

**ROSE HILL CEMETERY RULES AND REGULATIONS  
WAVERLY, NEBRASKA**

July 17, 2012

For the mutual protection of every plot or burial space purchaser these rules and regulations are hereby adopted as the rules and regulations of the Rose Hill Cemetery, and all property owners and visitors with the Cemetery, and all plots or burial spaces sold, shall be subject to said rules and regulations, and subject, further, to such rules and regulations, amendments or alterations as shall be adopted by the City Council from time to time; and the reference to these rules and regulations in the certificate of ownership to plots or burial spaces shall have the same force and effect as if set forth in full therein.

**DEFINITIONS**

1. **PLOT OR BURIAL SPACE DEFINED.** The terms "plot" and "burial space" shall mean one lot or grave measuring approximately 8' X 4'.
2. **MEMORIAL DEFINED.** The term "memorial" shall include any monument or marker used to mark an individual plot or burial space. A memorial may mark more than one adjoining plot or burial space only with the written approval of the City.
3. **MONUMENT DEFINED.** The term "monument" shall mean any stone, headstone, tablet, or other permanent memorial intended to mark an individual plot that, when permanently mounted, is not flush with the ground. Monuments may mark more than one adjoining plot or burial space only with the written approval of the City.
4. **MARKER DEFINED.** The term "marker" shall mean any stone or metal memorial intended to mark an individual plot or burial space that, when permanently mounted, is flush with ground. Markers may mark more than one adjoining plot or burial space only with the written approval of the City.
5. **MAYOR DEFINED.** The term "mayor" shall mean the Mayor of Waverly and, when the Mayor is unavailable, will follow the line of succession as outlined in the City of Waverly Code.

**FUNERAL DIRECTOR RESPONSIBILITIES**

All funeral directors doing business with the Cemetery or owners of plots or burial spaces contained therein are responsible for:

1. Providing a copy of the Rose Hill Cemetery Rules/Regulation to the owners or legal representatives at the time of purchase and interment.
2. Notifying the City upon the completion of funeral services and when the funeral procession is en route; and

3. Providing at least one employee or agent of the funeral director to be present at the Cemetery at least fifteen (15) minutes prior to the arrival of the funeral procession to meet with City personnel to discuss and confirm all details with respect to the procession and burial.

4. All persons or companies hired to work for Funeral Directors (digging of grave sites) shall be approved by the Public Works Director prior to digging and complete their work under the supervision of city personnel.

### **GENERAL SUPERVISION OF CEMETERY**

1. **CEMETERY PERSONNEL** are responsible to the Mayor or successor for the general management of the grounds and current business transacted from day to day, under these regulations. City personnel are hereby empowered to enforce all rules and regulations, and to exclude from the property of the Cemetery any person violating the same. City personnel shall have charge of the grounds and buildings, and at all times; shall have supervision and control of all persons in the Cemetery, including the conduct of funerals, traffic, plot or burial space owners and visitors.

2. **ADMISSION TO CEMETERY.** The Mayor or successor reserves the right to refuse the use of any of the Cemetery facilities at any time to any person or persons whom the City of Waverly may deem objectionable to the best interest of the Cemetery.

3. **CASKETS NOT TO BE DISTURBED.** Once a casket containing a body is within the confines of the Cemetery, no funeral director, nor his embalmer, assistant, employee or agent, shall be permitted to open the casket or to touch the body without the consent of the legal representatives of the deceased, or without a court order.

### **INTERMENTS AND DISINTERMENTS GENERALLY**

1. **SUBJECT TO LAWS.** Besides being subject to these rules and regulations, all interments, disinterments and removals are made subject to the orders and laws of the properly constituted authorities of the City, County and State.

2. **TIME AND CHARGES.** All interments, disinterments and removals must be made at the time and in the manner and upon such charges as fixed by the City Council. Charges for the Cemetery services must be paid by the 10th of the month following the order of interment or disinterment.

