the judgment of public works, become unsightly, diseased, do not conform to the cemetery policies, or when deemed necessary, for the proper maintenance of the cemetery.
7. Adornments will be allowed to stay on a grave, as long as they are appropriate for the season of the year, until they become faded or unsightly, at which time they will be removed. This includes temporary adornments for holidays or special occasions such as Easter, Mothers Day, Fathers Day, Independence Day and Veterans Day.

EXCEPTION: During the Christmas holiday, temporary adornments will be allowed to stay on a grave two (2) weeks preceding the holiday and two (2) weeks after the holiday, at which time they will be removed.

8. Personal landscaping, plantings, curbing, borders, retaining walls, benches, mulching or any decoration must be approved by the Cemetery Preservation Commission, or it's appointed designee, before installation.
9. All children under the age of 18 must be accompanied by an adult and shall not be allowed to climb or play on monuments, walls or other fixtures.
10. No dogs, cats, or other animals shall be allowed on cemetery grounds (except for service animals.)
11. All rubbish, trash, or waste materials are to be disposed of in the trash receptacles provided throughout the cemetery.
12. Removal, defacing or destroying any headstone, monument marker, tomb, vault, or cremation area within the cemetery is strictly prohibited, and will be prosecuted to the fullest extent of the law.
13. Disturbance of any grave or place of burial is strictly prohibited, and will be prosecuted to the fullest extent of the law.
14. During a funeral service, all work in the immediate vicinity being done by City employees, contractors, and/or others shall be discontinued.

#### **INTERMENT APPLICATION**

1. No person shall bury or permit any person to be buried on any lot or part of a lot in the cemetery owned or held by him/her, for a valuable consideration. This applies to traditional burial and cremations.

2. All applications for burial shall be made through the City Clerk's office. The following guidelines must be followed in order to coordinate all the required activities associated with the interment.
  - a. All fees must be paid before any interments can take place.
  - b. Monday through Friday burials require at least two (2) working days notice prior to the interment.
  - c. Saturday and Sunday burials require at least three (3) working days notice prior to funeral and interment.
  - d. The City does not provide services on City observed holidays (New Year's Day, Martin Luther King's Birthday, Good Friday, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day and day after Thanksgiving, Christmas Eve and Christmas Day.)
  - e. The City does not provide tents, chairs, or assistance for services and/or interments.
  
3. At the time of application, precise instructions must be given regarding the particular type of burial requested – traditional in-ground, in-ground cremation or scattering of cremated remains in the Cremation Garden.
  - a. Traditional In-Ground Burials
    - i. The applicant must identify the lot and space where interment is desired. The City shall not be responsible for any mistake occurring for instructions that were not properly given.
    - ii. A burial vault shall be used for all in-ground interments.
  
  - b. In-ground Cremations
    - i. Lots that contain a casket cannot be used for cremation burial
    - ii. Four (4) cremains are allowed to be buried in a single grave lot; two (2) at the head and two (2) at the foot.
    - iii. Cremains must be placed in a container for burial.
    - iv. Public Works will prepare the site and ensure that the container is placed in the ground with 12" of soil covering the entire container.
  
  - c. Cremation Garden
    - i. The Cremation Garden scattering site offers memorialization in a landscaped area where cremated remains are scattered in the garden.
    - ii. Scattering of cremated remains is only permitted within the designated areas and must be supervised and/or carried out by city staff.
    - iii. Survivors may take turns raking the remains back into the earth.
    - iv. A plaque with the deceased's name, birth date and death date will be placed on the garden wall by city staff.

