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MAYOR

CITY OF NEW ORLEANS

Joseph Threat, Sr.
DEPUTY CAO

June 15, 2022

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Clerk of Council
New Orleans City Council

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Chief Administrative Officer
City of New Orleans

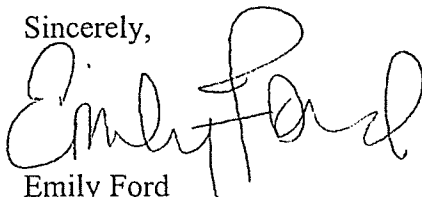
Subject: Division of Cemeteries Rules & Regulations, Lafayette Cemetery No. 1 Reopening

In compliance with City of New Orleans Code Section 2-1000, the Department of Property Management, Division of Cemeteries submit the following information concerning the adoption the referenced rules.

- 1) Proposed Cemetery *Rules & Regulations* and *Lafayette No. 1 Tour Program Guide Book*.
- 2) Legal notice of public hearing published in The Times-Picayune | The New Orleans Advocate newspaper
- 3) Transcribed comments made at public hearing on June 6, 2022.
- 4) Resolution regarding the proposed *Rules & Regulations* and *Tour Program Guide Book*.

A copy of the approved draft of the regulations are attached. Please have this docketed to be received at the next council meeting. If you have any questions or need additional information, please contact Emily Ford at Emily.Ford@nola.gov.

Sincerely,



Emily Ford
Cemeteries Superintendent
Department of Property Management

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June 7, 2022

REPORT

In compliance with Rule 2-1000 Rule Promulgation Process

CITY OF NEW ORLEANS
DEPARTMENT OF PROPERTY MANAGEMENT
DIVISION OF CEMETERIES

RULES & REGULATIONS FOR CITY-OWNED CEMETERIES

&

LAFAYETTE CEMETERY NO. 1 TOUR GUIDE BOOK

Enclosed:

Copy of Rules & Regulations for City-Owned Cemeteries

Copy of Lafayette Cemetery No. 1 Tour Guide Book

Copy of Public Notice, Times-Picayune, May 30, 2022

Summary of Public Meeting Held June 6, 2022

Draft Resolution

**CITY OF NEW ORLEANS
DEPARTMENT OF PROPERTY MANAGEMENT
DIVISION OF CEMETERIES**

**RULES AND REGULATIONS FOR
NEW ORLEANS CITY CEMETERIES**

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PREFACE

The rules herein apply to all visitors, stakeholder families and persons, outside workers, and any other person within the boundaries of cemeteries owned by the City of New Orleans and operated by the Division of Cemeteries. These rules are established by the Department of Property Management in order to best serve the City's mission in managing and operating its cemeteries.

The mission of the Division of Cemeteries, a division of the Department of Property Management of the City of New Orleans, is:

To maintain the grounds, preserve the resources, and offer service to the stakeholders of the municipal cemeteries of New Orleans.

The city-owned cemeteries of New Orleans, Louisiana are:

Carrollton Cemetery No. 1 (also known as "Green Street Cemetery")

1701 Hillary Street

Bounded by Adams Street, Lowerline Street, Hickory Street, and Birch Street

Holt Cemetery

527 City Park Avenue

Behind Delgado Community College at Rosedale Drive (also known as Buddy Bolden Place)

Lafayette Cemetery No. 1

1420 Washington Avenue

Bounded by Washington Avenue, Sixth Street, Prytania Street, and Coliseum Street

Lafayette Cemetery No. 2

2110 Washington Avenue

Bounded by Washington Avenue, Sixth Street, Loyola Street, and Saratoga Street

St. Mary's Cemetery (also known as "Carrollton Cemetery No. 2")

1901 Hillary Street

Bounded by Adams Street, Lowerline Street, Spruce Street, and Cohn Street

Valence Cemetery

2000 Valence Street

Bounded by Valence Street, Bordeaux Street, Danneel Street, and Saratoga Street

Office of the Division of Cemeteries

5034 Tchoupitoulas Street, New Orleans, LA, 70115

DEFINITIONS

“At-Need”	Associated with arrangements made after a person’s death to prepare for burial.
Burial or Interment	The disposition of human remains in an earthen grave, coping, or above-ground tomb.
Cemetery	All land owned by or under the supervision and control of the City of New Orleans devoted exclusively to the burial of the human dead, and all land hereafter acquired by the City of New Orleans for such purposes.
City-Owned or Municipal	Cemeteries belonging to the City of New Orleans.
Commercial Filming	Any film or photography project that involves commercial activity, the exchange of payments, the raising of funds, making or intended to generate revenue by any party of the project.
Contractor	Any private person, company, or organization who performs tasks in city-owned cemeteries for private commercial gain.
Coping	A burial structure distinguished by four interconnected wood, stone, or masonry walls that serve to artificially elevate the grade of a burial plot.
Decedent	A person who has died.
Disinterment or Removal	The removal of buried or entombed remains of a deceased person, the casket, if any, and/or the burial receptacle, if any, for the purposes of reinterment elsewhere in the cemetery or in another cemetery.
Free Land	Areas of city-owned cemeteries which are not formally platted and are historically granted only by servitude right of use. These areas comprise the entirety of Holt Cemetery, Square 218 in Carrollton Cemetery (“Green Street”), and perimeter lots in St. Mary’s Cemetery along Spruce, Lowerline, Cohn, and Hillary Streets.
Heir	A person who is legally entitled to inherit some or all of the estate of another person who died intestate.

Lot or Plot	A subdivided land area within a cemetery consisting of one or more burial spaces.
“Pre-Need”	Associated with arrangements made prior to a person’s death in order to prepare for funeral and burial.
Right of Interment	The right to be buried in a specific tomb, lot, or other space and the right to designate the burial of someone else in said space.
Rubbing	Headstone “rubbing” implies any act that involves an attempt to transfer inscriptions or designs from stone surfaces to paper surfaces, either by “rubbing” media across paper or any other means of physical transfer.
Successor in Interest	A person with an ownership interest in a tomb, lot, servitude, coping, or other cemetery property, usually by means of intestate succession. A successor in interest is not necessarily the sole owner of a property or servitude right of use.
Superintendent of Cemeteries	The person in charge of conducting the various operations and services at all six city-owned cemeteries. This position is supervised by the Director of Property Management.
Title or Deed	The document by which, together with proper registration in the cemetery records, the cemetery conveys right of interment.
Tour Guide	Any person duly licensed by the City of New Orleans Department of Safety and Permits to conduct one or more persons to any of the city’s points of interest and/or historic buildings, parks, or sites, for the purpose of explaining, describing, or generally relating the facts of importance thereto.
Tour Operator	Any person, company, or entity duly registered with the City of New Orleans Department of Revenue as a tour operator.

ARTICLE 1: SUPERVISION OF CEMETERY

- 1) The City of New Orleans reserves the right to compel all persons entering any city-owned cemeteries to obey all rules and regulations adopted by the City of New Orleans through the Division of Cemeteries.
- 2) Rules and regulations may be changed from time to time without notice to any party by the Division of Cemeteries.
- 3) Disclaimer of Responsibility
 - a. The City of New Orleans shall take responsible precaution to protect owners and the property rights of owners within the municipal cemeteries from loss or damage, but it distinctly disclaims all responsibility for loss or damages from causes beyond its reasonable control. The Division of Cemeteries is not and shall not be liable for damage caused by elements, acts of God, common enemy, thieves, vandals, malicious mischief makers, unavoidable accidents, explosions, war, invasion, riots, or orders of any military or civil authority, whether the damage be direct or collateral.
- 4) Enforcement of Rules
 - a. Division of Cemeteries under the Department of Property Management and headed by the Superintendent of Cemeteries or his or her authorized representative shall enforce all rules and regulations and exclude from the property any persons violating the same.
- 5) Cemetery Fees
 - a. Fees for interments, work permits, filing fees, deed transfer and duplicate fees, and all other fees shall be established by the Division of Cemeteries and shall be collected by same.
 - b. Fees shall annually be posted in a public location.
 - c. Fees will be assessed at the established rate for the time the service is rendered.
 - d. All fees and revenues received by the city for use of any city-owned cemetery or for cemetery services rendered shall be dedicated solely to operating, maintaining, repairing, and/or improving city-owned cemeteries, per **City of New Orleans Ordinance Sec. 70-415.298-301**.

ARTICLE 2: DIVISION OF CEMETERIES ADMINISTRATIVE OFFICE

- 1) The administrative and record office of the Division of Cemeteries is located within the Facilities Maintenance Warehouse at 5034 Tchoupitoulas Street, New Orleans, LA 70115.
- 2) The general contact phone number for the Division of Cemeteries is (504) 658-3781. The contact phone number for the Superintendent of Cemeteries is (504) 658-3672.
- 3) Lot records, sextons' burial books, and other historic documents associated with the city-owned cemeteries dating from 1950 to present are located at the administrative office of the Division of Cemeteries and are not accessible to general researchers. The Division of Cemeteries will perform written records searches to qualifying individuals upon request, subject to a fee determined by the Department of Property Management.

- 4) Records of the city-owned cemeteries for interments prior to 1950 are located at the Main Branch of New Orleans Public Library (“NOPL”) on microfilm and are managed by the Louisiana Division of NOPL.
- 5) Services offered at the administrative office of the Division of Cemeteries:
 - a. Burial arrangements for at-need interments
 - i. The Division of Cemeteries does not offer pre-need burial arrangements.
 - ii. The City of New Orleans does not sell private burial property. The City does, however, offer a 10-year servitude right of interment in Holt Cemetery to those who do not presently own cemetery property.
 - iii. With the exception of issuance of new servitudes in Holt Cemetery, all other burials in all other city-owned cemeteries can only be offered to those with right of interment and/or title to a burial space.
 - b. Additional services offered at the administrative office of the Division of Cemeteries:
 - i. Duplicate issues of deeds and titles to qualifying stakeholders.
 - ii. Transfers of deeds and titles to qualifying stakeholders.
 - iii. Scheduling of visitation for families of/and property owners at Lafayette Cemetery No. 1.
 - iv. Records research services to qualifying stakeholders.
 - v. Issuance of improvement permits for commercial work in cemeteries.
 - c. Property owners in New Orleans city-owned cemeteries must file documentation of transfers, sales, alterations, change of address, or other information pertaining to private property ownership with the Division of Cemeteries.

ARTICLE 3: ADMISSION TO CEMETERIES

- 1) General Admission Information
 - a. No one shall be in the cemeteries outside of posted hours.
 - b. Opening and closing hours for cemeteries shall be determined by the Superintendent of Cemeteries. All New Orleans city-owned cemeteries shall be open for visitation for an eight-hour period on All Saints’ Day, Father’s Day, and Mother’s Day of each year.
 - c. The City of New Orleans, Department of Property Management, and the Division of Cemeteries reserve the right to deny cemetery entry at their reasonable discretion, including and not limited to restricting cemetery access to the public during funerals.
 - d. Entrance into and exit from cemeteries may only take place through public gates.
- 2) Trespassing
 - a. Visitors to cemeteries must remain on main aisles and refrain from trespassing on tomb, coping, or other burial lots, which are the private property of individuals and families.
 - b. Entrance to any part of a city-owned cemetery after the gates have been closed on evenings, holidays, or any other restricted time is construed as trespassing.

- 3) Respect for the Property of Others
 - a. No persons shall sit, stand, or lean on any cemetery structures including, but not limited to, monuments, tombs, markers, copings, and statues.
 - b. Any person who causes damage, either intentionally or unintentionally, to public or private property will be held financially and/or criminally accountable by the appropriate party.

