



**Cemetery Preservation Commission
Meeting Agenda
October 12, 2023 4:00 PM
City Hall Training Room**

- 1. Call to Order / Roll Call**
- 2. Approval of the Meeting Minutes**
 - A. Approval of the September 14, 2023 regular meeting minutes.
 - B. Approval of the October 4, 2023 special called meeting minutes.
- 3. Financial Report**
 - A. Receipt of the September 2023 financials.
- 4. Cemetery Preservation Foundation Update**
- 5. Old Business**
 - A. Approval of the Kennesaw Code of Ordinances Chapter 30 text amendments.
 - B. Approval of the storyboard being installed to the right of the Tribute Wall with an alternate location being to the right of the kiosk at the entrance to the cemetery, if needed.
 - C. 2024 Cemetery Preservation Commission events.
- 6. New Business**
 - A. Approval to pay FixMyHeadstone \$350 to repair the damage to the infant grave of Harry B. Williams in Historic B.
- 7. Staff Comment**
- 8. Adjourn**

MINUTES OF CEMETERY PRESERVATION COMMISSION MEETING
CITY OF KENNESAW
City Hall Training Room
September 14, 2023
4:00 PM

1. Call to Order / Roll Call

The meeting was called to order at 4:00 p.m. by Chairman Bramlett.

- Roll Call: Lewis Bramlett, Lizz Gray, Judi Burrell, Andrew Bramlett – Honorary Member
- Staff present: Lea Alvarez (City Clerk), Lily Smith (Deputy City Clerk), Tim Cox (Assistant Public Works Director)
- Guests present: Stephen King (Cemetery Foundation President)

[Councilmember Ferris arrived at the meeting at 4:05 PM]

2. Approval of the Meeting Minutes

- A. Approval of the August 10, 2023 regular meeting minutes.

Motion by Commissioner Burrell to Approve. Seconded by Vice Chairwoman Gray.

Vote taken, motion unanimously approved 2-0. Motion carried.

- B. Approval of the August 31, 2023 special called meeting minutes.

Motion by Vice Chairwoman Gray to Approve. Seconded by Commissioner Burrell.

Vote taken, motion unanimously approved 2-0. Motion carried.

3. Financial Report

- A. Receipt of the August 2023 financial reports.

Motion by Commissioner Burrell to Approve. Seconded by Vice Chairwoman Gray.

Vote taken, motion unanimously approved 2-0. Motion carried.

[Councilmember Ferris arrived at the meeting at 4:05 PM]

4. Cemetery Preservation Foundation Update

Foundation President Stephen King started this item by stating that the Foundation was looking to expand its membership at its next meeting. He updated everyone on the rehearsal schedules for their Life in the Cemetery Event. President King then added that tickets would be \$15 and there would be a maximum of 15 people per tour. He noted that Kenensaw State (KSU) students would like to participate and the Life in the Cemetery Team is working to possibly accommodate up to 20-25 students a tour by

adding additional tours. Councilmember Ferris inquired as to why they were interested in this program. President King answered that it was part of student life bolstering its activities for its students. President King moved on to outline the fundraising for next calendar year.

5. Old Business

- A. Approval of the three bench installation locations, which include location #1 behind Horned Owl, location #2 along Cemetery Street, and location #3 in front of the Cremation Garden as indicated by the cemetery map included in the agenda packet.

City Clerk Alvarez gave a brief presentation showing where the benches are currently and where the proposed locations for the new benches would be. The locations were behind Horned Owl, along Cemetery Street, and in front of the Cemetery Cremation Garden. Vice Chairwoman Gray inquired if the bench on Cemetery Street was on city property and City Clerk Alvarez assured her that the location would not be an issue. Chairman Bramlett added that there were additional benches by the pergola and near the pauper section. He suggested that the bench near the pergola be replaced and the one in the Pauper section be removed but not replaced when the time came later on.

Motion by Vice Chairwoman Gray to Approve. Seconded by Commissioner Burrell.

Vote taken, motion unanimously approved 2-0. Motion carried.

- B. Approval of the proposed storyboard installation location to the right of the Cemetery Foundation Memorial Wall.

City Clerk Alvarez went over the options and suggestions that Downtown Manager Miranda Taylor gave at the last meeting about the placement of the storyboards. She gave recommendations about the placement and suggested next to the Tribute Wall. Chairman Bramlett suggested behind the flag poles and the intersection of Cemetery Street and Magnolia Lane, in addition to the flag court, being up for discussion as well. Assistant Public Works Director Tim Cox advised that any placement of the storyboard near the flag poles might hinder the Public Works' ability to get through that passageway. Commissioner Burrell noted that she had a vested interest in the Tribute Wall and she did not want to obstruct any views near it. Vice Chairwoman Gray, Chairman Bramlett, and President King conversed about the possibility of putting the storyboard outside the flag poles. Chairman Bramlett reminded the Commission that there will be more opportunities to place storyboards and they should perhaps consider particular themes for each section. The Commission continued the discussion until Vice Chairwoman Gray noted that she liked City Clerk Alvarez's suggested placement near the Tribute Wall as well. Councilmember Ferris added that the storyboard in that location would add to the established view. After further discussion, the Commission decided to have Public Works set out a model and go out to view the possible placement locations. This item was postponed until a meeting could be arranged for the Commission to go and see the locations.

