

COMMISSION POLICY

POLICY #2.7

SUBJECT: Licensing of Cemeteries

DATE ADOPTED
March 17, 2009

PAGE (BCC MINUTES)
Page 11

OBSOLETE VERSIONS *(Can be found in the Inactive Policy Book.)*
DATE ADOPTED **PAGE (BCC MINUTES)**
September 9, 1991 Book 10, pg. 67
February 19, 2008 Page 26

NOTE: (CHARACTERISTICS OF A GOOD POLICY AND PROCEDURE DOCUMENT) -- A policy is typically a document that outlines specific requirements or rules that must be met. The overall goal is to write policies that are clear, concise and in simple language. If you use an acronym, spell it out the first time you use it.

POLICY STATEMENT

This policy is to provide guidelines for the licensing of cemeteries in the unincorporated areas of Baldwin County.

PROCEDURAL REQUIREMENT

In order to carry out this policy, the following steps must be taken:

1. All requests for cemeteries to be licensed will first be referred to the Office of the Judge of Probate. The Judge of Probate will then refer the request to the Baldwin County Health Department to have the agency's environmentalists make a recommendation to the Commission for approval/disapproval.
2. If the Baldwin County Health Department recommends disapproval, then the Probate Judge will make the necessary notification to the requester and no further action is required.
3. If the Baldwin County Health Department recommends approval, then the Probate Judge will refer the request and a copy of the Baldwin County Health Department's recommendation to the Baldwin County Commission. Once received, the County Commissioner residing in the district in which the cemetery would be located will confirm the legal description, make a visual inspection of the site, consult with local residents and make a recommendation to the County Commission. ***Other Commissioners are encouraged to visit the site and be familiar with general aspects of the request.***

4. After inspection and review by the County Commissioner in whose district the cemetery would be located, and based upon information he/she provides, staff will prepare an *Agenda Item* outlining said Commissioners recommendation.
5. The County Commission will then approve/disapprove of the request in formal session and forward a report of this action to the Probate Judge along with a certified portion of the minutes showing the action taken by the Baldwin County Commission.
6. Upon receipt of the certified minutes, the Judge of Probate will submit to the County Commission, an *Order Granting License to Establish Private Cemetery*.
7. Upon receipt by the County Commission of the *Order Granting License to Establish Private Cemetery*, staff will prepare an additional *Agenda Item* that recommends accepting and approving placement of a fully executed copy of said *Order* into the minutes of the Baldwin County Commission.



BALDWIN COUNTY COMMISSION

POLICY #2.18	
Subject	Abandonment of Cemeteries and Removal and Reinterment of Human Remains
Date Adopted	March 17, 2009
Agenda Item	Minutes Page 11
Obsolete Versions	N/A

POLICY STATEMENT

This policy is to provide guidelines for the abandonment of cemeteries and removal and reinterment of human remains in the unincorporated areas of Baldwin County.

PROCEDURAL REQUIREMENT

In order to carry out this policy, the following steps must be taken:

1. At the time of the writing of these guidelines (March 2008), Alabama General Law governs this topic. Therefore, the processes related to the abandonment of cemeteries and removal and reinterment of human remains within the jurisdiction of the Baldwin County Commission (unincorporated areas) shall be followed as set forth at §11-47-60 through §11-47-74 of the Code of Alabama 1975 and other applicable law.
2. Formal action shall be taken by the Baldwin County Commission consenting or dissenting to any applicant's request for abandonment of a cemetery. Once the Commission takes action, staff will send a copy of the Baldwin County Commission's letter and/or instrument consenting/dissenting thereto to the Probate Judge of Baldwin County, the Baldwin County Health Department, the Baldwin County Land Officer and the Administrative Services Manager.

FORMS/ATTACHMENTS/EXHIBITS

N/A