

**ORDINANCE
AMENDMENT
OA - 2026 – 04**

**AN ORDINANCE OF THE CITY OF DALLAS, GEORGIA
AMENDING THE CITY OF DALLAS UNIFIED DEVELOPMENT
CODE (UDC) TO ADDRESS ALKALINE HYDROLYSIS AND FOR
OTHER PURPOSES**

WHEREAS, the City has received requests that certain funeral homes be allowed to offer alkaline hydrolysis (also known as aquamation or water cremation) as a cremation-related service; and

WHEREAS, the City desires to establish clear, objective, and enforceable standards for alkaline hydrolysis operations that protect residential neighborhoods, ensure utility coordination, and prevent the unintended authorization of flame cremation in residential districts, except where otherwise expressly permitted by the UDC; and

WHEREAS, the Mayor and City Council find that adoption of the standards in this Ordinance promotes the public health, safety, and welfare by providing clarity in land use regulation and by requiring wastewater discharge approval from the applicable sewer authority as a condition precedent to operation; and

WHEREAS, the Mayor and City Council further find and determine, as a matter of legislative judgment, that the limited authorization of one (1) alkaline hydrolysis device as an accessory component of a lawfully existing funeral home, subject to the conditions herein, does not constitute an enlargement, expansion, or intensification of a legal nonconforming use for purposes of Chapter III of the UDC, based on the restricted number of devices, the prohibition on building expansion, and the wastewater and performance standards imposed; and

WHEREAS, the Mayor and City Council further find that the adoption of this Ordinance, being a text amendment to the UDC of general applicability, does not constitute a site-specific rezoning or spot zoning and is intended to apply uniformly to all legal nonconforming funeral homes within residential zoning districts throughout the City; and

WHEREAS, this text amendment has been processed in accordance with the notice and public hearing requirements of the Georgia Zoning Procedures Act, O.C.G.A. § 36-66-4, as documented in the official record of proceedings.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Dallas, Georgia, and it is hereby ordained by authority of the same as follows:

SECTION 1. AMENDMENT TO CHAPTER XIII (DEFINITIONS).

Chapter XIII (Definitions) of the UDC is hereby amended to add the following defined terms. If any existing definition conflicts with those set forth below, the definitions below shall control for all purposes of alkaline hydrolysis regulation under this Code.

A. Added Definitions.

ALKALINE HYDROLYSIS (AQUAMATION / WATER CREMATION). A water-based dissolution process using alkaline chemicals and heat and/or pressure that reduces human remains to residue and bone fragments and is authorized as a lawful form of disposition of human remains under O.C.G.A. § 43-18-1 et seq., as amended, including any provision specifically recognizing alkaline hydrolysis as a permissible method of final disposition.

ALKALINE HYDROLYSIS DEVICE. A commercially manufactured vessel, unit, or system used to perform alkaline hydrolysis, including associated tanks, controls, pretreatment systems, and appurtenant equipment.

FLAME CREMATION (THERMAL CREMATION). The reduction of human remains by combustion in a retort or similar device using flame and high heat.

FLAME CREMATION DEVICE / RETORT. A thermal cremation device (retort) used for flame cremation.

CREMATORY. A facility, building, structure, room, or portion thereof containing one (1) or more Flame Cremation Devices/Retorts used for flame cremation. For all purposes under this Code, the term "Crematory" shall not include any facility, room, or equipment used exclusively for alkaline hydrolysis operations authorized under Section 8.___ and, where applicable, Chapter III of this Code. This definition controls over any prior or conflicting definition of "Crematory" in this Code and shall be construed consistently with Table 4.3.

Codifier's Note: Insert these definitions in Chapter XIII in alphabetical order and update any internal indexing accordingly.

SECTION 2. AMENDMENT TO CHAPTER III (NONCONFORMITIES) — LIMITED ALKALINE HYDROLYSIS AUTHORIZATION FOR LEGAL NONCONFORMING FUNERAL HOMES IN RESIDENTIAL DISTRICTS.

Chapter III (Nonconformities) of the UDC is hereby amended by adding a new subsection to read as follows:

NONCONFORMING FUNERAL HOMES — LIMITED ALKALINE HYDROLYSIS AUTHORIZATION.