- C. DISCUSSION ONLY: Clean Up Day

Foundation President King announced that he was working on arranging for the Boy Scouts at his local church to participate next year. He added they usually schedule events six to eight months in advance. He also let the Commission know that he would put the link for the Life in the Cemetery event on the Cemetery Foundation Website.

6. New Business

A. DISCUSSION ONLY: 2024 Cemetery Events led by Chair Lewis Bramlett

Chairman Bramlett started this conversation with the topic of Decoration Day. He informed the Commission that traditionally, Decoration Day was about tree dedications but there is no longer room for any more trees. He suggested changing the event to a grave-cleaning workshop instead. He went on to explain how people could sign up for the event and the Commission could prepare for the event accordingly instead of just having two clean-up days. Commissioner Burrell expressed her excitement over the suggestion of a workshop and suggested that Vice Chairwoman Gray do a class. Chairman Bramlett added that these types of events are very popular in Marietta and Cartersville. Foundation President King also liked the idea of a historical aspect being included. Honorary Member Andrew Bramlett informed the Commission that Kennesaw State University had an archive with various gravestone types that could be used in a class of this kind. Chairman Bramlett suggested having a picture day event with another Commission such as the Historic Preservation Commission. The Commission continued to brainstorm ideas about future events such as yoga, various tours and maybe taking the flag and poppy events from the Daughters of the American Revolution(DAR). Chairman Bramlett explained that the DAR hosts events that are not public enough and he would like to have events that are more inclusive. Vice Chairwoman Gray made it known that she was not opposed to the new ideas for Decoration Day but, she reminded the Commission that this is a regional event and that the Commission should keep options open for those who have people in the cemetery and want to honor them.

B. DISCUSSION ONLY: Kennesaw City Cemetery Audit Plan and Process led by Vice Chair Lizz Gray

Vice Chairwoman Gray gave an in-depth presentation on the cemetery audit process. She went into detail about what she found, what needed to be done, and what was already completed. City Clerk Alvarez also contributed information about the various systems that are utilized by the public and the systems that are used by staff. Councilmember Ferris inquired as to what is available to put on the website. Vice Chairwoman Gray and City Clerk Alvarez answered by giving examples of what could be put on the website, such as photos and personal information about those who have passed.

7. Staff Comment

A. UPDATE: September 11, 2023 City Council Work Session Recap

City Clerk Alvarez gave a description of the September 11, 2023 Work Session. She mentioned the fee schedules, lot prices, and the site of a new mixed-use development that will be placed next door.

B. UPDATE: Chapter 30 Amendments

City Clerk Alvarez noted that she sent the code amendments to legal to be red-lined. She expected that the changes should be ready for review by the October meeting. The Commission then spoke about the benches.

8. Adjourn

Chairman Bramlett adjourned the meeting at 5:15 P.M. The next regularly scheduled meeting will be held Thursday, October 12, 2023, at 6:30 P.M. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.

Lily Smith, Deputy City Clerk

MINUTES OF CEMETERY PRESERVATION COMMISSION MEETING
CITY OF KENNESAW
Kennesaw City Cemetery
October 4, 2023
9:00 AM

1. Call to Order / Roll Call

Chair Lewis Bramlett called the meeting to order at 6:05 p.m. Chair Bramlett and Vice Chair Lizz Gray were present. Commissioner Judi Burrell was absent. Staff present included City Clerk Lea Alvarez, Assistant Public Works Director Tim Cox, and Downtown/Main Street Manager Miranda Taylor.

2. Approval of the Meeting Minutes

3. Financial Report

4. Cemetery Preservation Foundation Update

5. Old Business

A. Discuss Storyboard Installation Site and Review Bench Installation Sites.

Members and staff looked at potential installation sites for the proposed story board illustrating the history of the Kennesaw City Cemetery. Ms. Taylor suggested choosing two locations for the installation company to choose from, since there are few flat surfaces within the cemetery. The members present decided on an installation site beside the Tribute Wall and an installation site beside the kiosk before the entrance to the cemetery.

Due to the grade beside the kiosk, staff is recommending the first installation option be the site to the right of the Tribute Wall, as presented. A vote will be taken at the regular meeting on Thursday, October 12, 2023.

Additionally, the newly installed benches were reviewed. Members discussed the potential replacement of the benches within the mini-park in Section III. The benches are six-feet and would cost anywhere between \$2,000 and \$2,500. Ms. Alvarez said she would look at the budget and see if their replacement was possible this fiscal year.

6. New Business

A. Review and Discuss Maintenance of Existing Structures in the Kennesaw City Cemetery.

Members and staff discussed the need for a maintenance plan regarding the existing wooden structures within the cemetery. Mr. Cox stated the mini-park structure and the gazebo would need to be looked at by a professional regarding maintenance of the

wood. The trim around the gazebo is beginning to rot and because the mini-park structure is cedar and unpainted, it could begin to rot due to the elements as well.

