

# **NOTASULGA MEMORY GARDENS**

## **Rules and Regulations**

**Town of Notasulga  
Notasulga, Alabama 36866**

### **Foreword:**

A cemetery to most people is sacred ground, second only to the church in their esteem. The cemetery must be carefully maintained in accordance with its agreements with lot owners. Therefore, it is necessary to make rules and regulations from time to time which the Town of Notasulga deems advisable.

### **General:**

1. Automobiles and other vehicles will not be allowed to proceed at a speed greater than 8 MPH.
2. Cemetery employees are not allowed to accept fees or tips. All accounts must be settled at the cemetery office.
3. No children are allowed in the cemetery unless accompanied by some responsible person.
4. All persons are expected to leave funerals after services unless special permission is received from the cemetery office.
5. It is strictly forbidden to pick flowers of any kind. Breaking branches, lying on grass, shooting, making loud noises or any disorderly conduct is also forbidden.
6. Visitors will be admitted to the grounds at all times during the day but not visitors shall be admitted after sunset.
7. Funeral shall have priority over any other activities.
8. All interments should be enclosed in a regular cement or metal vault. Vaults, not metal or cement shall be provided with a cement slab supported by piers.
9. The cemetery superintendent is to be notified of hours set for a funeral and the space selected as soon as the family decides, in order to allow ample time for the necessary preparation. In no case should this notification be less than eight hours prior to the funeral.

### **Lots-Graves:**

1. No lot enclosures permitted.
2. No iron, wire work or seats will be allowed upon lots except by permission of cemetery superintendent, and when any article made of iron begins to rust, it shall be removed from the cemetery.
3. No 'For Sale' signs, or signs of any kind allowed on lots in the cemetery.
4. The Town of Notasulga requires its endorsement on all transfer of lot ownership. A complete record of transfer must be made at the office of the Town Clerk for which a reasonable fee will be charged.
5. All lots will be maintained by the cemetery. No outside workmen or gardeners will be permitted to work in the cemetery without express written agreement.
6. Flower receptacles of glass, tin cans, or wood are prohibited. The placing of flower pots on the lawn destroys the grass and if they are used, they must be placed next to the monument or grave marker. To facilitate cutting grass, it is recommended that flowers be placed in the center cross in memory of loved ones.
7. Only one interment permitted in each grave space.
8. No individual plantings or grass sods will be permitted without express written permission.
9. No interment will be permitted on a lot unless an interment in a grave space that has not been fully paid for.
10. No burial will be permitted on a lot unless an interment order has been signed by the proper authorities.
11. No disinterment will be allowed until proper authority is given by law and all charges have been paid in full.
12. An approved vault will be required for burial.

### **Monuments and Markers:**

1. All monuments and headstones are to be leveled and lined up with others in the cemetery in accordance with the drawings and measurements furnished by the superintendent, and no marker, monument or headstone shall extend above the level of the ground. All monuments, markers, and headstones shall be level or flush with the ground and shall be **12" x 24" x 6"** (approximate)\*\* in dimensions. Double markers shall be allowed only with consent of the Town Council and then only if all other rules regarding sizes and placement are observed. The monument company of choice should be patronized; however, each headstone shall be pre-approved by the Town of Notasulga. For protection of the customer, the headstone should be pre-approved BEFORE engraving. Only pre-approved markers will be allowed for placement.

2. All monuments and markers must be recognized quality granite, marble or bronze finished in a workmanlike manner and must be accepted by the cemetery superintendent before being taken into the cemetery.
3. All markers and monuments, as individually restricted in each section, shall be of marble, granite or bronze, set on a base of concrete below the surface of the ground.
4. No monuments or markers are to be set on Saturdays, Sundays or legal holidays, unless special permission in writing is obtained from the cemetery superintendent.
5. No cement or artificial stone will be permitted in the cemetery above the surface of the ground.
6. All markers shall be set flush with the ground level.
7. Lettering on markers shall be recessed into the surface of the stone. Letters on bronze markers may be raised but, they Town of Notasulga will not be responsible for letters that may be defaced or knocked loose.
8. Stone slabs will not be permitted either erect or reclining.
9. All monument dealers or agents shall be responsible for damage to property while they are in the act of doing work in the cemetery. All material used for doing work shall be cleared away when work is completed.
10. All monument dealers or agents, when doing work in the cemetery shall provide the cemetery superintendent with the number and expiration date of their Town License.
11. The Town of Notasulga will use all necessary precautions in maintaining the cemetery but the Town of Notasulga will not be held liable for scratches or other marks on grave markers or monuments that might occur through normal maintenance of the lot.