Notwithstanding any other provision of this Code regarding nonconforming uses, and consistent with the intent expressed in Section 3.01 that nonconforming uses not be enlarged, expanded, or extended without express approval, a legal nonconforming funeral home located in a residential zoning district may install and operate one (1) Alkaline Hydrolysis Device as an accessory component of the existing funeral home use, subject to the following conditions:

1. **No expansion of building footprint.** The Alkaline Hydrolysis Device and all associated process equipment shall be located entirely within the existing principal structure as of the effective date of this Ordinance. No building addition, outdoor enclosure, or accessory building shall be constructed to house or accommodate the device, and no new principal or accessory structure shall be erected in connection with the alkaline hydrolysis operation.

2. **No outdoor operations or storage.** No outdoor processing and no outdoor storage of alkaline chemicals, process additives, residue, or any related materials shall be permitted.
3. **No flame cremation.** This authorization does not permit flame cremation, a Flame Cremation Device/Retort, or the establishment or operation of a Crematory, as defined in Chapter XIII, in any residential zoning district.
4. **Utility and sewer authority approval as condition precedent.** Prior to issuance of any building permit for installation of an Alkaline Hydrolysis Device, the operator shall provide the Community Development Director with written documentation from the applicable sewer authority confirming: (a) the acceptability of discharge from the proposed alkaline hydrolysis operation; (b) any required pretreatment design and installation requirements; and (c) any required industrial user or pretreatment permitting requirements and conditions of approval.
5. **Certificate of Occupancy and operational approval.** No Certificate of Occupancy, or equivalent operational approval, shall be issued for the Alkaline Hydrolysis Device, and the device shall not be placed into operation, until the applicant provides written proof that all sewer authority requirements identified in Item 4 above have been fully satisfied, including issuance of any required permits and installation and verification of any required pretreatment equipment.
6. **Continuing compliance and revocation.** The operator shall at all times maintain in full force and effect all sewer authority approvals, permits, and required pretreatment equipment applicable to the alkaline hydrolysis operation. Failure to maintain such approvals, permits, or equipment, or to comply with any applicable sewer authority condition, shall constitute a violation of this Code and shall be grounds for suspension of operations and revocation of the Certificate of Occupancy or equivalent operational approval for the Alkaline Hydrolysis Device, in addition to any other enforcement remedies available to the City.
7. **Not an expansion for nonconformity purposes — limited Council authorization.** Installation and operation of one (1) Alkaline Hydrolysis Device meeting Items 1 through 6 above, and operating in compliance with Section 8.___, shall not be deemed an enlargement, expansion, or intensification of the legal nonconforming funeral home for purposes of this Chapter III, based on the limited number of devices authorized, the prohibition on building expansion, and the wastewater, performance, and operational conditions imposed herein. To the extent that City Council or Zoning Board of Appeals approval is required for any modification to a legal nonconforming use under Section 3.01 and Section 2.04, adoption of this Ordinance by the Mayor and City Council shall constitute and serve as such approval solely for the limited alkaline hydrolysis authorization described in this subsection and shall not be construed to approve any other modification, enlargement, or expansion of a legal nonconforming use.
8. **Table 4.3 use category — no change of use.** The installation and operation of one (1) Alkaline Hydrolysis Device at a legal nonconforming funeral home pursuant to this subsection shall not be deemed to activate, constitute, or result in a change to the "crematory" component of the "funeral home/mortuary/crematory" use category in Table

4.3 of this Code, and shall not require any additional use category authorization, rezoning, or special exception approval on account of the alkaline hydrolysis operation alone. This provision shall be construed consistently with the definition of "Crematory" as set forth in Chapter XIII, as amended by Section 1 of this Ordinance. In the event Table 4.3 is hereafter renumbered, reorganized, or amended to unbundle or reclassify funeral homes or crematories, it is the intent of this subsection that alkaline hydrolysis authorized herein remain accessory to, and not a separate principal use from, the legal nonconforming funeral home use.