3. **NOTICE.** The right is reserved by the Mayor or successor to insist upon at least twenty-four hours' notice prior to any interment and to at least one week's notice prior to any disinterment or removal. When the day of interment follows a Sunday or any other legal holiday forty-eight hours notice prior to any such interment shall be communicated to the City Office.

4. **NOTICE FOR INTERMENT.** Notice for interment shall be made at the City Office during regular business hours.

5. **AUTHORIZATION FOR BURIAL.** No written consent shall be required for burial of children of the record owner of a lot. The relationship shall be established to the satisfaction of the City Administrator/Clerk.

The Mayor or successor has the power to make an interment of any member of the immediate family of any one of several plot or burial space owners upon the written consent of any one of said owners. The immediate family of any one of said owners shall include a spouse, son, daughter, brother, sister, parent, grandparent or direct descendant of said owner, or a spouse of any of them. If the person authorizing burial is not an owner of record, his ownership may be established by including in his consent statement showing his ownership by devise or descent, with the names and addresses of other owners. No other person may be interred in any plot or burial space without the written consent of all those owners of the plot or burial space that are recorded as such on the books of the cemetery. Ownership may be established for said purpose by an affidavit filed with the City Office.

6. **LOCATION OF INTERMENT SPACE.** When instructions regarding the location of any interment plot or burial space cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened where specified, City personnel may, in their discretion open it in such location in the area as they deem best and proper, so as not to delay the funeral. Correcting any mistake in locating the proper grave site by City personnel shall be borne by the City.

7. **ORDERS GIVEN BY TELEPHONE** The Cemetery shall not be held responsible for the accuracy any order given by telephone, or for any mistake occurring from the want of precise and proper instructions as to the particular space, size and location in a plot or burial space where interment is desired. The city shall be responsible only for errors occurring when the instructions to the City are accurate and provided in writing.

8. **ERRORS MAY BE CORRECTED.** The Mayor or successor reserves, and shall have, the right to correct any errors that may be made by either in making interments, disinterments or removals, or in the description, transfer or conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as far as possible, or as may be selected by the Mayor, or, in the sole discretion of the Mayor, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property the City Council reserves, and shall have, the right to remove and/or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed thereof.

9. **DELAYS IN INTERMENTS CAUSED BY PROTESTS.** The Cemetery shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made, or where the rules and regulations have not been followed. The City

Council shall be under no duty to recognize any protests of interments unless they are in writing and filed in the Office of the City Clerk.

**10. NO INTERMENT PERMITTED UNLESS PROPERTY PAID FOR.** No interment shall be permitted or memorial placed in or on any property not fully paid for unless other payment arrangements have been approved by the mayor or successor.

Upon permission of the Mayor or successor, which permission is to be granted on the basis of financial need, burials may be permitted in areas of the cemetery determined by the City personnel provided a Pauper's Burial Certificate is presented and signed by one of the following: The Mayor or successor, Waverly, Nebraska; County Coroner, Welfare Department, or County Commissions of Lancaster County.

**11. INTERMENT GENERAL.**

A. Except for cremation, the body to be buried will be properly embalmed by a licensed Mortician. In unusual cases or in time of emergency, when embalming does not seem advisable, the burial permit will so state and include the signature of the proper authority authorizing the burial without embalming. (Religious practices)

B. For sanitary reasons burials will be in the ground and at a depth sufficient to cover the casket/vault with a minimum of four feet of earth. Permanent containers or vaults are required for all caskets at interment.

**12. INTERMENT OF CREMATED REMAINS**

A. The person(s) requesting interment of cremated remains may choose any container, other than one made of glass, for the cremated remains. The container shall not be larger than two cubic feet. The City shall not be liable for the protection of the cremated remains or the container. In the event that the cremated remains must be relocated for any reason, the City shall not be responsible for any damage to the cremated remains or the container.

