



City of Rome

CEMETERY ORDINANCE

How to use this booklet:

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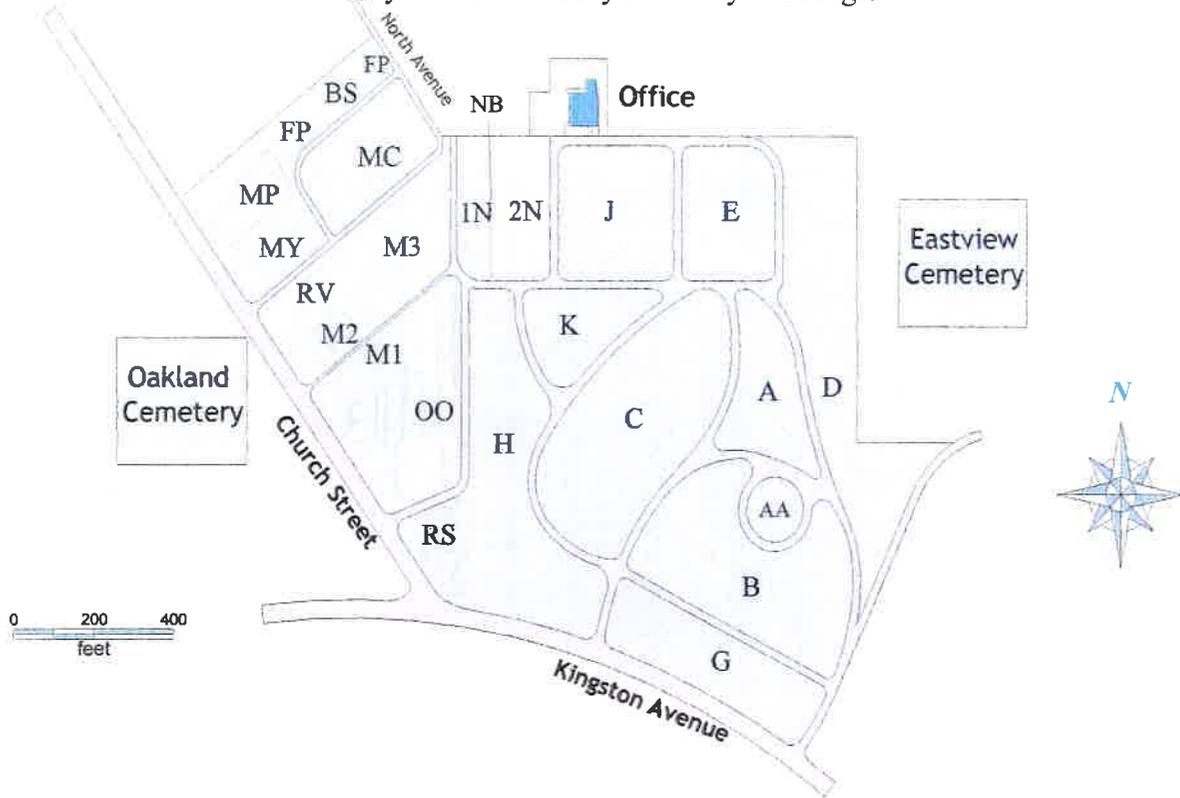
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Eastview & Oakland Cemetery

City of Rome • Floyd County • Georgia

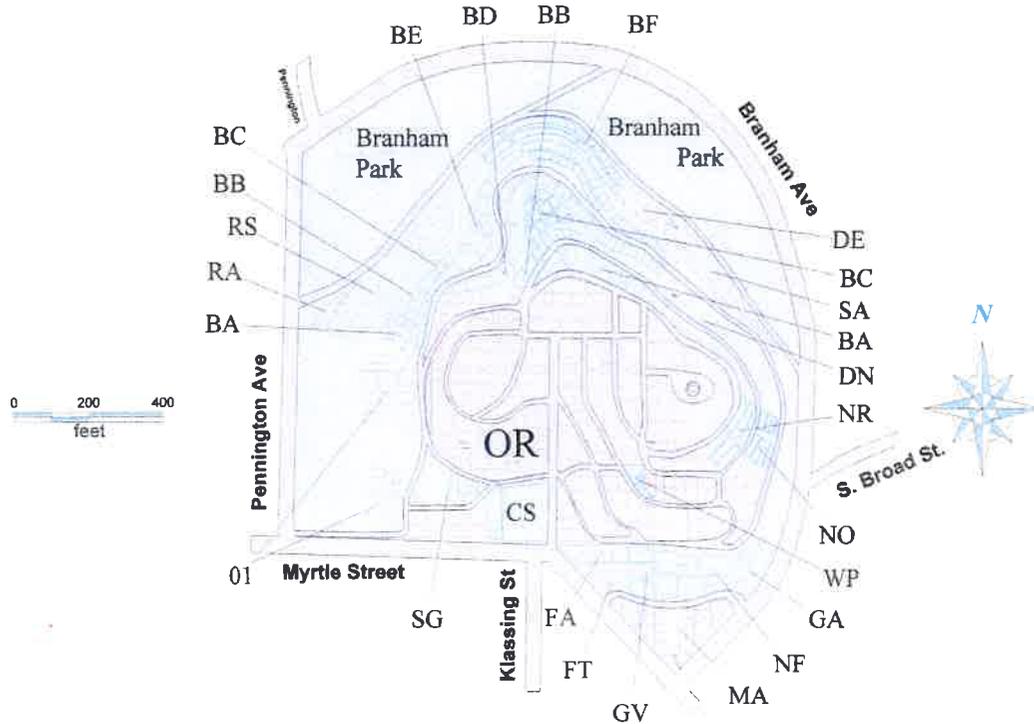
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Myrtle Hill Cemetery

