

ORDINANCE NO. 2630

AN ORDINANCE to amend The Code of the City of Alexandria, Virginia, 1963, as amended, by adding a new chapter numbered 7C entitled CEMETERIES; which new chapter relates to TRESPASS AT NIGHT UPON ANY CEMETERY; INJURIES TO CEMETERIES, BURIAL GROUNDS, ETC.; BURIALS WITHIN HAMILTON AVENUE PROHIBITED and BURIALS WITHIN GIBBON LANE PROHIBITED.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding a new chapter numbered 7C to read as follows:

CHAPTER 7C

CEMETERIES

Sec. 7C-1. Trespass at night upon any cemetery.

If any person, without the consent of the owner, proprietor or custodian, goes or enters in the nighttime, upon the premises, property, driveways or walks of any cemetery, either public or private, for any purpose other than to visit the burial lot or grave of some member of his or her family, such person shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$100.00.

Sec. 7C-2. Injuries to cemeteries, burial grounds, etc.

If any person shall:

(1) Wilfully and maliciously destroy, mutilate, deface, injure or remove any tomb, monument, gravestone or other structure placed within any cemetery, graveyard or place of burial, or within any lot belonging to any memorial or monumental association, or any fence, railing or other work for the protection or ornament of any tomb, monument, gravestone or other structure aforesaid, or of any cemetery lot within any cemetery;

(2) Wilfully or maliciously destroy, remove, cut, break or injure any tree, shrub or plant within any cemetery or lot of any memorial or monumental association;

(3) Wilfully or maliciously destroy, mutilate, injure or remove and carry away any flowers, wreaths, vases or other ornaments placed upon or around any grave, tomb, monument or lot in any cemetery, graveyard or other place of burial; or

(4) Wilfully obstruct proper ingress and egress to and from any cemetery or lot belonging to any memorial or monumental

association, such person shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500.00.

This section shall not apply to any work which is done by the authorities of a church or congregation in the maintenance or improvement of any burial ground or cemetery belonging to it and under its management or control and which does not injure or result in the removal of a tomb, monument, gravestone, grave marker or vault.

Sec. 7C-3. Burials within Hamilton Avenue prohibited.

No person shall bury or cause to be buried the remains of any person within sixteen and one-half feet of either side of the centerline of Hamilton Avenue between Wilkes Street and Franklin Street.

Sec. 7C-4. Burials within Gibbon Lane prohibited.

No person shall bury or cause to be buried the remains of any person within seven (7) feet of either side of the centerline of Gibbon Lane from West Street to a point 154 feet west of the western boundary of West Street and within eight (8) feet of the centerline of Gibbon Lane from a point 154 feet west of the western boundary of West Street to Hamilton Avenue.

Section 2. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.
Mayor

Final Passage: November 14, 1981