B. Burials of a container of cremated remains shall be in a vault at a depth sufficient to provide a recommended minimum of twenty four inches of dirt on top, if not completely covered by a monument or stone.

**13. INTERMENTS PER STANDARD SIZE BURIAL SPACE**

- a. One adult;
- b. One infant;
- c. Two cremations;
- d. One adult or infant and one cremation;
- e. One adult and one infant buried in the same casket, such as mother and infant or father and infant, at the same time, are considered one standard burial.

## **PLOTS OR BURIAL SPACES**

1. **LIMITS ON SALES.** Plots or burial spaces are sold to the public on the basis of individual plots or burial spaces. No more than eight plots or burial spaces will be sold to any one individual or family without approval of the City Council.
2. **CONSENT OF CITY.** No transfer or assignment of any plot or burial space, or interest therein, shall be valid without the consent in writing of the City first be had and endorsed upon such transfer or assignment, and thereafter being properly recorded. Transfers of property are permitted only to immediate heirs or back to the City and at a consideration no greater than that originally paid.
3. **BURIAL OF DECEASED HUMANS ONLY.** All plots or burial spaces shall be held and used for burial of deceased humans and will be used for no other purpose.
4. **FUTURE CARE.** All plots or burial spaces sold within Rose Hill Cemetery include the costs of the plot or burial space and to insure future care of the property. This future care may include but not be limited to such services as sodding of graves, cutting grass, trimming shrubs etc. Responsibility for the repair and general maintenance of monuments and markers shall revert back to the City after 75 years from the year of death of the deceased. Replacement of markers/monuments shall only occur when they are damaged by City personnel, vandalism or acts of nature.
5. **SUGGESTIONS.** Persons desiring to purchase a plot or burial space should visit the Cemetery where City personnel will show the plots or burial spaces available and explain the regulations. When a plot or burial space has been selected, payment shall be made to the City of Waverly and the City Office will provide applicant a deed. Persons owning a plot or burial space and desiring to make an interment should contact the City Office.

## **DISINTERMENTS AND REMOVALS**

1. **CARE IN REMOVAL.** The City shall exercise the utmost care in supervising a removal, but it shall assume no liability for damage to any casket or burial case or urn during the removal.
2. **DESCENT OF RIGHT OF INTERMENT.** If no interment has been made in plot or burial space which has been transferred by deed or certificate of ownership to an individual owner by the City, or if all bodies have been lawfully removed, in the absence of the specific disposition thereof by the owner's last will and testament, the whole of said plot or burial space, except the one grave, which must be reserved to the surviving husband or wife of the owner, shall upon the death of said owner, descent in regular line of succession to the heirs at law of the owner.

## **SUBDIVISION OF PLOTS OR BURIAL SPACES**

1. **MAY NOT SUBDIVIDE PLOTS OR BURIAL SPACES.** The subdivision of plots or burial spaces is not allowed, and no one shall be buried in any plot or burial space not having any interest therein, except by written consent of all parties interested in such plot or burial space and of the City; provided however, a relative of any record owner may be buried in said plot or burial space as provided in these rules or in the laws of the State.

## **CONTROL OF WORK BY CITY COUNCIL**

1. **WORK TO BE DONE BY CITY.** City personnel shall perform all grading, landscape work and improvements of any kind, and all care of plots or burial spaces. All trees, shrubs and herbage of any kind shall be planted, trimmed, cut or removed, and all opening and closing of plots or burial spaces, and all interments, disinterments and removals shall be performed or supervised by City personnel.

2. **CITY MUST DIRECT AND MAY REMOVE IMPROVEMENTS.** All improvements or alterations of individual property in the Cemetery shall be under the direction of and subject to the consent, satisfaction and approval of the Public Works Director; and, should they be made without their written consent, they shall have the right to remove, alter or change such improvements or alterations at the expense of the plot or burial space owner; or, in any event, if at any time, in their judgment, they become unsightly to the eye.

