

Chapter 8

CEMETERIES*

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***Cross references**—Administration, ch. 2; powers and duties of City Clerk, § 2-124; motor vehicles and traffic, ch. 18; zoning, ch. 40.

State law references—Municipal authority to establish and operate cemeteries, G.S. 160A-341 et seq.; regulation of city cemeteries, G.S. 160A-348; inscription on gravestone or monument charging commission of crime, G.S. 14-401.3; cemeteries, G.S. ch. 65; state maintenance of cemetery entrances and exits, G.S. 136-18(20).

Sec. 8-1. Supervision.

The cemeteries shall be under the supervision of the Superintendent of General Services or such person as he may designate, and he shall be and is hereby vested with police authority within the limits of the cemeteries. The Superintendent shall be under the direction of the Director of Public Works.

(Code 1972, § 5-1; Code 1993, § 5-1)

Cross reference—Administration, ch. 2.

State law reference—Regulation of city cemeteries, G.S. 160A-348.

Sec. 8-2. Powers and duties of Superintendent.

The duties and powers of the Superintendent of General Services shall be as follows:

- (a) To enforce all laws and regulations governing the use of the cemeteries contained in these and any other rules which may be adopted with respect to the cemeteries.
- (b) To have charge of the maintenance of all lots, drives and walks.
- (c) To have overall supervision of all funerals and to act as agent for the city in all matters pertaining to the use of the cemeteries.
- (d) To sell all plots and lots within the cemeteries.
- (e) To keep a map of the cemeteries showing thereon all burial plots.

(Code 1972, § 5-2; Code 1993, § 5-2)

Sec. 8-3. Opening and closing graves; burial limit per grave lot.

All graves shall be opened and closed by permission of and under supervision of the Superintendent of General Services. Only one (1) human body shall be buried in each cemetery grave lot.

(Code 1972, § 5-3; Code 1993, § 5-3)

Sec. 8-4. Permit for disinterment.

No body may be disinterred from any lot in either cemetery without first obtaining written consent from the owner or heirs of such owner of the lot, and fully complying with applicable state law.

(Code 1972, § 5-4; Code 1993, § 5-4)

State law references—Removal of graves; who may disinter, move, and reinter; notice; certificate filed; reinterment expenses; due care required, G.S. 65-13.

Sec. 8-5. Lots.

(a) The city shall not sell more than one (1) lot to any one (1) person unless such person can show the need for the same. No certificate of interment to a cemetery lot may be delivered to the purchaser until the full purchase price has been paid.

(b) All certificates of interment for cemetery lots executed by the city shall contain a reference to existing rules and regulations, and all of such certificates shall contain an appropriate restriction making the ownership of any cemetery lot subject to all valid rules and regulations described in this chapter.

(c) No cemetery lot may be sold or transferred by its owner to any other party. If the owner finds that he has no use for a lot, the city will buy it back at the same price originally paid for same; provided no interments have been made thereon.

(d) In the event the city sold a cemetery lot fifty (50) years or more ago and no interments have been made therein and the city cannot now determine, after reasonable inquiry, the present owner or claimant of such lot, then the city shall have the right to resell such lot.

(e) The Superintendent of General Services shall perform all maintenance of graves, turf and streets. Lot owners desiring to maintain their lots shall do so only with the permission of and under the supervision of the Superintendent of General Services. The city shall not provide maintenance on markers, monuments or mausoleums.

(f) The city shall provide perpetual care for all lots located within the city cemeteries. (Code 1972, §§ 5-5—5-10; Code 1993, § 5-5; Ord. No. 97-9, 6-23-1997)

Sec. 8-6. Fees.

Lot prices, internment fees, monument permit fees, disinterment fees, and all criteria associated with such prices and fees, shall be as established from time to time.

(Code 1972, § 5-11; Code 1993, § 5-6; Ord. No. 90-6, § 1, 3-12-1990; Ord. No. 94-12, § 1, 6-30-1994; Ord. No. 97-9, 6-23-1997; Ord. No. 00-7, 6-26-2000; Ord. No. 05-11, § 1, 6-20-2005; Ord. No. 06-13, §§ 1, 2, 6-19-2006)

Sec. 8-7. Obstructions prohibited; exception for grave markers.

No obstruction of any kind other than grave monuments, grave markers and mausoleums may be placed upon any cemetery lot.

(Code 1972, § 5-12; Code 1993, § 5-7)

Sec. 8-8. Planting trees and shrubbery.

All landscaping, tree planting, shrubbery planting and flower planting will be designed and planted by city personnel. Individuals may not plant on any lot.

(Code 1972, § 5-13; Code 1993, § 5-8)

Sec. 8-9. Limits on flowers, wreaths or decoration remaining on graves.

