

## **CHAPTER 54: CEMETERY REGULATIONS**

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## **CEMETERY REGULATIONS**

### **SECTION 54.01 INTERMENT**

(A) No interment shall be made except upon notice to the Cemetery Sexton a minimum of 24 hours in advance of the time of the intended interment.

(B) No grave shall be opened nor interment made until all interment fees have been paid.

(C) All funerals shall be under the direction of the Cemetery Sexton upon entering of a City Cemetery.

(D) No casket shall be interred unless enclosed in a concrete burial vault or concrete grave liner (box). No cremation remains shall be interred unless in a permanent container.

(E) The numbers and combinations of urns and caskets permitted to be buried in any given grave lot are as follows:

- One adult casket, or
- Two child's caskets, or
- Two urns, or
- One casket and one urn.

(F) The Cemetery Sexton may require that planks be laid over grass or paths when graves are being opened or closed or when vaults are installed.

(G) No interments may be made in the cemetery unless all the ordinances, rules, and regulations regarding interments have been complied with and until the purchase price of said lot and all burial fees are paid, or arrangements have been made with the City to pay for such costs.

(H) The cost of interments, including the burial of ashes, shall be determined by the City, and is subject to change. A current fee schedule may be obtained at the City offices.

## **SECTION 54.02 DELAY OF INTERMENT**

The City of Annandale will not be liable for any delay in the interment of a body when a protest to the interment has been made or where failure to comply with rules and regulations result in delay of interment.

## **SECTION 54.03 DISINTERMENTS**

Before any grave may be opened for any purpose, written approval by a duly authorized public authority must be provided.

The costs of disinterment shall be determined by the City.

## **SECTION 54.04 MONUMENTS, MARKERS AND PLANTINGS**

### **(A) *Monuments.***

(1) Monuments currently in place may remain and be maintained. Replacement shall be in accord with these regulations. Raised monuments and markers in Pleasantview Cemetery must be placed on the concrete ribbon provided.

(2) All monuments shall be placed in accord with the instructions and conditions of the Cemetery Sexton.

(3) The Cemetery Sexton is instructed that, so far as is practicable, placement shall be made so as to allow and facilitate the use of mechanical cleaning and mowing equipment:

- (A) There shall be a minimum distance of 72 inches from the nearest monument or structure whenever possible.
- (B) Each monument shall be placed on a concrete foundation which will be a minimum thickness of four inches; the foundation shall be flush with the ground; the base of the monument shall be a minimum of four inches from the edge of the concrete foundation.
- (C) The maximum height of a monument is 32 inches; the maximum length is 36 inches; the maximum width is 18 inches.

(4) Four-inch wide white, cement skirts around markers will be required for all flat markers in the cemetery. It will be the responsibility of the owner to have the marker set; however in the event it is set in the white cement, the City shall supervise the work. Any contractors and others involved in such activity must notify the City before commencing any work thereon. No artificial lights will be permitted.

### **(B) *Markers***

(1) Every marker must be placed as directed by the Cemetery Sexton.

(2) No marker nor any part thereof may be constructed of limestone, sandstone, or any other material which is not approved by the Cemetery Sexton.

(3) Markers shall be set level with the sod.

(4) Markers shall not exceed the following dimensions; three feet in length, one and one-half feet in width, and four inches in depth.

***(C) Plantings and Wreaths***

(1) Permanent plantings are not permitted within a City Cemetery except those authorized in writing by the Public Works Director.

(2) All temporary or artificial plants must be contained within separate containers which do not rest upon the ground. Glass containers are not permitted. Routine maintenance will remove all temporary or artificial plantings without notice at the discretion of the Public Works Director.

(3) All wreaths must be mounted on above-ground stakes.

(4) All wreaths and temporary plants may be hereafter removed by the Public Works Director at his/her discretion.

***(D) General***

(1) No monument or marker or permanent planting may be placed in a City Cemetery without the written approval of the Cemetery Sexton.

(2) All work in a City Cemetery, of whatever kind, must be carried on subject to the direction and control of the Public Works Director. Contractors and others engaged in such work must notify the Public Works Director before beginning the same.

(3) Persons engaged in erecting a monument or other structure upon a lot are prohibited from attaching ropes or cables to trees or other objects in the Cemetery without express permission from the Public Works Director and are likewise prohibited from placing material on adjoining lots or allowing the same to remain on the ground longer than is necessary and they must permit no unnecessary delay in completing the work after it has been commenced. In order to protect paths and grass from injury, the Public Works Director may require that planks be laid over them when heavy material is to be moved.