7. Staff Comment

8. Adjourn

Chair Bramlett adjourned the meeting at 9:39 a.m.

DRAFT



City of Kennesaw

Balance Sheet

Account Summary

As Of 09/30/2023

Account	Name	Balance	
Fund: 285 - CEMETERY TRUST FUND			
Assets			
285-0000-11-112100-00000	OPERATING ACCOUNT	52,252.34	
	Total Assets:	52,252.34	52,252.34
Liability			
285-0000-12-190500-00000	DUE TO GENERAL FUND	359.00	
	Total Liability:	359.00	
Equity			
285-0000-13-120000-00000	ENCUMBRANCE	-743.60	
285-0000-13-411500-00000	F/B RES FOR ENCUMBRANCES	743.60	
285-0000-13-422000-00000	F/B UNRES - UNDESIGNATED	58,948.10	
	Total Beginning Equity:	58,948.10	
Total Revenue		19,545.68	
Total Expense		26,600.44	
Revenues Over/Under Expenses		-7,054.76	
	Total Equity and Current Surplus (Deficit):	51,893.34	
	Total Liabilities, Equity and Current Surplus (Deficit):		52,252.34

Cemetery Fund
Operating Cash Activity
For the Month Ended September 30, 2023

Beginning Cash	\$ 52,959.57
Cash Receipts:	
Interest Earned	70.61
Cemetery Fees	<u>1,700.00</u>
Total Cash Receipts	<u>1,770.61</u>
Cash Disbursements:	
Atlanta Arbor Tree Care Specialist, LLC	852.75
Pay Back General Fund	1,610.09
Bestdrive Contractor's Tire	<u>15.00</u>
Total Cash Disbursements	<u>2,477.84</u>
Ending Cash	<u><u>\$ 52,252.34</u></u>



City of Kennesaw

Income Statement Account Summary

For Fiscal: 2022-2023 Period Ending: 09/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 285 - CEMETERY TRUST FUND						
Revenue						
285-0000-34-910000-00000	CEMETERY FEES	8,000.00	8,000.00	1,700.00	17,535.00	-9,535.00
285-0000-34-911500-00000	CEMETERY TREES REVENUE	700.00	700.00	0.00	0.00	700.00
285-0000-36-100000-00000	INTEREST REVENUES	1,150.00	1,150.00	70.61	1,010.68	139.32
285-0000-37-000000-00000	CONTRIBUTION/DONATIONS	500.00	500.00	0.00	0.00	500.00
285-0000-37-100000-00000	DONATION - CEM. PRESERVATION FOUNDA	3,000.00	3,000.00	0.00	1,000.00	2,000.00
285-0000-39-400000-00000	USE OF PY RESERVE	14,266.00	17,746.00	0.00	0.00	17,746.00
	Revenue Total:	27,616.00	31,096.00	1,770.61	19,545.68	11,550.32
Expense						
285-4950-52-125000-00000	OTHER PROFESSIONAL SERVICES	0.00	3,480.00	0.00	3,480.00	0.00
285-4950-52-325000-00000	POSTAGE	650.00	650.00	0.00	0.00	650.00
285-4950-52-350000-00000	TRAVEL	650.00	650.00	0.00	0.00	650.00
285-4950-52-361000-00000	ORGANIZATIONAL MEMBERSHIP	100.00	100.00	0.00	0.00	100.00
285-4950-52-460000-00000	CEMETERY REPAIR AND MAINTENANCE	13,458.00	13,458.00	852.75	12,452.25	1,005.75
285-4950-53-118000-00000	OPERATING MATERIALS/SUPP	12,258.00	12,258.00	374.00	10,614.24	1,643.76
285-4950-53-118500-00000	CEMETERY TREES	500.00	500.00	0.00	53.95	446.05
	Expense Total:	27,616.00	31,096.00	1,226.75	26,600.44	4,495.56
Fund: 285 - CEMETERY TRUST FUND Surplus (Deficit):		0.00	0.00	543.86	-7,054.76	
Total Surplus (Deficit):		0.00	0.00	543.86	-7,054.76	

Income Statement

For Fiscal: 2022-2023 Period Ending: 09/30/2023

Group Summary

Account Type	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 285 - CEMETERY TRUST FUND					
Revenue	27,616.00	31,096.00	1,770.61	19,545.68	11,550.32
Expense	27,616.00	31,096.00	1,226.75	26,600.44	4,495.56
Fund: 285 - CEMETERY TRUST FUND Surplus (Deficit):	0.00	0.00	543.86	-7,054.76	7,054.76
Total Surplus (Deficit):	0.00	0.00	543.86	-7,054.76	

Fund Summary

Fund	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
285 - CEMETERY TRUST FUN	0.00	0.00	543.86	-7,054.76	7,054.76
Total Surplus (Deficit):	0.00	0.00	543.86	-7,054.76	



Item Report

TO: The Cemetery Preservation Commission
FROM: Lea Alvarez, City Clerk
DATE: October 12, 2023
TITLE: Approval of the Kennesaw Code of Ordinances Chapter 30 text amendments.

