

Chapter 5: Visitor Conduct and Etiquette

All visitors to municipal cemeteries will conduct themselves in a manner keeping with a hallowed place. All persons are reminded that the grounds are sacredly devoted to the burial of the dead. Persons not complying with these visitation rules will be directed to leave the cemetery grounds. Any individual or organization which habitually violates the rules and regulations of the cemetery will be prohibited from entering the cemetery again, and violators will be prosecuted for trespass. The destruction, theft, or disturbance of any monument, marker or mausoleum, or their defacement in any manner, shall constitute a desecration of the grave site and shall be punishable by applicable law. The city prohibits entry into the cemetery from sunset to sunrise for any purpose. Public restrooms are not available within the cemetery.

Proscribed Conduct for Visitors (§ 12-10; § 12-12; § 12-13).

Visitors and the public are invited to utilize the cemeteries in a manner consistent with its purpose as a place of interment and as a memorial.

No persons shall:

1. Enter or remain within the cemetery between the hours of sundown and sunrise;
2. Enter or depart from the cemetery except through an established gate;
3. Carry into or consume within the cemetery any food, refreshments, or intoxicating beverages of any kind;
4. Cut, remove, or injure any growing flowers, plants, shrubs, or trees in the cemetery;
5. Deface, disturb, injure, or mark or write upon any memorial, fence, or structure in the cemetery;
6. Trespass upon, damage, disturb, or desecrate any grave or lot;
7. Deposit litter, trash, or debris within the cemetery except in receptacles which may be provided for that purpose;
8. Permit any dog or other domestic animal to remain in the cemetery;
9. Take or fire any firearm or explosive within the cemetery except for the observance of memorial services, or in the conduct of burial services in which a fired salute is a part;
10. Hold or participate in any meeting, parade, exhibition, recreational activity, or any other use of cemetery grounds and facilities which is not in keeping with the commemoration of the dead;
11. Park, or cause to remain parked, any vehicle within the cemetery unless in attendance at burial services or otherwise be engaged in activities which call for presence within the cemetery;
12. No person will be permitted to peddle flowers or plants or to solicit the sale of any commodity within the cemetery;
13. Place any signs, notices, or advertisements of any kind in the cemetery, unless placed by the city.

Etiquette Expected of Visitors.

All cemetery visitors must conduct themselves in a respectable manner. Horseplay is prohibited. Persons must not jump out at, scream at or deliberately scare or startle any other cemetery visitor.

Cemeteries are considered sacred places and various cultural or religious rituals are frequently associated with interment and memorial services. No person or persons shall engage or participate in any voodoo, witchcraft, Wicca, black magic, satanic or occult rituals, or any other sacrilegious conduct while in a municipal cemetery.

All persons visiting the cemetery grounds are expected to conduct themselves in a proper, respectful and lawful manner consistent with the dedication and use of the property as a cemetery, and persons not complying with these rules will be directed to leave the cemetery grounds.

The following is prohibited: (a) boisterous or unruly conduct, (b) tampering with any grave accessory without authorization from the grave's owner, (c) moving, relocating, altering or adjusting any items set out for an interment, (d) damaging cemetery property, (e) obstructing or interfering with an interment, (f) entering service areas without authorization or invitation, and (f) disturbing other visitors.

The destruction, theft or disturbance of any monument, marker or mausoleum, or their defacement in any manner, shall constitute a desecration of the grave site and shall be punishable by applicable law.

No person shall be within the cemetery fencing after dark. The city prohibits entry into the cemetery from sunset to sunrise for any purpose.

Cemetery property may not be used as a means of obtaining access to any adjoining property owned by third parties.

Guests should enter and exit the cemetery property only through the gates designated for such.

Any person apprehended trespassing within the confines of the cemetery at any time other than hours herein designated without approval of the city shall be removed from the premises and deemed guilty of a misdemeanor and may be subject to prosecution.

Children shall be under the direct supervision of a responsible adult at all times. There shall be no playing on or near cemetery markers and monuments. No person under the age of 16 shall be permitted into the cemetery without the direct supervision of a responsible adult.

Dogs, or any other type of pet or domesticated animal, are not permitted at any time within the boundaries of the cemetery, on any type of leash, or running free without a leash. Service dogs are permitted when under the full control of the citizen that requires the use of same. Dogs, or any other type of pet or domesticated animal, are permitted when fully confined within the owner's vehicle.

Disturbing noises including but not limited to yelling, loud conversation, sounding of horns, sirens and loud radios are not permitted. Offensive language is not permitted.

No audio equipment may be used without permission of the Cemetery Director. The playing of radios, tape recorders or players, digital audio players, or other noise making devices is not permitted on cemetery grounds.

All persons, including workers and contractors, in the immediate vicinity of an interment must cease operations and remain quiet during the conducting of services.

No person or persons shall sit or lean on monuments, markers or statues. Any person who causes damage, either intentionally or unintentionally, to public or private property will be held accountable for that damage. The removal of monuments, fences, benches, plantings or other property without proper authorization is theft and will be prosecuted. It is unlawful to play or climb on any slab, headstone, footstone, monument, marker, mausoleum, fence, or cemetery wall. Do not climb or walk on headstones, retaining walls or monuments. Do not pick flowers or break limbs of bushes and trees. Do not climb trees.