City of Rome · Floyd County · Georgia





GRAVE SPACES, MARKERS, GENERAL STANDARDS

A. GRAVE SPACES

1. Adult Grave Space
Maximum dimensions - 4' x 10'
2. Infant Grave Space
Standard size - 22" x 48"
3. Indigent Grave Space
Adult - Maximum dimensions - 4' x 10'
Child under 4 feet - Standard size - 22" x 48"
4. Mausoleum
Not allowed in regular sections.
Allowed only in special sections as designated by Sexton.

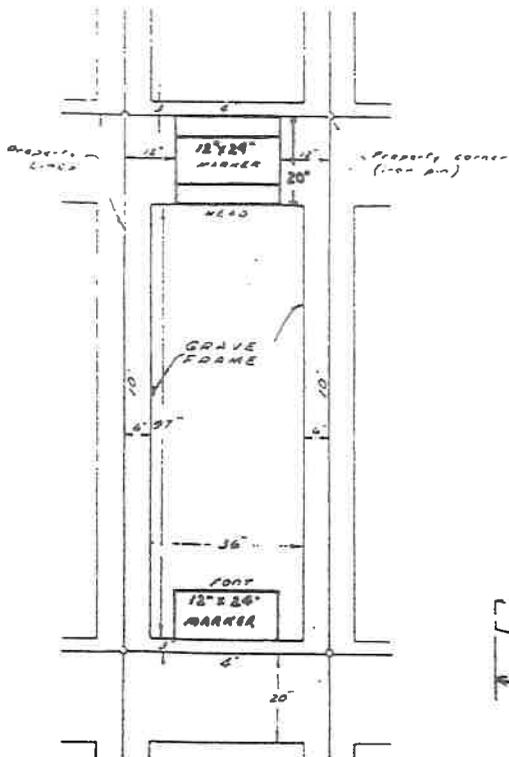
B. MARKERS

1. Individual Stone
Maximum width - 24"
Maximum thickness - 12"
A single grave space marker shall not exceed a point 12" from the property line north and south. Corner posts must be placed flush with ground. A single grave space marker must be flat and flush with the ground.
2. Multiple Stone
Maximum thickness of base - 20"
Minimum thickness of base - 10"
Maximum thickness of die - 10"
Minimum thickness of die - 6"
Die thickness can only be 50% of the thickness of base.
Height of marker shall not exceed 42" above ground.
Base of monument shall not exceed a point 12" from property line north and south.
3. Flat Bronze Marker

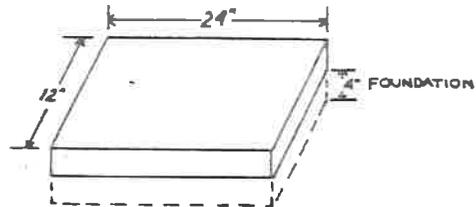
MONUMENT STANDARD



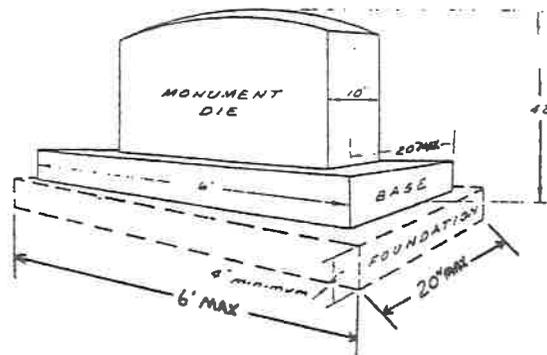
6' x 10' ADULT GRAVE SPACE



FLUSH HEAD + FOOT MARKER
(ONLY SIZE PERMITTED)



MAXIMUM MONUMENT DIMENSIONS
(ADULT SPACE)
DOUBLE MARKER





AFFIDAVIT DIRECTING INTERMENT

GEORGIA, Floyd County

The undersigned, being first duty sworn on oath, deposes and says:

1. The undersigned is the exclusive owner of that burial plot in _____ Cemetery described in a Deed issued by the City of Rome, dated _____, 20_____, which Deed is on file in the records of the City of Rome, and the undersigned has full right and authority to dispose of and to make all arrangements and dealings respecting such burial plots, including the direction herein contained.