Summary:

The proposed amendments to Chapter 30 of the Kennesaw Code of Ordinances significantly update and bolster existing language as well as address general rules and regulations, gravesite regulations, flowers, trees, shrubbery, interments, and headstones.

Recommendation:

Staff recommends approval.

Fiscal Impact:

Attachments:

1. Chapter 30 Amendments

CITY OF KENNESAW
GEORGIA

ORDINANCE NO. 2023-__, 2023

AN ORDINANCE TO AMEND CHAPTER 30, ENTITLED "CEMETERIES,"
ARTICLE 1, ENTITLED "IN GENERAL," OF THE CODE OF ORDINANCES OF THE
CITY OF KENNESAW, GEORGIA

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KENNESAW,
COBB COUNTY, GEORGIA, AS FOLLOWS:

SECTION 1. Chapter 30 of the Code of Ordinances of the City of Kennesaw, Georgia, is hereby amended so as to repeal Article 1 of said Chapter and replace it n its entirety by striking and replacing the following:

~~Sec. 30-1—Deeds for lots~~

~~The city clerk shall be authorized to take applications for cemetery lots according to the master plan drawn by the city engineer. The mayor or the mayor pro tem shall be authorized to execute deeds to cemetery lots in the city cemetery.~~

~~(Code 1986, § 5-3-1)~~

Sec. 30-1. 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:

Burial service means any service other than a funeral service offered or provided by any person in connection with the final disposition, memorialization, interment, entombment, or inurnment of human remains.

Care and maintenance means the perpetual process of keeping a cemetery and its lots, graves, grounds, landscaping, roads, paths, parking lots, fences, utilities, and other improvements, structures, and embellishments in a well-cared for and dignified condition, so that the cemetery does not become a nuisance or place of reproach and desolation in the community. Care and maintenance may include, but is not limited to, any or all of the following activities: mowing the grass at reasonable intervals; raking and cleaning the grave spaces and adjacent areas; pruning of shrubs and trees; suppression of weeds and exotic flora; seeding and filling in sunken graves, removing dead flowers only. The city shall not remove any type of artificial flora placed at grave sites or be held liable for any type flora if missing from grave site. Care and maintenance does not include expenses for the construction and development of new grave spaces or interment structures to be sold to the public or watering nor repairing or replacement of markers or memorial structures of any nature.

Casket means a container which is designed for the encasement and viewing of a dead human body.

Cemetery means any cemetery owned and/or maintained by the city for the purpose of receiving the remains of deceased humans.

Cremation includes any mechanical or thermal process whereby a deceased human being is reduced to ashes. Cremation also includes any other mechanical or thermal process whereby human remains are pulverized, burned, recremented, or otherwise further reduced in size or quantity.

Funeral director means any person licensed in this state to practice funeral directing pursuant to the provisions of O.C.G.A. TIT. 43, CH. 18.

Funeral service means any service relating to the transportation, embalming, and interment of a deceased human being.

Interment means the burial of human remains, but shall not include the opening and closing of a grave space, crypt, or niche or the installation of a vault.

Lot, grave, or deed owner means the owner of burial rights, the owner of burial privilege, or the collateral use of any burial lot, evidenced by a deed or by proved and recognized descent or device from the original owner.

Vault or outer burial container means an enclosure into which a casket is placed and includes, but is not limited to, containers made of concrete, steel, fiberglass, copper or other metals.

Sec. 30-2. -- Lot charges.

~~The purchase price of cemetery lots shall be as set forth in the schedule of fees and charges. City employees currently employed shall receive a discount as set forth in the schedule of fees and charges.~~

~~(Code 1986, § 5-3-2)~~

Sec. 30-2. Management, maintenance, and supervision of municipal cemeteries.

- ~~(a) The responsibility for the management and operation of all municipal cemeteries shall be vested in the city clerk, and the maintenance and general supervision of all municipal cemeteries shall be vested in the superintendent director of public works.~~
- ~~(b) All existing city cemeteries shall be maintained in an orderly fashion and shall be cleaned at least once a year.~~
- (b) Cemeteries covered. All cemeteries owned and/or maintained by the city, or which may hereafter be acquired by the city, wheresoever situated, are hereby declared to be public burial grounds, subject to the provisions of this chapter.

Sec. 30-3. Maintenance of lots; location of graves on lot.

- ~~(a) In addition to the requirements of state law, all lot owners shall keep their lots neat and clean at all times and shall not abandon the cemetery lots; and no grave shall be dug closer than one foot from the side line of the grave lot.~~
- ~~(b) In no case shall a grave be dug unless a permit for the digging of a grave shall first be obtained from the city clerk. The city clerk shall verify that the proposed location of the grave is a valid location prior to the issuance of said permit. The fee for said burial permit shall be as set forth in the schedule of fees and charges.~~
- ~~(c) In no case shall one grave serve as a resting place for more than one body.~~
- ~~(d) The violation of this section shall be a misdemeanor and shall be punished pursuant to section 1-11 of this Code of Ordinances.~~

~~(Code 1986, § 5-3-4; Ord. No. 2001-11, § 1, 11-19-01; Ord. No. 2006-15, 8-7-06; Ord. No. 2014-07, 6-16-14)~~

Sec. 30-3. General rules and regulations.

