



ORDINANCE NUMBER 48-2019

AN ORDINANCE AMENDING CHAPTER 22 CITY-OWNED CEMETERIES, SECTION 22-2 THROUGH SECTION 22-16 OF THE CITY CODE TO CLARIFY, STRENGTHEN AND EXPRESSLY STATE CERTAIN RULES AND REGULATIONS.

WHEREAS, the City of Greer City Council at various times reviews the city ordinances to make necessary improvements and/or changes; and,

WHEREAS, the City of Greer City Council recognizes the need to accommodate the future addition of a columbarium into the City's inventory, to maintain the integrity of the cemetery grounds and to improve the ease of maintenance of city-owned cemeteries;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Greer, South Carolina that the Greer City Code of Ordinances, Chapter 22 – City-Owned Cemeteries, Section 22-2 through Section 22-16, be amended as follows:

Chapter 22- CITY-OWNED CEMETERIES

Sec. 22-1. - Authority to enact, amend and administer.

All city-owned cemeteries located within the City of Greer are owned by the municipality organized under the provisions of Article VIII of the South Carolina Constitution and Title 5 of the South Carolina Code of Laws, with all powers and privileges invested by those provisions of law. The Greer City Council hereby delegates to the city administrator and to employees designated by the city administrator the responsibility to administer these regulations.

(Code 1982, § 7-2; Ord. No. 15-2008, 6-10-2008)

Sec. 22-2. - Lot and niche prices.

- (a) *Cemetery to be divided into spaces.* The cemetery shall be divided into spaces, suitable in dimension for single grave locations. The city shall maintain a master plat of the cemetery that designates by numbers or letters, or both, such burial spaces and columbarium niche spaces in the cemetery. All records, cards, contracts, and like documents including electronically maintained records which are maintained by the city shall identify each space or niche by such number-letter designation. Those same records shall identify the purchaser. The date of initial acquisition and the date of any subsequent transfer shall be recorded in such municipal records.
- (b) *Burial space and columbarium niche price.* Prices for burial spaces and columbarium niches in city-owned cemeteries shall be established by the city council from time to time, as detailed in the comprehensive fee schedule. Payment for the purchase of a burial space is due in full at the time of purchase.

(Code 1982, § 7-3; Ord. No. 15-2008, 6-10-2008)

Sec.22-3. Care - and maintenance of city cemetery; no perpetual care.

The City of Greer shall provide maintenance to the cemetery grounds, including, but not necessarily limited to, cutting grass and providing road maintenance. At its discretion, the city may elect to make improvements such as providing fencing, monuments, landscaping features and the like. The city shall not operate a perpetual care cemetery as defined by the South Carolina Cemetery Act of 1984.

(Code 1982, § 7-4; Ord. No. 15-2008, 6-10-2008)

Sec. 22-4. - Signs designating absence of perpetual care in city cemetery.

The city in accordance with state law shall display signs at each entrance to its cemetery, containing letters not less than six inches in height, stating "No Perpetual Care."

(Code 1982, § 7-5)

Sec. 22-5. - Opening and closing of graves by city discontinued; effect on burial plot deeds.

- (a) Effective after June 30, 1986, the city discontinues opening and closing any graves in city-owned cemeteries.
- (b) Beginning after June 30, 1986, the city clerk is hereby authorized and directed to strike the last paragraph on the current burial plot deeds which concerns the opening and closing of graves by the city in city-owned cemeteries.

(Code 1982, § 7-6)

Sec. 22-6 - Beneficiary/occupant of burial space.

The city will not maintain records as to the names of persons whose remains are interred. Nevertheless, the city administration may, in its discretion, maintain records showing the names of persons buried and the names of intended beneficiaries of unoccupied spaces. It is the responsibility of the purchaser to provide to the city the name of such beneficiary at the time of purchase. The purchaser shall be able to change at will the name of the beneficiary for any given burial space. In the event the purchaser transfers ownership, then the transferee acquires the right to change the name of the beneficiary. However, the remains of no person shall be interred unless the purchaser of the space or the person responsible for interment arrangements has signed a document specifying the space for interment of the remains.

(Ord. No. 15-2008, 6-10-2008)

Sec. 22-7. - Use for interment purposes only.

The burial spaces will be used solely for the interment of human remains. The remains of no more than one person shall be interred in any one burial space. No interment of animals shall be permitted. No structures whether permanent or temporary shall be erected at any time for any reason., except a family crypt as expressly permitted by these regulations. No monument, other than ordinary grave and family plot markers, shall be placed at any time by private persons. At minimum, a grave liner shall be required with the burial of a casket. No more than one (1) casket or four (4) cremated remains shall be interred in any burial space. Burial spaces containing a casket shall not have cremated remains interred in the same burial space. The number of cremated remains allowed in each niche will be limited to the manufacturer's specifications.

