

CITY OF PADUCAH
OAK GROVE CEMETERY REGULATIONS AND GUIDELINES

It is the desire of the City of Paducah to make Oak Grove Cemetery a quiet, beautiful place for the deceased and visitors. While we encourage the celebration of life, we must also provide proper maintenance, safety, and care of the cemetery. It is to this end that the following rules and regulations have been established.

GENERAL POLICIES AND PROCEDURES

In accordance with Chapter 26 Cemeteries in the City of Paducah Code of Ordinances, the sections described herein serve as the standard for operating procedures at Oak Grove Cemetery. The complete ordinance can be viewed on the City's website at www.paducahky.gov.

Section 1: Rules and Regulations for Cemetery Visitors

Oak Grove Cemetery is owned by the City of Paducah and operated and maintained by the City of Paducah's Parks and Recreation Department. Due to the number of visitors in Oak Grove Cemetery annually, the City of Paducah and the Parks and Recreation Department cannot be held responsible for items that are damaged or lost. For questions about the cemetery, please contact Paducah Parks and Recreation at 270-444-8508.

A. Hours of Operation

- a) The cemetery is open to visitors, Sunday - Saturday, from 8:00 am – dark.
- b) Burial services, mausoleum services, memorial services, and monument placements shall be scheduled in advance by contacting the Parks and Recreation Department and may occur as specified herein.

B. Rules for Conduct

For a complete list of rules and regulations specific to the cemetery grounds, visit the City's website at www.paducahky.gov.

In addition to posted rules on site:

- a) Alcohol is not permitted on the grounds.
- b) Soliciting or sale of material is not permitted.
- c) Obey posted hours of operation.
- d) Obey all rules and regulations as specified herein and in posted guidelines.
- e) All children must be accompanied by an adult.
- f) Dogs, Cats, and other animals are not permitted on the grounds unless contained inside a vehicle, with exception to licensed service animals.
- g) Place all trash in waste receptacles.
- h) Disturbance of any grave site or place of burial is prohibited.
- i) Removal of, defacing, or destruction of any upright monuments, flat, flush, or lawn level markers, tomb, vault, mausoleum, or decoration on any cemetery lot that is not conducted as part of maintenance of the grounds by the city is prohibited.

- j) A person who interferes with a funeral, at any point in time between one (1) hour prior to the commencement and one (1) hour following its conclusion has committed a Class B misdemeanor.
- k) Interference with a funeral includes but is not limited to blocking, impeding, inhibiting, or in any other manner obstructing or interfering with access into or from any burial plot or the parking lot of the cemetery in which a funeral, wake, memorial service, or burial is being conducted.
- l) Any commissioned or volunteer maintenance on family plots needs to be coordinated through the Parks and Recreation Department and completed under the supervision of the Parks Maintenance Supervisor.
- m) Vehicles may be operated on designated roadways, with the exception of deliveries in connection with cemetery operations.
- n) Parking is not permitted in areas that are not marked roadways or parking areas.
- o) It shall be unlawful for any person to operate any motor vehicle in excess of 5 miles per hour in the cemetery.
- p) The Parks and Recreation Director is hereby authorized to adopt additional rules specific to the cemetery as deemed appropriate.

Section 2: Schedule of Fees

Fees related to lot sales, funeral services, support services, and any associated late fees at Oak Grove Cemetery and the West Kentucky Mausoleum are approved by the Board of Commissioners and are maintained by municipal order, exhibit A (MO #3022).

Section 3: Rules for Grave Sites

Improvements to cemetery lots shall be limited to permanent placement of monuments, uprights, flat, flush, or lawn level markers and the temporary placement of seasonal décor as specified herein.

The Parks and Recreation Director is hereby authorized to adopt additional rules specific to decorations for grave lots in the cemetery as deemed appropriate.

A. Decorations

Decorations shall comply with rules and regulations as specified herein.