## **DECORATIONS OF PLOTS OR BURIAL SPACES**

1. **PLANT AND FLORAL REGULATIONS.** No one shall plant flowers, trees, vines, shrubs or other plants or herbage of any kind on Cemetery grounds, unless planted in containers permanently attached to grave stones or markers. See Exhibit A. The Cemetery shall have authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage, tokens of remembrance of any kind, from the Cemetery as soon as, in the judgment of the City, they become unsightly, dangerous, detrimental, or diseased, or when they do not conform to the standards maintained. The Cemetery shall not be liable for floral pieces, baskets or frames in which or to which such floral pieces are attached, beyond the acceptance of such floral pieces for funeral services held in the Cemetery. The Cemetery shall not be liable for lost, misplaced or broken flower vases. The Cemetery shall not be responsible for frozen plants, or herbage of any kind, or for plantings damaged by the elements, thieves, vandals, or by other causes beyond its control. The City reserves the right to regulate the method of decorating plots or burial spaces so that a uniform beauty may be maintained. The City reserves the right to prevent the removal of any flowers, floral designs, trees, shrubs or plants, or herbage of any kind, unless City personnel gives their consent.

2. **URNS, ETC., SUBJECT TO APPROVAL.** All fittings, adornments, urns and inscriptions shall be subject to the approval and control of, and acceptance or rejection by the City.

3. **PERMANENT VASES.** All permanent vases shall be made of stone, concrete or metal. Permanent vases not attached to markers/monuments shall be immediately adjacent to or in-line with marker/monuments to facilitate ease of cemetery ground maintenance.

4. **CEMETERY CLEANUP.** Cemetery cleanup shall occur three times during a calendar year. These dates will be announced in advance by the Public Works Director via regular media outlets and signage posted at the cemetery entrance. The recommended dates will be early spring (March/April), on or about June 15th and on or about October 1.

### **ROADWAY AND REPLATTING**

1. **RIGHT TO REPLAT, REGRADE, AND USE PROPERTY.** The right to enlarge, reduce, replat and /or change the boundaries or grading of the Cemetery or of a section or sections, from time to time, including the right to modify and/or change the locations of or remove or regrade roads, drives and/or walks, or any part thereof, is hereby expressly reserved to the City. The right to lay, maintain and operate, or alter or change pipe lines and/or gutters for sprinkling systems, irrigation, drainage, lakes, etc., is also expressly reserved, as well as is the right to use the cemetery property, not sold to individual plot or burial space owners, for cemetery purposes. The Cemetery reserves to itself, and to those lawfully entitled thereto, a perpetual right of ingress and egress over plots or burial spaces for the purpose of passage to and from other plots or burial spaces.

2. **NO RIGHT GRANTED IN ALLEYWAYS.** No easement or right of interment is granted to any plot or burial space owner in any road, drive, alley or walk within the Cemetery, but such road, drive, alley or walk may be used as a means of access to the Cemetery or buildings as long as the City devotes it to that purpose.

### **CONDUCT OF PERSONS WITHIN THE CEMETERY**

1. **MUST USE WALKS.** Persons within the Cemetery grounds shall use only the avenues, walks, alleys and roads, and any person injured while walking on the grass, except that be the only way to reach his plot or burial space, or while on any portion of the Cemetery other than the avenues, walks, alleys or roads, shall in no way hold the Cemetery or City liable for any injuries sustained.

2. **TRESPASSERS ON CEMETERY PLOTS OR BURIAL SPACE.** Only the plot or burial space owner and his relatives shall be permitted on the Cemetery plot or burial space. Any other person thereon shall be considered as a trespasser, and the

Cemetery shall owe no duty to said trespasser to keep the property, or the memorial thereon, in a reasonably safe condition.