2. The undersigned has full authority to direct the interment of the remains of _____, deceased, and does hereby authorize and direct the City of Rome to inter the remains of the deceased in Lot _____, _____ Cemetery.

3. This Affidavit is made for the purpose of inducing the City of Rome to act on the representations and directions herein contained, and in consideration thereof, the undersigned hereby agrees to indemnify the City against any loss it may sustain in connection therewith.

This _____ day of _____, 20_____.

(seal)

(seal)

(seal)

(seal)

Sworn to and subscribed before me this _____ day of _____, 20_____.

NOTARY PUBLIC, State of Georgia



LOT COST, INTERMENT, AND DISINTERMENT RECEIPT

CITY OF ROME
CEMETERY DEPARTMENT
Post Office Box 1433
ROME, GEORGIA 30162-1433
Telephone: 706/236-4534

DATE

Received of _____
PERSON MAKING PAYMENT

For _____ SS# _____
NAME OF LOT OWNER

NAME OF INTERRED SS# _____

ADDRESS OF RECEIPIENT OF DEED

EAST VIEW MYRTLE HILL OAKLAND (Circle One)

A. Number of lot and location: _____

B. Number of graves _____

C. Section _____

D. Dimensions _____

SIGNATURE OF LOT OWNER

SIGNATURE OF PURCHASER

SIGNATURE OF CEMETERY REPRESENTATIVE

City Resident Non City Resident

Cost of Lots \$ _____

Service Cost of Initial Burial \$ _____

Other Service Costs \$ _____

TOTAL \$ _____

REMARKS: _____



INSTALLATION OF MONUMENTS

CITY OF ROME CEMETERY DEPARTMENT

Post Office Box 1433
ROME, GEORGIA 30162-1433
Telephone: 706/236-4534

Any licensed contractor desiring to install a monument, flat marker, corner post, etc., must obtain a permit from the Sexton before starting work in a City cemetery.

MONUMENT INSTALLATION PERMIT

Monument Company _____

License No. _____

Name Of Person For Which Monument Installed _____

Lot Owner _____

MYRTLE HILL OAKLAND EAST VIEW (Circle One)

Section _____

Lot _____

Location _____

CEMETERY REPRESENTATIVE

INSTALLER

DATE



Section 6-1 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 lot or plot means and consists of enough land in which persons may be buried in single grave spaces, as defined in the plat of the cemetery and as described in the deed of the burial rights to the owner thereof.

Sexton means the city cemetery superintendent.

(Code 1981, § 5-3002; Ord. No. 82-4-1, § 1, 4-7-82)

Cross reference — Definitions and rules of construction generally, § 1-2.

Section 6-2 Burials; location restricted.

It shall be unlawful for any person to bury any dead body except in a public or private cemetery.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3001)

Section 6-3 Cemetery lots or burial space subject to restrictions, covenants, rules and regulations; authority of sexton.

- (a) All cemetery plots, lots or burial spaces owned and purchased within the public cemeteries of the city, and all such plots, lots or spaces sold, shall be subject to the restrictions, covenants, rules and regulations in this chapter and shall be subject to

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such other rules, regulations, amendments or alterations and ordinances as shall be adopted and regularly passed by the city from time to time. A reference to such rules and regulations in the deed or certificate of ownership shall have the same force and effect as if fully set forth therein.

- (b) The sexton is authorized to supervise the upkeep, care and operations of city cemeteries. In the absence of the sexton, the assistant sexton assumes the duties of this position.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3003)

Section 6-4 Purchase price of lots.

The purchase price of lots in the public cemeteries shall be as set out in the fee schedule book of the city, as provided in section 8-36. (Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3004).

Section 6-5 Burial rights in public cemeteries; supervision of sale and conveyances, execution, form and conditions of deed.

- (a) *Sale of burial rights; deed.* The city clerk shall generally supervise the sale and conveyance of burial rights purchased in the public cemeteries of the city. The city clerk shall execute to the purchaser of the burial rights a cemetery deed made in substantially the following form:

CITY OF ROME, FLOYD COUNTY, GEORGIA:

THIS INDENTURE, Made this _____ day of _____, in the Year of Our Lord, two thousand and _____, between the City of Rome, Floyd County, Georgia, of the first part, and _____ of the second part.

