

**TITLE 20****MISCELLANEOUS****CHAPTER****1. ESTILL SPRINGS CEMETERY REGULAITONS.****CHAPTER 1****ESTILL SPRINGS CEMETERY REGULATIONS****SECTION**

20-101. Cemetery committee.

20-102. Rules and practices.

20-103. Sale of lots and burial spaces.

20-104. Violations and penalty.

**20-101. Cemetery committee.** An Estill Springs Cemetery Committee is established to advise the board of mayor and aldermen on matters relating to the operations and administration of the Estill Spring Cemetery, including policy issues, management practices, and service needs. This committee will normally be comprised of not less than five (5), and no more than nine (9) individuals, selected and appointed by the mayor. One (1) member will be an alderman. This committee will meet quarterly (January, April, July, and October) on the third Tuesday, at 3:00 P.M., at town hall. (Ord. #10-378, Aug. 2010)

**20-102. Rules and practices.** The following rules and practices are hereby established:

(1) The cemetery closes at dusk and reopens at sunrise. Town police will include the cemetery in routine patrols.

(2) Prior to opening a grave, the funeral director **MUST** contact the Estill Springs Town Hall at 931-649-5188 one (1) day prior to work, and apply for a burial permit. A representative of the town shall verify, as best possible, the location at which the burial will take place prior to the issuance of the permit. No fee is charged for this permit. Opening graves must be done by a professional grave service or by approval and supervision of the town representative.

(3) Lot owners will be given a copy of the ordinance comprising this chapter when they purchase lots. Abbreviated rules and regulations will be permanently posted at the cemetery.

(4) The cemetery requires an outer burial container (vault) on all burials. Nothing less than twelve (12) gauge steel or concrete box is accepted. Vantage vaults are prohibited.

(5) The Estill Springs Cemetery Committee will hold an annual cleaning each year, at which time all unsightly floral arrangements will be removed.

(6) No permanent landscaping alteration may be made to any gravesite that would impede maintenance, i.e. planting shrubs, flowers, trees, or other vegetation. Permanent gravesite ornaments, other than the headstone and footstone are prohibited. Edging of gravesites with material that would impede maintenance, such as vegetation, bricks, or paving stones is prohibited upon final passage of this chapter. Edging already in place will be considered to be "grandfathered" and will not be affected by this chapter.

(7) Floral arrangements may be placed on monuments, or on grave sites for burials. However, live arrangements must be presentable at all times, and must be removed after one (1) week of display. Artificial arrangements may be left perpetually on monuments, provided they do not become unsightly and detract from the cemeteries appearance. Decorations must not impede maintenance.

(8) Disposal of decorations must be in the designated containers. Disposal of monuments or other materials must be in a designated area.

(9) The town will maintain a separate checking account, to be called the Estill Springs Cemetery Fund. Funds will be designated for maintenance functions or for improvement functions. Funding for cemetery maintenance will normally come from the cemetery trust fund and from contributions from individuals. Funding for improvements will come from contributions from individuals and from the sale of cemetery lots. Individual contributors may designate which purpose their contributions will serve.

(10) A cemetery lot shall consist of one (1) burial space or one (1) cremains.

(11) All cremains must be placed in an airtight, non-decomposable container (urn) and requires a permanent outer burial container (vault) not constructed of wood.

(12) Due to mowing and other work necessary during the growing season, no decorations will be permitted on graves between March 15th and November 15th, inclusive of each year. Decorations will be permitted for Easter, Memorial Day, Mother's Day, Father's Day, Fourth of July and Veteran's Day provided they are removed within fourteen (14) days after such day.

(13) Due to the danger of broken glass, decorations shall not be placed in glass containers at any time in the cemetery.

(14) Families of the deceased are responsible for the maintenance of monuments. (Ord. #10-378, Aug. 2010, as amended by Ord. #16-419, Oct. 2016)

**20-103. Sale of lots and burial spaces.** Sale of lots or burial spaces shall be made on an approved form, which grants a right of burial only and does not convey any other title to the lot or burial space sold. Such form shall be executed by the recorder.

Hereafter, interment rights shall be sold for the purpose of the burial of such purchaser or his/her heir(s) at law or next of kin. No sale shall be made to funeral directors or others than as heretofore set forth.

Burial rights may only be transferred to those persons eligible to the original purchasers of cemetery lots or burial spaces within the town and may be effected only by endorsement of an assignment of such burial permit upon the original burial permit form issued by the recorder, approved by said recorder, and entered upon the official records of said recorder.

The board of mayor and aldermen will determine the fair market value of each available lot or burial space. (Ord. #10-378, Aug. 2010)

**20-104. Violations and penalty.** Violators of any part of this chapter will be notified by the town through certified mail that they have thirty (30) days to remedy the violation or file a written appeal to the board of mayor and aldermen. Any appeal shall be heard at the next town board meeting. When a violation is not remedied within the specified time and no appeal is filed, the Town of Estill Springs Street Department shall remedy the violation. The violator will be assessed a fifty dollar (\$50.00) fine and the cost of labor and materials. Each day a violation is allowed to continue shall constitute a separate offense. (Ord. #10-378, Aug. 2010, modified)