9. **Section 8.21 inapplicable.** Alkaline hydrolysis operations authorized under this subsection are not subject to Section 8.21 (Crematories) of this Code. Section 8.21, including its one-thousand-foot (1,000') residential setback and all restrictions thereunder, applies exclusively to Flame Cremation operations involving a Crematory as defined in Chapter XIII, as amended. Nothing in this item shall be construed to authorize flame cremation or permit the installation of a Flame Cremation Device/Retort at any legal nonconforming funeral home in a residential district.
10. **Termination with nonconforming use.** The limited authorization granted by this subsection is accessory and subordinate to the legal nonconforming funeral home use and shall automatically terminate upon discontinuance, abandonment, or loss of legal nonconforming status of the funeral home under Chapter III, including any applicable time period for discontinuance.

Codifier's Note: Insert this subsection within Chapter III in the location determined by the City Clerk and Community Development Director, with section numbering conformed to the existing chapter format. Update any internal references affected by final numbering.

SECTION 3. ADDITION OF NEW SUPPLEMENTAL STANDARDS SECTION FOR ALKALINE HYDROLYSIS — CHAPTER VIII.

Chapter VIII of the UDC is hereby amended by adding a new section, to be codified as Section 8.33, to read as follows:

SECTION 8.33 ALKALINE HYDROLYSIS

A. Applicability. These supplemental standards apply to any Alkaline Hydrolysis Device permitted or approved within the corporate limits of the City, including devices installed at funeral homes operating as legal nonconforming uses under Chapter III. These standards are in addition to, and shall be read consistently with, the Chapter III conditions applicable to legal nonconforming funeral homes and all other generally applicable provisions of this Code and the City Code.

B. Location and Enclosure.

1. The Alkaline Hydrolysis Device and all associated process equipment shall be located entirely within a fully enclosed building.
2. No outdoor processing, outdoor chemical storage, or outdoor storage of any process byproducts or residue shall be permitted.

C. Performance Standards.

1. All operations shall be conducted so as to prevent detectable odors from escaping beyond the exterior walls of the building in which the device is located.
2. Noise, vibration, and exterior lighting shall comply with all applicable standards of the City Code and this UDC.
3. Nothing in this Section shall be construed to exempt an alkaline hydrolysis operation from any generally applicable nuisance, noise, odor, fire, building, property maintenance, or environmental regulations of the City or other governmental authority having jurisdiction.

D. Wastewater and Sewer Authority Coordination (Condition Precedent to Permitting and Operation).

1. Prior to issuance of any building permit for the installation of an Alkaline Hydrolysis Device, the applicant shall provide the Community Development Director with a written letter from the applicable sewer authority confirming whether pretreatment and/or industrial user permitting is required and stating the conditions under which discharge approval will be granted.
2. Prior to issuance of a Certificate of Occupancy or the commencement of operations, the operator shall provide written proof of: (a) sewer authority approval to discharge; (b) installation and successful start-up of any required pretreatment equipment; and (c) issuance of any required industrial user or pretreatment permit.
3. The operator shall comply with all sewer authority monitoring, sampling, reporting, and maintenance requirements applicable to the alkaline hydrolysis operation, and shall maintain copies of all required records on-site and available for City inspection upon reasonable notice, consistent with the City's general inspection authority under this Code and other applicable ordinances.
4. If the sewer authority modifies, suspends, or revokes any approval, permit, or condition applicable to the alkaline hydrolysis operation, the operator shall promptly notify the Community Development Director in writing and shall adjust operations as necessary to remain in continuous compliance with all sewer authority requirements and this Code.

E. Prohibited Equipment. No Flame Cremation Device/Retort shall be installed or operated under this Section 8.___. The presence of a Flame Cremation Device/Retort on any premises operating under this Section shall constitute a separate and independent violation of this Code.

F. Relationship to Section 8.21 (Crematories). Alkaline hydrolysis operations permitted or authorized under this Section 8.___ are not subject to Section 8.21 (Crematories) of this Code. The location restrictions, setback requirements, screening requirements, and all other operational restrictions set forth in Section 8.21 apply exclusively to Flame Cremation operations involving a Crematory as defined in Chapter XIII of this Code, as amended by Section 1 of this Ordinance. Nothing in this subsection shall be construed to authorize flame cremation or permit the installation of a Flame Cremation Device/Retort at any location subject to this section.

