



## Legislation Details (With Text)

**File #:** 21-0221      **Version:** 1      **Name:** City Code Amendment Cemeteries  
**Type:** Ordinance-Coded      **Status:** Passed  
**File created:** 7/29/2021      **In control:** City Council Legislative Session  
**On agenda:** 8/11/2021      **Final action:** 8/11/2021  
**Title:** Ordinance to Amend and Reenact Chapter 10 of the City Code of the City of Hampton, Virginia, Entitled, "Cemeteries" Pertaining to Area Requirements and to Make Technical Changes  
**Sponsors:**  
**Indexes:** ,  
**Code sections:**  
**Attachments:** 1. Redline, 2. Presentation reference

Date	Ver.	Action By	Action	Result
8/11/2021	1	City Council Legislative Session	approved	Fail

Ordinance to Amend and Reenact Chapter 10 of the City Code of the City of Hampton, Virginia, Entitled, "Cemeteries" Pertaining to Area Requirements and to Make Technical Changes

### Background Statement:

This proposal would remove minimum and maximum area requirements for cemeteries and align the language with the Zoning Ordinance. Cemeteries require a Use Permit in all districts permitted, which allows City Council to add appropriate conditions to any new cemeteries and removes the necessity of a general area requirement in the City Code. This amendment is the result of the City's on-going assessment of land use regulations with respect to changing dynamics of the economy.

This amendment is accompanied by separate, related amendments to Chapter 2 (ZOA21-0218), Chapter 3 (ZOA21-0219) and Chapter 12 (ZOA21-0220), "Definitions", "Uses Permitted" and "Nonconformities", respectively. City Code amendments do not require action by the Planning Commission.

### Recommendations:

Staff Recommendation:  
Approve

**BE IT ORDAINED** by the Council of the City of Hampton, Virginia that Chapter 10, Article I of the City Code of the City of Hampton, Virginia, be amended and re-enacted as follows:

### Chapter 10 - CEMETERIES

#### ARTICLE I. - IN GENERAL

##### Sec. 10-5. - Administration.

It shall be the duty of the city manager to make such rules and regulations as may be necessary

for the enforcement of this chapter including the appointment of a superintendent of cemetery code compliance.

**Sec. 10-6. [Reserved]**

**Sec. 10-7. - Street specifications.**

The streets of any cemetery established or enlarged wholly within the city shall be built to conform to the standards established by the state department of transportation for construction of a secondary road and shall have a paved width of not less than eighteen (18) feet.

**Sec. 10-8. - Interments to be in established cemeteries only.**

No person shall inter or cause to be interred the body of any deceased person in any area within the city except in such grounds as are known and used as a cemetery and then only in a space that is identified as a place of interment by the interment plan or if the cemetery was established prior to the requirement of a interment plan, an interment shall occur in a place of interment as identified by section 10-13.