ARTICLE 4: CONDUCT OF VISITORS

- 1) General Conduct of Visitors
 - a. The cemeteries owned by the City of New Orleans and operated by the Division of Cemeteries, like all cemeteries, hold incomparable value and meaning to the communities who have loved ones interred therein, as well as for the larger New Orleans community. Visitors can contribute to this meaning by maintaining an atmosphere of respect and reverence while within the cemetery.
 - b. Any conduct that interferes with the right of families to visit their loved ones in peace will be seen as a violation of cemetery rules and regulations. Violators will be required to leave the cemetery.
- 2) Peace and Quiet
 - a. Visitors to the city-owned cemeteries of New Orleans will preserve the peaceful and quiet atmosphere expected of a cemetery.
 - b. Loud language, vocal amplification (such as bullhorns), music not associated with funeral processions, offensive language, or other conduct in a cemetery that would be offensive to a person of ordinary sensibility is prohibited.
- 3) Disruptive Behavior and Intrusion
 - a. Visitors to a cemetery who are not members of a funeral procession may not intrude upon a funeral party or otherwise disrupt a funeral in progress.
 - b. Vehicles, equipment, and workers should not operate within sight of a funeral service.
 - c. Any visitors or vehicles in close proximity to a funeral service that are not a party to that service should leave the area at once.
- 4) Placing or Removing Items
 - a. Visitors shall not place any item, offering, flower, balloon, paper product, coin, or any other material anywhere in the cemetery unless the item is placed on a property that belongs to the visitor, or for which the visitor is a successor-in-interest.
 - b. Visitors shall not remove any item, flower, plant, offering, or other material which has been intentionally placed by the lot owner(s) from any lot in any cemetery.
 - c. See **Article 10: Ornamentation and Decoration** for rules and regulations pertaining to property owners placing or removing items at private property.
- 5) Littering
 - a. Litter must be disposed of in trash cans. Littering or otherwise disposing of trash is prohibited anywhere but in a trash can or dumpster.

- b. Dumping of any item, including furniture, lawn debris, appliances, tires, bicycles, vehicles, construction materials, or any other item is prohibited in New Orleans city-owned cemeteries.
- 6) Soliciting or Peddling
- a. No solicitations for contractor or monument work, tours, or other goods or services are allowed within 200 feet of any city cemetery.
 - b. No panhandling or peddling shall be permitted in or outside of cemeteries.
 - c. In accordance with the City of New Orleans Department of Safety and Permits ***Standards of Conduct and Ethics for Licensed Tour Guides***, no tour guide, interpreter, or other entertainer shall solicit walk-up visitors in or around the cemetery. Tour guides must arrange to meet with pre-registered guests at a pre-determined location and time. (See **Article 14: Cemetery Tourism and Special Events** for more information on tour rules and regulations).
- 7) Alcohol
- a. Alcohol of any type is strictly prohibited from cemetery grounds. Persons with alcohol and/or intoxicated persons will be removed from the cemetery. Tour guides, organizers, or agency representatives condoning such behavior in New Orleans city-owned cemeteries may be refused permits and/or be subject to a suspension of services on cemetery grounds.
- 8) Restricted Activities
- a. New Orleans city-owned cemeteries are not for sensational or entertainment purposes. Events and activities that would be considered offensive, disrespectful, or disruptive to the dignity and character of the cemetery to a person of ordinary sensibility are prohibited.
 - b. Weddings, vow renewals, or other nuptial ceremonies are prohibited in New Orleans city-owned cemeteries.
 - c. Athletic events and treasure hunting are prohibited in New Orleans city-owned cemeteries.
 - d. Scavenger hunting that requires removal of any item from a cemetery is prohibited.
- 9) Animals
- a. Pets and their handlers shall remain on public rights-of-way within cemeteries and shall not encroach on a cemetery lot without the consent of the lot owner.
 - b. All pets must be held firmly on a leash held by a person while in the cemeteries.
 - c. The owner or keeper of any animal within a cemetery shall clean up after their pet.
 - d. The owner or keeper of any animal within a New Orleans city-owned cemetery shall be liable for any damage done by animals. The Division of Cemeteries does not assume responsibility for keeping animals out of cemeteries.
 - e. No horses or large animals are permitted in New Orleans city-owned cemeteries unless explicitly associated with a funeral service.

- f. Domesticated birds such as chickens, geese, doves, parrots, falcons, and others are not permitted in cemeteries unless explicitly incorporated into a funeral service.

10) Firearms and Explosives

- a. No person shall be permitted to bring or carry firearms within the New Orleans city-owned cemeteries except in the context of a military guard of honor and then only when in charge of an officer and during a military service.
- b. Explosives, fireworks, sparklers, and other pyrotechnics are prohibited in New Orleans city-owned cemeteries.

11) Headstone Rubbing

- a. Rubbing of headstones, tablets, markers, or any other inscribed item in a city-owned cemetery is prohibited.
- b. This regulation does not apply to monument companies or their representatives using professional transfer paper to assist in inscription carving.

ARTICLE 5: VEHICLE AND TRAFFIC REGULATIONS

1) General Vehicle and Traffic Regulations

- a. Hearses and associated funeral processions are permitted in all cemeteries.
- b. Vehicles are prohibited from any areas other than paved public rights-of-way.
- c. Personal vehicles are generally not permitted Lafayette Cemetery No. 1, Lafayette Cemetery No. 2, and Valence Cemetery except for funerals and when driven by tomb or lot owners for the purposes of visiting a grave.
- d. Personal vehicles are permitted only on paved rights-of-way in Carrollton Cemetery No. 1 ("Green Street Cemetery"), Carrollton Cemetery No. 2 ("St. Mary's Cemetery"), and Holt Cemetery.
- e. Parking of personal vehicles on the shoulder entrance road at Section A in Holt Cemetery is permitted.
- f. Operation of commercial tour vehicles such as tour buses and passenger vans is prohibited in all New Orleans city-owned cemeteries.
- g. Vehicles must not park in any cemetery in such a way that obstructs traffic.

2) Bicycles, Segways, and Motorcycles

- a. Segways and motorcycles are not permitted in New Orleans city-owned cemeteries.
- b. Bicycles are not permitted in New Orleans city-owned cemeteries.
- c. Bicycle tour groups must secure bicycles outside of cemetery gates prior to entering cemeteries. (See **Article 14: Cemetery Tourism and Special Events** for more information on tour rules and regulations).

3) Responsibilities of Agencies

- a. Funeral directors, monument companies, tour guides, commercial film crews, and any other agency will be held responsible for the actions of all vehicle drivers or others employed by them while within the grounds of New Orleans city-owned cemeteries.

4) Funeral Processions

- a. All funeral processions must be accompanied by a funeral director with a valid business license and insurance.
- b. The funeral director will be held responsible for all vehicles in a funeral procession. All vehicles in funeral processions must observe traffic regulations.
- c. The funeral director must ensure that vehicles are parked properly for burial services.

5) Outside Workers and Contractors

- a. Contractors and outside workers who have obtained a permit from the Division of Cemeteries to perform work in a city-owned cemetery may use a single non-oversize vehicle to transport, load, and unload supplies and materials.
- b. Contractors and other outside workers may park one non-oversize vehicle on paved side-roadways in Carrollton Cemetery, St. Mary's Cemetery, Valence Cemetery, and Lafayette Cemetery No. 2. Parked contractor vehicles must not obstruct traffic.
- c. Contractors and other outside workers may park their one non-oversize vehicle on the shoulder of the entrance road at Holt Cemetery, Section A. No vehicles are permitted to obstruct traffic or park off roadways in Holt Cemetery.
- d. Parking of contractor/outside worker vehicles at Lafayette Cemetery No. 1 must be coordinated with cemetery staff and approved by the Superintendent of Cemeteries.

6) Damage Reporting

- a. Operators of vehicles must immediately report to the Division of Cemeteries any damage to trees, shrubbery, turf, signs, copings monuments, utilities, or structures caused by a vehicle in a cemetery.

7) Vehicle Size Restrictions

- a. Vehicles over twenty-five (25) feet in length and twelve (12) feet in height shall not be permitted in New Orleans city-owned cemeteries.
- b. Vehicles with high clearance must not attempt to enter gates with cast-iron arches. High-clearance vehicles must enter through gates without arches.

8) Gate Arches and Clearance Restrictions

- a. Contractors, filming crews, and others utilizing lifts, boom trucks, crane trucks, and other high-clearance vehicles must observe clearances of gate arches at cemeteries including:
 - i. Lafayette Cemetery No. 1 Washington Avenue gate
 - ii. Lafayette Cemetery No. 1 Sixth Street powerlines
 - iii. Lafayette Cemetery No. 2 Washington Avenue gate (Sixth Street gate has no arch)
 - iv. Valence Cemetery Valence Street gate (there is no other entrance to Valence Cemetery, all entering vehicles must observe arch clearance)
 - v. Carrollton Cemetery Adams Street gate (Lowerline Street gate has no arch)
 - vi. St. Mary's Cemetery Cohn Street gate (Spruce Street gate has no arch)

vii. Holt Cemetery gate has no arch, but does have oak tree clearance considerations in Sections D2, D3, D4, C, and CC.

9) Restoration of Roads and Turf

- a. The operator of a vehicle used in any New Orleans city-owned cemetery must restore any damage to the road, pavement, shoulder, or turf before leaving the area, including the filling of ruts and the removal of any tire tracks or other evidence of vehicles and/or equipment.

ARTICLE 6: VEGETATION MANAGEMENT

1) Trees on Private or Title Land Lots

- a. Trees, shrubs, and other plantings located on private, title-land burial lots are the responsibility of the owner(s) of interment rights of the property. Maintenance or removal of both intentionally planted and invasive trees must be managed by the owner(s).
- b. Trees in which the trunks are situated on more than one lot may be the responsibility of multiple owners
- c. The maintenance or removal of trees with trunks more than six (6) inches in diameter and more than ten (10) feet tall must be performed by a licensed tree service contractor with proof of insurance and bonding. (See **Article 7: Contractors, Monument Companies, and Other Private Work Activities.**)

2) Trees on Servitude Lots

- a. Trees, shrubs, and other plantings on servitude right of use lots in Holt, Carrollton, and St. Mary's Cemetery may be removed by the Division of Cemeteries for any reason.

3) Maintenance Rights of the Division of Cemeteries

- a. The City of New Orleans, Department of Property Management, and Division of Cemeteries shall have the right to enter a cemetery lot and remove any trees or such parts thereof that are detrimental to the structures, adjacent lot or infrastructure, or become dangerous or inconvenient to visitors, interfere with the scheme of development, or diagnosed with an epidemic disease.
- b. The Division of Cemeteries will attempt to notify owners when trees on their cemetery lot become potentially hazardous to adjacent property in order to provide them with the opportunity to correct the hazardous situation.
- c. Charges for any tree maintenance on cemetery lots completed by the Division of Cemeteries or its representative shall be billed against the lot.

ARTICLE 7: CONTRACTORS, MONUMENT COMPANIES, AND OTHER PRIVATE WORK ACTIVITIES

1) Contractors, Monument Companies, and Others

- a. Any and all persons performing privately-contracted work in New Orleans city-owned cemeteries on any cemetery lot which they do not own must be employed by a company in good standing with the State of Louisiana which also

holds valid commercial general liability insurance of \$1,000,000 per occurrence and \$2,000,000 aggregate.

- b. All private work must be authorized by the owner(s) or successor(s) in interest of the burial rights of the lot, tomb, coping, or other property in question, or an authorized agent of the owner(s) or successor(s) in interest.
- c. Owners and successors in interest may perform general cleaning and upkeep to the structures and grounds on their respective cemetery lots and are excluded from fee and insurance requirements. Owners are encouraged to file permits for recordkeeping purposes.
- d. City employees performing their official duties on cemetery lots are excluded from these requirements.

2) Work Permits Required

- a. All work activities on lots performed by contractors must be approved by the Superintendent of Cemeteries prior to commencement.
 - i. Permit forms for work, inscriptions, monument installation, and restoration work are available through the Division of Cemeteries.
 - ii. Permit fees are determined by the Superintendent of Cemeteries in a publicly-available fee schedule that shall be updated from time to time to remain competitive with local markets.
 - iii. All fees must be paid by official business check or money order. No cash or credit cards will be accepted.
- b. It shall be the contractor's responsibility to provide in writing the customers' name, lot number, and description of work activity.
- c. Lots will be inspected by the Division of Cemeteries prior to commencement of work and after work is completed.
- d. Permits will be effective for thirty days after their issuance. If necessary, contractors may request a permit renewal for thirty days after the permit's expiration.