- a. The **following items are permitted** as decorations on the grave site:
 - i. Permitted decorations include fresh cut or artificial flowers, single hook shepherd hook with hanging basket, and upright monuments, flat, flush, or lawn level markers placed by a monument company and set at the head of the grave lot. Additional specifications for these items are included below.
 - ii. Artificial and fresh floral arrangements are permitted provided they are in a Cemetery-approved vase that is permanently mounted on the monument, or in a hanging basket on a single hook shepherds hook. Any floral arrangement not in an approved vase or hanging basket will be removed upon discovery.
 - iii. All floral decorations will be removed as soon as they become unsightly or diseased, or when deemed necessary for the proper maintenance of the Cemetery.
 - iv. Single hook shepherd hooks are permitted. The shepherd hook must have a single hook only, must be 48" in height, and must be placed adjacent to either the left or right side of the headstone, with the hook located directly above the

headstone. Shepherd hooks must be made of rod iron or steel. A solar powered hanging lantern or windchimes are permitted instead of a basket of flowers. Décor that becomes weathered, damaged, and/or unsightly will be removed upon discovery.

- v. Saddles on monuments are permitted for displaying floral arrangements. The City shall not be held liable for damage to monuments caused by saddles. If saddles are damaged, cemetery staff will remove upon discovery due to the potential for damage to cemetery equipment.
- b. The **following items are not permitted** and will be removed upon discovery:
- i. Landscaping, trees, shrubs, and other perineal or annual plantings of any kind is not permitted.
 - ii. Curbing, borders, benches, ground covers, including stones, gravel, rock, mulch, weed cloth, greenery blankets, hardscape, etc is not permitted.
 - iii. All glass, crockery or ceramic, styrofoam, wood, statuary, vases, toys, cans, ornaments, etc are not permitted.
 - iv. Ground lighting, staked solar lighting, and candles is not permitted.
 - v. Any items mentioned above are not permitted and will be removed upon discovery.
- c. Seasonal Decorations and New Burials:
- i. Seasonal decorations will be permitted on holidays to include Easter, Mother's Day, Memorial Day, Father's Day, Independence Day, Veteran's Day, and Christmas and must meet the guidelines above.
 - ii. Seasonal decorations need to be kept on the foundation of the headstone, or hung on a shepherd's hook, and must not inhibit general cemetery maintenance.
 - iii. Seasonal decorations will be permitted for 10 days before and 10 days after the holiday. Once the time frame has expired all items will be removed and discarded.
 - iv. Seasonal decorations in celebration and remembrance of birth, anniversary, and/or death dates will be permitted for 10 days before and 10 days following, and must meet the guidelines above. Once the time frame has expired all items will be removed and discarded.
 - v. New burials have a thirty-day (30) grace period for the purpose of facilitating the mourning process. For the safety of staff and to maintain cemetery operations, items placed at the gravesite need to meet the guidelines above. All fresh floral decorations will be removed when they become unsightly or diseased, or when deemed necessary for the proper maintenance of the Cemetery.

The Parks and Recreation Director is hereby authorized to adopt additional rules specific to decorations for grave lots in the cemetery.

Section 4: Purchase, Sale or Transfer of Cemetery Lots

As specified in the City of Paducah Code of Ordinances, Chapter 26 Section 35:

- A. Upon the purchase of a lot in the cemetery, a deed will be issued to the purchaser of the lot and filed with the City Clerk's office.
- B. The City Clerk shall be empowered to prepare and execute on behalf of the City all deeds conveying interest for sepulcher in cemetery lots in all cemeteries owned and operated by the City. Deeds prepared by the City Clerk shall be effective upon the City Clerk signing said deeds on behalf of the City and without review or approval by the Office of the City Manager and the City Commission. Such deeds shall convey license to use and access for sepulcher only and shall not be interpreted to convey a fee interest in the land.
- C. No person shall purchase, have, hold, or own any license for use or access to a lot or part of a lot in the cemetery for the purpose of resale, speculation, or sale of single grave places, or sell or transfer any lot or part of a lot in the cemetery to another person.
- D. No owner of a license for use or access to a lot in the cemetery or any part thereof shall sell or convey a grave space for any sum.
- E. No person shall bury or suffer or permit any person to be buried on any lot or part of a lot in the cemetery owned or held by such person, for a valuable consideration.
- F. Transfer of a license for use or access to any lot or part of a lot in the cemetery to an heir or other designee must be requested and approved by the Parks and Recreation Department prior to the transfer of lot or part of a lot. All transfers must be recorded with the Parks and Recreation Department. License for use or access to any lot or part of a lot in the cemetery that is not able to be transferred to an heir or other designee may be tendered back to the city for a refund of the original purchase price of the lot.
- G. In the instance where a previously sold grave lot in the cemetery is unused and no record of living heirs exists, Parks staff may file an action in the local Circuit Court requesting that the burial rights in the unused portion of the lot(s) in question be deemed abandoned and that the cemetery be authorized to sell the rights upon entry of the court's judgment. The defendants in the action shall be the unknown heirs of the original owner of the burial rights in the lots in question.
- H. Judgment declaring burial rights be abandoned shall not occur if an owner or heir of the cemetery lot in question has filed a written statement with the cemetery directing that certain grave spaces not be used.