WITNESSETH: That the party of the first part, for and in consideration of the sum of _____ Dollars, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents doth grant, bargain and sell unto said party of the second part,



_____, heirs and assigns, the exclusive rights of interment in and to a certain burial place in _____ Cemetery, in said city which is known and distinguished in the plan of said cemetery as (description) the number and description of said lot being made with reference to the surveys and plats on file in the sexton's office and by which the parties to this conveyance acknowledge themselves bound; to have and to hold said exclusive privilege to the said party of the second part and _____ heirs forever, subject to all the requirements of any ordinance of the commissioners of the City of Rome now in force or hereafter ordained, regulating said cemetery upon this express condition, nevertheless, that no sale or transfer of the rights of burial and interment in said burial lot _____ shall at any time by party of the second part or by any future owner be valid without the permission and approval of the City of Rome, and an entry of which shall be made on the books of the City of Rome, and upon the payment of the required transfer fee. And provided, that the party of the second part or any future owner of the burial and interment rights in said burial lot _____ shall not at any time or times hereafter demand or receive any compensation for an interment in said burial lot _____. And provided also that the rights and premises granted hereby shall be subject to the restrictions, covenants, rules and regulations made and to be made hereafter by said City of Rome for the government of its cemetery, lot holders, visitors to the cemetery and burial of the dead.

The restrictions, covenants, rules and regulations as they appear in section 6-3 of the Code of the City of Rome, Georgia, are hereby specifically included in this deed by reference as if fully set forth herein.

And the said party of the first part for itself and its successors, the said exclusive privilege, unto the said party of the second part against said party of the first part and its successors, and against all and every person, and persons whomsoever, will warrant and forever defend.

In testimony whereof, the said party of the first part hath hereunto signed its corporate name and affixed its corporate seal the day and year first above written.

THE CITY OF ROME



By: _____

CITY CLERK OF THE CITY OF ROME

Signed, sealed and delivered in the presence of:

NOTARY PUBLIC, FLOYD CO., GA

Except, however, in deeding burial rights in section K and part of section D of East View Cemetery, such deed given by the city clerk shall contain the following clause:

“Monuments or stones of any kind, or enclosures, shall not be permitted on the graves and plots in section K and part of section D of East View Cemetery as hereinafter described. Only individual bronze memorial tables or markers and bronze family name markers shall be allowed and they must be set level with the ground within the family plot. They must be set subject to approval and inspection of the City of Rome.”

(b) *Conditions, record of transfer.* All deeds to burial rights given by the city after April 7, 1982, shall be upon this expressed condition, nevertheless, that no sale or transfer of the rights of burial and interment in such cemeteries at any time by the purchaser thereof or by any future owner shall be valid without the permission and approval of the city, and upon the payment of a transfer fee in an amount as set fourth in the fee schedule book of the city, as provided in section 8-36. The record of transfer shall be kept by the city, together with the city’s permission of the transfer, upon a book specifically kept for the purpose of recording such transfers. The transfers shall not be valid or binding between the parties thereto or the city until the transfers shall be approved by the city and recorded in such book. The deeds and transfers shall contain also legal descriptions to identify the plot conveyed.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3005)

Section 6-6 Ownership construed; use and division; reversion to city.

Ownership of a lot consists only in the right of interment. The lot



can be used for no other purpose and cannot be divided into smaller portions than originally laid down in the plot. Should a lot holder die without devise of the lot or any known kindred, title to such lot shall revert to the city, for the protection of those who may be interred therein.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3006)

Section 6-7 Issuance of deed.

A deed or certificate of ownership shall be issued to each lot holder on full payment of the purchase money of such lot.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3007)

Section 6-8 Right of purchaser; taking for debt or selling for secular use.

When a right has once been purchased within the enclosure of a public cemetery for burial purposes, it becomes for all time the property of the purchaser and his transferees and cannot be taken for debt or sold for secular uses.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3008)

Section 6-9 Owner's change of address, duty to notify city; sufficient and proper legal notification described.

It shall be the duty of a plot, lot or burial space owner to notify the city of any change in his post office address. Notice sent to a plot, lot or burial space owner at the last address on file in the office of the city clerk shall be considered a sufficient and proper legal notification.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3009)

Section 6-10 Certain rights and privileges reserved by city.

