

Cemetery Administrative Policy
of the
City of Covington, Tennessee

A. Purpose

1. To provide policy guidelines and operational rules for the administration of Munford and Townsend Cemeteries. This policy applies to all persons utilizing Munford and Townsend Cemeteries.

B. Definitions

1. "Burial," the placement of human remains in a grave.
2. "Cemetery," any place used and dedicated for cemetery purposes by the City.
3. "Committal," that part of a funeral service which places the remains of the deceased to their final resting place.
4. "Cremated Remains," a human body after cremation in a crematory.
5. "Disinterment," the removal of buried human remains from a grave space.
6. "Foundation," the concrete poured below ground level to support and stabilize a marker.
7. "Grave Space," a single space within a platted lot designated for the interment of one body.
8. "Interment," the disposition of human remains by cremation and inurnment or burial in a place used or intended to be used and dedicated for cemetery purposes.
9. "Inurnment," the disposition of cremated human remains within an urn.
10. "Lot," a platted space within a cemetery that may consist of more than one grave space.
11. "Marker," any grave headstone, footstone, memorial or monument that is intended to permanently identify a grave.

12. "Next of Kin," relative most nearly related according to the laws of the State of Tennessee, i.e.;

a) Spouse b) Children c) Parents d) Brothers and Sisters

13. "Superintendent," means the Superintendent of the City of Covington Cemeteries and shall include any person authorized by the Superintendent to carry out their duties.

14. "Vault," any container which is buried in the ground and sealed to provide outer protection in which human remains are placed.

C. Cemetery Administration and General Provisions

1. Rules and Regulations

These rules and regulations may be amended at any time by the Board of Mayor and Aldermen, and shall be so changed and amended when any rule is found to be detrimental to the best interest of the grave space(s) owners as a whole or when new conditions require the adoption or other or further regulations.

2. Public Memorial Services

Any Society desiring to hold a memorial service shall give the Board of Mayor and Aldermen at least 20 days' notice in writing of their intention to do so.

3. Cemetery Fees and Charges

All prices for burial lots and cremated remains sites are approved by the Board of Mayor and Aldermen.

4. John T. Garner Trust Fund

The portion of the Perpetual Care Fund that was received from the John T. Garner Trust Fund in 2015 can only be used towards maintenance of the John T. Garner Lot and repair of the markers on said Lot. The interest revenue can be used towards maintenance of the Munford Cemetery as a whole.

5. Method of Payment

All sales shall be paid in full at the time arrangements are made in the form of cash, approved check, or credit cards acceptable to the City.

6. Cemetery Hours

The cemetery shall be open to visitors from sunrise to sunset. During your visit, please be sensitive to services that may be in progress. Any

person found in the cemetery between sunset and sunrise without being able to furnish satisfactory evidence of legitimate business therein shall be in violation of this ordinance.

7. *Animals*

No animal shall be allowed in any cemetery unless such animal is on a leash and accompanied by an adult person.

8. *Record of Burials*

From the passage of this Ordinance, the City shall keep a record of interments in both Munford and Townsend Cemeteries including but not limited to the name of the deceased, date of birth and death, Name of Cemetery, Name of Section or Addition, Owner of the Lot, and Grave Number.

D. Vehicles in the Cemetery

1. *Speed Limit*

No person shall drive any vehicle through the cemetery at a greater rate of speed than 10 m.p.h.

2. *Parking*

No person shall drive or park any vehicle in the cemetery, except on the driveways thereof.

3. *Damage caused by vehicle*

The owner of any moving vehicle shall be responsible for any damage done by such vehicle or their operation of such vehicle within the boundaries of the cemetery.

E. Lot Sales and Ownership

1. *Purchasing*

All grave spaces must be purchased at Covington City Hall, and must be paid in full before an interment can take place.

2. *Fee*

Each required fee per grave space(s) is listed in the current administrative ordinance in the Recorder-Treasurer's office. Associated fees are:

- a. Grave Space fee – the fee for purchase of a grave space.