3) Hours for Work Activities

- a. Contractors, private workers, and others performing work in the city-owned cemeteries will do so only between the opening and closing hours of the respective cemetery.
- b. Work taking place within sight or sound of a funeral service will cease and maintain an air of quiet reverence during the duration of a funeral service.
- c. Any work in progress when a cemetery closes will be charged a fee for after-hour access as determined by the Superintendent of Cemeteries.
- d. Contractors, private workers, and others working within the city-owned cemeteries will abide by rules of vehicular access outlined in **Article 5: Vehicle and Traffic Regulations**.

4) Quality of Work Performed

- a. All work performed and completed by contractors in all city-owned cemeteries must be of high-quality craftsmanship and materials.
- b. Construction of Enclosures in Free Land Sections

- i. In Free Land sections of city-owned cemeteries (Holt, Carrollton and St. Mary's Cemeteries), boxes, copings, railings, and other enclosures must be three and one-half feet (3.5') in width and seven and one-half (7.5') in length on inside measures.
 - ii. Enclosures in Free Land sections must not interfere with the long-term use of grave shaft or site.
- 5) Conduct of Contractors and Private Workers
 - a. Contractors and private workers will not solicit visitors at cemeteries for work under any circumstances.
 - b. Contractors and private workers must conduct themselves in a professional manner and not harass, bother, distract, or otherwise disrupt the peace of cemetery visitors.
- 6) Contractor and Work Site Trash
 - a. All trash, rubbish, mortar, concrete, sand, material packaging, tools, paint, hoses, and other products of work must be cleaned from the work site and removed from the cemetery at the end of each day.
 - b. Trash cans in city-owned cemeteries must not be overloaded by the trash of private contract workers. Trash must be packed out each day by contract workers.
 - c. Contract workers are not permitted to use city-owned dumpsters in Carrollton or Holt Cemeteries unless given express permission by the Division of Cemeteries.
- 7) Violation of Contractor Rules and Regulations
 - a. Contractors found to be in violation of the Rules and Regulations of the Division of Cemeteries will be denied permits for future work.
 - b. Contractors found to be operating in city-owned cemeteries without having filed a permit with the Division of Cemeteries for said work will be fined and/or subject to charges of criminal trespass. Contractors in violation may also be held responsible for any costs incurred by the City associated with cleaning up or repairing damage caused by unpermitted work.

ARTICLE 8: TITLES, TRANSFERS, AND ASSIGNMENTS

- 1) Titled Property in New Orleans City-Owned Cemeteries
 - a. This article pertains to property for which a title was originally issued by the City of New Orleans or its agent. Titled property is recorded in deed books maintained by the Division of Cemeteries. Titled property or "Title Land" is administered separately from the use of property issued via a Servitude Right of Use or "Free Land," which is addressed in **Article 9: Servitude Right of Use**.
 - b. If a title holder dies intestate, the interment rights belonging to said title holder will descend to his or her heirs and/or successors in interest according to **Louisiana Revised Statute 8:803**.
 - c. A successor in interest may show ownership either by a judgment of possession or an affidavit as required by **Louisiana Revised Statute 8:804**.

- 2) Rights of Title Holders and Successors in Interest
 - a. Title holders and successors in interest may authorize burials at the property for which they are authorized.
 - b. Title holders and successors in interest may authorize improvements, inscriptions, repairs, restorations, and other improvement work at the property for which they are authorized.
 - c. Successors in interest are prohibited from demolishing or otherwise irreversibly treating the property for which they are authorized unless such action is approved by all successors in interest for the property.
- 3) Duplicate Titles
 - a. The Division of Cemeteries administrative office will issue duplicate titles to approved owner(s) or successor(s) in interest for a fee established by the Superintendent of Cemeteries.
 - b. Duplicate titles will be issued only on proper proof of ownership and/or heirship approved by the Division of Cemeteries.
- 4) Title Transfers: Judgements of Possession and Acts Translative of Title
 - a. Title transfers must comply with **City of New Orleans Ordinance Sec. 38-91 and 91(b)**.
 - b. A person claiming to be a successor in interest may make application to the Division of Cemeteries to have a title transferred into their name. Such a transfer requires one of two documents:
 - i. A court order or other judgement of a court showing the requesting person is a successor in interest, or
 - ii. An act translative of title.
 - c. The City Attorney's Office must approve title transfers.
- 5) Title Transfers: Affidavits
 - a. Title transfers by affidavit must comply with **City of New Orleans Ordinance Sec. 38-92**.
 - b. If a person claiming to be a successor in interest does not have a court order or other document translative of title, the following may be presented to the Division of Cemeteries:
 - i. A notarized affidavit of death and heirship showing the relationship of the person requesting transfer to the title holder of record. This affidavit should also include:
 1. The names of all the descendants of the title holder of record and whether they are living or dead.
 2. A clause stating that the person requesting the transfer shall hold the city harmless from and indemnify the city for all claims, suits, demands or judgements arising out of or in connection with the use of the space or plot within the city cemetery.
 - ii. A notarized affidavit of a disinterested but informed person setting forth the facts of the death of the title holder of record and identifying the descendants and heirs of the title holder of record.

- c. The City Attorney's Office must approve title transfers.

ARTICLE 9: SERVITUDE RIGHT OF USE

1) Servitude Right of Use

- a. The City of New Orleans grants only the servitude right of use in some areas of city-owned cemeteries. Full ownership of space and lots in these areas remains with the City. These areas are:
 - i. All of Holt Cemetery, 527 City Park Avenue
 - ii. "Free Land" section of Carrollton Cemetery bounded by Birch, Lowerline, Green, and Hillary Streets, Square 218 on city maps.
 - iii. Perimeter lots of St. Mary's Cemetery on Spruce, Lowerline, Cohn, Adams, and Hillary Streets.
- b. As of 2011, "Free Land" lots in St. Mary's Cemetery and Carrollton Cemetery are designated "family only" and are opened to current and former servitude holders and their heirs.

2) Restrictions Upon Right of Use

- a. Servitude right of use is issued only in the event of an at-need burial. Pre-need issuance of servitude right of use is prohibited.
- b. Applicants shall be granted a right of use for a space or plot on a first-come, first-served basis. The location of a new servitude lot cannot be chosen by the applicant.
- c. Servitude right of use cannot be transferred without the approval of the Director of Property Management. Servitude right of use cannot be sold.

3) Extent of Servitude

- a. All servitudes of right of use are issued on a 10-year basis.

4) Renewal of Servitude

- a. Servitudes may be renewed by the servitude holder, his or her heirs or successors in interest for a succeeding 10-year period. The process of renewal is as follows:
 - i. Submit written notice of intent to renew servitude with the Superintendent of Cemeteries not sooner than 1 year nor later than 30 days prior to the expiration of the servitude.
 - ii. An applicable renewal fee to be set by the Division of Cemeteries
 - iii. If renewal takes place by an heir, assign, or successor of interest to the original servitude holder, documentation must be provided in the form of a judgement of possession, an act translative of title, or a notarized affidavit as described in **Article 8, Section 5**.

ARTICLE 10: INSTRUCTIONS AND OBLIGATIONS OF PROPERTY STAKEHOLDERS

1) Title Property Stakeholders

- a. Change of Address
 - i. Title holders and owners must notify the Division of Cemeteries of any change in his or her postal address or other contact information. Notice

sent to a title holder or other title-land stakeholder at the last address in the Division of Cemeteries' records shall be considered sufficient and proper legal notification.

- b. Movable/Personal Property on Lots
 - i. All memorials, including family mausoleums, monuments, markers or vases are the property of the individual owner. Therefore, any damage to memorials due to weather; acts of God; vandalism; malicious mischief; or theft, is the title holder/owner's responsibility. Title holders are encouraged to include cemetery property on homeowner's insurance policies where possible.
- 2) Servitude Right of Use Holders
- a. Location and Marking
 - i. Servitude areas of city cemeteries are not formally mapped. Servitude right of use holders must keep accurate records of the location of their assigned lot.
 - ii. Servitude holders must place a headstone, marker, box, or other identifying item at the assigned lot within 2 years of servitude issuance.
 - b. Change of Address
 - i. Servitude holders must notify the Division of Cemeteries of any change in his or her postal address or other contact information within the period of his or her servitude term.
 - c. Movable/Personal Property on Lots
 - i. All memorials, including family mausoleums, monuments, markers or vases are the property of the individual owner. Therefore, any damage to memorials due to weather; acts of God; vandalism; malicious mischief; or theft, is the title holder/owner's responsibility.

ARTICLE 11: ORNAMENTATION AND DECORATION

- 1) Ornaments
 - a. Ornaments are permitted when placed by individuals who own the lot at which they are placed, are heirs to the lot, or hold a servitude right to the lot.
 - b. Ornaments (included but not limited to potted plants, flags, decorations, and others) shall be located entirely within the lot or plot boundaries and shall be firmly anchored to prevent any part from leaning, falling over, breaking, or blowing away.
 - c. The Division of Cemeteries may remove ornaments and decorations if:
 - i. They have been present for more than thirty days, or
 - ii. They have become unsightly, unstable, dirty, or otherwise unattractive to the cemetery as a whole.
- 2) Fresh and Artificial Flowers
 - a. Fresh and artificial flowers are permitted if they are in non-breakable, invertible containers. Glass vases are strongly discouraged. Vases with drain holes are encouraged.

- b. The Division of Cemeteries may remove fresh and artificial flowers if:
 - i. They have been present for more than thirty days, or
 - ii. They have blown away or otherwise become unassociated with the lot at which they were placed, or
 - iii. They have become unsightly, dirty, or otherwise unattractive to the cemetery as a whole.

ARTICLE 12: ABANDONED PROPERTY

- 6) Tombs and/or Lots More than Fifty Years Old
 - a. The City of New Orleans may intervene and repair properties that have become deteriorated and are more than fifty years old.
 - b. If such repair takes place, the Superintendent of Cemeteries shall require any owner of record, heir, or successor in interest, to pay the cost of such repairs before an interment may take place.
 - c. If an owner, heir, assign, or successor in interest is not located after diligent efforts for three years, the repaired property shall revert to the ownership of the city.
 - i. Any burials present in reclaimed property shall remain as a servitude burdening the new ownership of the property.
 - d. See **City of New Orleans Ordinance Sec. 38-59 and Sec. 38-60** for specifics.

ARTICLE 13: INTERMENTS AND DISINTERMENTS

- 1) Restrictions
 - a. The City of New Orleans does not offer or sell “pre-need” arrangements or burial insurance. Arrangements for interments in city-owned cemeteries must be made after death has occurred and a funeral or other service has been scheduled.
- 2) Fees
 - a. Fees for interments and disinterments are set by the current burial contractor operating in New Orleans city-owned cemeteries in conjunction with the Superintendent of Cemeteries and the Director of Property Management.
- 3) Time and Date of Burial
 - a. Burials must take place within the regular open hours of each cemetery. Opening early or closing late will not be permitted for burial arrangements unless expressly permitted by the Director of Property Management.
 - b. Days of the week on which burials are permitted may be amended by the Superintendent of Cemeteries and/or Director of Property Management.
- 4) Burials in Privately-Owned or Title Land
 - a. Interments at privately-owned lots must be arranged by an authorized person who is at least one of the following:
 - i. Holds an original or duplicate title for the property in question.
 - ii. Is documented as an authorized person in the files held by the Division of Cemeteries.