No flowers, wreaths or decorations, whether natural or artificial, shall be permitted to remain on graves for more than thirty (30) days.

(Code 1972, § 5-14; Code 1993, § 5-9)

Sec. 8-10. Removal and disposal of flowers, designs and frames.

The Superintendent shall remove and dispose of all flowers, designs and frames from graves within thirty (30) days, or earlier if natural flowers deteriorate. The family may collect flowers, designs and frames, if a request is submitted to the Superintendent of General Services within two (2) days after they are placed.

(Code 1972, § 5-15; Code 1993, § 5-10)

Sec. 8-11. Brickwork on graves.

Where a grave is bricked up, no brickwork shall extend above the surface of the ground.

(Code 1972, § 5-16; Code 1993, § 5-11)

Sec. 8-12. Approval required for installation of monuments and markers.

Construction plans for monuments and markers must be approved by the Superintendent of General Services. Written permission shall be obtained from the Superintendent of General Services before any monument or marker is installed on any cemetery lot.

(Code 1972, § 5-17; Code 1993, § 5-12; Ord. No. 90-6, § 2, 3-12-1990)

Sec. 8-13. Concrete base to be placed around new monument.

A base of concrete, not less than four (4) inches thick and extending six (6) inches outside and installed flush with the ground level, must be placed under all monuments which are not installed flush with the ground.

(Code 1972, § 5-18; Code 1993, § 5-13)

Sec. 8-14. Permission required for entering after sunset.

No person shall enter the limits of the cemeteries between sunset and sunrise, except with permission of the Superintendent of General Services.

(Code 1972, § 5-19; Code 1993, § 5-14)

Sec. 8-15. Restrictions on children visiting cemeteries.

No children may visit the cemeteries except when accompanied by adults or by permission of the Superintendent of General Services.

(Code 1972, § 5-20; Code 1993, § 5-15)

Sec. 8-16. Traffic regulations.

No person shall operate any vehicle within the limits of the cemeteries at a greater rate of speed than fifteen (15) miles per hour. No person shall use the drives or walks of the cemeteries as a public thoroughfare.

(Code 1972, § 5-21; Code 1993, § 5-16)

Cross reference—Motor vehicles and traffic, ch. 18.

Sec. 8-17. Riding bicycles.

No bicycles may be ridden in the cemeteries except by permission of the Superintendent of General Services.

(Code 1972, § 5-22; Code 1993, § 5-17)

Sec. 8-18. Animals restricted.

No person shall permit any animal to run at large or wander into the cemeteries.

(Code 1972, § 5-23; Code 1993, § 5-18)

Sec. 8-19. Installation of monuments and grave markers.

(a) A monument is a stone marker which when installed protrudes above the ground level. A grave marker is installed flush with the ground. A monument may be installed only in areas designated as monument areas. A monument may be installed on no less than four (4) graves. Marking of individual graves will be with grave markers.

(b) Monuments may be installed in any location of the cemeteries, except the following single-grave and no-monument areas:

(1) Oakdale Cemetery, section O and section P.

(2) Cedar Hill Cemetery, section B, section C, section D, section E.

(Code 1972, § 5-24; Code 1993, § 5-19)

Sec. 8-20. Responsibility of parents and guardians.

Parents and guardians shall be responsible for minors violating the provisions of this chapter.

(Code 1972, § 5-25; Code 1993, § 5-20)

Sec. 8-21. Hours of operation.

Normal hours of operation are 8:00 a.m. until 5:00 p.m. Monday through Friday. Requests for interment on Saturday must be received by 2:00 p.m. the preceding Friday. Requests for interment on Sunday must be received by 10:00 a.m. the preceding Saturday. Holidays granted to city employees that fall on Monday shall be considered as a Sunday, and requests for interment on that holiday must be received by 10:00 a.m. the preceding Saturday. Requests for interment on a holiday that occurs Tuesday through Friday shall be received by 2:00 p.m. the preceding day.

(Code 1972, § 5-26; Code 1993, § 5-21)

Sec. 8-22. Mausoleums.

A mausoleum is any interment structure constructed above ground level. A mausoleum may be constructed only in a monument section of a cemetery. A mausoleum interring a single body shall occupy no less than two (2) and not more than four (4) grave plots. A mausoleum constructed to inter more than one (1) body shall occupy a minimum of four (4) plots plus two

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(2) plots for each interment space. A mausoleum may not be constructed closer than one (1) foot to the plot boundary. Plans for construction of a mausoleum must be approved by the Director of Public Works before any construction begins. Plans presented must be detailed showing dimensions, construction methods and materials to be used.

(Code 1972, § 5-27; Code 1993, § 5-22)

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RESERVED