The following rights and privileges are hereby expressly reserved by the city in its conveyance of any cemetery lot, plot or space: At any time and from time to time, the city may:



- (1) Resurvey, enlarge, diminish, replat, alter in shape or size or otherwise change all or any part, portion or subdivision of the property mapped and platted.
- (2) File amended maps or plats thereof and use the same for the erection of buildings or for any purposes or uses connected with, incident to, or convenient for the care, preservation or preparation, for the disposal or interment of dead human bodies, or other cemetery purposes, together with easements and rights-of-way over and through such premises for the privilege of, installing, maintaining and operating pipelines, conduits or drains for sprinklers, drainage, electric or communication lines, or for any other like purposes.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3010)

Section 6-11 Easements or rights of interment in roads, drives, alleys or walks.

No easement or right of interment is granted by the city to any plot, lot or burial space in any road, drive, alley or walk within a cemetery, but such road, drive, alley or walk may be used as long as the city devotes it to that purpose.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3011)

Section 6-12 Transfer or assignment; prerequisite to validity.

No transfer or assignment of any cemetery lot, space or plot or interest therein shall be valid until the consent of the city has been endorsed thereon and the same has been recorded on the books of the city.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3012)

Section 6-13 Charge for transfer of ownership.

The city may fix a charge for all transfers of ownership of lots, spaces and plots. No transfer of ownership shall be complete or effective until all charges are paid.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3013)



Section 6-14 Subdivision of plots; interment of persons with no interest in plot.

The subdivision of cemetery plots, lots or spaces is not allowed by any person except the city, and no person not having an interest therein shall be interred in any plot, lot or space except by written consent of all persons interested in such plot, lot or space and the city; provided, however, a relative of any record owner may be buried in such lot, space or plot, as provided in this chapter or by the laws of the state.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3014)

Section 6-15 Family plot inalienable.

- (a) *Reversion to city.* Whenever an interment of the remains of a member or of a relative of a member of the family of the record owner, or of the remains of the record owner, is made in a plot transferred by deed or certificate of ownership to an individual owner and the owner dies without making disposition of the plot either in his will by a specific devise, or by a written declaration filed and recorded in the office of the city clerk, the plot thereby becomes inalienable and shall be held as the family plot of the owner, with title to the same reverting to the city for protection of those who may be interred therein.
- (b) *Right to burial without consent.* In a family plot one grave, niche or crypt may be used for the owner's interment; one for the owner's surviving spouse, if any, who by law has a right of interment in it; and in those remaining, if any, the parents and children of the deceased owner, in order of death, may be interred without the consent of any person claiming any interest in the plot.
- (c) *Order of right of interment.* If no parent or child survives, the right of interment goes in the order of death, first, to the spouse of any child of the record owner, and second, in the order of death, to the next heir at law of the owner or the spouse of any heir at law.



(d) *Interment right waived in favor of other relative.* Any surviving spouse, parent, child or heir who has a right of interment in a family plot may waive such right in favor of any other relative, or spouse of a relative, of either deceased owner or of his spouse, and upon such waiver the remains of the person in whose favor the waiver is made may be interred in the plot. (Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3015-3018)

Section 6-16 Right of spouse of owner - described.

The spouse of any owner of any plot which contains more than one interment space has a vested right of interment of his remains in the plot, lot or space, and any person thereafter becoming the spouse of the owner has a vested right of interment of his remains in the plot if more than one interment space is unoccupied at the time the person becomes the spouse of the owner.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3019)

Section 6-17 Same — Vested right of spouse; joinder prerequisite to divesting.

No conveyance or other action of the owner without the written consent or joinder of the spouse of the owner divests the spouse of a vested right of interment, except that a final decree of divorce between them terminates the vested right of interment unless otherwise provided in the decree.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3020)

Section 6-18 Plots having several owners; representation by designated owner.

When there are several owners of the rights of interment in a plot, lot or space, they may designate one or more persons to represent the plot, lot or space and file written notice of designation with the city clerk. In the absence of such notice or of written objection to its doing, the city is not liable to any owner for interring or permitting



an interment or refusing an interment in the plot, lot or space upon the request or direction of any co-owners of the lot, space or plot.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3021)

Section 6-19 Waiver of vested right.

A vested right of interment may be waived and is so waived and terminated upon the interment elsewhere of the remains of the person in whom those rights are vested.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3022)

Section 6-20 Scope of vested right.

No vested right of interment gives to any person the right to have his remains interred in any interment space in which the remains of any deceased having a prior vested right of interment have been interred, nor does it give any person the right to have the remains of more than one deceased person interred in a single interment space.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3023)

Section 6-21 Authorization to open plot.

The city may inter or open a plot for any purpose on proper written authorization by any plot owner of record made out on forms approved by the city and duly filed in the office of the city clerk unless there are written instructions to the contrary on file in such office.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3024)

Section 6-22 Owners permitting interments for remuneration.

Cemetery owners shall not allow any interments to be made in their lots for a remuneration.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3025)



Section 6-23 Monument restrictions in East View Cemetery, part of Section D and Section K, and in the Memorial Section of Myrtle Hill Cemetery.