- iii. Has otherwise shown documentation of right of interment, ownership, or authorization through official documentation and/or notarized affidavit.
 - iv. See **Article 10: Instructions and Obligations of Property Stakeholders** for more information.
- 5) Burials Authorized by Servitude-Holders
- a. Servitude properties are located in Holt Cemetery, Carrollton Cemetery, and St. Mary's Cemetery. Burial is offered to at-need families on the basis of a 10-year servitude right-of-use.
 - b. Interments into servitude properties under which a servitude is already placed must be authorized by the original servitude right-of-use holder, or to individuals authorized by the original owner in writing, or to individuals who are successors-in-interest to the original servitude.
 - c. See **Article 10: Instructions and Obligations of Property Stakeholders** for more information.
- 6) New Servitudes
- a. At-need burials are accommodated in Holt Cemetery through the issuance of a 10 year servitude right-of-use. At-need persons may contact the Division of Cemeteries to arrange for a burial appointment no later than the Tuesday prior to the scheduled burial.
 - b. Location of new servitude burials in Holt Cemetery is selected by the burial contractor.
 - c. Metal burial cases and caskets are not permitted in Holt Cemetery.
- 7) Removals and Disinterments
- a. Disinterments in both titled property and servitude property must comply with **Louisiana State Law RS 8:659**.
 - b. Remains of a deceased person may be removed with the consent of the Director of Property Management and the written consent of one of the following, in the order named:
 - i. The surviving spouse, if no petition for divorce has been filed by either spouse prior to the death of the decedent spouse.
 - ii. The surviving adult children of the decedent, not including grandchildren or other more remote descendants.
 - iii. The surviving parents of the decedent.
 - iv. The surviving adult brothers and sisters of the decedent.
 - c. If the required consent cannot be obtained, a final judgment of the district court of the parish where the cemetery is situated shall be required.

ARTICLE 14: CORRECTION OF ERRORS

- 1) The City of New Orleans, Department of Property Management, and Division of Cemeteries shall have the right to correct any and all errors that may occur in or in connection with the operation of the cemetery, including without limitation those involving or in connection with the making of an interment, disinterment or removal, or the description, transfer, granting the right of use or conveyance of a cemetery space,

and in this connection, the cemetery authority shall have the right to substitute, grant the right of use, or convey, in order to correct any such errors, other interment rights, approximately equal in value and location as far as feasible, as selected by said authority; or, in the sole discretion of said authority, the correction of an error may be accomplished by the refunding of the amount of money paid on account of the acquisition or use of a cemetery space. If an error involves an interment, the cemetery authority shall have the right to remove and transfer the remains that are involved.

ARTICLE 15: CEMETERY TOURISM AND SPECIAL EVENTS

- 1) Responsibility for Tourism Management
 - a. No person shall perform tours, talks, lectures, walk-throughs or other interpretive or entertainment programs without (a) a current City of New Orleans tour guide license or (b) written permission from the Cemeteries Division.
 - b. The Division of Cemeteries under the Superintendent of Cemeteries and Director of Property Management shall monitor and regulate tour activity in city-owned cemeteries to ensure the primary burial and memorialization purposes of each cemetery are preserved.
- 2) Conduct of Tour Guides
 - a. All persons conducting tours, talks, lectures, walk-throughs, or other interpretive or entertainment programs must adhere to the City of New Orleans ***Standards of Conduct and Ethics for Licensed Tour Guides*** and **City of New Orleans Ordinance Sec. 30-21**.
 - b. Tour guides violating the ***Standards of Conduct and Ethics for Licensed Tour Guides***, operating without a license, or otherwise violating the rules and regulations of the City of New Orleans will be asked to leave by cemetery staff.
- 3) Bicycle, Bus, and Segway Tours
 - a. Commercial tour vehicles such as tour buses and passenger vans are not permitted in city-owned cemeteries.
 - b. Segways are not permitted in city-owned cemeteries
 - c. Bicycle tours must secure bicycles outside of cemetery gates prior to entering cemetery.
- 4) Restricted Activities
 - a. The city-owned cemeteries of New Orleans are not for sensational or entertainment purposes. Events and activities that would be considered offensive, disrespectful, or disruptive to the dignity and character of the cemetery to a person of ordinary sensibility are prohibited.
 - b. Activities that disrupt or impede the ability of stakeholders to peacefully visit tombs, lots, or other property for the purposes of maintenance or mourning are prohibited.
 - c. Weddings, vow renewals, or other nuptial ceremonies are prohibited.
 - d. Athletic events and treasure hunting are prohibited.

- e. Scavenger hunting that requires removal of any item from a cemetery is prohibited.

ARTICLE 16: FILMING AND PHOTOGRAPHY REGULATIONS

1) Commercial Filming

- a. These rules pertain to the entire filming/photography operation from setup to cleanup and anytime a person from any organization involved with the filming is on site.
- b. All operations shall be conducted in accordance with the Rules and Regulations. No exemptions are expressed or implied. All operations shall be conducted under the supervision of the Director of Property Management, the Superintendent of Cemeteries, or their representatives.

2) Point of Contact

- a. All commercial filming and photography operations must have a single point of contact. The point of contact or locations manager must be familiar with and require all associates to abide by all rules, regulations, and special requirements. The production company or operation will be held accountable if any violation of the rules, regulations, or special requirements occur during production.

3) Permits

- a. Commercial filming endeavors in cemeteries owned by the City of New Orleans must be permitted by Film New Orleans/Office of Cultural Economy, as well as complete a concession agreement for the location and remit a deposit and fee to the Department of Property Management.
- b. Commercial filming location fees are determined by the Superintendent of Cemeteries in a publicly-available fee schedule that shall be updated from time to time to remain competitive with local markets.
- c. A synopsis of the scene to be filmed must be supplied to the Department of Property Management for approval.

4) Monitoring and Observation

- a. All commercial filming projects must be observed by a representative of the Division of Cemeteries to prevent harm to cemetery resources.

5) Restrictions

- a. Filming/photography of any areas within the cemetery not pre-approved will result in the cancellation of the film/photography permit and concession agreement and any future permits requested by the filming/photography operations company.
- b. All persons and equipment must stay on roadways, aiseways, or in general areas of the cemetery and shall not trespass on any cemetery lot without the permission of the owner or other authorized person associated with that lot.
- c. Photographs of burial, interment, inurnment, or other events considered private and personal in the context of the cemetery's solemn purpose are prohibited. Photography of open vaults, graves, tombs, or other un-sealed properties is prohibited and inappropriate.

- d. Commercial filming will not be permitted within two weeks of All Saints' Day (November 1), on Mother's Day, Father's Day, or Memorial Day.

ARTICLE 17: RIGHTS RETAINED BY THE CITY

- 1) Right to Replat
 - a. The right of the city of New Orleans to enlarge, reduce, replat and/or change the boundaries or grading of the cemeteries, including the right to modify and/or change the locations of or remove roads or aisles, or any part thereof, is hereby expressly reserved.
- 2) Right to Unsold Property
 - a. The right of the city of New Orleans to use cemetery property not sold to individual owners for cemetery purposes, including the interring and preparing for interment of dead human bodies or for anything necessary, incidental, or convenient thereto, is expressly reserved.

Tour Guidebook for Lafayette Cemetery No.1



Lafayette Cemetery No. 1 is the resting place of thousands of former citizens of New Orleans. It is a small, family cemetery located in uptown New Orleans. Lafayette Cemetery No. 1 has a footprint encompassing one city block, bordered by Washington Ave., Prytania St., Sixth St., and Coliseum St.

Lafayette Cemetery No. 1 was dedicated in 1833 as the cemetery for the town of Lafayette and later annexed into the City of New Orleans in 1852. It was designated a National Historic Landmark in 1972.

New Hours:

Tuesday – Saturday

9am – 3pm

Hourly tour slots start at 10am and the last tour slot will be at 2pm.

Holiday Closures for tours at the Cemeteries: Mother's Day, Father's Day, All Saints' Day, and All City Holidays

New Policies:

Max tour group size is now 9, including the tour guide.

Only 80 persons will be admitted into Lafayette Cemetery No. 1 per hour.

Tour Operators must now register with the Cemeteries Division to be able to conduct tours in Lafayette Cemetery No. 1.

Tour Guides and groups must stay on the main aisles, cross aisles and perimeter aisles only.

Groups are to remain 50 feet apart.

Admission will be charged at \$5 per person/tour participant.

How To Register with the Cemeteries Division:

ONLY OPEN TO TOUR OPERATORS

Requirements:

- Completed Application
- Current Tour Operators License
- Current Tour Guide License for each Tour Guide employed by Tour Operator
- Insurance Coverage
- Provide the Cemeteries Division with a list of licensed tour guides employed by the tour operator
- Sticker (provided by the Cemeteries Division) must be displayed on the tour guide's badge at all times

Code Of Conduct:

Must abide by City of New Orleans' *Standards of Conduct and Ethics for Licensed Tour Guides and Cemetery Rules & Regulations*.

New rules:

All tour guides are expected to act at all times in reverence to the space that they are in. The cemetery is not just a tourist attraction, it is an active resting place for families and their loved ones. Respect of the tomb owner's property and privacy must always be displayed by tour guides and tour groups.

Only 80 people will be allowed into the cemetery each hour.

Enforcement:

Any tour guide/operator that does not abide by the Division of Cemeteries' Rules & Conduct will be asked to leave the cemetery and access credentials (sticker) may be revoked based on the frequency or degree of infractions.

Daily Operation of Lafayette Cemetery No. 1:

The Cemeteries Division's Ground Patrol will be present during all open hours. They will run the admission gate, enforce policies throughout the cemetery, keep the gate clear, and keep count of visitors per hour. They will also be roaming through all city cemeteries to enforce Cemetery Division policies.

Intermittent closures will happen due to funerals. In such cases, the cemetery will be closed for the entire day. Tour Operators will be notified up to 48 hours before funeral dates. All Tour Operators will be refunded their admission fees for those slots.



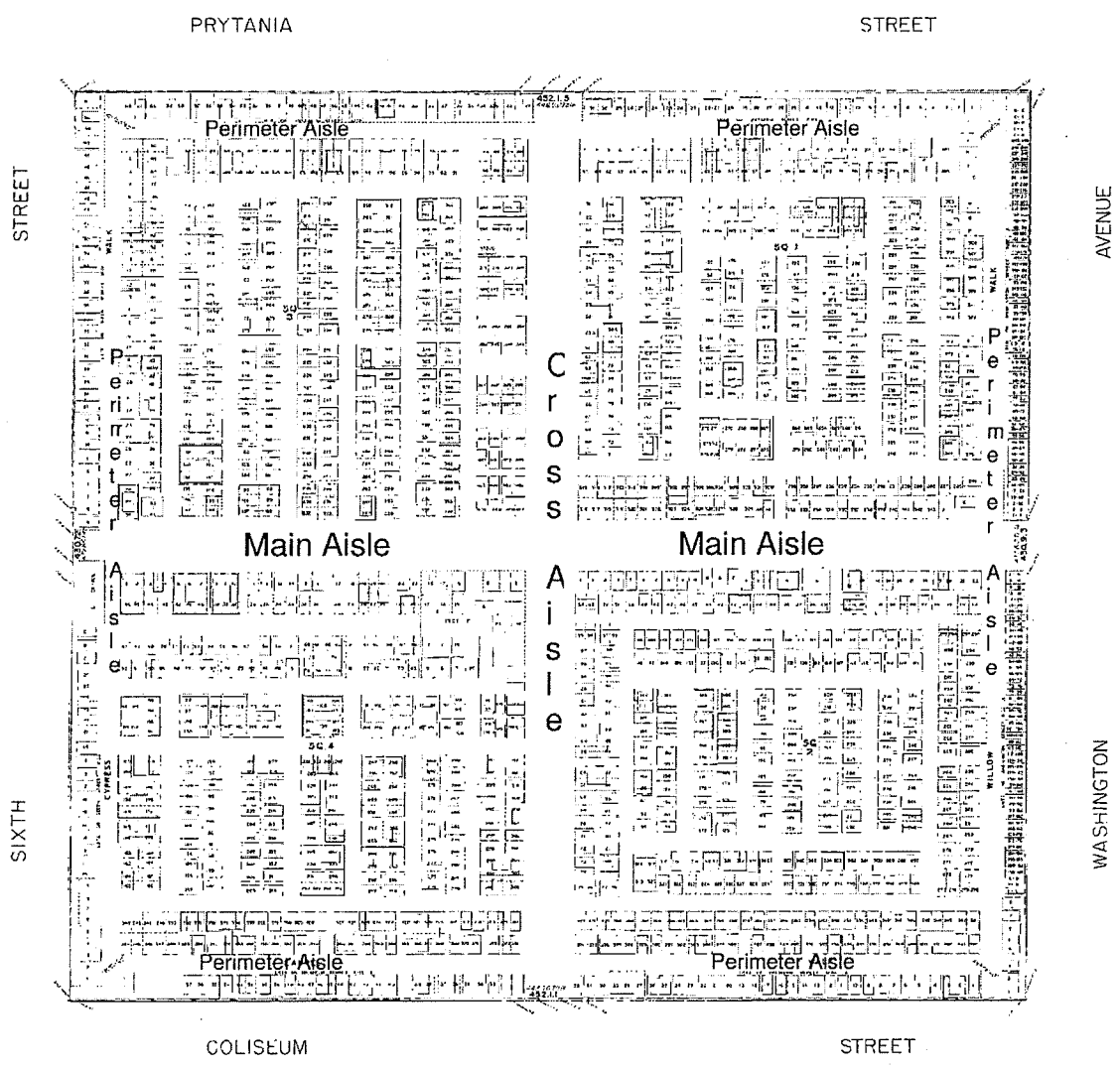
**Feedback/Comments/Notices can be submitted via NOLA311 website
(nola311.org). All dealings with cemeteries will be directed to the
Cemeteries Division.**

