

ORDINANCE NO. 2631
CITY OF BOGALUSA
November 17, 2020

DATE

The following ordinance was offered for final adoption by Councilwoman Kates and seconded
By Vice-President Keys.

ORDINANCE

AN ORDINANCE TO AMEND ORDINANCE 2563 AND EXCEPTION TO ORDINANCE 2511 PERTAINING TO UNDERGROUND BURIALS; DEPTH IN THE BOGALUSA CEMETERY AND THE PONEMAH CEMETERY AND BURIAL WORK TO REFLECT WRITTEN PROOF

BE IT ORDAINED, an ordinance pertaining an Exception to Ordinance 2511

Pertaining To Underground Burials; Depth in the Bogalusa Cemetery and the Ponemah Cemetery and Burial Work; and

WHEREAS, due the flooding issues in 2016, Ordinance No. 2511 entitled "A Ordinance Pertaining To Underground Burials: Depth in the Bogalusa Cemetery and the Ponemah Cemetery dated February 21, 2017 was adopted in order to deter increase the risk of vaults at or above ground level to float off or flip over during floods. The ordinance addressed Title 8 Section 902: underground burials and the requirement of digging graves for underground interments sufficiently deep (past practice six (6) feet deep) to allow for at least two feet of soil to cover the entire area of the casket. The ordinance applies to all new burials in the Bogalusa and Ponemah Cemeteries with the following exceptions; and

WHEREAS, as it relates to burial plans to include single or multiple above ground burial Vaults and cement or Concrete or granite slabs which has been purchased by the family or the responsible party prior to ordinance 2511 are grandfathered in; and

WHEREAS, For Clarification, in the case when the family or responsible party has made or purchased burial plans prior to Ordinance 2511, such plans are Grandfathered in as discussed in the aforementioned paragraph. If a plan has not been made prior to Ordinance 2511 or 2563 all burials are to be below ground.

WHEREAS, based upon the purchase burial plan of the family or responsible party prior to Ordinance 2511. No law shall prohibit single or multiple family above ground burial vaults on cement or concrete or granite slabs nor shall the family or responsible party be required to break up or divide multiple family cement or concrete or granite slabs; and

WHEREAS, As advised by the Attorney General's Office, suspicion requiring families to break cement or concrete or granite slabs that they have already poured in Bogalusa Cemetery or Ponemah Cemetery prior to the passage of the law requiring in-ground burials would be prohibited retroactive application of that law. It should just apply to people who have not yet undertaken such activities or applicable to persons that has purchased a plan for such slabs prior to Ordinance; and

WHEREAS, if the family or responsible party has purchased a plan with a single or multiple family above ground vault prior to Ordinance 2511 and desires to add a cement or concrete, or granite slab underneath or around such above ground burial vault, the option will be at the discretion of the funeral home director to offer such option to change the original plan; and

Burial Work

WHEREAS, in all burials, rather the sexton or digger provided by the Funeral Home or the Family or Private contractor shall be responsible to leave the Bogalusa Cemetery and Ponemah Cemetery in a neat, tidy, and respectable appearance; and

WHEREAS, all underground graves thoroughly buried and settled with two feet deep, shall be mounded as flushed. All excessive dirt will be removed by the sexton or digger provided by the Funeral Home or family or private contractor; and

WHEREAS, those persons opening and closing graves are to exercise caution not to damage adjoining by nearby graves or monuments of others; and

WHEREAS, all burial work must be done in compliance with applicable governmental laws and regulations; and

WHEREAS, Violations of burial work will be \$500.00 to the sexton or digger which may be provided by the Funeral Home or the Family or Private contractor; and

WHEREAS, the City of Bogalusa Public Works Department has the authority to enforce this proposed Ordinance; and

WHEREAS, as a requirement of the Bogalusa Public Works, "written proof of such plans and the intention to bury on top are as follows: The funeral home of record which is knowledgeable of the intention of the purchased burial plans, provides an notarized affidavit or statement on behalf of the family. This documentation is provided as "written proof" of the intentions of the purchased burial plans for the family's love ones, thus presented to Bogalusa Public Works Department. This process may lessen the undue hardship on the family and honor the family and perhaps the deceased members wishes of the burial plans; and

WHEREAS, City of Bogalusa Public Works Department Director by authority of the Mayor of the City of Bogalusa has the authority to authorize on site personnel based upon a request for proposal (if applicable) to do so; and


WHEREAS, The City of Bogalusa recognizes that the Bogalusa Cemetery and the Ponemah cemetery are sacred grounds reserved as a final resting place for the deceased. It is the desire of the City that these cemeteries are maintained beautifully and dignified as a final resting place for departed loved ones; and

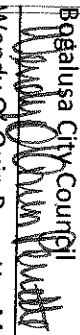
THEREFORE, BE IT FURTHER ORDAINED, that any and all ordinances, and/or parts of ordinances to conflict herewith are hereby repealed. This ordinance is effective when passed by the Council and signed by the Mayor. If not signed by the Mayor, then it is effective as provided for in the Bogalusa City Charter.

WHEREUPON, the above and foregoing having been submitted to a vote, on this, the 17th day of November, 2020, the vote thereupon resulted as follows:

Member	Aye	Nay	Absent	Abstain
Teddy Drummond, At-Large	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Penny Douglas, At-Large	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria Kates, District A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Danielle Keys, District B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oneida Graham, District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kenny Kellis, District D	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Irvine, District E	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

And the Ordinance was declared adopted at a public meeting held on this, the 17th day of November, 2020.


Mark Irvine, President
Bogalusa City Council


Wendy O. Quin Perrette, Mayor
City of Bogalusa, Louisiana

ATTEST:

Brenda Ford, City Council Secretary