Monuments or stones of any kind, or enclosures, shall not be permitted on the graves and plots in these sections of East View Cemetery and Myrtle Hill Cemetery set out below. In those sections, only individual bronze memorial tablets or markers and bronze family name markers shall be allowed, and they must be set level with the ground within the family plot. They must be set subject to the approval and inspection of the city. The sections are as follows:

- (1) That portion of section D of East View Cemetery bounded by the westerly lines of lots 122, 153, 161, 194, 215 and 228; by the northerly lines of lots 261, 260, 262, 263, 264, 287, 286, 288 and 289; bounded on the northeasterly side of the northeasterly lines of lots 289, 290, 291, 292, 293, 294 and 295; and bounded on the southeasterly side by the southeasterly lines of lots 295, 277, 276, 275, 244, 245, 243, 203, 202, 156, 155 and 122.
- (2) All of section K of East View Cemetery.
- (3) The Memorial Section of Myrtle Hill Cemetery.

Flat poured concrete shall not be allowed in any cemetery. (Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3026)

Section 6-24 Monument contractors and construction.

- (a) All monument contractors must hold a valid license from the city and an installation permit from the sexton.
- (b) The permitted working hours are as follows, except as otherwise permitted by the city manager:

Monday through Thursday	8:00 a.m. — 5:00 p.m.
Friday	8:00 a.m. — 12:00 noon

 No Saturday or Sunday work is permitted.
- (c) All work must be completed by noon on the last working day before the following specified City of Rome Cemetery Department holidays:
 New Year’s Day, Martin Luther King Jr. Holiday, Good Friday,

- 
- Easter, Mother's Day, Memorial Day, Father's Day, July 4, Labor Day, Armistice Day, Veteran's Day, Thanksgiving Day, Christmas Day or any holiday observed by the City of Rome.
- (d) No excavation work can be instituted that cannot be completed by Friday noon or before holidays. Once excavation work begins, the contractor must pursue installation diligently until completed. When any questionable work results, the sexton is empowered to temporarily stop all work until the matter is resolved to the satisfaction of the city.
 - (e) All monuments must be of solid material base and die, marble or granite. Flush markers can be bronze. No other material is permitted. All monuments must have a concrete or cement foundation, not less than four inches thick, of adequate strength and construction. All monuments and markers shall be in accordance with the regulations on file in the office of the city clerk.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3027)

Section 6-25 Offensive, improper or injurious monuments, removal.

If any monument or other structure, or any inscription, is placed in or upon any lot or grave, which shall be determined by the sexton to be offensive, improper or injurious to the appearance of the surrounding lots or grounds or the cemetery generally, he shall have the right and it shall be his duty to enter upon such lot and cause the removal of such offensive or improper object or objects.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3028)

Section 6-26 Raising or depressing surface of lots or graves prohibited.

The proprietors of cemetery lots are prohibited from raising or depressing the surface of any lot or grave above or below the surrounding ground.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3029)



Section 6-27 Authority for grading, landscaping, improvements, plantings, interments, disinterments and removals.

In the cemetery, all grading, landscape work and improvements of any kind and all care on plots shall be done, and all trees and shrubs and herbage of any kind shall be planted, trimmed, cut or removed, and all openings and closings of plots, and all interments, disinterments and removals shall be made only by the authority of the city.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3030)

Section 6-28 Improvements or alterations of individual property; direction and approval of city; removal when unsightly.

All improvements or alterations of individual property in the cemetery shall be under the direction of and subject to the consent, satisfaction and approval of the city; and should they be made without its written consent, the city shall have the right to remove, alter or change such improvements or alterations at the expense of the plot, lot or space owner, or in any event at any time when, in its judgment, they become unsightly to the eye.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3031)

Section 6-29 Right to remove detrimental trees and shrubs.

If any tree or shrub, situated in any lot, shall, by means of its roots or branches, become detrimental in any way to the adjoining lot, avenue or walk, it shall be the duty and privilege of the city, and it hereby reserves the right, to enter upon the lot and remove the trees or shrubs, or any part thereof. But no tree growing in any lot or border shall be pruned or removed without the consent of the city.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3032)

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Section 6-30 Flowers, trees, shrubs and herbage — Right to prevent removal.

The city reserves the right to prevent the removal of any flowers, floral designs, trees, shrubs or plants or herbage of any kind from any cemetery. No flowers will be removed from any grave space without the permission of the sexton.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3033)

Section 6-31 Same — Authority to remove; liability for frames or baskets.

The city shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind from the cemetery when, in the judgment of the sexton, they become unsightly, dangerous, detrimental or diseased. The city shall not be liable for damage to floral pieces, baskets or frames in which or to which such floral pieces are attached.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3034)

Section 6-32 Same — Gathering or breaking; feeding or disturbing birds or animals.