Contact:

Tour Program Administrator
Marks Sokolosky-Wixon
(504) 874-1623

Division of Cemeteries
(504) 658-3781

SQ. NO. 196
FOURTH DISTRICT
LAFAYETTE CEMETERY NO. 1



Survey for City of New Orleans
18th District, May 27, 1899
Contract 1000
S.M. Simpson

SCALE 1" = 100'

OFFICE OF
JOHN E. WALKER, INC.

Appendix: Standards of Conduct and Ethics for Licensed Tour Guides

Introduction

Pursuant to Section 30-1487 of the Code of Ordinances of the City of New Orleans, the Department of Safety and Permits hereby promulgates Standards of Conduct and Ethics for Licensed Tour Guides in the city of New Orleans. These standards were developed in conjunction with the New Orleans Convention and Visitors Bureau and the Tour Guides Association of Greater New Orleans. The purpose of creating Standards of Conduct and Ethics is to promote tourism and protect visitors as they see and enjoy the attractions of New Orleans.

Regulatory Standards

The Standards of Conduct and Ethics for Licensed Tour Guides contained herein shall not be read or construed to supersede or replace any standards of licensing or conduct outlined in Chapter 30, Article XXI of the Code of Ordinances of the City of New Orleans.

Standards of Conduct & Ethics

- A professional New Orleans Tour Guide will have a valid New Orleans Tour Guide License as issued by the City of New Orleans Department of Safety and Permits and is required to carry these credentials when conducting tours.
- A professional tour guide is expected to follow the City of New Orleans's rules and regulations, and act accordingly, at all sites and facilities where he/she takes visitors. A professional guide is always prepared for each tour.
- A professional tour guide maintains good personal hygiene and uses proper judgment in dressing appropriately for all tours.
- A professional tour guide respects the property of residents and businesses and instructs their tour participants to do the same.
- Loyalty for and to the tour company should be practiced during the entire tour. • A professional guide accepts each tour as a serious commitment and cancels only when absolutely necessary and provides as much advance notice as possible.
- A professional guide cooperates with other tour groups and maintains ethical and professional conduct at all times, cultivating a positive relationship with all colleagues.
- A professional guide respects the research and intellectual property (copyrighted material) of other guides by not recording or quoting it without permission; does not plagiarize, or take as one's own, another guide's commentary or individual presentation technique.
- A professional guide provides skilled presentation of knowledge, interprets and highlights surroundings, informs and maintains objectivity and enthusiasm in an engaging manner.
- A professional guide assumes responsibility for reporting on time and for meeting appointments and all schedules within the guide's control.
- A professional guide has a wide range of knowledge of the city, including its history and architecture, cultural and political life, and local folklore.

- A professional guide keeps current on new exhibits, seasonal events, and other changes throughout the city. A professional guide does not knowingly give out misinformation.
- A professional tour guide will strive to establish and maintain a positive working relationship with all of the service providers on the tour route and act in a manner which will be a credit to the tour operator, tour planner, and City of New Orleans.
- A professional guide is knowledgeable about the best routes for all tours. This includes familiarity with the traffic laws as well as the idiosyncrasies of New Orleans driving. A professional guide informs the driver of the route in a calm, polite, and timely fashion.

Provision of Standards and Acknowledgement

Pursuant to the requirement of Section 30-1488 of the Code of Ordinances of the City of New Orleans, these rules will be provided in full on the Department's website located at www.nola.gov, including a link to Chapter 30, Article XXI of the Code of Ordinances of the City of New Orleans.

Every Tour Company or Tour Planner, as may be regulated pursuant to Chapter 30, Article XXI of the Code of Ordinances of the City of New Orleans is responsible for distribution of a copy of the section of these rules entitled "Standards of Conduct and Ethics" to all Guides associated with such Company or Planner.

A signed acknowledgement of these Standards for Conduct and Ethics will be required of all applicants for Tour Guide Permits (new or renewal) and will be retained as part of the Tour Guide's permit file in the Department of Safety and Permits.

Responsibility for Adherence to Standards and Rules

Tour Companies or Tour Planners, in addition to individually licensed Tour Guides may be cited for violations of the Standards of Conduct and Ethics contained herein as well as the rules and regulations established by Section 30-1489 of the Code of Ordinances of the City of New Orleans.

eds

bids.nola.com • Call Us Monday - Friday 8AM - 5PM at (504) 636-7435

Legal Notices



PUBLIC NOTICE

ADVERTISEMENT TO BID
 Louisiana University of Health Sciences will accept sealed bids for the construction of:
 Louisiana University of Health Sciences Academic Science Complex (Building 36) - Interior Alterations for Botany Laboratories, 1400 Dr., New Orleans, LA 70125.
 Bids will be due in the Louisiana University Office of Facility Planning & Management at 2:00 pm on Monday, May 31, 2022.

Contact Architect K&K Design, LLC at k&k@markdesignusa.com to receive instructions, bidders and bid documents.

26-may 5-6-12-13

PUBLIC NOTICE

Audubon Commission is accepting bids to establish a contract for one (1) contract for the purchase of Fertilizers and Turf Chemicals for the Audubon Golf Course. Bids are due on or before June 1, 2022, at 1:00 p.m. Bids may be secured the date of advertisement from Audubon Nature Institute Purchasing Department located at 10 Magazine Street, New Orleans, La. 70118, between the hours of 8:00 am and 3:00 pm, Monday through Friday or may download the package at www.periscopeholdings.com/bidsync. It is the vendor's responsibility to contact Periscope Holdings in advance of opening date if bid is to be submitted electronically to establish a contract that will allow for e-bidding. Bids may be faxed or emailed. Bids shall be submitted in sealed envelope labeled "Fertilizers and Chemicals". Bidders supply one (1) original. Bids must be submitted to the following: Audubon Nature Institute, Purchasing Department, Denise LeBlanc, 6500 Magazine Street, New Orleans, LA 70118, Gate 1, and amendments to be received after the opening date and time specified will be rejected by Audubon Commission in-responsive and returned to the bidder unopened. All questions regarding this bid invitation shall be addressed in writing, or by means of email to lanca@auduboninstitute.com.

Legal Notices

able online. It is the responsibility of the bidder to ensure they have all said documents via the directions spelled out above. Any addenda, documents, Q&A, etc. that are available after this letting are only available via the contact listed above and will be issued to the Official Plan Holder list, maintained by said contact.

Deposit on the first set is fully refundable to all bona fide prime Bidders upon return of the documents, in good condition, no later than ten (10) days after receipt of bids. Fifty percent (50%) of the deposit of all other sets of documents will be refunded upon return of documents, in good condition, no later than ten (10) days after receipt of bids, as stated above.

If a request for Contract documents is made through U.S. mail or other delivery services, bidder must furnish a street mailing address and will be responsible for service and postage fees.

PRE-BID CONFERENCE

A pre-bid conference will be held on Monday, June 6, 2022, at 10:00 AM US Central Standard Time at 6920 Franklin Ave., New Orleans, LA 70122, Room 139.
 • THIS IS A MANDATORY PRE-BID CONFERENCE, BIDDERS ARE REQUIRED TO ATTEND. Bid shall only be accepted from those bidders who attend the entire Pre-Bid Conference (Consultant determines if applicable). (Select one of first two bullets)

PRE-BID SITE VISIT

• There will be a Site Visit after the Pre-bid meeting.
 • This visit is not Mandatory.
 • Visitors are responsible for furnishing their own (as needed) hard hat, safety vest, protective safety glasses, and proper foot attire for any Site Visits.
 • The Flood Protection Authority assumes no responsibility or liability for the safety of those in attendance.

LICENSING

Bids will only be accepted by those contractors complying with state licensing laws for contractors, La. R.S. 37:2163. On any bid submitted in the amount of \$50,000 or more, Contractor shall hold at the time of bid opening, a valid license issued by the Louisiana Licensing Board for Contractors for the required classification of work. This project is classified as, Highway, Street and Bridge Construction REQUIRED AS INDICATED AT <http://www.lslbc.louisiana.gov/examinations/>.

Legal Notices

matical errors, or errors of unintentional omission of a substantial quantity of work, labor, material, or services made directly in the compilation of the bid, if clear and convincing sworn written evidence of such errors is furnished to the public entity within 48 hours of bid opening in accordance with La. R.S. 38:2214.

LOCAL ADVERTISEMENTS

This project will be advertised in the following periodicals:
 PERIODICAL(S): THE NEW ORLEANS ADVOCATE
 DATE: May 23, 2022 and May 30, 2022 and June 06, 2022
 76558-may 23-30-jun 6-3t

PUBLIC NOTICE

Invitation to Bid

SEALED PROPOSALS AS LISTED BELOW WILL BE RECEIVED BY THE PURCHASING DEPARTMENT AT: LSU HEALTH SCIENCES CENTER
 433 BOLIVAR STREET ROOM 623 NEW ORLEANS, LA 70112 (504) 568-6261

UNTIL TIMES AND DATES INDICATED, AT WHICH TIME AND PLACE THE PROPOSALS WILL BE PUBLICLY OPENED AND READ:

BID TITLE: AHSON ATRIUM COFFEE KIOSK REPLACEMENT

BID NUMBER: 002555

BID OPENING DATE: JUNE 14, 2022 @ 2:00PM

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, MAY 31, 2022 AT 10:00 A.M. SUPPLIERS ARE TO MEET IN THE ALLIED HEALTH/SCHOOL OF NURSING BUILDING, ROOM 138 (SEMINAR ROOM 1), LOCATED AT 1900 GRAVIER STREET, NEW ORLEANS, LA 70112.

ALL INQUIRES AND REQUESTS FOR SPECIFICATIONS SHOULD BE ADDRESSED VIA EMAIL TO: MWIL34@LSUHSC.EDU

BIDS WILL BE PUBLICLY OPENED AT: LSUHSC-433 BOLIVAR ST. 6TH FLOOR, RM 623C NEW ORLEANS, LA 70112

SPECIFICATIONS MAY BE OBTAINED FROM THE PURCHASING DEPARTMENT. THE RIGHT IS RESERVED TO REJECT ANY AND ALL BIDS AND TO WAIVE INFORMALITIES.

75604 May 18, 24 30 3t

PUBLIC NOTICE

Legal Notices

CEIVED BY 4:00 P.M., FRIDAY, JUNE 24, 2022.

