

**From:** [Teddy.King@adph.state.al.us](mailto:Teddy.King@adph.state.al.us) [<mailto:Teddy.King@adph.state.al.us>]  
**Sent:** Friday, December 30, 2011 03:06 PM  
**To:** Judge Tim Russell  
**Cc:** [Bill.Lenz@adph.state.al.us](mailto:Bill.Lenz@adph.state.al.us) <[Bill.Lenz@adph.state.al.us](mailto:Bill.Lenz@adph.state.al.us)>; [Chad.Kent@adph.state.al.us](mailto:Chad.Kent@adph.state.al.us) <[Chad.Kent@adph.state.al.us](mailto:Chad.Kent@adph.state.al.us)>; David Brewer; [Jason.Roley@adph.state.al.us](mailto:Jason.Roley@adph.state.al.us) <[Jason.Roley@adph.state.al.us](mailto:Jason.Roley@adph.state.al.us)>; [Loren.Powers@adph.state.al.us](mailto:Loren.Powers@adph.state.al.us) <[Loren.Powers@adph.state.al.us](mailto:Loren.Powers@adph.state.al.us)>; [Ricky.Elliott@adph.state.al.us](mailto:Ricky.Elliott@adph.state.al.us) <[Ricky.Elliott@adph.state.al.us](mailto:Ricky.Elliott@adph.state.al.us)>  
**Subject:** Re: Fw: Family Burial Plots

Listed below is the opinion of the Alabama Department of Public Health General Counsel regarding family burial plots. If you have any questions, give me a call at 251-424-0762.

Theodore C. King, Environmental Supervisor  
Baldwin County Health Department

-----Ricky Elliott/Escambia/ADPH wrote: -----

To: "Chad Kent" <[chad.kent@adph.state.al.us](mailto:chad.kent@adph.state.al.us)>, "David Brewer" <[dbrewer@baldwincounty.al.gov](mailto:dbrewer@baldwincounty.al.gov)>, "Bill Lenz" <[Bill.Lenz@adph.state.al.us](mailto:Bill.Lenz@adph.state.al.us)>, "Loren Powers" <[Loren.Powers@adph.state.al.us](mailto:Loren.Powers@adph.state.al.us)>, "Teddy King" <[teddy.king@adph.state.al.us](mailto:teddy.king@adph.state.al.us)>, "Jason Roley" <[Jason.Roley@adph.state.al.us](mailto:Jason.Roley@adph.state.al.us)>  
From: Ricky Elliott/Escambia/ADPH  
Date: 12/30/2011 02:30PM  
Subject: Fw: Family Burial Plots

FYI

▼ Sherry Bradley

----- Original Message -----

**From:** Sherry Bradley  
**Sent:** 12/30/2011 02:25 PM CST  
**To:** Ricky Elliott  
**Cc:** Chad Kent  
**Subject:** Fw: Family Burial Plots

----- Forwarded by Sherry Bradley/ENV/ADPH on 12/30/2011 02:24 PM -----

From: Greg Locklier/LEGAL/ADPH  
To: Chad Kent/PHA09/ADPH@ADPH  
Cc: Sherry Bradley/ENV/ADPH@ADPH  
Date: 12/30/2011 01:39 PM  
Subject: Family Burial Plots

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Chad,

The Department of Public Health's long held position is that a family burial plot on an individual's private property is not considered to be a cemetery for the purpose of regulation under Section 20-20-4, *Ala. Code 1975* unless the county or municipality has promulgated an ordinance that may include family burial plots within the definition of cemetery.

Hope this helps. Call me if you have any questions. Greg

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