All persons are prohibited from gathering flowers, either wild or cultivated, or breaking trees, shrubbery or plants or feeding or disturbing the birds or other animal life in the cemeteries of the city.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3035)

Cross reference — Animals, ch. 4.

Section 6-33 Control of floral arrangements; disposal of floral frames.

- (a) Only one floral arrangement shall be placed on each grave and only at the base of the monument. All flowers shall be placed at the base of the monument. Any flowers which are determined by the sexton to be outside of the appropriate area may be removed by the city.

- (b) The city recommends that all floral arrangements be placed in clay or plastic containers. Glass, tin, wire and cement containers are prohibited. Any other container must be approved by the sexton.
- (c) The sexton is authorized to remove funeral flowers after 72 hours unless notified by the family or lot owners.
- (d) Floral frames, when removed from the plot, unless called for within ten days by those lawfully entitled to them, shall be disposed of by the city.
- (e) Solar lights are not permitted.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3036)

Section 6-34 Signs, notices or advertisements prohibited.

No signs, notices or advertisements of any kind shall be allowed in any cemetery, except by the city.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3037)

Section 6-35 Responsibility for damage.

The city disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage caused by the elements, an act of God, a common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or orders of any military or civil authority, whether the damage is direct or collateral.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3038)

Section 6-36 Interments, disinterments and removals; time, manner and charges for same; opening and closing graves; grave service; embalming.

- (a) All interments, disinterments and removals must be made at the time and in the manner and subject to the payment of such charges as are fixed by the city.
- (b) Only city employees will open or close graves. The sexton reserves the right to refuse to open or close a grave at any



time he sees fit, with the approval of the city manager.

- (c) No grave service will be made ready for burial before 12:00 noon for a chapel or church service on Mondays, or before 1:00 p.m., graveside, on any day following a cemetery holiday. It is not physically possible to complete the excavation and provide a proper graveside service before 12:00 noon for a chapel service, or before 1:00 p.m. for a graveside service on Mondays. Therefore, the city will not contract for interments prior to these hours on Mondays.
 - (d) All state and local health laws must be complied with prior to any interment in any city cemetery.
 - (e) All interments must be inside containers of minimum standard as approved by the sexton (minimum standard is pine construction or equal). These containers must be in vaults (12 gauge steel minimum) placed underground (not applicable for section P or the Baby Section).
 - (f) No interment will be made in any city cemetery before payment of the fees specified in the regulations in the office of the city clerk, unless credit has been extended by the city clerk.
 - (g) No interment will be made in any city cemetery until the owner of the burial plot shall execute an affidavit directing interment of the remains of the deceased in such burial plot.
- (Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3039)

Section 6-37 Charges for opening graves, interment and disinterment.

The charges for opening graves, interment and disinterment in the public cemeteries shall be as set out in the fee schedule book of the city, as provided in section 8-36.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3040)

Section 6-38 Right to refuse immediate interment after specified hour.

The city may refuse to make an interment until a more expedient time if the remains arrive at the cemetery entrance after 5:00 p.m. or



if too many funerals arrive at the same hour.
(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3041)

Section 6-39 Interments or disinterments prohibited on specified holidays.

There shall be no interments or disinterments on the following days: New Year's Day, Martin Luther King, Jr. Holiday (3rd Monday in January), Good Friday, Easter, Mother's Day, Father's Day, Memorial Day, July 4, Labor Day, Thanksgiving Day, Christmas Day, or any holiday observed by the City of Rome.
(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3042)

Section 6-40 Delay of interment, liability and right of city.

The city shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made, or where this chapter has not been complied with. The city reserves the right, under such circumstances, to place the body in a funeral home or a receiving vault until the full rights have been determined. The city may require any protest to be in writing and to be filed in the office of the city clerk.
(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3043)

Section 6-41 Reservation of right to require specified notice before interment.

The right is reserved by the city to insist upon at least 24 hours' notice before any interment. Interment requests with less than 24 hours' notice may be refused. All requests with less than 12 hours' notice shall be refused.
(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3044)

Section 6-42 Liability for interment permit and identify of person sought to be interred or cremated.

The city shall not be liable in damages for an error in the interment

permit nor for a mistake or error in the identity of a person sought to be interred or cremated.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3045)

Section 6-43 Responsibility for telephone orders or mistakes caused by vague instructions.

The city shall not be held responsible for any order given by telephone, or for any mistake occurring from the want of precise and proper instructions as to the particular space, size and location in a plot where interment is desired.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3046)

Section 6-44 Procedure when instructions from plot owner not available.