### **Deeds and Restrictions:**

1. The cemetery superintendent shall have the sole discretion which lots to sell first and in what order. The Mayor of the Town of Notasulga, Alabama, is hereby empowered, authorized, and directed to execute a deed to a burial lot or burial lots in Notasulga Memory Gardens in the name of the Town of Notasulga, Alabama, and the Town Clerk is authorized to attest the execution of such deed to the purchaser of such burial lot or lots, upon payment to the Town of Notasulga and deposit in the Town Cemetery Fund of an amount equal to:

**Individual Grave Lot: \$225.00**

So conveyed, which deed so executed and delivered by the Mayor of the Town of Notasulga shall be in words and figures as the deed already prepared and issued with the sale of lots.

2. The term "Permanent Care" or "Perpetual Care" when used with reference to the maintenance of the Notasulga Memory Gardens whether the terms shall be used in ordinance, or rules and regulations adopted by the Town Council, or in aforesaid deed form, shall mean the cutting of grass upon the burial lot or grave and throughout the cemetery at reasonable intervals; the raking and cleaning of grounds; the pruning of the shrubs and trees planted by the proper authorities, in good neat condition-meaning and intended to continue forever similar work so that

the cemetery may be kept in a clean and as beautiful condition as the reasonable means available to the Town will provide in the judgment and discretion of the Town Council.

3. Burial lots purchased in the cemetery are to be conveyed by deeds as foresaid and are conveyed to the purchasers, their families and their heirs, as a burial place forever. Burial lots may be purchased or reserved by a **minimum payment of \$25.00 per burial lot** and payment of the balance of the cost of burial lot, so reserved, before any interment thereon or the period of one year from reservation whichever is shorted. The Town shall issue receipts for money so paid for the purchase of burial lots. However, no deed thereto shall be executed or delivered until the purchase price of burial lots. However, no deed thereto shall be executed or delivered until the purchase price of the burial lot has been paid in full.

A new deed cannot be issued to replace a deed which is lost or destroyed. The grade of all lots is established and no change will be permitted, except that done by the direction of the Town Council for leveling the cemetery as much as possible to aid in permanent care to be rendered by the Town.

No trees, plants, flowers or shrubbery will be allowed to be planted by a burial lot owner, or any person, except a duly authorized agent or servant of the Town under the direction of the Town Council.

Burial lot owners are expressly prohibited from selling or transferring their burial lots without first obtaining consent of the Town Council thereto in writing at a regular or special meeting of the same. All applications to sell or transfer burial lots must be accompanied by evidence to show good and sufficient cause, where a burial lot has been buried upon the Town Council holds, the same has thereby become sacred ground as a guardian of the dead, and they must refuse to allow such burial lots to be sold or transferred and the bodies removed therefrom, except, (1) in cases where there has been an exchange of burial lots and bodies simply to be removed to other burial lots in this Notasulga Memory Gardens, (2) in special cases which cannot be covered by any rule and must receive the consent of the Town Council. **No interment shall be made in the cemetery nor any vault installed therein, unless a proper certificate or information in writing is furnished the town showing the name and residence of the deceased, the time and place of death.** The Town Clerk is authorized to issue burial permits in accordance with the terms and provision of all ordinance, rules and regulations pertaining to the government and management of the Notasulga Memory Gardens and subject to the directions of the Town Council. Only one interment will be allowed in any grave, except in cases of a mother and infant child, or twin children.

4. Joint Ownership. When a burial lot is hold jointly by two or more persons, an order will be accepted from either, or any of them for interment of a relative or member of the family in such part of the burial lot as may be requested, unless objections are made by a majority interested.