The following rules and regulations shall apply in regard to the cemetery, including use and enforcement of this chapter, unless otherwise and specifically stated:

- (a) *Decorum.* Cemetery ground being sacredly devoted to the interment and repose of the dead, strict observance of decorum due to such a place will be required of all persons.
- (b) *Strangers in funeral zone.* Strangers shall not approach the grave at which a funeral is being conducted and when deemed necessary by the city clerk or upon request of the lot owner or his representative, a funeral zone may be established and properly marked and no one except persons attending the funeral will be permitted to trespass within its boundaries.
- (c) *Places of entrance.* No person shall enter nor shall any vehicle be propelled or driven into any cemetery except through the established gates and entrances thereof.
- (d) *Sightseeing or heavy vehicles.* Sightseeing vehicles or other heavy or cumbersome vehicles shall not enter any cemetery without permission of the city clerk.
- (e) *Work suspended.* Workers must suspend their labors within the immediate vicinity of a funeral until the conclusion of such service.
- (f) *Vehicle speed.* No vehicle shall be driven in any cemetery at any time at a speed greater than is reasonable and proper under all circumstances, and in no event in excess of 15 miles per hour.
- (g) *Noise or disorderly conduct.* No person shall make any improper noise or disturbance or use any profane or indecent language or conduct themselves in a disorderly manner within the limits of any cemetery.
- (h) *Food or beverages prohibited.* No person shall take any refreshments, food or intoxicating beverages of any kind within the boundary of the cemetery, except such food and temperate beverages as may be required by workers engaged therein.

- (i) Trespassing. Walking or driving through cemetery grounds to property or land outside of any cemetery for the purpose of saving time or distance is strictly prohibited.
- (j) Children. Children under the age of 16 shall not be allowed in cemeteries unless accompanied by their parents or other adults, except for the purpose of placing flowers on the grave of a deceased relative or friend or performing any other customary evidence of respect in accordance with their religious principles.
- (k) Animals. No animals shall be allowed in any cemetery except in the confines of a vehicle and must at all times be retained within the confines of the vehicle while the vehicle remains in the cemetery.
- (l) Rubbish. It shall be unlawful for any person to leave or scatter rubbish within the confines of the cemetery.
- (m) Vehicle traffic. No vehicle of any description shall be driven or propelled in the cemetery except upon the portions of the roadways set aside for vehicular traffic or for the purpose of opening a grave.

Sec. 30-4. Marking of lot boundaries; encroachments.

~~Lot purchasers shall have a city employee designate the corners of the lot purchased clearly prior to burial therein, and no lot owner shall encroach upon another lot.~~

(Code 1986, § 5-3-5)

Sec. 30-4 Grave site regulations.

- (a) Care reserved. The city reserves the right to enter upon any grave and to perform all work necessary for the care and upkeep of all lots and graves in the cemetery.
- (b) Opening and closing of graves. After a lot has been properly identified by the city clerk or a representative thereof and a permit has been issued, a grave may be opened and closed by a grave digger as contracted and directed by the funeral home conducting such funeral. Furthermore, the closing of a grave shall include filling and tamping to ensure the least amount of future settling.
- (c) Lot boundaries. A city employee designates the corners of the lot purchased clearly prior to burial therein, and no lot owner shall encroach upon another lot.
- (d) Grave mounds. No grave mounds shall be permitted and graves shall be leveled with the lawn as soon as settling is complete.
- (e) Location of grave. No grave shall be placed so as to have an irregular appearance with graves on the same or adjoining lots.
- (f) Fences, railings, walls, enclosures prohibited. No fence, railing, coping, curb, wall, wall hedge or enclosure of any kind shall be located around or on any lot or grave site. The city reserves the right to remove and dispose of any of these items without notice and no responsibility for the return to owner will be assumed.

- (g) Existing wall enclosures. Any deteriorated or unsightly wall enclosure shall be the perpetual responsibility of the certificate or deed owner for removal or repair. The city reserves the right to remove any wall or fragments without notice to the owner, if deemed that the wall is deteriorated and unsightly and/or prevents the city from performing routine maintenance.
- (h) All grave sites must be covered with grass. It is expressly prohibited to outline a grave site with any material such as brick, brick stones, pebbles, gravel, landscape materials, etc.
- (i) No objects are allowed on graves. All objects or forms of decoration will be removed from gravesites without notice and with no responsibility for return to the owner; this includes trees, shrubs, plantings, flags, statuary, toys, cans, ornaments, all glass, crockery, Styrofoam, balloons, and any similar items.
- (j) No grave site shall be illuminated by any means. No lighting fixtures may be installed on a grave site, this includes staked solar lights or battery powered lights.
- (k) No one shall plant any plants, flowers or trees on a grave site.
- (l) Memorial flags. Memorial flags are defined as the American Flag with a staff of no more than 30 inches, and a flag no larger than 12 inches by 18 inches (12" x 18"). Memorial flags are allowed to be placed year-round, as long as the flag does not become unsightly.
- (m) Restricted use. Lots shall not be used for any purpose other than a place for the remains of human bodies or human cremains.
- (n) Mausoleums. The construction or placing of mausoleums upon lots in the cemetery shall not be permitted.