When instructions from the plot owner regarding the location of an interment space in a plot cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened when specified, the city may, in its discretion, open it in such location in the plot as it deems best and proper so as not to delay the funeral; and the city shall not be liable in damages for any error so made.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3047)

Section 6-45 Error in interment.

If an error is committed in the interment of the remains of any person, the city reserves the right to remove and reinter and remains in such other property of equal value and similar location as may be substituted and conveyed in lieu of the mistaken property.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3048)

Section 6-46 Disinterment — Permission prerequisite.

No disinterment from any lot shall be made except with the express permission of the city clerk first obtained. The city clerk may insist that an order from a proper court of law first be secured by those



seeking the disinterment.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3049)

Section 6-47 Same — Liability of city.

The city shall exercise due care in making a disinterment and removal, but it shall assume no liability for damage to any casket, burial case, vault or urn, incurred in making the disinterment or removal.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3050)

Section 6-48 Removal of body for specified reasons repugnant to sense of decency prohibited.

Removal of a body or cremated remains by the heirs of the deceased so that the plot, lot or space may be sold for profit to themselves, or removal contrary to the expressed or implied wish of the original plot owner, or if repugnant to the ordinary sense of decency, is absolutely forbidden.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3051)

Section 6-49 Limitation on number of bodies interred in same grave, vault, crypt or niche.

Not more than one body, nor the remains of more than one body, shall be interred in any one grave, vault, crypt or niche.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3052)

Section 6-50 Firearms within cemeteries; permit required.

No firearms shall be permitted within any cemetery except with a special permit from the city or other duly constituted authorities.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3053)

Section 6-51 Visitation hours; loitering in cemeteries.

- (a) City cemeteries shall be open for visitation during the following hours, unless otherwise posted; Between one-half hour



after sunup and one-half hour before sundown.

(b) Loitering in city cemeteries is prohibited. The presence of any person in any of such cemeteries during prohibited hours shall be prima facie evidence of loitering.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3054)

Section 6-52 Refreshments prohibited within cemeteries; exception.

No person shall have refreshments within any cemetery except as authorized by the sexton.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3055)

Section 6-53 Persons within grounds to use only avenues, walks, alleys and roads.

Persons within the cemetery grounds shall use only the avenues, walks, alleys and roads and shall not walk, drive or ride upon the lots, plots and spaces.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3056)

Section 6-54 Motor vehicles regulated.

Motor vehicles shall not be driven through the cemetery grounds at a greater speed than ten miles per hour, and must always be kept on the right-hand side of the cemetery roadway. Motor vehicles are not allowed to park or to come to a full stop in front of an open grave unless such motor vehicles are in attendance at the funeral. No off-road recreational vehicles shall be allowed in city cemeteries.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3057)

Cross reference — Motor vehicles and traffic, ch. 12.

Section 6-55 Maintenance account.

(a) The city shall establish a maintenance account for the long-term care and preservation of all city cemeteries. Monies for this account will be derived from the sale of cemetery lots

and interment fees, and from the sale of each lot or each interment fee a minimum number of dollars, as set forth in the fee schedule book of the city, as provided in section 8-36, shall be used for this purpose. However, the entire fee from the sale of lots in the Memorial Addition to Myrtle Hill Cemetery shall be placed in this account.

- (b) The maintenance account established in this section shall be a part of the city's general trust fund and will include, in addition to the fees referred to in subsection (a), all donations and other appropriations relating to cemeteries which the city may deem proper. The city can use only the interest from such maintenance account for the care and preservation of the city cemeteries.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3058)

Section 6-56 Interpretation, application and enforcement of provisions.

This chapter shall be interpreted, applied and enforced by the public works committee. In cases of hardship, necessity or unreasonableness in the application or enforcement of any of the rules and regulations in this chapter, the majority of the public works committee shall have the right to alter the application and enforcement of these rules and regulations so as to relieve the hardship or unreasonableness, and the same shall not constitute forfeiture nor shall it have the effect of changing or abridging any rule, convenient or regulation under this chapter.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3059)

Section 6-57 Violation of chapter.

Any person performing any act forbidden by this chapter or failing to perform any act required by this chapter shall have breached this chapter and, upon conviction thereof, shall be punished as provided by section 1-9.

(Ord. No. 82-4-1, § 1, 4-7-82; Code 1981, § 5-3060)



LOCAL MONUMENT COMPANIES

Lindsey Monument Company

122 Tift Road
Rome, GA 30161
706-295-4719

Rome Monument Company

812 Kingston Ave
Rome, GA 30161
706-291-4900

Calhoun Monument Company

115 Boone Ford Rd SE
Calhoun, GA 30701
706-934-7465

Valley Memorials

1281 Rockmart Hwy
Cedartown, GA 30125
770-748-1617