3. **DESTRUCTION OF PROPERTY.** Any person who shall willfully destroy, mutilate, deface, injure, remove any tomb, monument, or gravestone placed in the cemetery, or any fence, railing, or other work for the protection or ornamentation of the cemetery, or who shall willfully destroy, cut, break, or injure any tree, shrub, or plant shall be deemed to be guilty of a crime.

4. **CHILDREN.** Children under fifteen years of age shall not be permitted within the Cemetery, or its buildings, unless accompanied by proper persons to take care of them.

5. **FLOWERS, ETC.** All persons are prohibited from gathering flowers, either wild or cultivated, or breaking trees, shrubbery or plants, or feeding or disturbing animal life within the Cemetery.

6. **REFRESHMENTS.** No person shall be permitted to have food or beverage within the Cemetery.

7. **ALCOHOLIC BEVERAGES.** No person shall be permitted to possess or leave alcoholic beverages within the Cemetery grounds at any time. Any containers of alcoholic beverage located in the cemetery will be immediately discarded by city personnel.

8. **LOUNGING ON GROUNDS.** No one shall not be permitted to sit or lounge on any of the grounds, graves or monuments in the Cemetery, or in any of the buildings.

9. **AUTOMOBILES.** Automobiles shall not be driven through the grounds at a greater speed than fifteen miles per hour, and must always be kept on the right hand side of the Cemetery roadway.

10. **FIREARMS.** No firearms shall be permitted within the Cemetery except for military services.

11. **NOTICES AND ADVERTISEMENTS.** No signs or notices or advertisements of any kind shall be allowed in the Cemetery, unless placed by the City.

12. **ANIMALS.** No dogs or any other animal shall be allowed in the Cemetery. The owner or keeper of any animal, which trespasses upon the Cemetery grounds, shall be liable for any damage done by the animal and subject to criminal proceedings.

13. **USE.** The cemetery property shall only be used for purposes consistent with a cemetery. The property shall not be used for recreational purposes.



14. **HOURS GROUNDS AND OFFICE OPEN.** The Cemetery grounds shall be open from sunrise to sunset daily. City Office hours are generally from 8:00 a.m. to 4:30 p.m. Monday through Friday.

### **PROTECTION AGAINST LOSS**

1. **CEMETERY NOT RESPONSIBLE.** The Cemetery shall take reasonable precaution to protect plot or burial space owners, and the property rights of the plot or burial space owners, within the Cemetery, from loss or damage, but it distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially, from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.

### **CHANGE IN ADDRESS OF PLOT OR BURIAL SPACE OWNERS**

1. **PLOT OWNERS MUST NOTIFY CITY.** It shall be the duty of the plot or burial space owner to notify the City of any change in post office address. Notice sent to a plot or burial space owner at the last address on file in the City Office shall be considered sufficient and proper legal notification.

### **ABANDONED BURIAL SPACES**

Reversion: The right of interment in any unoccupied burial space shall, upon abandonment, revert to the City.

Presumption: Failure to enter in any burial space after seventy-five (75) years from the date of purchase shall create a presumption that the same has been abandoned; provided, however, this presumption shall not apply when a letter of intent is filed by the owner or the owners heirs or assigns stating that the owner intends to keep specified burial spaces vacant.

Notice Required: Abandonment shall not be deemed complete unless the owner or his or her heirs or assigns shall be notified of the abandonment in writing, mailed to the owner's last known address, by the City. In the event that the address of the owner or his or her heirs cannot be ascertained, then notice of such abandonment shall be given by publishing the same in local newspaper once a week for four (4) weeks.

Failure to Reply: If the owner of his or her heirs or assigns fails to inform the Cemetery Office of an intention to retain the burial spaces(s) within sixty (60) days after the date the Notice of Abandonment was mailed or after final publication of such notice, then abandonment shall become final and the City may thereafter sell, transfer, and convey the right of interment therein.

