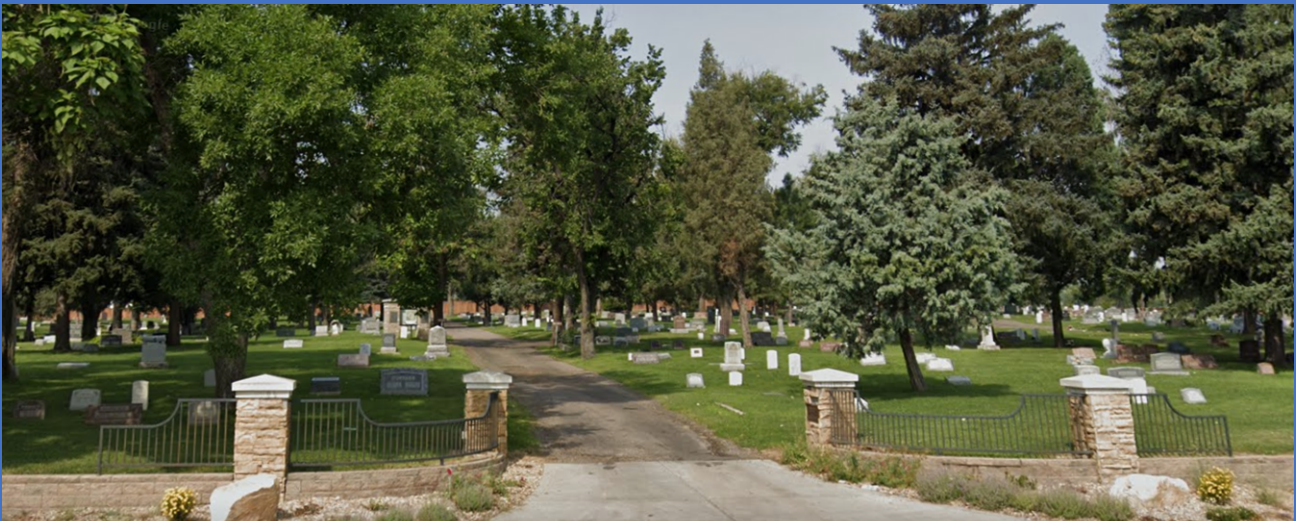


CEMETERY RULES AND REGULATIONS



City of
Evans, Colorado



Evans Cemetery
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www.evanscolorado.gov/cemetery

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1.0 PURPOSE

1.1 DECLARATION OF PURPOSE

These rules and regulations shall be held to be minimum requirements enacted for the mutual protection of all plot owners at the Evans Municipal Cemetery and the City of Evans, and to ensure the cemetery a uniform and permanent beauty.

2.0 DEFINITIONS

2.1 WORDS AND TERMS DEFINED

As used in these rules and regulations, the following terms shall have the meanings indicated:

BURIAL SPACE - the term "burial space" shall mean a single space within a platted lot designed for the interment of one body.

CEMETERY - The term "cemetery" is hereby defined as a burial park for earth and crypt interments.

COLUMBARIUM – a vault with niches for urns containing the ashes of cremated bodies.

PARKS AND RECREATION DIRECTOR/CITY CLERK, OR DESIGNEE – the departments having the right of general control of the cemetery in all matters, whether or not such matters are specifically covered by these rules and regulations.

DISINTERMENT - the term "disinterment" is the removal of the remains or cremains of a deceased person, the casket, if any, the burial receptacle from the ground or urn from the columbarium. The City will expose the vault or in the case of burial without a vault, expose the casket, burial receptacle or urn. The City shall not be required to provide either personnel or equipment to lift the vault, casket or burial receptacle from the ground.

INFANT – the term “infant” means children less than three (3) years of age.

INTERMENT - The term "interment" shall mean the permanent disposition of the remains of a deceased person by earth or crypt burial.

INTERMENT AGREEMENT - a provisional right to interment for the sole use and purpose of receiving interment, entombment or inurnment within the cemetery. This interment, entombment or inurnment right as assigned in this Agreement may not be transferred without the express written approval of the City Clerk and is subject to the Rules and Regulations of the Evans Municipal Cemetery, including the termination of this provisional Right to Interment should there appear to be abandonment of this Right and the City is unable to locate the owner, his/her heirs or assigns, upon notice, via certified mail, to the interment agreement address or updated address pursuant to Rule 5.3.

LOT - the term "lot" shall mean a platted lot within the cemetery and may consist of more than one burial space.

MONUMENT - the term "monument" shall designate a monument, marker, tablet or headstone for family or individual use.

