

Sec. 5-1. - Regulations regarding columbaria.

The city may construct, maintain, and does establish the following rules and guidelines regarding any columbarium owned by the city:

- (1) *Fees:* All fees related to purchase of a niche, transfer of interment rights, opening of a niche, and any other fees related to the operation and use of the columbarium shall be established and set by the city and codified in section 2-110 of the city's Code.
- (2) *Ownership:* All niches in the city columbarium are and shall be owned by the city. The city may grant permission for cremains to be stored in a niche, which permission shall be in writing and shall be in the nature of a license permitting someone to store cremains as described in the writing granting such permission.
- (3) *Transfer of rights to utilize niche.* Transfer of the right to utilize a niche in the columbarium will only be allowed with written confirmation of approval from the city. Any and all transfers of the right to utilize a niche shall require the payment of a nonrefundable transfer application fee to the city before such rights can be transferred.
- (4) *Upkeep of columbarium.* The city shall be solely responsible for the upkeep of the columbarium. The city is not responsible or liable for theft or damage to the contents of the columbarium.
- (5) *Key possession and use of niche.* Possession of the key to unlock each burial niche within the columbarium will be held by the city. It shall be illegal and a violation of this ordinance to make a copy of said key for personal use.
- (6) *Transfer documents.* The documents required to and relating to transfer of a burial niche shall be as prescribed by the city.
- (7) *Opening of burial niches.*
 - a. Initial opening: A burial niche may be unlocked or opened for interring cremains free of charge.
 - b. Subsequent openings: A niche may be opened up to two times after the initial interring of cremains, and each such charge shall be accompanied by the payment of a fee established by the city for that purpose. Any opening of a niche after the second such opening will require the payment of the same fee but may only be done for the purpose of permanent removal of the cremains from the columbarium and will incur the disinterment charge.
 - c. Opening of a niche during weekend, holiday, or evening hours will cost an additional fee over and above the standard fee to open a niche.
- (8) *Interments.*
 - a.

No niche shall be used for the interment of cremains until all fees have been fully paid, including interment fees. The public works director or his or her agent will authorize placement of containers within a niche only after verification of payment of fees has been made.

- b. If the person(s) to be interred is not the owner, the owner must authorize the interment in writing and such authorization must be notarized.
- c. All interment requests shall be reviewed and approved by the public works director or his or her agent prior to the actual interment.

(9) *Disinterment.* The removal of cremains from a columbarium niche shall comply strictly with the following provisions:

- a. The person(s) wishing to remove cremains must comply with the following:
 - 1. The person seeking to remove cremains must have a legal right to manage the cremains and bears the burden of proving to the city that such legal right exists.
 - 2. The person seeking to remove cremains must provide a sworn statement as to the identity of the then living heirs of the person whose cremains are to be removed, such heirship to be determined according to O.C.G.A. § 53-2-1.
 - 3. The person seeking to remove cremains must provide notice to all persons identified in conjunction with subsection (9)a.2 above via certified mail or overnight delivery, or shall explain to the satisfaction of the public works director why the notice cannot be provided. The notice must specify the date on which the cremains are to be removed, which shall be not less than two weeks from the date that the notice is sent.
 - 4. Cremains shall not be removed from the columbarium until two weeks from the date that the above described notice is sent in order to provide any persons wishing to object to the removal the opportunity to explore legal remedies to stop said removal.
 - 5. Any and all persons authorizing the removal of cremains shall indemnify and hold harmless the city from all claims related to such removal.
- b. The person(s) wishing to remove cremains must provide acceptable proof of identity, as determined by the public works director or his or her agent.
- c. The request for cremains removal must be approved by the public works director before removal may occur.
- d. If satisfactory documentation is not provided to remove cremains, the public works director or his or her agent may deny the request for cremains removal. His or her decision will be final.
- e. The request for removal of cremains must be accompanied by the payment of all fees established by the city council.
- f.

After a completed removal, the public works director or his or her agent shall amend the records to reflect the removal of the cremains.

- (10) *Marking of niches.* All burial niches must be marked when cremains are interred. All markings shall be done through the city in such a manner as the city shall prescribe. Limited inscription services shall be included in the cost of a niche. Included inscription shall contain a name, birthdate and date of death only for a maximum of two cremains per niche.
- (11) *Cost.* The cost of a burial niche may be based upon such factors as the city council may determine appropriate, including but not limited to the size of the niche and its location with respect to the columbarium in general.
- (12) *Use of niches.* A columbarium consists of niches for cremation interments only. No niches shall be used for any purpose other than the interment of human cremains (ashes). No personal items shall be allowed.
- (13) *Columbarium planting and other decorations.*
 - a. *Flower arrangements or memorials.* Following an interment in the columbarium, one flower arrangement or memorial may be left at the site of the niche in which the interment occurred for a duration not to exceed 72 hours, at which time the flower arrangement or memorial must be removed. Any flower arrangement or memorial left after 72 hours will be removed by city staff. At no time will any items be allowed to remain in or at the columbarium on a permanent or semi-permanent basis.
 - b. The city is not responsible for flower arrangements or memorial placed in the columbarium.

(Ord. No. 01-2023, § 1, 3-6-2023)

a. Grave valuation	\$1,250.00
b. Columbarium niches	
Row A	\$1,800.00 each
Row B	\$1,800.00 each
Row C	\$2,050.00 each
Row D	\$1,600.00 each
Row E	\$1,500.00 each
Row F	\$1,250.00 each
c. Opening of niches after interment between 8:00 a.m. and 4:00 p.m. Monday through Friday.	\$100.00 for each such opening up to the maximum number of times permitted by the ordinance.
d. Opening of niches after interment on weekends, city-observed holidays, or after 4:00 p.m. Monday through Friday.	\$200.00 for each such opening up to the maximum number of times permitted by the ordinance.
e. Opening of niches for removal of cremains.	\$50.00 in addition to the above stated fees for opening of niche.
f. Transfer of rights to use a niche.	\$25.00