

Title 9
Chapter 1
Cemetery Regulations

9.1.1 Purpose of Regulations

- A. These regulations are promulgated to provide guidance to the City administration for the operation and administration of the Delta Municipal Cemetery. The City shall have the right to authorize deviations from or amendments to these regulations as appropriate in the City's discretion. The City Manager shall be responsible for the proper operation and administration of the cemetery and the implementation of these regulations.

9.1.2 Cemetery Lots

- A. Application for purchase of cemetery lots shall be made on forms supplied by the City accompanied by applicable fees and charges.
- B. Purchase of a cemetery lot entitles the owner only to the right of burial in accordance with the terms and conditions of these regulations as such may be amended from time to time. Ownership of the real estate shall remain at all times in the City.
- C. Lots shall be subject to a purchase fee of \$450 for each full-sized grave space in the lot, \$275 for each burial space in the lots in the Cremation Garden and \$15.00 for each burial space in Potter's Field. Potter's Field lots are available only when paid for by Health and Human Services funds. [Revised 1-18-2000 by Resolution #2,2000; by Motion of Council on 12-2-2003 effective 1-1-2004]
- D. The purchaser of a lot may assign his interest in a lot to another only if he gives the City written notification of such assignment utilizing forms supplied by the City. Unless the assignment was a gift without consideration, a \$25.00 transfer fee shall be paid to the City.
- E. The City may repurchase lots for the amount the purchaser paid for the lot.

9.1.3 Burials.

- A. Notice of burials or burial services should be given to the City at least eight working hours in advance. The City shall have no liability if unable to accommodate the burial or burial service at the requested time. The City shall advise the interested parties of the time at which the site will be ready.
- B. In order to avoid problems with burial locations at the cemetery, a location verification form will be attached to each burial permit. Two members of the cemetery staff will physically check the location, verify its accuracy, and sign off on the form. It is recommended that one of the two individuals signing the form should be the staff member who will actually

dig the grave. The completed and signed location verification form will be returned to City Hall for filing with the burial permit.

- C. All graves shall be opened and closed by the City. The following charges shall be made for burials and burial services:

<u>Type</u>	<u>Weekdays</u>	<u>Saturdays</u>
Adult Burial	\$500	\$650
Child Burial (up to 8 years old)	No Charge	No Charge
Cremation Burial	\$250	\$300
Double Cremation Burials	\$375	\$450

[Fees revised 11-16-1990 by Resolution #13, 1990; 1-18-2000 by Resolution #2,2000; by Motion of Council on 12-2-2003 to be effective 1-1-2004]

9.1.4 Required Vaults.

- A. Steel, fiberglass, poly or concrete vaults shall be required for all burials except for cremains and burials in Potter's Field. [Revised by Resolution #10, 2002]

9.1.5 Limitation on Burials.

- A. The following limits shall be applied with respect to each grave space:
1. No more than one adult casket, with two infant caskets or up to three cremains buried above it; or
 2. No more than two children's caskets measuring a maximum of four feet in length and buried at the same time, with up to three cremains buried above them.
 3. No more than one cremains per space shall be allowed in the Cremation Garden.
 4. No more than three cremains per space shall be allowed in all other areas of the cemetery outside the Cremation Garden, except for lots purchased prior to November 1, 1988, which may have up to ten cremains.
 5. If a casket or cremains must be disinterred in order to allow the burial of another casket or cremains in the same space, the requirements in Section 9.1.6 shall apply. [Revised by Resolution #10, 2002]

9.1.6 Disinterments.

- A. No disinterments shall be allowed unless proof of the right to request the disinterment in a form satisfactory to the City is submitted along with applicable charges.
- B. The City shall make the disinterment but shall not be responsible for any damage resulting from removal.
- C. The charge for disinterment shall be \$1000.
- D. Disinterment shall be done at the convenience of the City.

9.1.7 Landscaping and Maintenance.

- A. City Control
 - 1. Lots may be improved, landscaped, maintained or decorated by any person of vested interest as allowed in this section. (Resolution #4, 2011)
- B. Flat Marker Section
 - 1. No permanent plantings or other items shall be placed within the flat marker section of the cemetery. Otherwise, the limits of subsection (d) below shall apply.
- C. Blocks 15, 16 and 17 and Cremation Garden
 - 1. Landscaping shall be as per the master plan developed for these blocks. No other planting will be allowed. All other requirements specified under subsection (d) below shall apply.
- D. Remainder of Cemetery
 - 1. Permanent vases are allowed if mounted in cement with a minimum of three-inch border flush to the ground and located within six inches of the monument, or if constructed as an integral part of an authorized monument.
 - 2. Artificial or real flowers may be kept in permanent vases as described in 9.1.7(d)(1). If placed on the grave or lying on the stone, they will be removed when faded or discolored. Flowers may be stuck around the stones. Flowers will be allowed on the ground or on stones five days prior to Memorial Day, up to five days after Memorial Day, and Memorial Day, after which they will be placed around the stone or marker.