**SECTION 54.05 PERMANENT CARE**

(A) The general care of the cemetery is assumed by the City and includes the following:

(1) Cutting of grass at reasonable intervals.

(2) Raking and cleaning the grounds.

(3) Pruning and/or removal of shrubs and trees.

(4) Periodic removal of all artificial, temporary or other plantings and flowers.

(5) Maintaining the general preservation of the lots and grounds, walks, roadways, boundaries, and structures.

The general care of the cemetery may be awarded by contract to private firms by the City, if desired.

(B) General care of the cemetery assumed by the City shall not include the maintenance, repair, or replacement of any grave marker or memorial placed or erected upon lots, nor shall it include any special or unusual work.

## **SECTION 54.06      GENERAL PROVISIONS**

(A) Persons within a City cemetery shall use only the paths and walkways, and no one is permitted to walk upon or across lots or graves unless it is necessary to do so to gain access to one's own lot. The City expressly disclaims any liability for any injuries sustained by anyone violating this rule.

(B) Persons visiting a City cemetery or attending funerals are strictly prohibited from writing upon, defacing, or injuring any memorial and from breaking or injuring any tree, shrub, plant or other structure within the cemetery grounds.

(C) The following acts in addition to any other applicable violations of City ordinances and regulations are expressly prohibited:

(1) The driving of motor vehicles into a cemetery, unless attending a funeral, visiting a relative or friend's grave site, or carrying on maintenance work authorized by the City.

(2) The driving or parking of any motor vehicle across or upon any grave or lot.

(3) The driving of any motor vehicle in excess of ten miles-per-hour within cemetery grounds.

(4) Loud or boisterous talking or music.

(5) Bringing lunches or refreshments into a cemetery or consuming them on the grounds.

(6) Dogs and other family pets are not permitted on cemetery grounds, with the exception of Seeing Eye dogs.

(7) Peddling or soliciting the sale of any commodity within cemetery grounds.

(8) Placing of signs, notices, or advertisements of any kind within a cemetery.

(9) Bringing firearms into a cemetery except by military escort accompanying a veteran's funeral, attending memorial services, or by police officers while in the line of duty.

(D) Special cases may arise in which the literal enforcement or interpretation of a rule may impose an unnecessary hardship. In such cases the City reserves the right to make exceptions, suspensions, or modifications of any of these rules and regulations, when the City deems that such action appears to be necessary. Such a temporary exception, suspension, or

modifications shall in no way be construed as affecting the general application of such rules and regulations.

(E) The City of Annandale reserves the right to remove all monuments, markers, flowers, plants, trees, decorations or other similar objects whenever they become unsafe or unsightly, or as a part of routine maintenance without incurring any liability to any party.

(F) Specific costs for lots, interments, disinterment, burial of ashes and setting markers are not included in these rules and regulations since these are set by action of the City Council. A current schedule of fees can be obtained at the City offices.

(G) The City of Annandale reserves the right to amend these rules and regulations whenever it is determined that it is in the best interest of the cemetery to do so. The City is not required to give notice of such intended action to any person.

#### **SECTION 54.07      CEMETERY MANAGEMENT**

(A) The responsibility for the management of all City Cemeteries and all matters related thereto shall be vested in the City.

(B) The Annandale Public Works Department shall be responsible for the care and maintenance of all City Cemeteries.

#### **SECTION 54.08      HOURS**

City Cemeteries will be open to visitors during the hours of 7:00 a.m. to sunset. Permission to enter at all other times shall be secured from the City. The City reserves the right to refuse admission to a cemetery and to refuse the use of any cemetery facilities, at any time, to any person or persons whom the City deems to have no proper business in the cemetery.

#### **SECTION 54.09      BUY BACK OF CEMETERY LOTS**

The City will consider the purchase of unwanted cemetery lots under the following guidelines.

(A) Re-purchase price or amount paid by the City for previously sold lot(s) will be or fifty percent (50%) of the current selling price;

(B) Cemetery lots may only be purchased in multiples of two contiguous lots.

(C) The City may accept the return of a lot where a disinterment has occurred, however, these lots will not be re-purchased by the City.

(D) Selling price of the re-acquired/repurchased cemetery lots will be subject to the rate schedule approved by the City Council.

(E) City staff has the authority to execute the re-purchase without Council approval if all conditions are met.

(Ordinance 357, 8-7-17)

**SECTION 54.10      PENALTY**

Violations of this Chapter 54 will be enforced with the penalty provisions of Section 10.99 of this Code.

(Ordinance 357, 8-7-17)