Section 5: Refund of Purchase Price

When remains interred in the cemetery under the single-grave privilege are removed from such grave privilege, and the purchase thereof tenders the ground back to the City, the City shall refund the original purchase price thereof, to such purchaser, or the purchaser's lawful representative.

Section 6: Funeral Services

Funeral homes and services shall be responsible for following cemetery rules and guidelines and serving as the liaison between the next of kin or family and Parks and Recreation staff.

Cremation services held at the crematorium shall be the responsibility of the Cremation Society of Paducah, under contract with the City.

Burial service charges are charged by the cemetery at the time of the grave lot purchase or by the funeral home at the time of service planning and are at the amount set by the contractor or agency providing the services.

Funeral homes shall provide next of kin information to the cemetery administration at the time of the grave lot purchase for the purposes of keeping updated records of license(s) to the grave lot.

A. Hours for Services

Burials services, mausoleum services, and memorial services shall be scheduled in advance by contacting the Parks and Recreation Department as follows:

- i. Monday through Friday burials require at least three (3) business day notice prior to the interment.
- ii. Saturday burials require at least three (3) business days prior to funeral and interment, and will incur additional fees.
- iii. Services concluding after 2pm shall incur additional charges.
- iv. Services requested on Saturdays shall incur additional charges.
- v. The City does not provide services on Sundays.
- vi. The City does not provide services on holidays as follows:
 1. New Year's Day, Martin Luther King Day, President's Day, Good Friday, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve, Christmas Day, or New Year's Eve.
- vii. The City does not provide services on the first Saturday in December due to limited staffing availability in conjunction with the City's Annual Christmas Parade.

B. Interment

All applications for burial shall be made through the Parks & Recreation Department. Funeral homes working with Parks and Recreation to schedule burials on behalf of the families will need to have an additional contact form filled out by the family for future notification, if needed by the Parks and Recreation Dept.

- a. At the time of application for standard burial or cremains burial, precise instructions must be given regarding the particular space in the lot where interment is desired. The City will not be held responsible for any mistake occurring for instructions that were not properly given. If this should occur, the Funeral Home or Family of the deceased will be responsible for the full fees associated with opening/closing in another space.
- b. A concrete or steel burial vault must be used in all underground interments.
- c. Cremains must be contained in a cremains container for burial
- d. One (1) burial vault may be interred for each grave lot, and up to two (2) cremains in cremains containers are may be buried in each grave lot, one (1) at the head and one (1) at the foot.
- e. Engravings for cremains may be added to existing upright monument, flat, flush, or lawn level stone at the head as appropriate.

- f. Burial of all persons who have died of infectious/contagious diseases shall be conducted strictly in accordance with the regulations of the State or local Health Department.

C. Inclement Weather

- a. Funeral and burial services may not be conducted when local forecasters have issued a severe weather event notification for an area that includes the City of Paducah.
- b. When inclement weather impacts the grounds and areas surrounding the burial site, burial services may be postponed at the discretion of the Parks Maintenance staff.
- c. If during the course of a burial service in progress the weather conditions listed above become present, City staff present shall be authorized to halt proceedings and assist attendees in seeking shelter until the weather clears.
- d. During periods when the ground is extremely wet or when the ground is frozen, vaults may be placed in receiving vaults or held by the funeral home until conditions allow for the burial. Parks & Recreation will reschedule burial with funeral director when conditions are favorable for proper burial.

D. Provisions

- a. The City does not provide tents, chairs, or assistance for graveside services and/or interments
- b. The City will provide chairs, and podium for interment services that are held inside the Mausoleum.
- c. During a burial service, all work in the immediate vicinity by City/Cemetery employees and Contractors or others shall be discontinued.

E. Disinterment and Re-interment

Federal and State laws require that proper authorization be obtained prior to disinterring and reintering a dead body. Such authorization is normally issued only to a licensed funeral director upon application to the State or local registration official. The next of kin, a court of law, or other authorized person may execute the application. The authorization for disinterment and reinterment is handled in the same manner as an authorization for disposition.

