AN ORDINANCE AMENDING SECTION 26 CEMETERIES OF THE CODE OF ORDINANCES OF THE CITY OF OXFORD, MISSISSIPPI

An Ordinance authorizing the City of Oxford to adopt, amend and establish certain regulations, requirements and responsibilities related to City maintained and operated cemeteries.

WHEREAS, pursuant to Section 21-17-1 and Section 21-37-21 of the Mississippi Code (1972), as amended, the Mayor and Board of Aldermen have the power and authority to operate cemeteries; and

WHEREAS, the City of Oxford has received recommendations from the Oxford Public Works Department and Solid Waste Department for efficient management and maintenance of the cemetery; and

WHEREAS, the Mayor and Board of Aldermen find that it is in the best interest of the citizens of the City of Oxford to adopt and establish amendments to the current ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF OXFORD, MISSISSIPPI:

Section 1. That Section 26 Cemeteries is hereby amended to read as follows:

Sec. 26-1. Caretaker responsible for maintenance and repair, enforcement of rules and regulations.

The maintenance and repair of the public cemeteries owned by or under the control of the city, and the enforcement of rules and regulations applicable thereto, shall be the responsibility of caretaker.

Sec. 26-2. Vehicular traffic restricted.

(a) It shall be unlawful for any vehicle to travel in any part of said cemeteries, other than on the paved roadways therein, unless authorized by the caretaker.

(b) Any apparatus or machinery used for excavating or moving vaults to any location must be moved by means of wooden boards and/or plywood wide enough to prevent damage to existing graves, concrete coping, grounds or grass areas. Such apparatus or machinery shall use existing walkways when moving to and from burial plots. Any damage sustained will be assessed and charged to the proper persons responsible for such prohibited actions.

Sec. 26-3. Removal of tents following burial services.

Tents or other coverings used in connection with funerals or burials shall be removed from the cemetery within 48 hours after the burial service is completed.

Sec. 26-4. Removal of flowers and temporary markers.

Flowers placed on grave sites within the cemeteries shall be removed therefrom five calendar days after the date of the burial service for which they were placed. Temporary markers must be removed and replaced with a permanent monument within one year after the date of the burial service.
Sec. 26-5. Burial requirements.

(a) Only human remains shall be buried in the cemetery. The grave for any body, or fetus, or cremated remains, shall be within a burial vault or grave box (concrete, steel, fiberglass or plastic) for enclosing caskets, or cremation container/urns, shall be required for all burials of human remains and must be at least four feet, six inches minimum depth and have at least 24 inches of tamped earth from ground level at its lowest point to the top of grave box, vault, or burial chamber. Cremated remains shall be interred at least 18 inches below the surface of the ground.

(b) In the event a dead body or fetus or cremated remains is buried above ground level, there shall be a four-inch concrete slab reinforced with one-quarter-inch steel rods spaced on less than six inches apart from the bottom of the vault, and with four-inch sides, ends and top, either brick or concrete, all to be waterproof.

(c) The burial of only one body or interment of up to only three cremains will be allowed in a single grave space. Each grave space can have only one upright monument and may contain up to three names or up to three flat, flush with ground surface monuments not to exceed 12 inches by 24 inches. No cremains shall be scattered on private lots or on cemetery property.

Sec. 26-6. Price of gravesites and lots.

All cemetery lots and gravesites situated in the cemetery owned by the city shall be sold for the sum of $700.00 per gravesite or $1,400.00 per lot to city residents and $1,000.00 per gravesite or $2,000.00 per lot to individuals not showing residency in the city. The maximum number of gravesites purchased by any individual shall be limited to six, unless approved by the mayor and board of aldermen. The gravesite, lot or lots must be paid in full at the time of purchase before a deed will be issued. Also, in accordance with Sec. 26-9, the gravesite, lot or lots must be paid in full before markers or monuments are set or any gravesite prepared or used.

Sec. 26-7. Coping of gravesites and lots prohibited.

(a) No gravesites or lots within city cemetery shall contain any coping, curbing or permanent borders of any material whatsoever.

(b) Any violation of this section shall result in the removal of such coping, curbing or permanent borders by the city with costs assessed to the proper persons responsible for such prohibited actions.

(c) Planting or landscaping with living trees, shrubs, flowers or plants is prohibited in any part of the cemetery except with approval of the city.

Sec. 26-8. Excavating for burial.

Excavation of all graves shall be done by employees or agents of licensed directors of funeral homes. No one other than a funeral director or city employee may dig in any portion of the cemetery. Any person excavating for burial shall take appropriate action to prevent leaving a burial plot unattended while performing such excavation, or if the excavation areas is to be left unattended such person shall secure the excavated area by roping and/or flagging the area and by placing structurally secure material over the burial plot.


It shall be unlawful for any person to place any object on any part of the grounds of the Oxford Memorial Cemetery, or on the cemetery grounds adjacent to the Oxford Memorial Cemetery, commonly known as the old "Oxford Cemetery," with the intent to mark or designate or claim a cemetery plot, unless that person holds a valid muniment of title (cemetery deed) containing a legally sufficient description of the area of ground so marked or designated or claimed as a plot.
Sec. 26-10. Penalty.
Violation of this section may be punishable in accordance with Section 1-8.

Section 2. Repealing Clause.

All ordinances or parts of ordinances in conflict herewith shall be, and the same are hereby repealed.

Section 3. Effective Date.

This Ordinance shall take effect pursuant to State law.

The above ordinance having been first reduced to writing and considered at a public meeting of the governing authorities of the City of Oxford, Mississippi, on motion of Alderman __________, seconded by Alderman __________, and the roll being called, the same was adopted by the following vote:

Alderman Hughes voted ___
Alderman Tannehill voted ___
Alderman Antonow voted ___
Alderman Howell voted ___
Alderman Taylor voted ___
Alderman Bailey voted ___
Alderman Morgan voted ___

Approved and Adopted this the _____ day of November, 2014.

GEORGE G. PATTERSON, MAYOR

ATTEST:

LISA CARWYLE, CITY CLERK