

**CITY OF HAMPTON**

**STATE OF GEORGIA**

**ORDINANCE NO. 2024-22**

**AN ORDINANCE TO AUTHORIZE THE CITY OF HAMPTON TO MAINTAIN THE THOMPSON FAMILY aka  
RUTHERFORD CEMETERY IN ACCORDANCE WITH O.C.G.A. 36-72-3**

**WHEREAS**, the Mayor and Council are the governing body of the City of Hampton, Georgia; and

**WHEREAS**, there exists in the City of Hampton, Georgia, a cemetery currently known as the Thompson Family Cemetery or the Rutherford Cemetery; and

**WHEREAS**, the City has determined that the Thompson Family Cemetery/Rutherford Cemetery is abandoned as defined by OCGA 36-72-2, which provides that an "abandoned cemetery" is a cemetery which shows signs of neglect including, without limitation, the unchecked growth of vegetation, repeated and unchecked acts of vandalism, or the disintegration of grave markers or boundaries and for which no person can be found who is legally responsible and financially capable of the upkeep of such cemetery; and

**WHEREAS**, pursuant to OCGA 36-72-3, municipalities, anywhere within the municipal boundaries, are authorized to preserve and protect any abandoned cemetery or any burial ground which the municipality determines has been abandoned or is not being maintained by the person who is legally responsible for its upkeep, whether or not that person is financially capable of doing so and to expend public money to provide for reimbursement of such funds by billing any legally responsible person or levying upon any of his property as authorized by local ordinance; and

**WHEREAS**, the City desires to exercise its authority to preserve and protect the Thompson Family/Rutherford Cemetery in a clean and quality condition; and

**WHEREAS**, in OCGA 36-72-2, to "preserve and protect" means to keep safe from destruction, peril, or other adversity and may include the placement of signs, markers, fencing, or other such appropriate features so as to identify the site as a cemetery or burial ground and may also include the cleaning, maintenance, and upkeep of the site so as to aid in its preservation and protection; and

**WHEREAS**, the Mayor and Council resolve that the City of Hampton, Georgia will be responsible for the preservation and protection of the Thompson Family/Rutherford Cemetery to enhance and preserve the appearance and dignity of said Cemetery.

**BE IT HEREBY ORDAINED,**

Section 1. The City of Hampton, Georgia has declared the Thompson Family/Rutherford Cemetery as an abandoned cemetery.

Section 2. The City of Hampton is hereby authorized by the Mayor and Council to preserve, protect, and maintain the Thompson Family/Rutherford Cemetery.

Section 3. The authority to preserve and protect the Thompson Family/ Rutherford Cemetery shall be effective immediately.

THIS 12 day of November 2024.

CITY OF HAMPTON, GEORGIA:

  
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ANN TARPLEY, Mayor

ATTEST:

  
\_\_\_\_\_  
CARMEN BLOUNT, Deputy City Clerk

APPROVED AS TO FORM:

  
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L'ERIN BARNES WIGGINS, City Attorney

First Reading: 10/8/24

Second Read/  
Adoption: 11/12/24