Disinterment, removal or reopening of graves shall be conducted exactly the same as original burials, being made only upon a permit issued by the State or local Health Department, which shall direct the manner in which the work shall be done. City employees shall not be allowed and are strictly prohibited from assisting the disinterment.

- a. Authorization for disinterment, transportation, and re-interment or other disposition shall be required prior to disinterment of any human remains and shall be issued by the state registrar upon proper application.
- b. In an instance where the city is informed of or becomes aware that it has improperly interred or has allowed to be improperly interred a body or cremated remains including but not limited to interment in the wrong space, the burial container shall be disinterred and properly reinterred.
- c. In an instance where the city is informed of or becomes aware of an improper interment in the cemetery, the city shall give reasonable notice to the next of kin, informing them of the improper interment. The city shall file an application for disinterment to a licensed

funeral director and local registration official for authorization. Once authorized, the city shall make necessary arrangements to execute the disinterment.

- d. The charges associated with disinter and reinter, at the request of the city, will be the responsibility of the city.
- e. Any person requesting disinterment shall complete an application and file with the City. Applications for disinterment will be submitted to a licensed funeral director and the local registration official for authorization. Once authorized, the city shall make necessary arrangements to execute disinterment.
- f. The charges associated with disinter and reinter at the request of the next of kin, will be the responsibility of the requester.

F. Certificate of Death

Inter or interment of a dead body or fetus is not permitted in the cemetery unless it is accompanied by a copy of the provisional certificate of death. The cemetery staff person in charge, or if not present, the funeral director, shall enter on the provisional certificate over his signature the date, place, and manner of the final disposition and file the certificate within five (5) days with the local registrar.

Section 7: Monuments

All rules and regulations related to monuments and placement of monuments in Oak Grove Cemetery are specified herein.

Purchaser of monument shall use a licensed and insured monument company for the purchase and placement of their monument.

Monument companies shall complete an application for monument placement and submit to the Parks and Recreation Department a minimum of 2 days prior to installation of a monument.

A. Upright Monuments, Flat, Flush, or Lawn Level Markers

- a. Monuments, uprights, and flat, flush, or lawn level markers shall be made of granite, marble, or bronze, with the exception of standard government markers. No substandard grade of material shall be permitted.
- b. Monument companies shall put in place monuments, uprights, or flat, flush, or lawn level markers as specified herein.
- c. Monument height will be dictated by the majority of the surrounding monuments and as per grade as directed by the City.
- d. Replacement of monuments, uprights, or flat, flush, or lawn level markers shall be the responsibility of the purchaser and/or family and must be placed by a monument company under the supervision of the Parks Maintenance Supervisor. Paducah Parks and Recreation is not responsible for the replacement of monuments, uprights, flat, flush, or lawn level markers.
- e. The monument firm shall be held responsible for any damages and shall be subject to the direction and control of the Parks & Recreation Director or his/her designee while on cemetery grounds.
- f. On single burial lots, up to one (1) monument, upright, or flat, flush, or lawn level marker type may be put in place at the head of the grave lot and up to one (1) lawn level marker

may be put in place at the foot of the grave lot. Said monument or marker foundation should not exceed the width of the lot.

- g. On adjoining lots consisting of two (2) burials spaces, owned by the same owner, one (1) companion monument, upright, or flat, flush, or lawn level marker may be put in place for both grave lots, or each lot may have one (1) monument, upright, or flat, flush, or lawn level marker put in place, at the head of the grave lot(s). The foundation of the monument, upright, or flat, flush or lawn level marker shall not exceed the width(s) of two (2) lots.
- h. Each grave lot may have one (1) monument, upright, or flat, flush, or lawn level market placed at the head of the gravel lot, AND in the cases of service men and women, may have one (1) lawn level marker placed at the foot of the grave lot.
- i. Grave lots with multiple burials, up to one (1) remains and two (2) cremains, may contain engravings for all burials on the one (1) permitted monument placed at the head of the grave.
- j. In the New Rushing 9 Addition of Oak Grove Cemetery, only flat, flush, or lawn level markers are permitted.
- k. Benches, of any kind, in the cemetery shall not be permitted. Benches presently located in the cemetery are exempt until such time it is determined replacement is desired or needed. Cemetery staff will remove benches that have become unsightly or broken at the time of discovery. Benches removed shall not be replaced.
- l. The City is not responsible for incorrect engravings on monuments, uprights, or flat, flush, or lawn level markers. The purchaser should check with their monument company to ensure that the engravings are correctly shown before the engraving is authorized or initiated.
- m. The Parks and Recreation Director is hereby authorized to adopt additional rules specific to the setting and placement of monuments, uprights, and flat, flush, or lawn level markers.

