



City of Needles, California Request for Board Action

☐ CITY COUNCIL ☐ NPUA ☒ CEMETERY ADVISORY COMMISSION
☒ Adjourned Regular ☐ Special

Meeting Date: January 25, 2024

Title: Discussion regarding possible designation of a pet cemetery within the boundaries of the Needles Riverview Cemetery

Background: Commissioner Ford has suggested designation of a pet cemetery within the Riverview Cemetery. The City Attorney provided the attached Assembly Bill No. 528 which would authorize a public or private cemetery to designate a separate, clearly marked section of the cemetery where deceased pets could be buried with their deceased owners. Should such a designation be made, the city would be required to develop and adopt rules and regulations for human and pet coburials. This Bill is processing through the State Legislative processes and has not yet been signed into law. Staff will monitor the Bill and, if and when it becomes law, will resubmit for Commission consideration.

The City Attorney has been unable to find any State regulations for designation of a pet cemetery only (without coburial with deceased owner) in a human cemetery but will do further checking as we track AB 528.

Fiscal Impact: Potential additional revenues to the cemetery from pet burials with additional costs of maintenance and upkeep of the designated section

Environmental Impact:

Recommended Action: No action at this time. Will monitor Assembly Bill and bring back at future date for Commission consideration if signed into law

Submitted By: Cheryl Sallis

City Management Review:

Peter J. May

Date:

1-18-24

Approved: ☐

Not Approved: ☐

Tabled: ☐

Other: ☐

Agenda Item: 13.

AMENDED IN SENATE JULY 3, 2023
AMENDED IN ASSEMBLY MARCH 16, 2023
CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 528

Introduced by Assembly Member Irwin

February 8, 2023

An act to add Article 10 (commencing with Section 7750) to Chapter 12 of Division 3 of the Business and Professions Code, *and to add Section 8138 to the Health and Safety Code*, relating to regulation of cemeteries.

LEGISLATIVE COUNSEL'S DIGEST

AB 528, as amended, Irwin. Regulation of cemeteries: pet burial.

Existing law establishes the Cemetery and Funeral Act and authorizes the Cemetery and Funeral Bureau, under the direction of the Department of Consumer Affairs, to establish necessary rules and regulations for the administration and enforcement of the act.

Existing law authorizes the local regulation of cemeteries, including the standards governing burial, inurnment, and entombment, and standards regarding cemetery maintenance and upkeep, as necessary to protect the health or safety of the public.

This bill would authorize a public or private cemetery to designate a separate, clearly marked section of the cemetery where deceased pets could be buried with their deceased owners. The bill would require, if the cemetery designated such a space, that the pet and human remains be in separate remains containers, but authorizes them to be placed in the same plot, niche, crypt, or vault. *The bill would require, if the cemetery designated such a space, the cemetery authority to develop*

and adopt rules and regulations for human and pet coburials, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Article 10 (commencing with Section 7750) is added to Chapter 12 of Division 3 of the Business and Professions Code, to read:

Article 10. Human and Pet Coburial

7750. (a) A ~~public or~~ private cemetery may specify a separate section of the cemetery that is devoted to the burial, interment, entombment, or inurnment of pet remains, cremated pet remains, or hydrolyzed pet remains with the remains of the pet's owner.

(b) The section of the cemetery allowing the human and pet coburial shall be separate from the portions of the cemetery allowing exclusively human burials, interments, entombments, or inurnments and shall be clearly marked by the cemetery.

(c) The pet remains, cremated pet remains, or hydrolyzed pet remains shall be in a separate remains container from the human remains, but may be placed in the same cemetery plot, niche, crypt, or vault.

(d) *If a cemetery designates a section of the cemetery pursuant to subdivision (a), the cemetery authority shall develop and adopt rules and regulations for human and pet coburials. These regulations shall include all of the following:*

(1) *The types of dispositions that are allowed.*

(2) *The types of pets that are allowed.*

(3) *The number of pets allowed per decedent.*

(4) *Whether interments are allowed before, at the time of, or after death.*

SEC. 2. Section 8138 is added to the Health and Safety Code, to read:

8138. (a) A public cemetery may specify a separate section of the cemetery that is devoted to the burial, interment, entombment, or inurnment of pet remains, cremated pet remains, or hydrolyzed pet remains with the remains of the pet's owner.

1 ***(b) The section of the cemetery allowing the human and pet***
2 ***coburial shall be separate from the portions of the cemetery***
3 ***allowing exclusively human burials, interments, entombments, or***
4 ***inurnments and shall be clearly marked by the cemetery.***

5 ***(c) The pet remains, cremated pet remains, or hydrolyzed pet***
6 ***remains shall be in a separate remains container from the human***
7 ***remains, but may be placed in the same cemetery plot, niche, crypt,***
8 ***or vault.***

9 ***(d) If a cemetery designates a section of the cemetery pursuant***
10 ***to subdivision (a), the cemetery authority shall develop and adopt***
11 ***rules and regulations for human and pet coburials. These***
12 ***regulations shall include all of the following:***

13 ***(1) The types of dispositions that are allowed.***

14 ***(2) The types of pets that are allowed.***

15 ***(3) The number of pets allowed per decedent.***

16 ***(4) Whether interments are allowed before, at the time of, or***
17 ***after death.***