

**The following ordinance on the City cemetery can also be found under Public Health and Safety at:**

[Code of Ordinances | Social Circle, GA | Municode Library](#)

**Sec. 6-4. - Municipal cemetery.**

The mayor and council have the power and authority to: Provide, own and furnish, in and near the city, cemeteries for the burial of the dead; regulate and control the interments in such cemeteries; exercise police control and to care for such cemeteries; and, provide city care to lots in such cemeteries. The mayor and council find that the historical and cultural heritage of the city is among its most valued and important assets and that the preservation of this heritage is essential to the promotion of the health, prosperity, and general welfare of the people of the city and of the public generally. The cemeteries, graveyards, and burial grounds are uniquely precious and vulnerable thus deserving of devoted stewardship; the city is richly blessed with the heritage and history of its people who are now deceased; that many native pioneers and early residents were integral to the community's development; and that the resting places and memorials of those who have passed are valuable to current and future generations. Therefore, with the intent of caring for and managing the cemeteries, graveyards, and burying grounds, and regulating the use of such areas for the utility, education, pleasure, and welfare of the citizens; the mayor and council hereby ordain and enact into law this amended cemetery chapter.

(1)

*Definitions.* The following phrases, words and their derivations shall have the meaning given herein.

*Municipal cemetery* or *cemetery* is the municipal cemetery of the city, which includes Social Circle Cemetery East and Social Circle Cemetery West.

*Person* is any person, firm, partnership, association, corporation, company or organization of any kind.

*Resident* shall mean anyone who has or formerly had his/her main dwelling in the city and has or previously maintained such residence for at least 60 consecutive days prior to purchasing a burial plot in the municipal cemetery.

*Superintendent* is the utilities superintendent of the city.

(2)

*Authority.* The superintendent shall manage, operate and maintain the municipal cemetery subject to any limitations and restrictions set forth herein or contained in any applicable laws.

(3)

*Rules and regulations.* The council may establish rules and regulations for the use of the cemetery relating to: Subdividing the cemetery into burial plots; capacity of each plot; location of graves; and type of plantings, monuments and markers that will be permitted for the proper and most attractive development of the cemetery. These rules include without limitation the following:

a.

The use of wire, iron stands, rocks, concrete containers, or breakable containers causes hazards to visitors, lawn maintenance personnel and machinery, and are strictly prohibited.

b.

During the grass cutting season, between the first of March and the last of October, any flowers or floral arrangements, or any other items must be placed in the permanent vase on the flat marker. Any other types of flower or floral arrangement which cannot be put in these vases are not permitted.

c.

No trinkets (small ceramic statuary, beads, crosses, lights, etc.) are allowed on any grave space or marker since these cause mowing and trimming hazards which may harm visitors and lawn maintenance personnel and machinery. The plot owner agrees to not attempt to establish a shrine to their loved one or around a grave, inurnment, or crypt.

d.

The city reserves the right to:

1.

Enter upon any area and remove any monument, effigy, structure, inscription, or other items placed on, upon or near any plot that is in violation of these rules and regulations. Any items removed will not be held for reclamation and will be deemed abandoned property and will be disposed of at the city's discretion. The city will have no liability for any loss or damage to any items placed on or near a plot in violation of these rules and regulations or removed by the city;

2.

Remove floral arrangements that have become unsightly in the opinion of the city; and

3.

Grade and improve all sections of the city cemetery.

e.

The plucking of, or removal of, any plant or flower, either wild or cultivated, is strictly prohibited. Planting, mowing or maintenance of any kind by anyone other than the city or those whom are contracted by the city is strictly prohibited.

f.

The city or any contract company for the city will not be held responsible for damages to any grave marker.

g.

Any changes such as: address, phone number or ownership of family plot are the sole responsibility of the owner to notify the city of these changes.

h.

The city must be notified when a marker is placed so that it may be placed within the boundaries of the grave.

i.

In the perpetual care cemetery, coping shall be grass, marble or granite, not gravel.

(4)

*Duties of the superintendent.* Direct cemetery. The superintendent shall: Look after and take proper care of the cemetery and see that no plot is used or occupied in violation of this section or of any rule or regulation; Collect and turn over fees—All fees and charges collected by the superintendent for duties and services performed in connection with the cemetery shall be for the use of the city and shall immediately be turned over to the city; Supervise interment—The superintendent shall supervise interment when it is necessary for him to do so. The superintendent is authorized to require the removal of any trees or shrubbery on privately owned plots which are causing damage to adjacent plots or to city-owned property. The superintendent is authorized to effect the removal and to assess the property owner for the cost of the removal. Payments of assessments shall be made to the city clerk. All private removal of trees and shrubbery from plots shall be subject to the approval of the superintendent and shall be at the expense of the respective plot owner. The city shall be held harmless from any damages occurring as a result of the removals.

(5)

*Rules for interment.* No deceased person shall be interred in the cemetery until the superintendent has found: That a burial permit has been obtained from the public health officer as required by law; that the plot in which burial is to be made has been fully paid for; that the person arranging for such burial has the right to the use of such plot; that such plot is not used beyond its capacity; and that proper record is made of the name and age of the deceased person and of the exact location of the grave. One cremated remains may be included in addition to a casket in each burial plot, or four cremated remains in a burial plot if no casket. In either case, limited to one headstone per plot.

(6)

*Lot valuation.* The city may place a value on all unsold plots in the cemetery, and may record such valuations on an official map or plan of such cemetery. There shall be no discrimination in the sale of lots on any basis, except that per resolution currently residents shall be charged a purchase fee of \$800.00 per plot purchased and non-residents shall be charged \$2,000.00 per plot purchased, unless changed by resolution. Any person desiring to purchase a plot(s) may do so upon payment of the price fixed for such plot or upon making arrangements, according to rules and regulations that may be established by the council, for the purchase of such plot on an installment plan. In the columbarium wall the fee is per resolution \$700.00 per niche for a city resident and \$1,750.00 per niche for a non-resident, unless changed by resolution.

(7)

*Records of ownership.* The city manager may keep full and complete records of the ownership of all plots in the cemetery, of the burial capacity of each plot, sold and unsold, of the location of each grave, of the names of the persons buried in each grave that has been or shall hereafter be used, and of the date of each burial.

(8)

*Accounts.* The city manager shall keep detailed accounts of receipts and expenditures of the cemetery.

(9)

*Reports.* The city manager may make an annual report on the condition of the cemetery providing the council with all information necessary to determine the amount that should be appropriated for the cemetery in the budget.