FOR FURTHER INFORMATION AND THE REQUEST FOR PROPOSALS PACKET, PLEASE CONTACT:

YULBRITTON D. SHY, COUNCIL FISCAL OFFICER, 1300 PERDIDO STREET - ROOM 1E06 NEW ORLEANS, LA 70112 658-1094 OR EMAIL YDSHV@NOLA.GOV

Run Dates: May 26, 30 and June 1, 2022
 NOCP 5913

77506-may 26-30-jun 1-3t

I, Samuel Kelly III, #405535 have applied for clemency for my conviction of Second Degree Murder and Conspiracy to Commit Armed Robbery. If you have any comments, contact the Board of Pardons (225)342-5421. 77467 - May 28-30 3T

I, Willie Riley, #330823 have applied for clemency for my conviction of Second Degree Attempted Murder. If you have any comments, contact the Board of Pardons (225)342-5421. 77388 - May 29-31 3T

PUBLIC NOTICE

5024580 In accordance with the LSA RS 47:6007 D (1) (e) (ii) the production company If You, LLC hereby announces completion of the principal photography on its feature film titled "If You Were The Last" effective Friday, May 6th. Any and all creditors are to present their claims, if any against If You, LLC or "If You Were The Last" at the following address: 2 Commerce Ct, Suite 200, Harahan, LA 70123 - Attention: Accounting Department/CLP no later than Tuesday, May 31st.

75318-MAY 16-23-30-3T

PUBLIC NOTICE

CLERK'S OFFICE COUNCIL OF THE CITY OF NEW ORLEANS NOTICE OF INTENTION

TO WHOM IT MAY CONCERN:

Public Notice is hereby given that Ordinance bearing Calendar No. 33,741 was introduced to the Council of the City of New Orleans on May 19, 2022 and was published in full in the Official Journal thereof, being The Times Picayune | The N. O. Advocate Friday, May 27, 2022, and may be seen therein and in the Office of the Clerk of Council, in the City Hall. The Council will consider the final adoption of said Ordinance at the regular meeting thereof on June 9, 2022 at 10:00 a.m.

Said Ordinance would grant a non-exclusive

Legal Notices

lation contained in LAC:33.VII.709.B.3. for its new permit application for a Type IA/Type IIA Processors Facility located in Orleans Parish, Section 37, Township 12S, Range 13E which is 15146 Intracoastal Drive, New Orleans, LA 70129. Comments concerning the facility may be filed with the Secretary of the Louisiana Department of Environmental Quality at the following address:

Louisiana Department of Environmental Quality Office of Environmental Services, Waste Permits Division, Post Office Box 4313 Baton Rouge, LA 70821-4313

77965 May 30 1t

PUBLIC NOTICE

Under the authority of Sec. 2-1000 of the Code of the City of New Orleans, the Department of Property Management, Division of Cemeteries shall present proposed rules and regulations governing the city-owned cemeteries for ratification at a hearing. This hearing will be held on Monday, June 6, at 6pm at City Hall, 1300 Perdido Street, 8th Floor Conference Room with audio recording.

Please contact Cemeteries Superintendent Emory Ford at (504) 658-3672 for additional information.
 This is a public hearing and public comment is invited and encouraged.
 NOCP 5929
 77946-may 30-1t

PUBLIC NOTICE

The Board of Commissioners of the Port of New Orleans is requesting authorization to conduct a geotechnical investigation that will include clearing for access and spoil/vegetation stockpile areas for geotechnical field exploration activities to include a total of twenty-seven (27) soil borings, sixty (60) Cone Penetration Tests (CPTs), and approximately twelve-thousand (12,000) linear feet of Electrical Resistivity Testing (ERT), located in Violet, Louisiana, within St. Bernard Parish. The US Army Corps of Engineers (USACE) will be accepting public comments on the project May 9 until June 8, 2022. To further review or provide comments, additional information and plans related to the proposal may be obtained at the following website: www.usace.army.mil/missions/regulatory/public-notices (see Ref#: MVN-2021-00270-2-EG).

PUBLIC NOTICE

UNIT C104 OF METRO VIEW CONDOMINIUM, a Condominium situated in the **PARISH OF JEFFERSON, STATE OF LOUISIANA**, together with all the rights and appurtenances thereunto appertaining, including rights in the Common Elements and Limited Common Elements as set forth in the Condominium Declaration, as revised, passed by act before F. Randall Garrett, Notary Public, dated October 13, 2006, registered in COB 3175, page 279, creating and establishing "Metro View Condominium" (The

Legal Notices

proving and homologating such application and that such order or judgment may be issued after the expiration of seven (7) days, from the date of the last publication of such notice, all in accordance with law.

Respectfully submitted:
 CHELSEY RICHARD NAPOLEON
 Clerk of Court

Publication: The Times-Picayune - New Orleans Advocate

Shaun B. Rafferty Law Office LLC Suite 360 - Hibernia Tower 812 Gravier Street New Orleans, LA 70112 Telephone: (504) 952-5830 Fax: (504) 754-7608 Email: srafferty@sbriaw.com Attorney for the Succession Administrator

77854-MAY 30JUN 18-2T

PUBLIC NOTICE

TWENTY FOURTH JUDICIAL DISTRICT COURT FOR THE PARISH OF JEFFERSON STATE OF LOUISIANA

NO. 819-451 DIVISION B

SUCCESSION OF EVELYN WETZEL MULE'

NOTICE IS GIVEN that the testamentary executrix of the succession has petitioned this Court for authority to sell immovable property in which the Deceased had an interest at private sale in accordance with the provisions of Article 3281 of the Code of Civil Procedure for ONE HUNDRED SIXTY THOUSAND DOLLARS (\$160,000.00) CASH, "AS-IS" without warranties. Real estate taxes for the current year are to be prorated through the date of the Act of Sale. All necessary tax, mortgage, conveyance, release certificates or cancellations and SELLER closing fees shall be paid by the succession. The succession shall pay all previous years' taxes and assessments. The immovable property proposed to be sold at private sale is described as follows:

UNIT C104 OF METRO VIEW CONDOMINIUM, a Condominium situated in the **PARISH OF JEFFERSON, STATE OF LOUISIANA**, together with all the rights and appurtenances thereunto appertaining, including rights in the Common Elements and Limited Common Elements as set forth in the Condominium Declaration, as revised, passed by act before F. Randall Garrett, Notary Public, dated October 13, 2006, registered in COB 3175, page 279, creating and establishing "Metro View Condominium" (The



City of New Orleans Division of Cemeteries

MEETING MINUTES

Call to Order

A Public Hearing for new regulations related to the city-owned cemeteries of New Orleans was held at 6pm on Monday, June 6, in the Homeland Security Conference Room, Eighth Floor, City Hall.

Meeting called and facilitated by:

Emily Ford, Superintendent of Cemeteries
Marks Sokolosky-Wixon, Tour Program Administrator

Agenda:

- **Introduction**
- **Proposed Regulations: Cemetery Rules & Regulations**
 - o The Division of Cemeteries has composed rules and regulations for all six city-owned cemeteries. The City of New Orleans Division of Cemeteries has not had rules and regulations since 1981.
 - o The rules and regulations as submitted for promulgation are reiterated from state law (RS: 8), local ordinance (Sec. 38) as well as rules and regulations for
 - Savannah, Georgia
 - Diocese of Lafayette, Louisiana
 - New Orleans Archdiocesan Cemeteries
 - Austin, Texas
 - Other municipal cemetery systems
- **Public Comment for Rules and Regulations**
 - 1) **Mark Sherrouse, 23 Bacot Drive, Gautier, MS** (Lafayette No. 1 tombowner)
"I spoke with you today about article 8 section 5, title transfers. Want to make sure that title transfers, did you say that title transfers can only occur with approval of the heirs?" [Yes, this is reflective of Sec. 38-92 in City Ordinance]
 - 2) **Pam Harris-Coward, 3245 Derby Place, New Orleans, LA** (Valence/Holt tombowner)
"Since we're talking about title transfers, I'm looking at the rules and regulations and see that the City Attorney's office must approve title transfers. As you know I submitted documentation months ago [to city attorney], no word yet."

3) At a later time in the meeting, Paul Pastorek (LCTC, 9816 Deborah Drive, River Ridge) commented that the tomb owners desired regulations that were similar to Savannah, GA. He opines that these regulations are “nowhere near.” Mr. Pastorek wanted the regulations to address an active cemetery, not a tourist destination. Mr. Pastorek noted that the tomb owners did not get what they wanted out of the regulations and that neither did the tour guides. [Emailed statements from LCTC attached to this agenda]

- **Proposed Regulations: Lafayette Cemetery No. 1 Tour Guide Book**

- When Lafayette Cemetery No. 1 closed in September 2019, nearly 3,000 tourists per day visited the cemetery with no staff on site or regulation of tourists or tour guide behavior. The Lafayette Cemetery No. 1 Tomb and Coping Owners Association (LCTC) formed in 2019 in part to address the impact of tourism on the peace and reverence of the site.
- Plans to re-open Lafayette Cemetery No. 1 have included meetings with LCTC beginning July 2021, as well as three public meetings with tour guides and four meetings with individual companies taking place from January to May 2022.
- The Lafayette Cemetery No. 1 reopening plan is
 - Hours 9am – 3pm
 - Limit to tour group size (8 + tour guide)
 - Limit to cemetery capacity (80 people/hour, including unaccompanied tourists)
 - Tour groups must be limited to main, cross, and perimeter aisles
 - \$5 per person fee for individual visitors and tour group guests
 - Cemetery staffed by NOHSEP Grounds Patrol Officers (GPOs)
 - Cemetery to close to visitors for funerals and holidays (families only admitted on holidays)

- **Public Comment for Lafayette Cemetery No. 1 Tour Guide Book**

1) Sadie Finkel, Office of Councilmember At-Large Helena Moreno, 1707 Second Street

Point of feedback or questions:

Tour size is 9 but the number 80 is not divisible by nine. Can you explain? [Individual tourists are allowed]

Many people have called with concerns about holiday closures on Mother’s Day and Father’s Day. [The cemeteries are always open to families on Mother’s Day and Father’s Day]

Learn more about enforcement. [Grounds Transportation Officers enforcing inside the cemetery by denying access, Grounds Transportation Bureau also enforces tour guides]

2) Luke Siddall, French Quarter Phantoms, Tour Guide Professionals and Guides of Greater New Orleans, 718 N. Rampart Street

“Under article [Sokolosky-Wixon and Ford] sent out, article 11 2-1000 subsection F says that any rule changes do have to be approved by a resolution approving or disapproving by city council. Are you guys submitting this to City Council?” [Yes]

June 6, 2022

Public Meeting for Cemetery Rules, Regulations &
Lafayette Cemetery No. 1 Tour Guide

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"We've had meetings with [Sokolosky-Wixon and Ford], good meetings, and we have expressed, the industry as a whole, that this does not work for us. That we will lose money. We can't pay our tour guides, we can't charge tickets. And they closed it a year before covid, without – for repairs – so this has been going on without city council's approval, so we're asking that basically city council pass a resolution re-opening the cemetery until we can work together to figure out a program that works for us. Because, in order to close it, that needed to go through city council. We're really trying to express, you know, we pay our tour guides a good wage, we need daily access to create a tour product. We can't just be in there one day per week. It costs thousands of dollars to create a tour product. And under these rules we just can't do it. That's why there's so little turnout from our industry today, because many people have just given up, so I just won't participate. Which is a shame. So that's kind of what we're asking for. I've submitted some statistics that could help us make it work, which would be 14 per group, having 10 groups in there at a time, that's 1 to 2 groups per main aisle. We feel like that would be a really good compromise that we would support City Council approving, but as it is we cannot support it."

3) **Joshua Johnston, 325 S. Norman C. Francis Parkway, New Orleans**

"Let me clarify, so the plan is actually to have a maximum 32 tour guests in the cemetery at any one time, that 80 is not accurate, then when they changed the groups to 8 plus a tour guide and didn't change the overall number of 40, that means reducing, they actually reduced the overall number of tour groups in the cemetery to four at any one time, meaning changing it from 40 in the cemetery down to 32 at any one time so that's actually what we're talking about, 32 people in a two square block area. No reason so far given for the necessity of that."