It shall be unlawful to remove or rearrange any item, or otherwise disturb any grave site, by anyone other than the rightful owner. It is unlawful to loiter upon the lot of another, except when in the presence of the owner thereof, or by special permission from such owner, or as public necessity may require. Trespassing on any private lot is prohibited.

It shall be unlawful for any person, group, organization, or corporation using the cemetery or adjacent grounds to either perform or permit to be performed any of the following acts and willfully mark, deface, disfigure, disturb, injure, lean on, sit on, or tamper with any: (a) building; (b) bench; (c) water line; (d) any public utilities

or parts or appurtenances thereof; (e) grave stones or grave markers or burial sites; (f) vaults and vault covers of any material and their support; (g) monument; (h) grave buildings; (i) corner markers; (j) enclosing walls to any group of gravestones; (k) enclosing fencing of cemetery; (l) fixed statuary; (m) ground elevation and related sites; (n) American or Confederate flags and their metallic holders; (o) cemetery equipment of any type; (p) trees and shrubs whether planted by the city or by relatives of the interred; (q) all trees and shrubs are the property of the city and shall not be cut, defaced, carved on, nailed on, or removed without permission from the Cemetery Director; and (r) facilities or property or appurtenances whatsoever, either real or personal.

Planting gardens on a place of interment is prohibited.

The burial of animals of any nature shall not be permitted within the city cemeteries.

Smoking is not allowed within the cemetery. Littering with cigarette butts is not allowed.

Sports such as golf, baseball, and the like are strictly prohibited. No person shall engage in any athletic event or competition while on cemetery grounds.

Treasure hunting is not allowed. Metal detectors are prohibited except for surveying and locating utilities. No artifacts are to be removed from the cemeteries without the permission of the Cemetery Director.

No sale of articles or merchandise is permitted. No soliciting is permitted. No advertising signs, markers, or materials of any kind will be allowed for display purposes on or in the vicinity of the cemetery grounds.

Visitors should use established containers for the disposal of rubbish, waste and debris. Littering is prohibited.

Etiquette When Near a Funeral in Progress and Intrusion on Rights of Mourners.

Casual visitors to the cemetery, who are not members of a funeral procession or party, may not intrude upon a funeral party or loiter about an open grave. Any persons or vehicles in close proximity to a funeral service that are not a part of the service should leave at once. Vehicles or equipment should not operate within sight of a funeral service. Visitors shall not interfere with the rights of family members of deceased persons interred in the cemetery.

Special Events or Activities, and Large Assemblies.

Any special activity or event on cemetery property must be scheduled and approved in advance by the Chief of Police and the City Manager. Permissible activities include, but are not limited to, holiday or memorial services; weddings; monument unveiling ceremonies; educational, historical or cultural awareness tours; public recognition ceremonies; religious events; family or church gatherings; photography or nature appreciation activities; conservation, beautification, or cemetery improvement activities.

The cemetery is not for sensational or entertainment purposes. Any tours or events marketed as haunted, paranormal, or involving ghosts, spiritualists or mediums are strictly prohibited. Athletic events, treasure hunting, loud gatherings, and other activities or events determined to be offensive, sacrilegious, disrespectful or disruptive to the dignity and character of the cemetery will not be permitted.

Interment services shall have precedence over special activities or events in cemeteries. Groups may be asked to move or leave an area where interment services are scheduled.

Warning of Injury (§ 12-11)

The monuments and headstones on the premises of the cemeteries may fall resulting in serious personal injury if moved or climbed upon. All entrants on the premises of the cemeteries do so subject to the foregoing rules

and at their own risk. The City of Elberton shall not be liable to any person for injuries sustained while within any portion of the cemetery.

Due to the nature of the cemetery grounds, all visitors are responsible for their own safety. Visitors assume all risks when coming onto the property of the cemetery. The city uses its best efforts to maintain each cemetery in a safe and hazard-free manner. There are many natural outdoor conditions and conditions inherent to a cemetery over which the city has no control. The city is not responsible for any and all personal injury, including bodily injury, attributed to, but not limited to, the following conditions: natural outdoor conditions found in any open grassy area, any forest area or any area surrounding trees planted by the cemetery (e.g. exposed roots), ground conditions created by the settling of graves, general ground maintenance and the placement of personal property on graves for memorialization, the ground conditions that are created by precipitation which create a variety of conditions on cemetery grounds requiring visitors to use caution, rain which may make the ground wet and soft making it possible to sink with the possibility of sinking increased when stepping on a new grave saturated with water, ground which has been disturbed due to a recent interment or other ground work which settles creating a depression and making uneven terrain, soft ground due to a recent interment or other work performed that has disturbed the ground creating soft ground as the direct result of the cemetery carrying out its normal course of operation, stone slabs positioned flush with the ground are shiny and slick when wet and cause the possibility of slipping if stood or walked upon. Do not walk upon areas which have been barricaded as these indicate unsafe conditions in those areas.