3. Sprays and wreaths are allowed. When flowers are discolored and old, they will be picked up and disposed of. Glass vases are not permitted. (Resolution #22, 2001; Resolution #4, 2011)
4. Christmas blankets and wreaths are allowed from December 1 to March 1, at which time they will be removed. Nails, steel spikes or wire are not to be left in the cemetery
5. (Repealed by Resolution #22, 2001)
6. No boxes, shells, stones, boulders, glass ornaments, chairs, settees, non-permanent vases, glasses, solar lights, flags, urns, fences, wood, nails, spikes, or wire are permitted. (Resolution #22, 2001; Resolution #4, 2011)

9.1.8 The City shall have the right to remove any and all items, decorations, flowers or plantings allowed by this section at such time and for such reasons as it deems appropriate in its sole discretion. City shall have no liability for damage to any such items, vases or decorations. The City may remove any unauthorized items without liability at its discretion.

9.1.9 Above ground mausoleums and vaults shall not be allowed.

9.1.10 Gravestones

- A. Flat gravestones, flush with the ground, shall be allowed anywhere within the cemetery, except where upright markers are required by the master plans for Blocks 15, 16, and 17 and the Cremation Garden.
- B. Gravestones and markers other than flush gravestones shall not be allowed in that area of the cemetery designated solely for flat gravestones. In other areas they shall meet City design standards and have a minimum six-inch border flush to the ground for mowing purposes.
- C. Concrete bases containing a double flat marker shall contain rebar for required strength.
- D. Monuments in the Cremation Garden and in Blocks 15, 16 and 17 shall be built in conformance with the master plans for those sections.
- E. In Blocks 15, 16 and 17, individual flat markers shall be allowed, along with any upright monument specified by the master plan, at the head of each grave in lots with four graves and up.
- F. All concrete shall meet Class B, Sec. 601 of State Highway Standard Specifications.

9.1.11 Access to Cemetery

- A. The cemetery shall be open to persons on cemetery-related business, walking or in peaceful contemplation, and shall not be available for use for any other purpose, unless written permission has been given by the ParksManager.
- B. The cemetery shall be off limits to all dogs, except for service dogs. Persons wishing to walk their animals may do so at other City parks as long as they are leashed. Animals caught at large may be impounded and the owners may be cited. (Resolution #4, 2011)

9.1.12 Perpetual Care Fund

- A. Forty percent (40%) of the charge for grave spaces shall be credited to the City's perpetual care fund and earnings thereon used for purposes of the maintenance of the cemetery. All other fees and charges shall be deposited in the City's general fund or other fund designated by the City Council.

9.1.13 Standards for Memorials

- A. No memorial, marker or monument shall be allowed to be placed in the cemetery unless it is of good workmanship and permanent construction. No materials other than granite, marble or bronze, or other materials guaranteed to resist discoloration, deterioration, chipping, cracking, or destruction for twenty years, if approved by the City, shall be allowed. The City shall have the right to stop any memorial work if any hazard is being created or if the work is not being prosecuted in a workmanlike manner or otherwise contrary to these regulations.
- B. No memorial, mausoleum, tomb, marker or headstone may be removed without permission of the City. The City may remove any marker which becomes a hazard or becomes unsightly.
- C. All bases shall be installed only by memorial headstone companies approved by the City.
- D. Temporary markers may be used only while construction of a permanent marker is pursued with due diligence.

9.1.14 City's Liability

- A. The City shall have no liability for any loss or damage to any marker, monument or headstone except to the extent caused by the negligence of the City or its employees. The City may pay 50% of the cost of repair or replacement of headstones up to a maximum of \$1,500.00 in those cases

where the cause of the damage cannot be determined, but conceivably could be due to negligence of the City or its employees. (Resolution #4, 2011)

9.1.15 Additional Regulations

- A. The City Manager may promulgate additional regulations consistent with these regulations as appropriate in his discretion.

9.1.16 Special Regulations for Burial of Veterans.

- A. A new area of the City cemetery, located generally in part of Block 17 thereof, shall be officially set aside and exclusively designated for the burial of military veterans, commencing on the date of January 1, 2010.
- B. Subject to the provisions below, all lots and services for burial of veterans in the newly designated area are to be the same as provided for the burial of civilian residents in the remainder of the cemetery.
- C. All lots in the veteran's section of the city cemetery shall be sold exclusively to military veterans for their internment and, if requested, for the internment of their spouses.
- D. A veteran may have his or her spouse buried with him or her provided that if a casket is interred first, only a cremation burial will be allowed above the casket.
- E. One "military issue" grey granite headstone, having a 6-inch border around the stone. The base of the headstone marking each site may incorporate either two flower vases, one attached on each side of the base, or one attached in the center of the base. A separate, horizontal (flat) spouse's headstone shall be allowed on each lot provided that it be made of grey granite and be placed directly behind the primary military headstone of the veteran.
- F. Flowers may be placed on veterans' lots in the same manner as is permitted throughout the remainder of the cemetery. Flags may also be placed in vases placed on the site, but no other decorations other than flags or flowers shall be permitted on any of the veterans' lots.
- G. The same clean-up and maintenance rules that apply in the remainder of the cemetery shall apply as to veterans' lots. [Section 9.1.16 added 12/15/2009 by Resolution #10, 2009]

[Amended February 2, 2021 by Resolution #3, 2021]