

Chapter 6

CEMETERIES*

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***Cross reference**--Injuring or defacing public or private property, § 11-27.

Section 6-1 Work in cemeteries performed by public works department.

No work shall be done in the cemetery except under the direction of the public works department. The work of the public works department for all burials shall be to lay out the grave space in the appropriate location and to maintain permanent records of new and existing locations. No concrete work or work of any kind shall be done by the public works department on vaults, such work to be done only under the supervision of the public works department. In no event shall any materials for vaults or graves be supplied by or charged to the city.

(Code 1958; § 8-2 Ord of 3/13/00)

(2000 (6-1), Amended, 03/13/2000)

Section 6-2 Damaging or interfering with graves, monuments, flowers, shrubs, etc., prohibited.

It shall be unlawful for any person to deface or otherwise injure or improperly interfere with any monument, vault, gravestone, headboard, footboard, or grave enclosure; or any tree, shrub, flower, flower vase or wreaths, growing or placed within grave enclosures or the general enclosure of any cemetery; or to break down or otherwise injure any of the gates, fences or other improvements of the same.

(Code 1958, § 8-4)

State law reference--Criminal trespass and damage to property, O.C.G.A. § 16-7-20.

Section 6-3 Trespassing and use as passageway prohibited.

It shall be unlawful for any person to trespass or use the cemetery as a passageway from one part of the city to another.

(Code 1958, § 8-5)

Section 6-4 Burial administrative fees; notice required.

(a) Burial fees: An administrative fee of one hundred dollars (\$100.00) will be charged to the funeral

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director for each burial, along with a damage deposit of two hundred and fifty dollars (\$250.00). The damage deposit will be refundable if no settlement occurs or if no additional cleanup is required on the new or previous gravesites. The damage deposit does not cover vaults, headstones, slabs, memorials, benches, trees, shrubbery, or other improvements. Damage to those items will result in full replacement costs by the funeral director.

(b) The superintendent of cemeteries must be given twenty-four (24) hours notice before the hour of the funeral for the laying out of a gravesite.

(c) For Sunday funerals, notice must be given before 4:30 p.m. on the preceeding Friday.
(Code 1958, § 8-6; Ord. of 12-30-88(7), § I; Ord. of 3-13-00)
(2000 (6-4), Amended, 03/13/2000)

Section 6-5 Lots--Purchase prices specified.

Prices of lots in the city cemeteries shall be as follows:

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|---|-----------|
| (1) Regular lot--10' x 19' | \$ 800.00 |
| (2) Irregular lot price based on above according to square feet therein | |
| (3) Grave space | 250.00 |
| (4) Grave space (baby) on baby lot | 100.00 |

(Code 1958, § 8-7; Ord. of 12-30-88(7); Ord. of 2/28/00 § I)
(2000 (6-5), Amended, 02/28/2000, increase in rates)

Section 6-6 Same--Restriction on number purchased; resale; records.

No person shall purchase in any one (1) of the cemeteries in his own name more than four (4) lots, and no lot shall be resold without the consent of the city council and entry made of such transfer on the city's cemetery records in the office of city clerk. No lots shall be resold for a price above that paid to the city.
(Code 1958, § 8-8)

Section 6-7 Perpetual care.

(a) The city shall accept the trust for perpetual care of lots upon payment of a basic trust deposit computed on the basis of four dollars (\$4.00) per square foot for each square foot lying with the boundaries of the lot or portion thereof. This charge shall be in addition to the established purchase price for such lot or part of a lot. Payment for perpetual care may be made as follows:

- (1) The purchaser may elect to pay the total cost of the perpetual care at the time of the purchase of the lot or portion thereof.
- (2) The purchaser may elect to purchase perpetual care by choosing a monthly installment plan, term not to exceed twenty-four (24) months, paying the initial installment at the time of purchase, then the remainder of installments, with interest at the rate of twelve (12) percent per annum, in equal monthly payments. Thereupon, the city shall begin perpetual care of the lot and continue same as long as payment of the monthly installments is current. If, under this provision, perpetual care by the city has been discontinued, the purchaser shall be notified of such discontinuance. Upon any such account again becoming current or paid in full, the city will recommence perpetual care. Upon completion of payment of all installments, the city shall issue a final receipt certifying such perpetual care to be made by the city.

(b) Money paid for perpetual care of lots shall be deposited in a special account and shall be invested in securities approved by the city council, and the income from such investment of funds used to provide perpetual care of such lot. The work on such lot shall cover and include raking, cutting of weeds and grass, and general care exclusive of watering, but shall not include work on monuments on tombstones or other

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unusual care.

(Code 1958, § 8-9; Ord. of 12-30-88(7), § 1; Ord. of 1-27-93, § I)

State law references--Receipt of cemetery or burial lots in trust; annual returns; commissions, O.C.G.A. § 36-37-4; municipal corporation as trustee of funds donated to cemetery, O.C.G.A. § 36-37-5.

Section 6-8 Vaults, construction; lot boundary markers; plantings.

All cemetery vaults must be constructed so that the tops will be at least twelve (12) inches below the level of the ground. No coping, fence, wall, ditch, bank or enclosures of any kind or nature shall be placed, or used or shall have the appearance of being used for outlining, enclosing, marking off or designating any boundary line of any lot or plot in such cemeteries except six (6) inch square white marble, granite or concrete markers may be used to mark the four (4) corners of any lot. Said six (6) inch markers are to be flush with the ground and set within the boundaries of the lot, and the same shall apply to name plates. Any planting on cemetery lots is to be done on the approval of the supervisor of cemeteries.

(Code 1958, § 8-10)

Section 6-9 Headstones, names on both sides prohibited; exceptions.

All headstones placed on lots shall have the family names, lettering or engraving on only the side which faces the graves, except that headstones placed in the middle of the lot and facing family graves on both sides, and headstones placed on that portion of the lot adjoining its cemetery drive and within two (2) feet from such drive, may have such family names, lettering or engraving on both sides. Any headstones placed on lots which do not conform to the requirements set out in this section shall be removed from the cemetery by the person who ordered such headstones placed there.

(Code 1958, § 8-11)

Section 6-10 Removal of flowers; trimming or removal of vegetation.

The cemetery superintendent shall have the authority, in his discretion, to remove dead flower arrangements or badly deteriorated artificial flowers from graves. The superintendent may also trim, cut, or remove trees, shrubs, or other plantings that either block passage through the cemetery or encroach upon the lots of others, or which are causing damage to headstones or markers.

Section 6-11 Burial on private property prohibited.

It shall be unlawful for any human body or remains to be buried within the corporate limits of Thomasville, Georgia, except in an established and recognized municipal, church or privately operated cemetery. No burial of any human body or remains shall take place on any private property outside an established municipal, church or privately operated cemetery. Any person found guilty of violating this section shall be punished in accordance with Section 1-6 of this Code.