## **RULES FOR MEMORIAL WORK**

### **1. RETAIL DEALERS.**

A. Retail dealers to secure approval of the City must agree to use only first grade stone, and must guarantee the memorial to be executed in first grade workmanship, with the agreement that should problems develop within five years due to the setting, treatment or handling of the same by the memorial dealer, such memorial will be replaced by such memorial dealer without cost to the City or plot or burial space owner.

B. Letter cutters, persons or firms who engage in the business of cleaning monuments, and all other persons or firms, must procure approval from the City before any work in the Cemetery is commenced. In order to secure approval it shall be necessary for the person or firm to submit a Certificate of Insurance showing coverage of at least \$100,000.00 for injury or death of any one person and \$300,000.00 for injury or death of any number of persons and \$100,000.00 for property damage arising out of any one accident or occurrence on any job. Separate Certificates of Insurance showing the contractor to be covered under one policy and the City to be covered under another policy may be deposited in lieu of a single certificate at the option of the business.

C. Workmen employed in placing or erecting monuments and other structures, or bringing in materials, shall, as to the Cemetery operate as independent contractors, but must do so under permission from the City, and must be under the general supervision of City personnel.

D. Persons engaged in erecting monuments, or other structures, are prohibited from attaching ropes to monuments, trees and shrubs, or from scattering their material over adjoining lots, or from blocking avenues or pathways, or from leaving their material on the grounds longer than is absolutely necessary. They must do as little injury to the grass, trees and shrubs as possible, and must remove all debris and restore the ground and sod to its original condition.

E. Damage done to plots or burial spaces, walks, drives, trees, shrubs, and other property, by dealers or contractors, or their agents, shall be repaired by the City; and the cost of such repairs shall be charged to the dealer or contractor, or to his principal.

F. No material, machinery, or other thing for the construction of vaults, monuments, or such structures, or monuments themselves may be brought into the Cemetery until required for immediate use; nor, under any circumstances, when a funeral is in process, nor between Saturday sunrise and Monday sunrise; and no work shall be done during said time; nor shall such material be placed on plots or burial spaces adjoining the one or which such structure is to be erected without special permission from the City.

G. Work shall proceed promptly until the erection of the memorial is completed.

H. While a funeral or interment is being conducted nearby, all work of any description shall cease until approval is received from city personnel to continue with said work.

I. Approaching the bereaved and soliciting memorial business within the Cemetery is absolutely forbidden.

J. Memorial dealers/installers shall abide by all rules of the Cemetery.

## **2. MONUMENTS AND MARKERS.**

A. No plot owner shall erect or place, or cause to be erected or placed, any memorial in the Cemetery without the written consent of the City. The City reserves the right to reject any proposed memorial without cause

B. Only one memorial is allowed per plot. A memorial may mark more than one adjoining plots only with the written consent of the City.

C. Memorial must be of one piece only and be set at least three inches from the line of the plot. Memorials shall be erected as near the center of the plot as practicable. Monuments or markers engraved on one side only shall face the nearest north/south road within the cemetery.

D. Single monument bases shall not exceed thirty-six (36") inches in length, twenty-four (24") inches in width; double monument bases shall not exceed eighty-four (84") inches in length, twenty-four (24") inches in width, a minimum six (6") inch thick base, a minimum six (6") inch thick pad, and a maximum height of thirty-six (36) inches in height for the stone, without the written consent of the City.

E. Markers shall not be less than six (6) inches wide and twelve (12 inches long nor greater than fourteen (14) inches wide and twenty-four (24) inches long.

F. All memorials must be set on foundations of a depth deemed sufficient by the City. The bottom beds of all memorials must be cut level and true.

G. In the event any memorial sinks, tilts, or becomes misaligned within sixty (60) months after installation that, in the City's opinion, results from faulty installation, the City may require that the installer correct the problem at the cost of the installer. (consistent with Retailer Dealer Section A)

H. Corner posts shall be of natural stone placed flush with the grade. Initials shall be cut in, not raised. Corner posts shall be at least eight inches in length and dressed where they abut on adjacent plots or burial spaces.

