

ORDINANCE No. _____

AN ORDINANCE TO CORRECT THE LABELING OF AN ORDINANCE AMENDING THE CITY OF LAUREL CODE OF ORDINANCES CHAPTER 8.3 CEMETERIES, PROHIBITING THE BURIAL OF HUMAN REMAINS ON PRIVATE RESIDENTIAL OR COMMERCIAL PROPERTY; ESTABLISHING PENALTIES FOR VIOLATIONS; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Laurel has approved an amendment to CHAPTER 8.3 CEMETERIES, adding language prohibiting the burial of human remains on private residential or commercial property; establishing penalties for violations; and providing for related matters; and

WHEREAS, the ordinance amendment was inadvertently labeled CHAPTER 8.4 PROHIBITING BURIAL OF HUMAN REMAINS ON PRIVATE RESIDENTIAL OR COMMERCIAL PROPERTY; ESTABLISHING PENALTIES FOR VIOLATIONS; AND PROVIDING FOR RELATED MATTERS and

WHEREAS, the ordinance amendment should be labeled correctly as CHAPTER 8.3 CEMETERIES, SECTION 8.3-4. PROHIBITING BURIAL OF HUMAN REMAINS ON PRIVATE RESIDENTIAL OR COMMERCIAL PROPERTY; ESTABLISHING PENALTIES FOR VIOLATIONS; AND PROVIDING FOR RELATED MATTERS

WHEREAS, the City finds it necessary to correct the mislabeled ordinance amendment so that it aligns numerically with the City's Code of Ordinances

NOW, THEREFORE, BE IT ORDAINED by the Laurel City Council that correction be made to THE CITY OF LAUREL CODE OF ORDINANCES CHAPTER 8.3 CEMETERIES adding Section 8.3-4 so that it is labeled as follows (Changes are noted in bold):

CHAPTER 8.3 Cemeteries

Section 8.3-4. PROHIBITING THE BURIAL OF HUMAN REMAINS ON PRIVATE RESIDENTIAL OR COMMERCIAL PROPERTY; ESTABLISHING PENALTIES FOR VIOLATIONS; AND PROVIDING FOR RELATED MATTERS

SECTION 1. PURPOSE AND FINDINGS

The purpose of this Ordinance is to protect the public health, safety, and general welfare of the citizens of City of Laurel by prohibiting the burial of human remains on private property within the City limits.

SECTION 2. DEFINITIONS

As used in this Ordinance:

- (a) "Human remains" means the body of a deceased human being, including cremated remains (ashes) unless stored in a sealed container above ground.
- (b) "Private property" means any parcel of land within the City limits that is not designated, licensed, and operated as a cemetery under applicable state law.
- (c) "Burial" means the interment or disposition of human remains in or on the ground.
- (d) "Licensed cemetery" means any cemetery duly established, licensed, and operating in compliance with Mississippi law and applicable regulations.

SECTION 3. PROHIBITION

- (a) No person shall bury, inter, or cause to be buried or interred the human remains of any deceased person on any private property within the City limits.
- (b) This prohibition applies to all private property regardless of zoning classification, including but not limited to residential, commercial, agricultural, and industrial parcels.

SECTION 4. REQUIRED DISPOSITION

All human remains of persons dying within the City, or brought into the City for disposition, shall be interred, entombed, or cremated only at a licensed cemetery, mausoleum, crematorium, or other facility lawfully authorized under Mississippi law.

SECTION 5. EXCEPTIONS This Ordinance shall not apply to:

- (a) Burials in licensed cemeteries located on property that was historically used as a cemetery prior to the effective date of this Ordinance, provided such operations remain in compliance with state law.
- (b) The scattering of cremated remains on private property by the owner of said property, provided such scattering does not constitute interment in the ground and is otherwise lawful.
- (c) Archeological or forensic activities conducted under the authority of a governmental agency or court order.

SECTION 6. EXISTING UNLAWFUL BURIALS

Any person with knowledge of a burial on private property made in violation of this Ordinance, or any predecessor regulation, shall report such burial to the City within thirty (30) days of the effective date of this Ordinance or within thirty (30) days of

discovery, whichever is later. The City may, at its discretion, require the lawful disinterment and reburial of such remains at the expense of the responsible party.

SECTION 7. ENFORCEMENT

(a) The City's Code Enforcement Officer, Health Officer, or their designees are authorized to enforce this Ordinance.

(b) Upon reasonable cause to believe a violation has occurred, the City may seek an inspection warrant, issue a notice of violation, or pursue any remedy available under law.

SECTION 8. PENALTIES

(a) Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine not to exceed \$100.00 per day for each day the violation continues, or imprisonment not to exceed 1 year, or both, as provided by Mississippi law.

(b) Each day a violation continues shall constitute a separate offense.

(c) Civil remedies, including injunctive relief, shall also be available to the City to enforce this Ordinance.

SECTION 9. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 10. EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption of the Second Reading to prevent imminent public health and environmental risks and to ensure the City's regulations governing the disposition of human remains are promptly aligned with state law.

SO ORDAINED this the **4th** day of **AUGUST**, A.D., 2026. Motion was made by Councilperson Amos, and seconded by Councilperson Scruggs, for the adoption of the First Reading of said Ordinance.

Upon roll call vote, the result was as follows:

YEAS: Capers, Kelly, Scruggs, Carmichael, Thomas, Amos

NAYS: None

ABSTAINING: None

ABSENT: Allen

The President thereupon declared the motion carried and the First Reading of this ordinance approved this the 4th day of **AUGUST**, A.D., 2026. The ordinance shall become effective immediately upon the Second Reading so that the labeling error in the prior amendment is corrected without delay and the City's records remain accurate.

COUNCIL PRESIDENT OF THE

ATTESTED AND SUBMITTED TO THE MAYOR BY THE CLERK OF THE COUNCIL
ON

AUGUST _____, 2026.

COUNCIL CLERK OF THE

APPROVED () DATE _____

VETOED ()

DATE _____

MAYOR

ATTEST:

CITY CLERK

Min. of 8/4/2026; Min. Book No. 105, Page No. _____; Agenda Item No. 4C