## **MONUMENT, HEADSTONES AND MARKERS**

1. Monuments and headstones shall only be used on in-ground burials.
2. The Monument Company, family member or friend must get permission from the City Clerk's Office, prior to installing any monument, headstone or marker.
3. All settings and/or erection of any monument, headstone or marker must comply with City guidelines. Any installation not done in accordance with the following guidelines will be removed at the benefactor's expense.
  - a. All monuments, headstones and markers shall rest upon concrete foundations installed by a monument company, under the supervision of Public Works. The top of each foundation shall be set at or below ground level.
  - b. The concrete foundation for the headstone, shall be constructed on solid ground and not on the area where the casket is interred. It shall be centered within the lot lines of each plot, with a minimum of six inches remaining between the edge of the foundation and the front of the plot. The Public Works Director may allow exceptions if a permanent type grave liner of sufficient strength to support the weight of the foundation and memorial is used that will not interfere with future grave openings.
  - c. All monuments and markers shall have level bottoms and be set upon the concrete foundation. The foundation shall be in proportion to the size and weight of such headstone or marker.
  - d. The foundation for upright monuments shall be six inches (6) wider and longer than the base dimension of the monument to facilitate monument alignment. If existing conditions dictate a lesser depth, the foundation will be sixteen inches (16) to twenty-four inches (24) deep.
  - e. The monument height will be dictated by the majority of the surrounding monuments and as per grade as directed by the Cemetery Preservation Commission or its appointed designee.
  - f. The foundation of flush markers shall have the same length and width dimensions as the flush marker. If existing conditions dictate a lesser depth, the foundation will be twelve inches (12) to eighteen inches (18) deep. All markers shall be set flush or below ground level.
4. Monuments, headstones, flush type markers, and inscriptions thereon, shall face the nearest pathway or roadway and shall be placed on a line parallel to the pathway or roadway.

5. The City is not responsible for incorrect engravings on monuments or flush markers. The purchaser should check with their monument company to insure that the names on the monument or marker are correct before the engraving is authorized or initiated.
6. On a single burial lot, one (1) monument of upright, headstone type or a single flush type marker may be placed. Said monument or marker foundation should not exceed the width of the lot.
7. On a lot consisting of two (2) burial spaces, an upright, headstone type monument or a flush type marker may be placed. Said monument or marker foundation shall not exceed the width of two (2) lots.
8. The monument firm shall be held responsible for any damages and shall be subject to the direction and control of the Public Works Director or his/her designee while on cemetery grounds.
9. All monuments, headstones, and markers must be installed within six months of burial unless approved by the Cemetery Preservation Commission or its appointed designee.

#### **DISINTERMENT OF GRAVES**

1. Federal and State laws require that proper authorization be obtained prior to disinterring and reintering a dead body. Such authorization is normally issued only to a licensed funeral director upon application to the State or local registration official. The next of kin, a court of law, or other authorized person may execute the application. The authorization for disinterment and reinterment is handled in the same manner as an authorization for disposition.
2. Disinterment, removal or reopening of graves shall be conducted exactly the same as original burials, being made only upon a permit issued by the State or local Health Department, which shall direct the manner in which the work shall be done. City employees shall not be allowed and are strictly prohibited from assisting the disinterment.

Sec. 30-8. - Subsequent regulations; nonliability of city.

- (a) The mayor and council reserve to themselves and their successors in office the right to alter, amend, modify or add to the rules, regulations, conditions, and restrictions set forth in this chapter at any time it is deemed advisable to do so in order to carry out the purposes of this chapter.
- (b) There shall be no liability whatsoever, either tort or contractual, on the part of the city, or its officials or officers, or their successors in office, or its agents or employees, to any purchasers of any lots in the cemetery, or to any person holding under them, or to the family or relatives of any person buried in the cemetery, or to any person or the family of such person who has erected any monument, marker, or mausoleum therein, by reason of any act, thing, omission, negligence, or otherwise relating to the cemetery. In accepting any conveyance of any burial lot, each purchaser agrees that all provisions of this chapter are valid and that he and his heirs and assigns shall hold such lot subject to all the provisions of this chapter and subject to all amendments to this chapter made by the mayor and council.

(Code 1986, § 5-3-15; Ord. No. 2004-12, § 3, 3-1-04)