~~Sec. 30-5. Management; maintenance.~~

- ~~(a) The responsibility for the management, operation and maintenance and general supervision of all municipal cemeteries shall be vested in the superintendent of public works.~~
- ~~(b) All existing city cemeteries shall be maintained in an orderly fashion and shall be cleaned at least once a year.~~

(Code 1986, § 5-3-6)

Section 30-5. Flowers, trees and shrubbery.

- (a) Any flowers, plants, or flora that become wilted and/or faded, may be removed and disposed of by the city or its representatives.
- (b) Artificial and fresh floral arrangements are permitted provided they are in a vase that is permanently mounted on the monument or memorial. One stand-alone staked vase is permitted at a grave site with the absence of a monument or where a flat in-ground monument is present. Any vase containing a floral arrangement that becomes unsightly may be removed and disposed of by the city or its representatives. Under

no circumstances may vases of glass, porcelain, or similar substances be placed at a gravesite. Saddle arrangements on monuments are acceptable.

- (c) Freestanding hangers, brackets and other materials used for hanging plants, flowers or flags are not allowed. Wreaths or other similar religious items as customarily used during the Christmas/holiday season are permitted at a grave site if staked, mounted on an easel or stand, and no larger than 30 inches. Wreaths or other similar religious items will only be permitted during the Christmas/holiday season from Thanksgiving through January 10 and will be removed by the city or its representatives thereafter.
- (d) The city is not responsible for loss, theft, or damage of any type of floral arrangement and/or container placed within the cemetery.
- (e) Trimming trees and shrubbery. If any trees or shrubbery situated upon any lot, which by means of their roots, branches or otherwise, become detrimental to the adjacent lots or roadways of the cemeteries, or are unsightly or inconvenient to pedestrians or vehicles, it shall be the right and duty of the city to enter the lot and remove, cut back or trim such trees or shrubbery.
- (f) Protection to flowers, trees, shrubs. No person shall cut, remove, injure or carry away any flowers, shrubs, trees, plants, vines or any growing thing in or from the cemetery, except by the city or its representatives.

Sec. 30-6. Enclosures.

~~Any fencing, curbing, or enclosure around burial plots that is installed by private parties shall require prior approval from the cemetery preservation commission before installation. Ongoing maintenance of said curbing, fencing, or enclosures shall be the perpetual responsibility of the installing parties.~~

~~(Code 1986, § 5-3-7; Ord. No. 2001-11, § 2, 11-19-01; Ord. No. 2004-12, § 1, 3-1-04)~~

Sec. 30-6. Deeds for lots.

- (a) The city clerk shall be authorized to take applications for cemetery lots according to the master plan drawn by the city engineer. The mayor or the mayor pro tem shall be authorized to execute deeds to cemetery lots in the city cemetery.
- (b) Persons holding a deed evidencing burial rights within the cemetery shall possess burial rights only to such cemetery lot but title to the burial lot shall remain in the city.
- (c) The city clerk shall keep such records as are necessary to properly identify the holders of burial rights.
- (d) If a deed is lost, misplaced, or destroyed and a replacement therefore is requested, the party requesting it may be required to furnish a bond and/or hold harmless agreement protecting the city from the consequences of such reissuance. The replacement certificate shall be appropriately designated as such.
- (e) Contents of deeds.

- (1) Deeds shall bear the name of the owner or owners, lot number, number of graves, legal description, sum of payment, name of cemetery and such other information as may be necessary and shall be signed by the city clerk.
- (f) Transfer of deeds. Burial rights shall be transferable and upon presentment of proper evidence of a lawful transfer, the city clerk may issue a new deed.
- (1) Transfer by court order. In the absence of a written order to the contrary, the city will, after the owner's death, honor a transfer of ownership by court order when presented for record to the city clerk.
- (2) Transfer by affidavit of descent. In cases where the owner is deceased and there is no estate to be probated, the heirs of the deceased shall submit an affidavit of descent to the city clerk, and upon submission of satisfactory evidence, approved by the city attorney, the clerk shall attach said affidavit to the corresponding deed(s) on file for future reference.
- (g) Burial designations. A lot owner or their legal representative may, at any time, designate in writing whom they wish buried in their lot or grave, forbid the burial of certain persons and have a record made of such desire with the city clerk.
- (h) Recording power to act. Power to act for the owner of any lot must be filed for record with the city clerk to become operative.
- (i) Sale subject to rules. Every lot or single grave sold is subject to the rules and regulations now in force or that may be hereafter adopted and to such changes of the present rules as are found necessary for the protection of lot owners and the remains of the dead.
- (j) Remuneration prohibited. It shall be unlawful for the owner of any lot to allow an interment to be made in any cemetery for remuneration.

