



City of Gainesville Agenda Item Report

File Number: 2024-510

Agenda Date: February 6, 2025

Department: Office of the City Attorney

Title: 2024-510 Evergreen Cemetery Ordinance Chapter 7 Revisions (B)

Department: City Attorney

Description: Ordinance No. 2024-510

An ordinance of the City of Gainesville, Florida, amending Chapter 7 – Cemeteries Sections 7-1, 7-2, 7-5, 7-6, 7-7, 7-11, 7-12, 7-13, 7-16, 7-17, 7-18 and 7-20 to make certain revisions and additions, including to the definitions, provide for natural burials and a pet cemetery, revise rules for disposition and use of cemetery revenues, revise rules for burials, installations, vaults, monuments, memorials, mausoleums, and conduct, and to make other revisions; and providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Fiscal Note: The updates are expected to increase revenue for Evergreen Cemetery and the City through additional sales.

Explanation: Evergreen Cemetery has been owned and operated by the municipality since 1944. As such, it has operated as a traditional burial cemetery allowing for full body and cremains burials. The Cemetery currently has the remains of 11,300 individuals interred with more than 3,000 spaces available for future burials. The Cemetery is in the process of becoming an arboretum in partnership with the Urban Forestry Program of the Public Works Department, which will make it a living, outdoor classroom and an inspiration for a greener, healthier, and more beautiful world.

In 2022, the Evergreen Cemetery Association of Gainesville, Inc., an independent support organization for the Cemetery, working alongside PRCA staff, began the process of reviewing the Chapter 7 ordinance after receiving a variety of requests from lot owners and neighbors, and after realizing that the Ordinance had not been updated in about twenty-five years. With increasing frequency, especially over the past two years, potential and existing lot owners have inquired about natural burials. Because the City ordinance requires a vault for all burials, the City is not able to offer natural burials. Natural burials do not have vaults and require a larger footprint than traditional grave spaces. An unused section of the cemetery would need to be designated by ordinance for the purpose of natural burials. There is a newly-available, unused area of

the Pinkoson Section of Evergreen Cemetery that would be appropriate for this purpose and meet the requests of our neighbors.

Another frequent request from neighbors and lot owners is for a pet cemetery. There is a section of the cemetery that is separate from traditional gravesites but is suitable for a pet cemetery. There is a need for a local pet cemetery because neighbors who live in an apartments or condominiums, or who do not own their home, face a challenge in finding a burial site for their beloved animal companions. The ordinance change would simply allow one section of the cemetery to be designated for pets only.

The Cemetery was founded in 1856 and there were no restrictions at that time on the height or design of headstones. In the mid-1980s the Ordinance was changed to restrict monument size to two feet in height. Many lot owners who purchase at Evergreen Cemetery do so because it is a beautiful, historic cemetery. They want monuments and statuary to be as stately as the historic markers that were grandfathered in when the ordinance changed. To perpetuate the look of this historic cemetery, the City should consider amending the Ordinance to allow for taller monuments and statuary.

These changes to the Cemetery Ordinance, along with the creation of the Arboretum, will bring awareness and attention to the natural beauty of Evergreen Cemetery. The changes are also expected to increase sales within the cemetery and generate new streams of revenue, in addition to meeting the needs of the families we serve.

Business Impact Estimate:

This ordinance is exempt under Florida Statute 166.041(4)(a). (See Attached)

Strategic Connection:

- Goal 1: Equitable Community
- Goal 2: More Sustainable Community
- Goal 3: A Great Place to Live and Experience
- Goal 4: Resilient Local Economy
- Goal 5: "Best in Class" Neighbor Services

Recommendation: The City Commission adopt the proposed ordinance.