"Without centralization, guests will be left scrambling for which tour is open that day. The city is going to make no effort to help tours sort any of those problems. It's all punitive, it's not at all trying to use centralization to help. So then it creates a solicitation problem, as [Sokolosky-Wixon and Ford] both acknowledged in the last meeting, that perhaps looking to fill this 8th slot that everyone has and can't fill, it actually creates an enormous incentive to go out and solicit."

"So why is the plan so one-sided? I mean, [Superintendent Ford] was very specific that she negotiated solely with the tombowner's group that she was advisor to in 2019. So we know that she represents beautifully that side of these interests, so that's great, but why isn't there actually a neutral figure, like someone from Culture and Tourism to hear our concerns and actually have them represented and spoken for in some way, so those two sides can get together in some neutral process. Not merely presenting this plan with no input from the tour industry. The council is saying that we approved it. I mean we've been under this for three years with no repairs planned and no funding for it. I mean we don't get a public defender. No one will let us plead not guilty. We were told that we accepted this plan when the tour industry is almost unanimously against it. So I don't know how people can speak for us and say the industry accepted this when it's just not true and you know you said those things when it's just not true to our representatives and that creates a real issue of good faith in the process and it just

doesn't seem like any fair process was coming out of the office under those terms. I don't know if you want to respond to that in any way."

4) Paul Pastorek, LCTC, 9816 Deborah Drive, River Ridge

"My family members are buried in Lafayette No. 1, and we're not exactly happy with this plan either, for the record. We do not think it's tight enough. We do not think it protects the tombowners' interests particularly this guide book, but also the regulations. I have asked in the past that there be a financial responsibility placed on people who earn a profit off of the cemetery. Which is an asset, which is owned in part by me, and other landowners, and I wondered if there was any final inclusion, which we have requested, of financial responsibility on the part of people who make a profit of any kind – movies, anybody. Is that in the handbook? Is that in the regulations?"
[Clarifying on the meaning of "responsibility" in this context] "Damage to my tomb by people under the control or authority of people who earn a profit off of using the cemetery. Am I going to be compensated by any vehicle from these people who make a profit off of showing people my tomb?"

"I feel very strongly, considering what caused the cemetery to be closed, was damage by people who were coming in who were tourists. I don't blame tour guides, these were tourists. I don't know why they were there or who they were there with, but that's not the point. The point is that damage is irreparable, and as I have told you, we have valuable parts of these tombs that we don't want to see damaged."

5) Jane Batty, 3313 Calhoun Street, New Orleans

"I have had more complaints about damage to cemeteries. I have a company that has been around for 45 years, we are Louisiana Good Life nonprofit organization. I am the executive CEO and I take all the complaints. We've had more complaints about the last five years of the cemetery office than we have had on any other subject. We have had complaints from coworkers, we have had complaints from tombowners, workers, neighbors who see who is not doing their jobs and who's not protecting. I don't understand why after this legacy of not doing anything, not protecting, actually doing damage to a lot of tombs around the city, why is this coming up? Why are [Sokolosky-Wixon and Ford] addressing this now? When your administration hasn't done anything for at least the last 5 or 6 years. My best friend who just died in January was the senior gravedigger for Orleans Parish for 50 years. I have had heard way too much about what does not get done. So if that's going to happen, why are you putting constrictions and parameters on people who are trying to help create safer environments, who create less damage, and adjusting access. It's not just this overall giant statement of when people can come in and come out, but a flexible statement, nothing in here is flexible. Cemeteries are living beings, they exist in living environments of people coming in and visiting because their loved ones are there. I have had more complaints from loved ones not being able to visit their gravesites, when they do show up the grave is damaged; and this goes on. On and on."

6) Sidney Smith, owner of Haunted History Tours, 97 Fontainebleau Drive, New Orleans

“I have a couple of questions. I also wanted to address what the gentleman right here said [referring to Paul Pastorek]. The damage is, in my opinion and the opinion of, I’m sure Luke [Siddall] as well, not caused by the guests that tour groups bring in but rather by these vagrants and panhandlers and peddlers and in general people who are not on our tours. For myself speaking, we don’t allow anybody on our tours who we deem to be inebriated or drunk or like a problem case or whatever. I just want to state that.”
“The issue of the cemetery being closed 3 or 4 years ago out of nowhere, and then we were all told it was going to be closed for repairs, and it’s obvious that no repairs were ever done so we feel that we were lied to at the very least. And this issue of being paid \$5 per person, I am curious where that money goes to, is it going to go to tomb restoration? Because I am curious where that \$5 is going. For instance, the St. Louis Cemetery No. 1 at one time charged us \$1 per person to get into the cemetery, and that was fine, we were happy to pay it, and we went by the city rules which were 28 people per guide and everything worked fine. And there was a guard at the gate making sure that only the tour groups were allowed in, not just anybody off the street, so I’m curious why all of a sudden 28 has turned into 8, because it is a city rule, city ordinance, and where this \$5 per person is going to go. How long can the tour groups be in the cemetery? I know that I personally have contributed to tomb restoration in St. Louis Cemetery No. 1 for several years and I don’t see why tour companies cannot contribute to tomb restoration as part of this whole thing. I am wondering where the \$5 per head is going. [by city ordinance Sec. 70.415-299, it must go into the cemetery maintenance fund]

7) Luke Siddall, French Quarter Phantoms, Tour Guide Professionals and Guides of Greater New Orleans, 718 N. Rampart Street, New Orleans

“So, I just wanted to clarify – Joshua mentioned that you guys had 80 people that he said it’s only 32 or 40. So, the reason for that is that the other 40 are unsupervised tourists that they want to – and family members – that they want to be allowed access too. So, what we’re pushing to them is that if you let any unsupervised people into the cemetery: there’s a high chance they’re going to be drunk, there’s a high chance they’re not going to know not to sit on a tomb. Tour guides – good tour guides, well-regulated tour guides – are the best defense for y’all. I’ve kicked people off tours for touching tombs, let alone sitting on them or anything. The first thing we say when we walk in there: ‘there’s no physical contact whatsoever. Even your hand oil is bad for these tombs. Watch where you’re stepping. We’re not going to step up on the marble slabs or the concrete.’ I mean, we try really hard to make that happen. So the damage is happening from these unsupervised tour guests. But part of what I have proposed is that everybody in there is either supervised by a licensed tour guide – who is licensed by the city, they have our information, they can hold us accountable. Or if it’s a family member or something they are escorted by the officers who then move away to give them privacy – to make sure that they are a family member or whatever. There should never be unsupervised tourists in the cemeteries. And the current plan allows for half the number in the cemetery to be unsupervised essentially. And that’s going to be – that’s where you see the picture of the guy dancing on the tomb – stuff like that. Doing

magic marker – marking Marie Laveau’s tomb. None of that is tour guides or guests under our supervision. If it is, we rip each other’s heads off. You should see us, we love these cemeteries. We’re all taphophiles. We’re all about history and preservation. That’s why we do this job. Or a big part of why we do this job. It’s why I don’t go get an executive job with some other company, you know, getting paid six figures. Because this stuff is important. So, yes, we really want to stress that. And I just want you to know we’re concerned about it as well. Like Sid said, we’re perfectly happy to pay for our tickets to get in. That’s not a problem at all.”

8) Jane Batty, 3313 Calhoun Street, New Orleans

“I can tell y’all that from our experience - and we have done maybe \$20,000 or \$30,000, from one of our sister companies, in restoring tombs in the last 5 years. We were the first people to show up and restore any Civil War tombs since 1961. So there was a blank in that time period. Most of the damage we’ve seen has been caused by weather-related issues. Lightning has been a really big one. So, to give you an example: the dome of a monument at Cypress Grove – hit by lightning. Friends of ours restored it. The George (Beeham) - the Mayor George (Beeham) tomb – in Greenwood, lightning destroyed the entire tomb, monument, everything. Greenwood paid for the restoration. And that’s thousands and thousands of dollars. And so, just our company has restored both of the tombs at – and this is a sister company plus my company – has restored both of the tombs at our cost, our time, our labor. And that’s in Metairie cemetery. So restoration work is being done. It’s just very costly and it’s tough to get out there and dig holes and put in French drains. Everybody thinks that the tomb is destroyed – it’s the entire environment and it’s getting very costly. But it’s being done and it’s being paid for by volunteer organizations. And money’s great, but we know exactly where every penny goes with our organizations. The city is famous for dodging money to different accounts. And I think that’s a big concern...\$5 may not seem like too much now. But when you add it up: \$5 can just cut your throat in business. \$5 is way too much. I think \$1 is even way too much. Because we have no business right now in the city.”

9) Jordan Hobson, Witches Brew Tours, 834 Orleans Avenue, New Orleans

“I guess the only other thing I would say that hasn’t really been addressed – it concerns how to register with the Cemeteries Division. Is that this whole process really needs to include the Ground Transportation Bureau – that is not really functioning right now. As tour operators know, we’re waiting months and months and months for responses – even to just get people renewed. So, this is going to completely cut out a lot of people who have had licensure for a long time and can’t get that renewed. That would be one – and of course we’ve talked about enforcement before. And this whole process has to include a department that doesn’t seem to be functioning. So that would be my comment to City Council.”

10) Muriel Lang, 1537 Bancroft Drive, New Orleans

"I actually just want to give you an idea of what happened to St. Louis #1. Because there's only one company that goes in there. Before, when all of us had access, we were able to watch everybody. And I can't tell you how many times I've stopped people from coming over the fence to Nicholas Cage's tomb. Guess what, in the last six months, since they've taken over, Marie Laveau's tomb now has x's on it – again. Homer Plessy's tomb – now, I didn't do this; I got somebody to go in there and get pictures for me – Homer Plessy's tomb – I have a picture of it on my phone – they unscrewed the actual cover and it's just hanging off. So, I actually made a phone call – myself – to Allan – who's head of St. Louis #1 – and he said he'd get over there and fix it when I showed him the picture. So, what I'm trying to say is: it's not going to work to just have people go in a cemetery on their own. You know, now, even at St. Louis #1 they have a guard at the gate, but he does nothing. He just sits there. And that cemetery is so compact you've got to have more people to be able to see. When we were there, we didn't have people – Marie Laveau's tomb after it got – you know, you [Ford] cleaned it up! - and that stopped, right? Is there anybody that goes there that knows that that stopped? It's started again. So, in the last couple of months, I've watched people, again, hop over the fence, going in the cemetery on the Conti St side."

11) Robert Florence, 2917 Esplanade Avenue, New Orleans

"I want to quickly address something that Luke said, and I think he said it mistakenly to Mr. Pastorek's comment about the 40 people. You're both making a really good point, half of the people they're going to allow in every hour are going to be unsupervised. And Luke, I think you said, 'stray people and family members.' That doesn't count family members? [question directed at Ford and Sokolosky-Wixon]. Okay, just to clarify that. Because family members aren't going to go in there and cause damage. But we have no idea who these 40 people are. And, as we know, there are some people that come here who misbehave. I emailed the two of you this morning [Ford and Sokolosky-Wixon], and I told some of these people in the room, at this point – and I hate to say this – I would rather have nothing than this. You guys are in a hard position [Ford and Sokolosky-Wixon], you need to mediate between the demands of tourism and the tomb owners. And it's tough, you guys have a hard job. And I might be reading into this, but I think I know what your concern is with the tourism. In the former City Council, one of the council members, the District B Councilperson, said on television, 'These cemeteries are not tourist attractions. They're for families.' Very true – half of that statement is very true. But you cannot change the past 200 years where this city has been bragging on these cemeteries to the world. And Lafayette, as you know, is one of the most legendary. So, we're fortunate that 10, 15 million people come here every year and I know that you're trying to satisfy that demand. But with the numbers we get – and I don't know what the solution for this is – but with the numbers we get, 40 people an hour – 8 groups of 5 – is not going to satisfy it. So, what you're trying to do is satisfy the people visiting. There are going to be many, many people turned away. I'm talking

about visitors that wouldn't be with tour groups. And they're going to be disgruntled. Now, what you do with that, I don't know. But as someone running tours...Garden District tours with a little cemetery component. It would be so much better – I would so much rather have you keep it such that no one can go in there and that we do it from the gates. Because what's going to happen is...because you can still do a really good cemetery tour as part of a Garden District tour. What's going to happen is, you're going to have tour groups out there, and little groups of 8 are going to be in there and you're going to have...I don't know, I just think it's going to be a big mess. I think this is not thought-through. I don't know, maybe try Luke's recommendations? In two weeks, if they don't work, I mean, you can change them at any time. I don't know the answer, but I've come to the conclusion today that I'd rather keep it the way it is – which is pretty disagreeable – but I think it's better than this. I think this is going to be a mess.”