5. When a lot has been paid for in full and a deed executed therefor, no disinterment in such

burial lots or removal of a body will be allowed without the assent in writing of the surviving husband or wife, or the next of kin to the person whose body is to be disinterred or removed; also written permit or order for same from the owner of the lot, or his legal representative and the written consent of the Town Council.

6. Construction. All workmen employed in the construction of vaults or tombs, erection of monuments or other memorials, must be subject to the control and direction of the Town Clerk carrying out the will of the Town Council.

All material brought into the cemetery must be delivered to the lots on planking, and any surplus of rubbish left thereon will be removed at the expense of the lot owner on planking.

Adjacent burial lots must not be trespassed upon. To prevent the obstruction of drives or pass ways, delivery of monuments, material and apparatus will not be permitted until required for immediate use.

Persons engaged in erecting vaults, monuments, or other structures are prevented from attaching ropes to trees, shrubs, or other permanent objects on the grounds.

After erection of stone work on lots, the grade and sold must be must be restored at the expense of the burial lot owner.

7. Monuments and Grave Markers. The Town does not wish to interfere with individual taste but everything must be done under the supervision of the Town Clerk at the expense of the burial lot owner and before installation a sketch of same must be furnished the Town for approval.

8. The Erection of Stone Work. No workman can enter on any burial lot when the surface is in a soft condition due to rain, frost leaving the ground, or other causes. No work shall be commenced on Saturday which cannot be finished and the debris entirely removed the workmen on that day.

The town expressly reserves the right to make exceptions to these rules in favor of any construction work the Town Council considers exceptionally artistic or of general benefit to the appearance of the cemetery.

The Town expressly reserves the right to make exceptions and to change the rules retaining to stone work at any time.

The changing of the grade or the use of sprawls by the base stones and foundation will not be permitted.

Stone contractors are held responsible for injuring drives, walkways, and any damages incurred must be repaired at the expense of such contractors.

The protect paths and grass from injury, planks must be laid down for runways while stones are in the course of erection.

The setting of monuments, stones, or other improvements is prohibited when the ground is wet enough to cause injury to the lots from such work, and lots must be left in as good conditions as they were when work commenced. It must be understood by the burial lots, trees, shrubbery, plants, driveways or walkways an order must be given to the Town Clerk to repair same at the expense of said burial lot owner or contractor.

When stonework or other material is to be erected on any lot, application must be made in writing by the burial lot owner to and assent granted by the Town Council.

9. The Town will keep records showing each burial in the cemetery, the owner of each lot, any interments thereon and any other outstanding instrument relative to such burial lots.

10. All burial lots, driveways, walkways and reserved areas will be kept in good condition and the trees and shrubbery pruned by the Town without charge to the burial lot owners. As all planting is provided for on carefully studied landscape plans designed to give the greatest beauty to the ground, no planting is allowed except by or under direct supervision of the Town.

Planting of borders around burial lots is prohibited.

Coping or enclosures around burial lots or grounds are prohibited and said Town Council shall have the right. It shall be their duty to enter upon such burial lots and remove the said offensive or improper object or objects.

All trees and shrubs growing in the cemetery are the property of the town and not for the burial lot owners, and whenever any tree or shrub become objectionable, for any cause whatever the Town reserves the right to remove said tree or shrub at its discretion. No burial lot owner shall have the right to object thereto.

Floral or other decorations will be removed from the burial lots as soon as they become wilted or unsightly and persons wishing to retain any must move them within four-eight hours after interment. All flowers will be removed by the Town prior to cutting grass, no matter their age.

All receptacles for cut flowers shall be sunk level with the ground to insure safety and facilitate the cutting of the grass. When not in conformity with this rule, they will be removed without notice to the burial lot owners.

Graves must be located at least six inches within the boundaries of the burial lot.  
The rate of eight mile an hour must not be exceeded by vehicles in the cemetery.  
No automobile or carriage may be turned around in any drive.  
Chauffeurs are required to drive slowly and to blow their horns only when necessary.

**ADOPTED** and **APPROVED** this first day of April 1974.  
Amended August 13, 1979, February 9, 1987, June 8, 1987, February 10, 1997, and  
September 19, 2016.