B. Monument Placement and Foundation Specifications

All settings and/or erection of any monument, upright, or flat, flush, or lawn level marker must comply with City guidelines. Any installation not done in accordance with the following guidelines will be removed at the benefactor's expense.

- a. Monument companies shall notify and get approval from the Parks and Recreation Department prior to installing any monument, upright, or maker on the lot or part of a lot in the cemetery.
- b. All monuments, uprights, or flat, flush, or lawn level markers shall rest upon concrete foundations installed by a monument company, under the supervision of the Parks Maintenance Supervisor. The top of each foundation shall be set at or below ground level.
- c. Monuments, uprights, or flat, flush, or lawn level markers, and inscriptions thereon shall face the nearest path or roadway and shall be placed on a line parallel to the path or roadway.
- d. The concrete foundation shall be placed once the grave site has become solid ground.

- e. All monument, upright, or flat, flush, or lawn level marker shall have level bottoms and be set upon the concrete foundations. The foundation shall be in proportion to the size and weight of such headstone or marker.
- f. All monument, upright, or flat, flush, or lawn level marker shall be located within the lot lines of each space and shall not be placed in parking, roadways, or walks. Foundations shall be centered in the lot. A minimum of six inches (6") shall remain between the edge of the foundation and the front and sides of the lots.
- g. Foundations must be made of concrete and should be set as follows:
 - i. Upright monument foundations shall be 4" wider and longer than the base dimension of the monument, and shall be a minimum of 18" deep.
 - ii. Flush markers foundations shall have the same length and width dimensions as the flush marker, and shall be a minimum of 12" deep.
 - iii. Pier foundations must be made of concrete and should be set as follows:
 - 1. Pier(s) shall be a minimum of 4" in diameter and a minimum of 18" deep.
 - 2. One (1) pier shall be placed for every 12" in monument length.
 - 3. Pier(s) shall be placed evenly in the foundation setting.
 - 4. A 6" slab should be placed in addition to the pier(s), poured at the same time, and the slab should be a minimum of 4" wider and longer than the monument base.

Section 8: Cemetery Maintenance

Cemetery staff shall perform day to day maintenance operations of the cemetery, including but not limited to cemetery upkeep, grounds maintenance, pre-burial and post-burial maintenance, building maintenance, etc.

Maintenance staff will be present at every interment and disinterment, and shall have general control of the improvement of the premises.

Monument upkeep, repairs, or replacements are the responsibility of the license holder.

Cemetery maps, with additions, shall be kept on file at the Parks and Recreation offices and are adopted and hereby declared the official maps of the cemetery, including grave lots therein, showing avenues, walkways, lots with numbers thereof, and shall cause the boundaries of lots, avenues and walkways to be preserved, and will be managed by the administrative staff.

Cremation Gardens and grounds are managed and operated under a contract with a local vendor and are updated by municipal order from time to time.

Plantings, of any kind, in the cemetery shall not be permitted, except in areas designated by the city to improve storm water management, memorial gardens, and tree canopy.

Living memorials presently located in the cemetery are exempt until such time it is determined by the city to be unsightly or detrimental to burial grounds or cemetery operations, at which time those plantings will be removed without replacement.

Privately contracted maintenance of lots shall be permitted but must be approved by Parks and Recreation staff.

The City of Paducah shall not be responsible for deterioration or damage to cemetery lots, monuments, uprights, flat, flush, or lawn level markers, or any other permitted decoration, with the exception of any damage caused by cemetery upkeep, which shall be documented by cemetery staff and repaired by the City. Other repairs required due to damages to improvements shall be the responsibility of the person named on the licensed deed.

The City shall have the authority to remove, without notice, any tree, shrub, or planting, live or artificial décor, planters, landscaping, etc that does not comply with cemetery rules and regulations, or has become unsightly or detrimental to burial grounds or cemetery operations, or is encroaching to adjacent grave lots, walkways, drives, or roadways. Landscape maintenance and improvements shall be regulated and determined by cemetery staff for the purpose of aesthetics to the cemetery grounds.

The Parks and Recreation Director is authorized to temporarily adjust or suspend park rules as required to serve public safety and/or logistics.