

Chapter 23. Miscellaneous

§2301. Consumer Complaints

A. Upon receipt of a written consumer complaint on a form prescribed by the board, the board on its own or in conjunction with the attorney general may initiate any such investigation or inquiry to verify compliance with the Louisiana Cemetery Act and the rules of the board.

B. The board may require the cemetery that is the subject of the complaint to respond to any allegations contained in a properly submitted complaint, in writing, within 30 days of the cemetery's receipt of the complaint.

C. Nothing herein shall prohibit the cemetery authority, whether notified of a complaint by the board or not, from contacting the consumer and attempting to resolve the matter amicably without the assistance or intervention of the board.

D. Any inquiry or investigation undertaken pursuant to such consumer complaints are considered to be investigations by the board for the purposes of R.S. 8:66.1 and 44:4(44).

AUTHORITY NOTE: Promulgated in accordance with R.S. 8:66 and R.S. 8:67.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Cemetery Board, LR 39:2751 (October 2013).

§2303. Issuance of Documents Reflecting Title and Rights in Cemetery Spaces

A. The cemetery shall issue a title or certificate of interment right to the purchaser or transferee within 30 days of payment in full of the contract or transfer, if made without charge.

AUTHORITY NOTE: Promulgated in accordance with R.S. 8:67.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Cemetery Board, LR 39:2751 (October 2013).

§2305. Standards for Graves and Required Maps and Plats

A. A standard adult grave shall measure at least 42 inches in width and 96 inches in length, except for preinstalled vaults in designated areas and grave spaces for cremated remains.

B. Prior to the first sale of cemetery spaces or interment rights, the cemetery shall prepare a map documenting the establishment of recoverable internal survey reference markers installed no more than 50 feet apart.

C. All maps or plats shall include, without limitation:

1. the number of cemetery spaces available for sale;
2. the location of each cemetery space;
3. the number designation assigned to each cemetery space;
4. the dimensions of a standard adult grave space;
5. information sufficient to locate the map within the land survey submitted to the board.

D. In the event that the board finds, after a hearing, that a cemetery cannot specifically identify the location of interments, the board may, at its discretion, and for the protection of the health, safety, and welfare of the public, prohibit further sales or burials in the cemetery or particular sections of the cemetery until the cemetery is in compliance with Title 8 and these rules.

E. The location of monuments and other memorials that contain cremated remains must be shown on the cemetery's maps or plats.

AUTHORITY NOTE: Promulgated in accordance with R.S. 8:67.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Cemetery Board, LR 39:2751 (October 2013).

§2307. Preconstruction Projects

A. Prior to the first sale of a cemetery space or the right of use or interment in any cemetery space in a structure that has not yet been constructed or developed, the cemetery authority shall submit to the board, on a form prescribed by the board, the following:

1. a copy of the preliminary plans;

2. a map or plat delineating the sections, blocks, plots, avenues, walks, halls, rooms, corridors, elevations, or other subdivisions, with descriptive names or numbers;
3. a copy of all sales and promotional material;
4. a copy of the preconstruction/development sales contract; and
5. any such additional information and documentation that the board may deem necessary.

B. Prior to the commencement of construction, the cemetery shall notify the board, in writing, and request approval of any significant modifications to the preliminary plans previously submitted to the board. Significant modifications include, but are not limited to, cancellation of a project, downsizing of a project, substitution of construction materials, and changes in or elimination of a feature of the project.

C. If the cemetery anticipates that it will not meet the commencement and/or completion deadlines set forth in Title 8, the cemetery shall request an extension from the board, in writing, setting forth the reasons for the delays. The board shall consider the extension request at its next regularly scheduled meeting following receipt of the request.

D. Within 30 days of completion of a preconstruction or predevelopment project, the cemetery shall provide the board with a completion notification on a form prescribed by the board, along with any additional information and documentation that the board may deem necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 8:66 and R.S. 8:67.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Cemetery Board, LR 39:2752 (October 2013).