Codifier's Note: Assign the next available Section 8.___ number in Chapter VIII and update all internal cross-references in this Ordinance and in the UDC to reflect the final numbering.

SECTION 4. AQUAMATION-ONLY CLARIFICATION; PROHIBITION ON FLAME CREMATION IN RESIDENTIAL DISTRICTS; TABLE 4.3 USE CATEGORY CLARIFICATION.

The UDC is further amended by adding the following clarification provisions, to be codified at the end of Section 8.33 or within Section 8.21 (Crematories), as determined by the City Clerk in coordination with the Community Development Director:

AQUAMATION-ONLY CLARIFICATION; PROHIBITION ON FLAME CREMATION IN RESIDENTIAL DISTRICTS; TABLE 4.3 USE CATEGORY CLARIFICATION.

The authorization of alkaline hydrolysis by this Code amendment is limited solely to Alkaline Hydrolysis Devices and alkaline hydrolysis operations meeting Section 8.33 and, where applicable, Chapter III (Nonconformities). The following apply:

1. **Flame cremation prohibition.** Nothing in this Ordinance shall be construed to permit flame cremation, a Flame Cremation Device/Retort, or a Crematory, as defined in Chapter XIII, in any residential zoning district, or elsewhere except in zoning districts where such uses are otherwise expressly permitted by Table 4.3 of the UDC and only upon satisfaction of all crematory supplemental standards set forth in Section 8.21 and all applicable approval procedures, including any required special exception.
2. **Conflict rule — flame cremation.** In the event of any conflict between the provisions of this Ordinance and any provision of the UDC applicable to flame cremation or Crematories, the provisions applicable to flame cremation and Crematories, including Section 8.21, shall control and prevail with respect to flame cremation operations. This conflict rule shall not be construed to subject alkaline hydrolysis operations to Section 8.21.
3. **Table 4.3 — use category clarification.** The installation and operation of an Alkaline Hydrolysis Device at a legal nonconforming funeral home pursuant to Section 2 of this Ordinance and Chapter III of the UDC shall not be deemed to activate, constitute, or result in a change of use to the "crematory" component of the "funeral home/mortuary/crematory" use category in Table 4.3 of the UDC. No additional use category authorization, rezoning, or special exception approval shall be required solely on account of the alkaline hydrolysis operation. This clarification shall be construed consistently with the definition of "Crematory" as amended by Section 1 of this Ordinance. In the event Table 4.3 is amended to reclassify, renumber, or unbundle funeral homes, mortuaries, or crematories, the intent of this provision is that alkaline hydrolysis authorized herein remain accessory to the funeral home use and not be treated as a separate crematory use.
4. **Section 8.21 inapplicable to alkaline hydrolysis.** For the avoidance of doubt and notwithstanding any other provision of this Code, Section 8.21 (Crematories), including its one-thousand-foot (1,000') setback from residential structures and land and all other restrictions contained therein, does not apply to alkaline hydrolysis operations permitted

under Section 8.33 or authorized under Chapter III of this Code, as amended by this Ordinance.

Codifier's Note: Place this clarification either at the end of newly created Section 8.33 or within Section 8.21, as determined during codification, and conform all cross-references to the final code placement selected by the City.

SECTION 5. SEVERABILITY, REPEALER, AND EFFECTIVE DATE.

A. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect. The Mayor and City Council declare that they would have adopted each section, subsection, sentence, clause, and phrase of this Ordinance independently of any portion subsequently held invalid.

B. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict. The repeal of any ordinance shall not revive any ordinance previously repealed or superseded.

C. Effective Date. This Ordinance shall become effective upon adoption by the Mayor and City Council of the City of Dallas, Georgia, following all required public notice and public hearing procedures under O.C.G.A. § 36-66-4.

SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF _____, 2026.

L. James Kelly, Mayor

James R. Henson, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

Candace Callaway, Councilmember

ATTEST:

Tina Clark, City Clerk
City of Dallas, Georgia

Date

APPROVED AS TO FORM:

Darrin Keaton
City Attorney