- At approximately 6:37pm, comment unwound into conversational exchange between attendees. The following are summaries of comment after this time.

Jane Batty: Ms. Batty says that she has given the Rules & Regulations and the Tour Guide Book to profession colleagues and they think that this plan is “an abomination.” She thinks that someone who knows the tourism business inside and out should be in the office creating a flexible plan. She opines that the city's infrastructure can't handle times like Mardi Gras and that this is a similar situation. She claims that over the last 6 years, there has been no “good shepherd” for the cemeteries in the cemetery office. She said that the funeral directors are concerned as well. She claims that those funeral directors have filed a class-action lawsuit against the city.

Mark Sherrouse: Mr. Sherrouse says that he thinks that the Division of Cemeteries has been doing a very good job trying to mediate between the different interests. He drew a similarity between the city's cemeteries and other “sacred spaces” around the world. He said the regulations will help to eliminate problems caused by a free-for-all situation like it was before and keep the cemetery closer to its purpose of being a functioning cemetery/place of memory. He mentioned because of movies, the cemeteries appear to be “ghost towns” so tourists treat them that way. He also mentioned responsible tour guides can help to police the cemeteries. However, he said the limitations proposed are crucial to protecting the cemetery long-term.

Pam Harris Coward: Mrs. Coward states that Superintendent Ford just started in this position less than 3 years ago and should not be subject to insults and points made about the past few decades of city cemetery administration. Mrs. Coward supports Ford's initiative to change things. Mrs. Coward asks that the tomb owners and the tour guides work with Ford, not against.

Jordan Hobson: Ms. Hobson opines that the tour industry has been left out of any conversations about regulations, only told what the regulations will be. The point was also made that they are having to enforce rules themselves in the field.

Luke Siddall: Mr. Siddall agreed with Ms. Hobson. He said the only thing that changed based on tour guide feedback was the increase in tour group size allowed into the cemetery. He expressed support for some of the regulations (licensed tour guides, staying on main aisles, registration, admission fee). But proposed that the hourly cap number of 80 should be increased to 140.

Paul Pastorek: Mr. Pastorek said that the tomb owners desired regulations that were similar to Savannah, GA. He opines that these regulations are “nowhere near.” Mr. Pastorek wanted the regulations to address an active cemetery, not a tourist destination. Mr. Pastorek noted that the tomb owners did not get what they wanted out of the regulations and that neither did the tour guides.

Meeting Called to End: Emily Ford & Marks Sokolosky-Wixon, 7:00pm

Summary: The public comments concerning the Rules and Regulations of all cemeteries were restricted to questions about legal procedures listed in the document, which reflect state and local law. The primary difference between the rules and regulations document submitted for promulgation and those of the City of Savannah is that Savannah, Georgia, restricts the content of what tour guides can say in city-owned cemeteries (“haunted” tours are prohibited, as are costumes of any kind). The position of the City has been that restricting tour content is a First Amendment violation.

The public comment concerning the Lafayette Cemetery No. 1 Tour Guide Book represents the collective opinion of both the tour industry and the tombowners of Lafayette Cemetery No. 1 to this point: the tour industry views the program to be far too restrictive, and the tombowner community sees the program to be nowhere near restrictive enough.

Attached: Emailed comment from Lafayette Cemetery No. 1 Tomb and Coping Owner’s Association (LCTC)

Response to the City of New Orleans' Proposed Cemetery Regulation Revisions
LCTC statement presented at public hearing promulgating new cemetery regulations
6:00 pm, June 6, 2022, 8th Floor Conference Room, City Hall 1300 Perdido St., New Orleans, LA

Lafayette Cemetery No. 1 Tomb and Coping Owners Association commends the City of New Orleans for its efforts to protect Lafayette Cemetery No. 1 over the past several years by closing it to the public, by subsequently hiring Cemetery Division staff to oversee all city-owned cemeteries along with their records and by reviewing its past cemetery ordinances and regulations in order to ensure they adequately reflect the growing need for the protection of cemeteries. We especially appreciate the willingness of City Council members, Property Management and Cemetery Division officials to meet with us and to take note of our concerns.

Although our organization was formed to advocate only for Lafayette No. 1, it supports the city's efforts to protect all of its cemeteries. As for our primary mission, we remain committed to the sole purpose of Lafayette Cemetery No. 1 as a cemetery, to the protection of the deceased interred therein, to the protection of the rights, burial needs and property of their families and to the protection of its structures.

Citizens who own property in city cemeteries and/or have family members buried there have a vested interest in regulations established for them. They alone bear the burden, financially, physically and personally of what the city allows in its cemeteries. We are gratified to know the city has hired and trained a Grounds Patrol team to monitor the cemetery and applaud this development. However, given the abuses of the past, protections must be spelled out in regulations governing cemeteries for long-term, legal protection of the deceased, of families as well as of their property and of fragile, historic structures that cannot be replaced.

We respectfully submit that the revised regulations, which were made available to us on the afternoon of May 26, only 10 days ago, do not adequately address these needs inherent in the purpose of a cemetery. There has not been sufficient time yet to carefully review the new revisions line by line, but there are a number of concerns. The 3 primary areas of deficiency we presently note are as follows:

- 1) RESPECT AND DIGNITY FOR CEMETERY'S PURPOSE - Protection of Cemetery's Purpose from Harm: Protection of the deceased's right to rest in peace and of the integrity of their life histories, in part by specifically prohibiting filming, superstitious and egregious tour content and all but historic tours. The current language of Article 4.1)a should be omitted and the definition of a cemetery solely as a place of the burial of the human dead clearly spelled out. (See also Article 15.1)a,b, 15.2)a,b, 15.4)a,b,e Article 16.1)a,b and 16.5)a) Add filming prohibitions, particularly in Lafayette No. 1, into Article 16.5.
- 2) RIGHTS OF FAMILIES AND PROPERTY OWNERS – Protection of Cemetery Families from Harm: Protection from non-cemetery related visitor traffic and assurance of family priority over all outside interests, in part by closing all day for burials, allowing significant, quality-hour family-only times, barring access to fresh graves, prohibiting tours and other visitors from intruding on families, and by *prohibiting* in the strongest language any trespassing on private property, including even the touching of tombs, graves and copings and their markers and memorials. (Article 3.2)a, Article 4.1)a, Article 13 – add in)
- 3) PROTECTION OF TOMBS, GRAVES AND COPINGS – Protection of Private Property and Historic Landmark from Harm: Protection of all cemetery structures from damage, including fragile and vulnerable plots and of the remains therein, in part by limiting all non-family, non-approved work access within the cemetery, specifically limiting tour and visitor numbers allowed at any one time, limiting numbers on any one tour, by *prohibiting* in the strongest language any trespassing on private property, including touching of tombs, graves and copings and their markers and memorials and by requiring a large bond to be placed by all tour operators bringing tours into the cemetery (See Article 1.3)a, and Article 10.1)b)

In addition, Article 1.2) states the regulations “may be changed from time to time *without notice to any party* by the Division of Cemeteries” alone. This does not appear wise or even legal as it does not allow for accountability to or input from other city entities such as upper management, the city attorney or the city council. It also does not allow cemetery families and property owners notice, say or recourse in any changes.

Thank you for your attention to these concerns. We look forward to seeing the final revisions in time to carefully review them before their submission to the City Council for approval.

Respectfully submitted by the Lafayette Cemetery Tomb and Coping Owners Association

Tour Program Guidebook Concerns

The Title Page has a brief history of Lafayette No. 1 but fails to note that it is an active cemetery for New Orleans' families and has been for generations, that it is still often used for burials and that it is frequently visited by family members. This should be included in the cemetery description given to tour guides.

Page 1 enumerates several items presented to families in meetings as definite policies such as limits to total visitors per hour, limits to tour group numbers as well as to the number of tours hourly and daily and access limits within the cemetery. These policies need to be spelled out in the regulations. See # 2 of the regulations concerns above.

Page 2 under "New Rules" states that the cemetery is "not *just* a tourist attraction but a resting place for families and their loved ones." However, a cemetery is not a tourist attraction at all. It is a cemetery, a place for the burial of the human dead and a permanent resting place for them. Additionally, it is not "a resting place for families" but a place for them to bury, mourn and honor their dead in peace and privacy. This should also be clearly stated in Article 4 1)a of the regulations.

There are a number of inconsistencies in the regulations and tour program guidebook in the wording of what a cemetery is and is not that need to be carefully reviewed, changed and integrated.

RESOLUTION

NO. R-

CITY HALL: _____

BY: COUNCILMEMBER

SECONDED BY:

WHEREAS, a meeting was held on Monday June 6, 2022 in the 8th Floor Conference Room in New Orleans City Hall, to fully inform the public and allow for citizen input and participation in drafting regulations governing the cemeteries owned by City of New Orleans; and

WHEREAS, drafts of the guidelines were made available to the public at City Hall, the main branch of the library, and on the City of New Orleans Division of Cemeteries website; and

WHEREAS, the Council of the City of New Orleans recognizes the importance of providing the citizens of New Orleans with this valuable tool to aid in the protection and preservation of quality of life; **NOW THEREFORE**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that in accordance with Section 2-1000 of the Code of the City of New Orleans, the regulations governing the cemeteries owned by City of New Orleans are ratified and approved.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that pursuant to section 4-107(3)(c) of the Home Rule Charter, a summary of the guidelines and notice of its availability to the public shall be published once in the official journal.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that in accordance with section 4-107(3)(d) of the Home Rule Charter, they shall become effective and shall become legally enforceable at 12:01 a.m. on the twenty-second day beginning on the day following adoption of this resolution.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF AND RESULTED AS FOLLOWS:

YEAS:

NAYS:

ABSENT:

AND THE RESOLUTION WAS ADOPTED.

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Fw: City Cemetery Rules Promulgation

Lora W. Johnson <lwjohnson@nola.gov>

Wed 6/15/2022 11:50 AM

To: Denise Mills <dmills@nola.gov>; Naomi R. Mark <nmark@nola.gov>; Cecil C. Hartzog <cchartzog@nola.gov>

📎 3 attachments (3 MB)

2022. 6-7. REPORT PER 2-1000.pdf; Cemetery Resolution.doc; 2022. 6-15. Cover Letter.pdf;

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From: Tara G. Richard <Tgrichard@nola.gov>

Sent: Wednesday, June 15, 2022 11:40 AM

To: Lora W. Johnson <lwjohnson@nola.gov>; Sharon B. Temple <STemple@nola.gov>; Gilbert A. Montañó <Gilbert.Montano@nola.gov>

Cc: Paul Harang <Paul.Harang@nola.gov>; Emily Ford <Emily.Ford@nola.gov>; Enrico J. Sterling <ejsterling@nola.gov>

Subject: City Cemetery Rules Promulgation

In compliance with City of New Orleans Code Section 2-1000(d), the Division of Cemeteries, Department of Property Management, submits the following information concerning the adoption of new Rules and Regulations related to City-Owned Cemeteries.

Emily Ford, Superintendent
Division of Cemeteries
Department of Property Management
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