(Ord. No. 15-2008, 6-10-2008)

Sec. 22-8. - Interment services responsibility.

The City of Greer has contracted exclusive interment services with one third-party contractor. All interment arrangements will be made coordinated through a City of Greer representative. Such responsibility rests solely with the purchaser of a burial space or columbarium niche or with such other persons who exercise responsibility for interment arrangements. The cost for interment services will be the contracted standard published rate of the third-party provider. The City of Greer reserves the right for reasonable cause to deny access to the cemetery to any provider of any services.

(Ord. No. 15-2008, 6-10-2008)

Sec. 22-9. - No curbing or fencing.

There shall be no placement of curbing or fencing of any material along the boundaries of individual spaces, family plots, or elsewhere within the boundaries of the cemetery.

(Ord. No. 15-2008, 6-10-2008)

Sec. 22-10. - Grave markers permitted.

Grave markers and family plot markers are expressly permitted for the purposes of identifying the persons interred in the cemetery and for purposes of providing such other information as is commonly and generally contained on such markers. The markers shall be made of such masonry, metallic, or other durable material as might reasonably be expected to endure, without unsightly deterioration. Effective January 1, 2020, flat grave markers shall be the only marker expressly permitted in Mountain View Cemetery West Section II. The sole expressed permission of flat grave markers will also apply to any newly opened cemeteries or cemetery sections subsequent to December 31, 2019.

(Ord. No. 15-2008, 6-10-2008)

Sec. 22-11. - Family crypts permitted prohibited.

Family crypts are expressly permitted for the purposes of interment of human remains and for purposes of providing such other information as is commonly and generally contained on such crypts. The crypts shall be designed and made of such masonry, metallic, or other durable material as to withstand the passage of time and weather without deterioration. Effective January 1, 2020, family crypts are prohibited.

(Ord. No. 15-2008, 6-10-2008)

Sec. 22-12. - Landscaping.

No one other than the City of Greer may plant any tree, shrub, flower, or plant of any type within the cemetery. Placement of coping, borders, cement, gravel, rocks, benches, and other landscaping are prohibited at burial spaces.

(Ord. No. 15-2008, 6-10-2008)

Sec. 22-13. - Recreation prohibited.

No recreational or exercise activities of any type, including, but not limited to, bicycle riding, roller skating, dog walking, and jogging, shall be permitted at any time on the grounds of the cemetery.

(Ord. No. 15-2008, 6-10-2008)

Sec. 22-14. - Food, alcohol, and tobacco prohibited.

The consumption of food and beverages of any kind, including, but not limited to, alcoholic beverages, within the cemetery boundaries is prohibited. The use of tobacco products within the cemetery boundaries is prohibited.

(Ord. No. 15-2008, 6-10-2008)

Sec. 22-15. - City may remove arrangements following interment.

The family is responsible for the removal of floral arrangements following interment. The city shall be authorized to remove wreaths, sprays, potted plants, floral arrangements, or like objects positioned at the grave location at the time of interment once they have begun to noticeably wilt, fade, or discolor.

(Ord. No. 15-2008, 6-10-2008)

Sec. 22-16. - Periodic placement of arrangements and flags.

Floral arrangements and flags, whether in vases, pots, or otherwise, may be placed at burial spaces from time to time. Floral arrangements may not exceed two arrangements per burial space. Arrangements and flags shall be placed in such manner so as not to become dislodged or subject to becoming scattered on surrounding spaces. Such arrangements and flags shall be removed once they become wilted, faded, tattered or discolored. The City of Greer reserves the right to remove such floral arrangements and flags as may become necessary and to discard any which become wilted, faded, tattered, discolored, or scattered on surrounding premises. The placement of keepsakes and mementos are expressly prohibited.

(Ord. No. 15-2008, 6-10-2008)

Sec. 22-17. - Security and safety.

The City of Greer shall provide periodic patrols of the cemetery by law enforcement officers and shall take such security measures as are reasonable and appropriate to deter acts of vandalism, desecration, and property damage. The city does not warrant the safety or security of persons, graves, markers, floral arrangements, or the property against injury or damage.

(Ord. No. 15-2008, 6-10-2008)

All ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA



Richard W. Danner, Mayor

ATTEST:



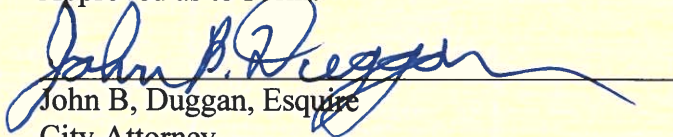
Tammela Duncan, Municipal Clerk

Introduced by:

First Reading: November 26, 2019

Second and
Final Reading: December 10, 2019

Approved as to Form:


John B. Duggan, Esquire
City Attorney