

## **CHAPTER 8**

### **Cemeteries, Burials and Disinterments**

- Article I      Burials and Disinterments**
- Sec. 8-1      Burial or deposit of remains unlawful; exceptions
  - Sec. 8-2      Permit required for transportation
  - Sec. 8-3      Permit required for burial
  - Sec. 8-4      Permit required for disinterment
  - Sec. 8-5      Regulations for disinterment
  - Sec. 8-6      Permit required for import into City
- Article II      Riverside Cemetery**
- Sec. 8-7      Sale of lots
  - Sec. 8-8      Lots maintained by City
  - Sec. 8-9      Lot maintenance part of contract

## ARTICLE I

### Burials and Disinterments

#### **Sec. 8-1. Burial or deposit of remains unlawful; exceptions.**

(a) It shall be unlawful to bury, inter, inhume or deposit any uncremated human body or human remains in any vault or place in the City except within established cemeteries owned and controlled by the City. Further, except as provided in Subsection (b) of this Section, it shall be unlawful to bury, inter, inhume or deposit, keep or place any human crematory ashes or cinerary remains in any grave, vault, crypt, sepulcher, niche, cinerarium or columbarium in the City except within the established cemeteries owned and controlled by the City.

(b) The City Council may, by special permit, approve the establishment and use of a privately owned columbaria or cineraria for the interment or deposit and keeping of human ashes; provided that any such permit, by agreement, by trust indenture or otherwise, shall appropriately assure the care and maintenance of the property dedicated to such purpose as well as to provide for the perpetual care of the cinerary remains deposited therein, and for their removal to the City cemetery or other lawful place, in case of the abandonment of any such columbarium or cinerarium. (Ord. 680, §1)

#### **Sec. 8-2. Permit required for transportation.**

No dead body of any person shall be taken from the City for burial by any undertaker or other person until a permit for the removal and burial of such body shall have been granted by the Health Department. Upon the receipt of a report of death, the Health Department shall make a record thereof and issue a permit for the removal from the City or the burial of the body of such deceased person and deliver the same to the undertaker or other person having charge of the burial of the body. (1949 Comp., §6.0216)

#### **Sec. 8-3. Permit required for burial.**

No sexton or other person having charge or control of any cemetery, burying place, tomb or vault, under the jurisdiction of the City, shall bury the dead body of any person without having a permit to do so. (1949 Comp., §6.0217)

#### **Sec. 8-4. Permit required for disinterment.**

No person shall take up or remove the body of any dead person from its place of original interment nor take up or remove such body from one (1) grave or vault to another within any cemetery or burial place within the jurisdiction of the City without a permit from the Health Commissioner to do so. (1949 Comp., §6.0218)

#### **Sec. 8-5. Regulations for disinterment.**

In all cases in which a permit has been obtained from the City for such disinterment, the same shall be performed under the rules, regulations and precautions of the State Board of Health. (1949 Comp., §6.0219)

**Sec. 8-6. Permit required for import into City.**

No undertaker or other person nor any common carrier or person engaged as expressman or public cartman shall receive from any railroad company, express company or other corporation or person engaged as a common carrier or in the conveyance of passengers, freight or merchandise, any dead human body brought from any place outside of the City, unless there shall be presented with such dead body a permit or certificate from the board of health of the place where the death occurred. Such permit or certificate shall contain the name and age of the deceased, the date, hour, place and cause of death, and the name of the physician or coroner certifying to such death. If such death shall have been caused by any infectious or contagious disease, or if such body shall be in an offensive condition or in a condition dangerous to the health of the community, such body shall not be received by any such person unless in addition to such permit or certificate, there shall be produced the permission of the Health Commissioner for the bringing into the City of such body. The permit or certificate from the foreign board of health shall be immediately presented to and filed with the Health Department, upon which a permit for the burial of such body shall be issued. (1949 Comp., §6.0220)

**ARTICLE II**

**Riverside Cemetery**

**Sec. 8-7. Sale of lots.**

It shall be the duty of the City Clerk to keep an accurate record of all sales of lots in the cemetery, showing the name of the purchaser, with the number of the lot purchased in a book provided by the City for that purpose. When any person shall purchase a lot, the City Clerk shall, upon the payment of the price therefor, give to the purchaser a certificate of purchase attaching thereto the City seal. All money received from the sale of the lots shall be forthwith paid into the City Treasury. (1949 Comp., §15.0705)

**Sec. 8-8. Lots maintained by City.**

All cemetery lots and parts of lots, other than lots and parts of lots in Division I, sold in the municipal cemetery, shall be for all time maintained, at City expense, in a clean, neat and sightly condition by the City. (Ord. 718, §1(part))

**Sec. 8-9. Lot maintenance part of contract.**

All certificates of purchase of municipal cemetery lots sold on and after May 1, 1914, shall contain a copy of Section 8-8, which Section shall be deemed, taken and held to be a contract on the part of the City as a part of the consideration for the purchase of the lots, to forever maintain all lots so sold in the cemetery in the manner prescribed by Section 8-8, and shall be taken and held to be a covenant on the part of the City running with the lots or property sold to the purchaser thereof, and to his or her heirs and assigns, forever. (Ord. 718, §1(part))