

ORDINANCE #1980

AN ORDINANCE ESTABLISHING PROCEDURES FOR INTERMENTS AND GRAVE OPENINGS AND CLOSINGS AT OAK HILL CEMETERY

WHEREAS, the City of Talladega owns and maintains Oak Hill Cemetery; and

WHEREAS, the City Council desires to establish uniform procedures for interments and grave openings and closings at Oak Hill Cemetery in order to ensure proper authorization, accurate cemetery records, verification of interment rights, and timely payment of applicable fees; and

WHEREAS, the City Council finds that standardized procedures are necessary to ensure that cemetery operations are handled consistently and that all required documentation, verification, authorization, and payments are completed before a grave is opened.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TALLADEGA, ALABAMA, as follows:

Section 1. Required Documentation and Payment.

Before any grave may be opened or closed at Oak Hill Cemetery, the following shall be submitted to and processed through the City Clerk's Office:

- a. A completed City cemetery interment form;
- b. Payment in full for the cemetery plot, if a plot is being purchased from the City, to the Finance Department;
- c. Evidence of receipt of payment from the Finance Department if a lot is being purchased for interment;
- d. Payment in full of the applicable grave opening and closing fee to the Finance Department;
- e. Evidence of receipt of payment from the Finance Department for the grave opening and closing; and,
- f. Documentation sufficient to establish ownership of or the legal right of interment in the cemetery plot, which may include a deed, government-issued identification, affidavit of ownership, or other legal documentation acceptable to the City.

No grave shall be opened based solely upon the representation of a funeral home, family member, contractor, or other person that a burial right or cemetery space exists.

Section 2. Twenty-Four Hour Advance Notice.

1. A funeral home, family representative, or other person coordinating an interment shall provide the City Clerk's Office with a minimum of twenty-four (24) hours' advance notice of any requested grave opening and closing by the filing of the required documentation and payment required in Section 1.
2. The twenty-four (24) hour notice period shall begin only after the required request, documentation, and applicable payments have been received and are available for processing by the City Clerk's Office during regular business hours.
3. Submission of an incomplete request shall not begin the twenty-four (24) hour notice period.
4. The twenty-four (24) hour notice requirement does not guarantee that a requested interment date or time will be available.

Section 3. City Clerk's Office Availability.

1. Cemetery interment requests, documentation, payments, and requests for authorization shall be processed during the regular business hours of the City Clerk's Office when the City Clerk, the City Clerk's designee, or other personnel specifically authorized to process cemetery interment requests are available.
2. If the City Clerk's Office is closed or unavailable to process cemetery interment requests because of a weekend, City holiday, conference, training, official City business, staffing limitation, emergency, temporary office closure, or other circumstance affecting the availability of authorized personnel, cemetery-related submissions shall be considered received for processing on the next business day that authorized personnel are available to process the request.
3. The fact that City Hall or another City department or office is open shall not constitute availability of the City Clerk's Office for purposes of processing or authorizing cemetery interments.
4. Nothing in this Section shall prohibit the City Clerk from designating another authorized City employee to receive or process cemetery interment requests during the City Clerk's absence.

Section 4. City Authorization Required.

1. No grave shall be opened or closed, and no interment shall occur at Oak Hill Cemetery until all applicable documentation, verification, notice requirements, and payments have been satisfied and written authorization has been issued or communicated by the City, acting through the City Clerk or the City Clerk's designee.
2. Submission of an interment form, documentation, or payment shall not, by itself, constitute authorization to open or close a grave or conduct an interment.

3. No funeral home, contractor, family member, cemetery worker, or other person shall independently select, locate, open, close, excavate, or authorize the use of a grave space at Oak Hill Cemetery without prior City authorization.
4. The City may withhold authorization whenever the City is unable to verify the proposed grave location, ownership or right of interment, required documentation, payment, or compliance with this Ordinance.

Section 5. Weekend, Holiday, and After-Hours Interments.