(Code 1986, § 5-3-1)

Sec. 30-2 7. Lot charges.

- (a) The purchase price of cemetery lots shall be as set forth in the schedule of fees and charges. City employees currently employed shall receive a discount as set forth in the schedule of fees and charges.
- (b) Deposit of sales funds. All money received by the city clerk for the sale of lots in the city cemetery shall be deposited into the Cemetery Trust Fund.

(Code 1986, § 5-3-2)

Sec. 30-8. Interments.

- (a) Interments in the Kennesaw City Cemetery shall be classified in three ways:
- (1) Burial in a casket and vault.
- (2) Burial of cremains.

- (3) Scattering of cremains.
- (b) Interment in casket and vault. Only one person shall be buried in a grave site. No casket shall be placed in a grave without the use of a vault as defined in section 30-1.
- (c) Interment cremations. Up to four cremains shall be permitted in one grave site. Cremains shall be placed in a container for burial. Cremains shall be buried and not scattered.
- (d) Scattering cremations. Cremains shall be scattered only within the designated cremation garden areas and must be supervised and/or carried out by city staff.
- (e) Interment or burial permit required. No interment shall be permitted without a permit as required by law. This permit shall be issued by the city clerk or the city clerk's designee.
- (f) Interment or burial permit fees. Payment of interment or burial permit fees are paid to the city clerk at the time of issuance of the burial permit. Interment or burial permit fees shall be fixed by the mayor and city council and set forth in the schedule of fees and charges on file with the office of the city clerk.
- (g) Notice of funeral. Notice of funeral, with identification of the grave, must be furnished to the city clerk within two business days if conducted during the week and three business days if conducted on the weekend.
- (h) Control of funerals. All funerals and interments in any cemetery shall be under the direction of the funeral home director. The funeral home director is solely responsible to make sure that all permits are issued by the city and that the grave is properly dug, in the correct location, and the grave properly filled after burial.
- (i) Errors. In the event an error is committed in the interment of the remains of any person, the city reserves the right to remove and reinter the remains in a vacant grave site of equal value and similar location within the cemetery, as may be substituted and conveyed in lieu of the mistaken property. The party who committed the error in opening the grave shall be responsible for all said costs. Under no circumstances will the city assume responsibility for errors in opening graves.

Sec. 30-9. Disinterment.

- (a) Disinterment. The city holds that a lot or grave once used for burial thereby becomes sacred ground and the city shall refuse to allow the body buried therein to be disinterred by except court order and the city reserves the right to refuse any such request except that of a court order.
- (b) Funeral directors or a representative must be present for disinterment.

Sec. 30-10. Monuments or headstones.

- (a) *Monuments or headstones.* Any installation of a headstone or monument must receive prior approval by the city clerk to allow for marking of installation site within lot lines. A monument or headstone should be designed with reference to the location in which it is to be placed, consideration being given to the number, size and character of monuments standing near it. Such monuments or headstones shall be constructed out of cut stone or real bronze, and no limestone, sandstone or any artificial material will be permitted. All foundations shall be built of solid masonry and shall be at least as wide and as long as the base stone resting upon it and must not project above the surface of the ground. Foundations for monuments and headstones shall rest upon concrete foundations installed by a monument company and be of a sufficient size to carry the load of the headstone or monuments. The city reserves the right to place an identification marker on any lot until such time that a permanent monument or headstone is placed.
- (b) *Monument with multiple cremains.* For a grave site with multiple "up to four" cremains, there shall be only one above ground monument containing names of the cremains or individual flush ground "markers" of the cremains.
- (c) The city is not responsible for the condition or maintenance of headstones placed at grave sites within the cemetery.
- (d) The city reserves the right to order any removal of any headstone or monument that contains any inappropriate or profane language.
- (e) Protection to markers, monuments, headstones or cemeteries. No person shall deface, injure, disturb, mark or write upon any marker, monument, headstone, fence or structure in the cemetery. In addition, no person shall disturb, deface, alter, or disrespect or injure any cemetery plot, casket, marker, or any other area within the boundary of the cemetery.

Sec. 30-11. Visiting hours.

No person shall enter or remain within any cemetery for the period beginning from sunset to sunrise, except workers employed by the city.

Sec. 30-12. Violation.

- (a) 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 1-11 and shall be responsible for all costs to correct any said violation.
- (b) State law. Any violation of state law shall also be considered a violation of this chapter.

Sec. 30-8-13. Subsequent regulations; nonliability of city.