- b. Maintenance fee per grave - this fee covers the routine mowing and the maintenance cost of existing infrastructure and necessary improvements of the cemeteries. All proposed maintenance, improvements, repairs and expenditures outside of routine mowing, shall be presented at a Covington Public Works Committee meeting and referred to the Board of Mayor and Aldermen for approval before any expenditure of cemetery maintenance fees.
- c. The Perpetual Care fee per grave – is nonrefundable and nontransferable.
- d. Certificate Fee per grave – a certificate to the grave space(s)/lot will be executed once the grave space(s)/lot has been paid for in full. This certificate will be maintained in the Recorder-Treasurer’s office.
- e. Refundable Marker Deposit – if a permanent marker is placed upon the new grave within (6) six months of the interment the deposit shall be refunded to the purchaser upon written proof of the purchase of permanent marker. Said written proof shall be produced to the cemetery superintendent or his/her designee.

3. *Certificate*

A corresponding Certificate to the Grave Space(s)/Lot (Form A) will be executed once the grave space(s)/lot has been paid in full.

4. *Promissory Note*

Individuals may purchase grave space(s)/lots over a period of time not to exceed one year. The City will require that an initial down payment of fifty dollars \$50.00 be paid with subsequent payments to be paid on a monthly basis. A properly executed promissory note (Form D) will be required.

- 5. All grave space(s) in the cemetery are transferred to the purchaser by a certificate when purchased. The rights of the owner, their successor(s) or assign(s) are subject to the rules and regulations as set by the City.

6. *False Representation*

The City shall not be responsible for activities authorized by persons falsely representing themselves as next of kin.

7. *Selling or Transferring of a Grave Space(s)*

When an owner of a grave space(s) wishes to sell or transfer the grave space(s) to another individual, they must provide the City with a

“Certificate” showing transfer of ownership. If the original owner of the grave space(s) is deceased, the executor of their estate or heir(s) must show proof of their authority to devise or transfer ownership of the property, i.e. Letters of Testamentary, Decree of Distribution, or a copy of the Last Will and Testament.

8. *Validity of Transfer*

No sale or transfer of grave space(s) or lots shall be valid unless a copy is provided to the City. There will be a Certificate Fee charged.

9. All grave space(s) certificates will be signed by the Mayor and Recorder-Treasurer. The Recorder-Treasurer shall affix the official seal of the City of Covington to such certificate.

F. Interment Services

1. *Arrangements*

All families or designated representatives shall be required to complete an Interment Authorization form (Form B) in person at Covington City Hall, accepting responsibility and authorizing and designating the exact location of the grave space(s) for burial. Funeral directors or designated representatives who sign on behalf of the family are accepting financial responsibility and liability for any decisions or actions taken under their direction.

2. *Interment Agreements*

When a lot is jointly owned, authorization for interment will be granted to either the grave space(s) owner(s) or their heir(s). An agreement may be made between common grave space(s) owners to the right of burial but the City shall not undertake to enforce such an agreement.

3. Only one body may be interred upon one grave space. In the case of cremains, multiple interments are allowed per grave space as space allows.
4. Interments are limited to human remains.

G. Markers

1. The City does not bind itself to maintain, repair, or replace any markers or monumental structures erected upon the grave space(s) which are lost or damaged due to weather, age, vandalism, or normal maintenance. The City will endeavor to see that the headstone remains in good condition.

2. *Refundable Marker Deposit*

If after six (6) months a permanent marker has not been installed, the City shall use the deposit to purchase a small in-ground marker.

3. *Responsible Party*

Markers, as defined, are the property of the families of the deceased and their descendants in perpetuity. The City will not be held liable for missing or damaged markers. The lot owner and/or their descendants are responsible for the maintenance and repair of the markers or other structures on the said lot. A permanent marker must be placed upon a new grave within six months following the interment. If this is not accomplished, then the City will place an in-ground marker upon the grave denoting the deceased's name, date of birth and death.

4. *Placement*

Markers not placed at the head of the grave must be set flush with the surface of the ground.

