ORDINANCE # 2023-16
INTRODUCED BY Lewis
DATE INTRODUCED 07-11-2023
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BOOK # _____ PAGE # _____
RECORDATION # _____
AMENDED BY ORDINANCE # _____
DATE AMENDED _____

ADOPTION

INTRODUCTION

CITY OF COVINGTON
STATE OF LOUISIANA
AMENDED
ORDINANCE NUMBER 2023-16

AN ORDINANCE TO AMEND CHAPTER 26-CEMETERIES, ARTICLE II – GRAVES AND BURIAL SITES TO REVISE THE RULES RELATING TO PERMITS, DECORATIONS, AND GRAVESITE MAINTENANCE AT CITY CEMETERIES.

Whereas, the City of Covington has placed an increased focus on the permitting process and the overall condition of public cemeteries owned and maintained by the city; and

Whereas, Chapter 26 – Cemeteries, Article II – Graves and Burial Sites outlines permit requirements as well as gravesite conditions and standards in cemeteries owned and maintained by the city; and

Whereas, the proposed ordinance clarifies the permit process and specifies that burials can only be completed by funeral homes that have obtained a permit; and

Whereas, the proposed ordinance provides more detail on what may be placed on gravesites to avoid unsightly/expired decorations that affect the overall appearance of the cemetery and make regular maintenance difficult.

ARTICLE II. GRAVES AND BURIAL SITES

Sec. 26-29. Constructing tombs, crypts, or mausoleums.

No person shall construct a tomb or mausoleum crypt at any cemetery or mausoleum operated by the city without first obtaining a building permit from the ~~city's planning department.~~ the city. No such permit shall be issued where the city engineer determines that the structure, as designed, will not be feasible based upon the then existent geological features of the proposed location of the tomb, crypt, or mausoleum.

Sec. 26-30. Expanding tombs, crypts, or mausoleums.

No person shall expand any tomb, crypt or mausoleum existing at the time of the passage of this ordinance. No person shall expand any tomb crypt or mausoleum constructed after the passage of this ordinance without a building permit.

Sec. 26-31. Opening gravesites, tomb, or crypts; permit fee.

No person or entity shall open a gravesite, tomb or mausoleum crypt at any cemetery or mausoleum operated by the city without the funeral home handling the funeral obtaining a permit, therefore. The permit fee shall be $50.00, and the permit shall be obtained by a representative of the funeral home appearing in person at city hall. In addition to obtaining the permit, the funeral home representative shall indicate the physical location of the grave for the city records.

Sec. 26-32. Permit required.

No person shall do any act for which a permit is required in this article unless he holds a proper permit. Burials may only be completed by funeral homes that obtained the permit required in Sec. 26-31.

Sec. 26-33. ~~When flowers allowed.~~ Grave site decorations

1) Seven days after any religious holiday, the city shall be entitled to remove any and all live flowers from any grave or mausoleum crypt. Live flower arrangements placed at a gravesite during burial must be removed by the funeral home within seven days after interment. Artificial flowers may be removed at the discretion of the city.
2) Flowers are permitted to remain at gravesites only when placed in vessels permanently attached to the gravesite. Flowers will be removed if they become aged or unsightly.
3) Plastic and glass containers and vessels are strictly prohibited and will be removed by the city. No tarps can drape or hang over grave sites or tombs.
4) Flags are only allowed 5 days before and 5 days after a national holiday.
5) No loose items may be placed on the ground around the plot including lights, flowers, flags, toys, statues, or baskets.

~~**Sec. 26-34. Copying's prohibited.**~~

~~No copying of any sort shall be placed around any grave in the city.~~

Sec. 26-35. Notification of city.

~~Any person or entity opening a grave site, tomb, or mausoleum crypt, or conducting a burial within any cemetery operated by the city, shall notify the city prior to opening the mausoleum or digging the grave, which activities shall be conducted in accordance with the guidelines provided by the city.~~

Prior to opening a grave site, tomb, or mausoleum crypt, or conducting a burial within any cemetery operated by the city, the permittee shall notify the city. The city will inspect the gravesite before and after the burial to verify the site and surrounding sites are left in good condition.

Sec. 26-36. Responsibility for restoration of grounds.

The funeral home obtaining the permit authorized under this article shall also be responsible to remove all excess earth removed from the gravesite and to restore the cemetery grounds to the condition existing prior to the funeral. Funeral home may be fined up to $1,000 for damages caused during burial process.

Sec. 26-37. Penalty for violation.

In addition to the penalties set forth in section 1-8 of this Code, any funeral home violating section 26-36 shall not be entitled to another permit until that section is complied with. This shall not preclude pursuing section 1-8 of this Code.

Sec. 26-38. Plantings.

No plantings of trees, shrubs, flowers, or other living materials shall be made at any cemetery owned or operated by the city except by the city at the direction of city administration. Trees, shrubs, flowers, or other living materials planted at cemeteries owned or operated by the city may be removed at any time at the discretion of the city.

Sec. 26-39. Tomb painting.

No tomb, grave marker or mausoleum constructed in any cemetery owned or operated by the city shall be painted any color other than white or gray. Non-conforming tombs, grave markers or mausoleums shall be given 12 months from the passage of this article to come into compliance with this article. Thereafter, owners of non-conforming tombs, grave markers or mausoleums are subject to having the non-conforming tomb, grave marker or mausoleum painted by the city.

BE IT FURTHER ORDAINED that if any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

WHEREUPON, this ordinance having been submitted in writing, having been read by title and adopted at a public meeting of the City Council of the City of Covington, State of Louisiana, was then submitted to an official vote as a whole, the vote thereon being as follows:

MOVED FOR ADOPTION by Rolling seconded by Roberts.

YEAS: 6 **ABSENT:** 1

NAYS: 0 **ABSTAIN:** 0

PASSED AND ADOPTED this 7th day of August, 2023.

/s/ Larry Rolling
LARRY ROLLING
COUNCIL PRESIDENT

/s/ Jo Ann D. Rucker
JOANN D. RUCKER
COUNCIL CLERK

Presented to the Mayor on this 2nd day of August, 2023, at 8:00 o'clock A.M.

/s/ Jo Ann D Rucker
JOANN D. RUCKER
COUNCIL CLERK

Approved ✓ or Vetoed ___ by the Mayor on this 2nd day of August, 2023.

/s/ Mark Johnson
MARK R. ~~JOHNSON~~
MAYOR

Received from the Mayor on this 2nd day of August, 2023, at 10:27 o'clock A M.

/s/ Jo Ann D Rucker
JOANN D. RUCKER
COUNCIL CLERK