1. Any interment anticipated to occur on a weekend, City holiday, or at another time when the City Clerk's Office will be closed or unavailable must be coordinated with the City Clerk's Office sufficiently in advance during regular business hours.
2. All required documentation, verification, applicable payments, and City authorization must be completed before the City Clerk's Office closes or becomes unavailable for the applicable weekend, holiday, conference, training, official City business, or other closure or absence.
3. Documents, requests, or payments submitted when the City Clerk's Office is closed or unavailable for processing shall be considered received for processing on the next business day that authorized personnel are available.
4. Nothing in this Ordinance shall be construed as requiring the City to provide twenty-four-hour administrative cemetery services, maintain an after-hours cemetery contact number, or make cemetery administrative personnel continuously available.

Section 5A. Interments of Military Service Members and Retirees During City Closures.

Notwithstanding any other provision of this Ordinance, where arrangements for the interment of a current or retired member of the United States Armed Forces must be made while City Hall is closed and the interment is to occur before City Hall reopens, the funeral home may arrange grave opening and closing services directly with the City's designated vendor. The twenty-four (24) hours' advance notice required by Section 2 shall be provided directly to the vendor. An interment arranged pursuant to this Section may proceed without advance submission of documents or payment to the City or separate City authorization.

The funeral home shall confirm the arrangements with the vendor and shall coordinate any requested military funeral honors with the appropriate military office. Before opening the grave, the vendor shall verify the grave location, availability, and any existing right of interment through City cemetery records and supporting documentation.

On the City's next business day following the interment, the funeral home shall complete and submit the City interment form, and all required supporting documentation to the City Clerk's Office. The funeral home shall pay the Finance Department all applicable grave opening and closing fees and, where purchase of a cemetery plot is required, the full purchase price of the plot. Receipts evidencing those payments shall be submitted to the City Clerk's Office.

Except as expressly provided in this Section, all requirements governing plot purchases and interments shall remain applicable. Neither the City Clerk nor the City Clerk's assistant shall be required to remain on call or process interment requests outside regular business hours.

Section 6. Scheduling and Availability.

The City shall make reasonable efforts to accommodate requested interment dates and times at Oak Hill Cemetery. However, no requested date, time, or grave location shall be guaranteed until all applicable requirements have been satisfied, and City authorization has been issued.

The City shall not be responsible for accommodating a requested interment date or time when sufficient advance notice has not been provided or when the City Clerk's Office has not had a reasonable opportunity to process and verify the required information.

Section 7. Administration.

1. The City Clerk, or the City Clerk's designee, is authorized to administer these procedures, maintain cemetery interment records, verify required documentation and payments, and issue or communicate City authorization for grave openings and closings.
2. The City Clerk is authorized to develop or revise administrative forms and procedures consistent with this Ordinance.
3. The City Clerk may require additional documentation when reasonably necessary to establish ownership, right of interment, grave location, identity, authorization, or other information necessary to properly maintain City cemetery records.

Section 8. Compliance.

1. Funeral homes, contractors, family representatives, and all other persons coordinating or participating in interments at Oak Hill Cemetery shall comply with these procedures.
2. The City may decline to authorize a grave opening, closing, or interment until all applicable documentation, notice requirements, payments, verification, and other requirements have been satisfied.

3. The violation of this Ordinance shall constitute a criminal misdemeanor. Upon conviction for a violation of this Ordinance, there shall be imposed a fine of not more than \$500.00 and/or imprisonment for a period not to exceed six months.

Section 9. Publication and Effective Date

This Ordinance shall become effective immediately upon its publication.

ADOPTED AND APPROVED this 12th day of October, 2026.

Council President Steve Dickerson
Council Member Vickey R. Hall
Councilman Hugh Sims
Council Member Betty C. Spratlin
Councilman Charles D. Keith, Jr.
City Manager Danny B. Warwick

Attest: Joanna Medlen, City Clerk