

# ORDINANCE

2008-O-31

## AN ORDINANCE REGULATING CEMETERIES AND MAUSOLEUMS IN THE UNINCORPORATED AREAS OF VERMILION PARISH, LOUISIANA.

BE IT ORDAINED by the Vermilion Parish Police Jury that there is a need to protect the health, welfare and safety of the citizens in regards to graves, cemeteries, and mausoleums in the unincorporated areas of the Parish of Vermilion, Louisiana.

BE IT FURTHER ORDAINED by the Vermilion Parish Police Jury that the construction or installation of cemeteries and mausoleums are prohibited in the unincorporated areas of the Parish of Vermilion, unless permitted in by the Vermilion Parish Police Jury in accordance with the following restrictions:

### I. DEFINITIONS:

- A. *“Grave”* - A space of ground in a cemetery, used or intended to be used for burial.
- B. *“Burial”* - The placement of human remains in a grave.
- C. *“Cemetery”* - A place used or intended to be used for the interment of the human dead. Includes a burial park, for earth interments; or a mausoleum, for vault or crypt interments; or a columbarium, or scattering garden, for cinerary interments, or a combination of one or more of these.
- D. *“Mausoleum” or “Tomb”* - A structure or building for the entombment of human remains in crypts or vaults in a place used or intended to be used, and dedicated, for cemetery purposes.
- E. *“Crypt” or “Vault”* - A space in a mausoleum of sufficient size, used or intended to be used, to entomb human remains.

### II. PROPOSED NEW CEMETERIES AND/OR MAUSOLEUMS:

SECTION A. A sight-proof fence, not less than five feet or more than seven feet in height, and made of masonry, wood, or other durable material shall be constructed around the entire site. Sight-proof requirements may be replaced with different forms of fencing (i.e., wrought iron), provided that vegetative shrubbery or trees be planted for the purpose of screening.

SECTION B. A twenty (20) foot green area shall exist for the front setback line, five (5) foot green area for the side setback line, and ten (10) foot green area for the rear setback line. No structure of any kind shall be permitted within the required setback lines.

SECTION C. The site shall have direct access to an arterial or collector public street.

SECTION D. The site must contain a minimum of five (5) contiguous acres of land or more, and must be dedicated as a cemetery or mausoleum in accordance with State regulations.

SECTION E. All development plans shall be reviewed and approved by the Vermilion Parish Police Jury and its engineer in advance, and in accordance with appropriate parish ordinances and regulations.

SECTION F. The Vermilion Parish Police Jury, upon recommendation by the parish engineer, must approve height restrictions on any building, structure, or object located within the development.

SECTION G. No grave, cemetery or mausoleum may be located within the coastal zone, as defined by the Louisiana Department of Natural Resources.

SECTION H. No grave, cemetery or mausoleum may be located within a legally dedicated subdivision.

SECTION I. There must be a Buffer Zone of at least two hundred (200) feet of all sides of the proposed grave, cemetery, or mausoleum not bordered by a public road. No burial or interment may take place within the Buffer Zone.

SECTION J. Any new cemeteries or mausoleums which are located in a flood hazard zone must contain below-ground graves only.

III. NEW AND EXISTING CEMETERIES AND/OR MAUSOLEUMS:

SECTION A. All burials in new and existing cemeteries after the effective date of this ordinance shall be below ground with at least one (1') foot of cover above said grave or vault.

SECTION B. After the effective date of this ordinance, funeral home directors shall place a copy of the application for death certificate, or other evidence of the identity of the deceased, in a waterproof receptacle inside the coffin of the deceased for identification purposes.

IV. CONFLICTS:

All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

V. SEVERABILITY:

Should any part of this ordinance be declared null, void, invalid, illegal or unconstitutional, the remainder of the said ordinance shall remain in full force and effect.

VI. EFFECTIVE DATE:

This ordinance shall become effective upon the signature of the President of the Vermilion Parish Police Jury.

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YEAS: Dane Hebert, Chris Beraud, Nathan Granger, Wayne Touchet, Mark Poche`, Keith Meaux, Errol J. Domingues, Gerald Butaud, Pervis Gaspard, T. J. Prejean, Jr., Leon Broussard

NAYS: None

ABSENT: Ronald Darby, Ronald Menard, Cloris J. Boudreaux

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I, Chris Theriot, Administrator-Secretary-Treasurer, of the Vermilion Parish Police Jury, do hereby certify that the above is a true and exact copy of an ordinance adopted by the Vermilion Parish Police Jury, at the regular meeting of November 3, 2008, at which a quorum was present and acting.

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CHRIS THERIOT  
Administrator-Secretary-Treasurer  
Vermilion Parish Police Jury