H. Maintenance and Landscape Regulations

1. The City is responsible for maintaining the infrastructure of the cemeteries i.e. the roadways and other by-ways, fences, the Williamson Mausoleum in Munford Cemetery, mowing/spraying of the grass, maintenance of trees and shrubbery, placing dirt in sunken graves, placing dirt around the gravestones, etc. Average maintenance will be accomplished by Covington Public Works Department.
2. Cut flowers and bouquets are allowed year around.
3. Artificial flowers are allowed only in metal or stone vases or urns. Saddles attached to markers are also allowed. Artificial flowers will no longer be allowed to be placed in the ground around the markers.
4. The City will remove all floral displays of any type two weeks before Easter and two weeks before Thanksgiving.
5. Marble chips or other rocks or gravel are not allowed on graves as they pose a safety hazard.
6. All glass containers or any other object deemed to be dangerous by the City of Covington Cemetery personnel are prohibited and will be removed at the discretion of the City.
7. All permanent stone and cement items that are currently situated upon various grave space(s) will be allowed to remain. It is the responsibility

- of the grave space(s) owner or their heirs to maintain these items. If the said items become unsightly, the City has the right to remove them.
8. Planting of flowers and shrubs is allowed with prior approval from the City to assure the items do not interfere with maintenance and are in the correct location.
 9. The City is not responsible for damage to or theft of cut flowers, potted plants, displays, or containers. Anyone leaving such articles in the Cemetery does so at their own risk. The City will not provide refunds for flowers removed.
 10. Flags placed on grave sites will be removed once they have become frayed and unsightly. If removed by the City, flags will be properly retired.
 11. One single shepherd hook will be permitted per marked occupied grave. It must be flush to the marker. The basket must hang directly over the marker.
 12. Alcoholic beverages in the cemetery are strictly forbidden.
 13. If any markers, effigy, or any structure whatsoever, or any inscription be placed upon any burial grave space(s) that is determined to be offensive, improper or injurious to the appearance of the surrounding grave space(s) or grounds, City personnel shall have the right to remove the said offensive or improper object.
 14. Anything not listed as allowed is prohibited.

I. Vaults

1. All in-ground interments in the Municipal Cemeteries shall be placed in a concrete or steel vault, including cremains.

J. Opening and Closing Of the Grave

1. Once grave space(s) are purchased, only officials from the City can mark the area where the grave is to be opened. An official from the City will place flags on the four (4) corners of the grave space(s) and the graves must be opened within those four corners.

2. The City is not responsible for the opening and closing of any grave or the placement of any bodies in the Williamson Mausoleum in Munford Cemetery. It is the responsibility of the entities that open said graves to dig the grave within the confines of the grave space, to take care not to damage surrounding grave stones, not to pile excess dirt upon grave stones and, if deemed necessary, to move a grave stone, it shall be replaced following closing the grave. Excess dirt shall be mounded-up upon the grave upon the closing of the grave and the area is to be left in an orderly manner.
3. Internments shall only be made by persons authorized by the Superintendent.
4. The City is not financially responsible for damage to markers caused by the opening and closing of the graves.
5. The funeral home(s) handling the service for the deceased are responsible for contracting someone to dig individual graves. The graves should be open within the four corners flagged by City personnel.
6. No grave for the burial of a deceased person shall be less than six (6) feet in depth from the surface of the ground surrounding the grave.
7. No grave for the burial of cremated remains shall be less than eighteen inches in depth from the surface of the ground surrounding the grave.
8. For the safety of visitors to the cemetery once a grave has been opened and prior to the interment, the grave should be covered.
9. The City reserves the right to prohibit individuals from opening graves for repeated violation of these rules and regulations.

K. Disinterment

1. No disinterment shall be made without the appropriate legal documentation and obtaining all appropriate and necessary permits from all applicable governmental organizations.

L. Past Purchases

1. From the date of passage of this Cemetery Administrative Policy forward each grave space(s) that is purchased will have a corresponding certificate provided to the grave space(s) owner by the City.
2. Any grave space(s) that have been purchased in the past that neither the City nor the funeral homes can verify proof of purchase shall be grandfathered in under this Cemetery Administrative Policy.
3. If the grave space(s) owners cannot provide proof of purchase then they shall execute an Affidavit of Grave Space Purchase (Form C) which will include the approximate date of purchase, approximate location of grave space(s) if known, and price paid and to whom the funds were paid.
4. ONLY the City of Covington Affidavit of Grave Space(s)Purchase (Form C) may be used.

M. Violations

1. The violation of any section of this ordinance shall be punishable under the general penalty provision of the Covington Municipal Code. Each day a violation is allowed to continue shall constitute a separate offense. The application of a penalty shall not be held to prevent the enforced removal of prohibited conditions.

This Cemetery Administrative Policy is approved by the City of Covington Board of Mayor and Aldermen by Ordinance. It is subject to change by subsequent Ordinance.