I. No coping, curbing, fencing, hedging, grave mounds, borders, or enclosures of any kind, shall be allowed around any plots or burial spaces; and no walkways of any kind shall be allowed on any plots or burial spaces. The City reserves the right to remove the same if so erected, planted or placed.

J. Grave covers. No Grave or plot covers shall be allowed which cover any or all of the plot/grave or than a traditional marker/monument.

### **3. DESIGN AND FINISH.**

A. The City shall have authority to reject any plan or design for any memorial which, on account of size, design, inscription, kind or quality of stone is in the opinion of the City unsuited to the plots or burial spaces on which it is to be placed.

B. The City reserves the right to stop all work of any nature, whenever, in the City's opinion, proper preparations have not been made or when tools and machinery are insufficient or defective; or when work is being executed in such a manner as to threaten life or property; or when the monument dealer has been guilty of misrepresentation; or when any reasonable request on the part of the City is disregarded; or when work is not being executed according to specifications; or when any person employed on the work violates any rule of the Cemetery.

C. The completed work is subject to the approval of the City, and, if unsatisfactory, it may be removed by City personnel.

D. The name or inscription on each memorial must correspond with the name and record in the City Office. Prior approval of the inscription must be obtained from the City. The monument company shall assume full responsibility if the monument faces the wrong direction. No changes shall be made thereon except upon request of the proper parties and by permission of the City.

E. Duplications of the design of any memorial shall not be permitted in a location sufficiently near to the original that the duplication is readily noticeable.

F. No memorial showing drill or tool marks, or staining from removal of rubber mat used for sand engraving, shall be considered as first grade workmanship.

G. The coloring, painting, enameling, lacquering or bronzing of letters or other parts of stone or bronze work is prohibited, except with prior approval of City personnel.

### **4. MATERIALS.**

A. All marker/monuments, shall be constructed of natural stone. No artificial stone of any description shall be permitted.

**5. FOUNDATIONS OR FOOTINGS** for all markers/monuments or markers of any kind will be constructed by the monument retail dealers and approved by the City.

### **6. MISCELLANEOUS.**

A. Should any marker/monument become unsightly, dilapidated, or a menace to visitors, the City Council shall have the right to either correct the condition or to remove the same, at the expense of the plot or burial space owner. If the marker/monument is older than 75 years from death date the City assumes responsibility for general repair.

and maintenance of said marker. If a marker is damaged beyond repair the city shall have the option to replace it with a replica or at a minimum place a permanent marker on the grave with all pertinent information of the deceased.

B. No memorial shall be removed from the Cemetery, except by the City, unless the written order of the plot or burial space owner is presented at the City Office and permission be granted by the City.

### **MODIFICATIONS AND AMENDMENTS**

1. **EXCEPTIONS AND MODIFICATIONS.** Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The City, therefore, reserves the right without notice, to make exceptions, suspensions or modifications in any of these rules and regulations when, in its judgment, the same appear advisable, and such temporary exception, suspension or modification shall in no way be construed as affecting the general application of such rule.

### **SCHEDULE OF CHARGES**

1. A **SCHEDULE OF CHARGES** will be available at the City Office and will govern City personnel in the assessment and collection of charges for plots or burial spaces sold and services rendered by the Cemetery.

2. **CREDIT** will not be extended to individuals and payment must be arranged for at the time of issuance of interment order.

3. **MORTUARIES** or other firms may receive credit by making an application to the City Office. Accounts of such approved firms must be settled by the 10th of the month following the order of interment or disinterment. Credit will not be extended to any firm having an unpaid balance from a previous month.

### **RECORDS**

1. **RECORDS OF THE CEMETERY** are kept in the City Office. Inquiries can be made at the City Office during regular business hours.

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