- (a) The mayor and council reserve to themselves and their successors in office the right to alter, amend, modify or add to the rules, regulations, conditions, and restrictions set forth in this chapter at any time it is deemed advisable to do so in order to carry out the purposes of this chapter.
- (b) There shall be no liability whatsoever, either tort or contractual, on the part of the city, or its officials or officers, or their successors in office, or its agents or employees, to any purchasers of any lots in the cemetery, or to any person holding under them, or to the family or relatives of any person buried in the cemetery, or to any person or the family of such person who has erected any monument, marker, or mausoleum therein, by reason of any act, thing, omission, negligence, or otherwise relating to the cemetery. In accepting any conveyance of any burial lot, each purchaser agrees that all provisions of this chapter are valid and that ~~he and his~~ they and their heirs and assigns shall hold such lot subject to all the provisions of this chapter and subject to all amendments to this chapter made by the mayor and council.

(Code 1986, § 5-3-15; Ord. No. 2004-12, § 3, 3-1-04)

Sec. 30-14 – 30-30. – Reserved.

SECTION 2. BE IT FURTHER ORDAINED THAT this ordinance shall become effective from and after its adoption and execution by the Mayor, pursuant to Section 2.11 of the City Charter of the City of Kennesaw.

ADOPTED THIS ____ DAY OF _____, 2023.

Derek Easterling, Mayor

Attest:

City Clerk



Item Report

TO: The Cemetery Preservation Commission

FROM: Lea Alvarez, City Clerk

DATE: October 12, 2023

TITLE: Approval of the storyboard being installed to the right of the Tribute Wall with an alternate location being to the right of the kiosk at the entrance to the cemetery, if needed.

Summary:

On October 4, 2023, at a called meeting, members looked at various locations to install the history storyboard in the Kennesaw City Cemetery. The storyboard will be installed with concrete footers, and after careful consideration, two locations were selected. The first location was to the right of the Tribute Wall. An alternate location is to the right of the kiosk at the entrance to the cemetery, if needed.

Recommendation:

Staff recommends installing the storyboard to the right of the Tribute Wall in the Kennesaw City Cemetery.

Fiscal Impact:

Attachments:

1. 01 - Photo
2. 02 - Photo
3. 03 - Photo









Item Report

TO: The Cemetery Preservation Commission
FROM:
DATE: October 12, 2023
TITLE: 2024 Cemetery Preservation Commission events.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
None



Item Report

TO: The Cemetery Preservation Commission

FROM: Lea Alvarez, City Clerk

DATE: October 12, 2023

TITLE: Approval to pay FixMyHeadstone \$350 to repair the damage to the infant grave of Harry B. Williams in Historic B.

Summary:

On October 4, 2023, staff examined the gravesite of infant Harry B. Williams (Historic B, 56-F). The gravesite has sinkholes due to the decay of roots from an adjacent tree that was removed by the city years ago. As a result, the Chair of the Safety Committee has deemed it a public safety concern in need of addressing. cursory research has determined that while the infant did have a sibling, there is no record of that sibling having any direct descendants of his own. City staff contacted FixMyHeadstone to visit the grave and provide a recommendation, which is attached to this item. Public Works will remove the decaying stump, and if approved, FixMyHeadstone will reset and relevel the structures on the gravesite for a cost of \$350.00.

Recommendation:

Staff recommends approval.

Fiscal Impact:

285-4950-52-4600 - \$350

Attachments:

1. 2023-10-05 FixMyHeadstone Recommendation and Price
2. 01 - Gravesite Photos
3. 02 - Gravesite Photos
4. 03 - Gravesite Photos



Thu 10/5/2023 4:45 PM

FixMyHeadstone <fixmyheadstone@gmail.com>

Re: Sinking Grave in Historic Section

To Lea Alvarez

 You replied to this message on 10/6/2023 4:49 PM.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I was able to make it out today & take a look. I brought my probe & probed around - there is 100% an open cavity under the monument that needs to be addressed & definitely agree that the rotting stump/roots are the cause or a big part of it.

From there, the entire hole would be back filled & tamped with fill dirt to bring us back up to ground level and then we can reset the monument/pieces after being repaired.

For an estimate, if we're tackling the whole project - removing monument pieces in the way, excavation of stump/roots & surrounding area to find hard ground, backfill of hole, repair of monument cradling & reset/relevel of pieces - it'll be around \$1,000. If you all want to handle the stump removal & backfilling of hole and I'm only quoting for monument repair + reset/relevel, closer to \$350. (Or cheaper if we don't infill the cracks after the repair - I've done plenty of repairs at Old Roswell cemetery, Macedonia, etc that they didn't want the infills and were happy with just putting the two pieces back together)

As far as the repairs, that includes brushing clean, pinning & epoxy + infill crack with historic mortar + resetting w/ 89 stone & fill dirt

Those details will be in the actual invoice I write up when we proceed but wanted to give y'all some options. I'm happy to explain more about what I see if there's any questions.

Happy to help however I can!

Thanks

-Chaunce B
FixMyHeadstone



From Nov. 21 to 24, 1902
Age 68 4 1/2

HARRY W.
SON OF
J. M. & M. A.
WILLIAMS
BORN
AUG. 2, 1893,
DIED
JUNE 5, 1992

*Suffragia huius childram
in pace valeant*