NICHE - the term "niche" shall include a location within the columbarium vault designed to hold an urn containing the ashes of one cremated body.

PERPETUAL CARE -the term "perpetual care" means the general care and ongoing maintenance of the grounds, shrubs, walks, roadways, boundaries and structures within the Evans Cemetery.

URN – a vase or other container used to hold the ashes of a cremated body.

3.0 APPLICATION OF REGULATIONS

3.1 COMPLIANCE WITH REGULATIONS

All plot owners, visitors, cemetery employees, persons working directly or indirectly for lot owners and all lots sold shall be subject to these rules and regulations, and subject further, to such other rules and regulations, amendments or alterations as shall be adopted by the City of Evans from time to time; and the reference to these rules and regulations in the interment agreement to burial spaces shall have the same force and effect as if set forth in full therein.

3.2 EXCEPTIONS AND MODIFICATIONS

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. In such an instance the City Clerk shall have the right, without notice, to make exceptions, suspensions or modifications in any of these rules and regulations.

3.3 AMENDMENTS

The City may, and it hereby expressly reserves the right, at any time or times, to adopt new rules or regulations, to amend, alter and/or repeal any rule, regulation and/or article, section, paragraph and/or sentence in these rules or regulations. Such new or amended rules and regulations shall be binding on the owners of all lots or burial spaces regardless of the date such owner acquired title.

4.0 ADMINISTRATION AND ENFORCEMENT

4.1 OWNED AND CONTROLLED BY THE CITY OF EVANS

Evans Municipal Cemetery is owned and managed by the City of Evans, Colorado. The Parks and Recreation Director and the City Clerk has the right of general control of the cemetery in all matters, whether or not such matters are specifically covered by these rules and regulations.

4.2 GRIEVANCE PROCEDURE

Any person who disagrees with a decision of the City concerning the Cemetery or who wishes to file a grievance shall go through the following channels: Parks and Recreation Director, City Manager, or designee. Decisions by the City Manager, or designee, are final.

4.3 MANAGED BY THE PARKS AND RECREATION DIRECTOR/CITY CLERK, OR DESIGNEE

The management of the cemetery may be delegated by the City Manager to the Parks and Recreation Director and/or City Clerk, or designee, who in turn shall be responsible for direct and complete supervision of the cemetery in all matters.

4.4 BUSINESS OFFICE

All applications for purchase, transfer, assignment or repurchase of cemetery lots; interment and disinterment orders; or annual care or special permits of any kind must be made through the City Clerk, or designee. Only the Office of the City Clerk, or designee is empowered to receive any and all monies or payments for the same in any and all transactions involving Cemetery property or services. Records of all interments and interment certificates shall be kept in the Office of the City Clerk, or designee.

4.5 ENTRANCE TO CEMETERY

Entrance into the cemetery except through the main entrance is strictly forbidden. The City reserves the right to refuse admission to the cemetery and to refuse the use of any of the cemetery facilities to any person or persons that do not have a familial relationship to a person with an interment agreement, or a person who otherwise violates these rules, including 13.4 (Loitering on Grounds) or 13.5 (Visitor Hours).

4.6 CITY SHALL NOT DISCRIMINATE

All decisions made by the City and its employees in connection with the operation of the Cemetery shall be made without regard to disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, religion, age, national origin, or ancestry.

5.0 PURCHASE OF LOTS/COLUMBARIUM NICHES

5.1 APPLICATIONS FOR PURCHASE

Applications for the purchase of cemetery lots, burial spaces, or columbarium niches must be made at the City Clerk, or designee’s office where plats showing the size, location and description of all lots/niches and the schedule of prices will be kept on file. The schedule of prices for the lots and columbarium niches are set by the City Council by resolution. Ownership of cemetery spaces is subject to the Cemetery Rules and Regulations of the City of Evans, Colorado.

5.2 IMMEDIATE USE

In cases where a space has not been previously purchased, full payment prior to burial is required. The only exception to this policy will be when the mortuary involved assumes full responsibility for payment.

5.3 NOTIFICATION OF CHANGE OF ADDRESS

It is the duty of the burial space owner to notify the City Clerk’s Office of any change in his/her mailing address. Notice sent certified mail to an owner at his/her last known address on file with the City shall be deemed sufficient and proper legal notice.

5.4 PAYMENT PLAN

Individuals wishing to purchase a space or spaces, not for immediate use, must pay at least 25% down and the balance within one calendar year of such down payment. If the balance is not paid within one calendar year the space or spaces are forfeited back to the City of Evans. An interment agreement will not be issued until full payment is made.

5.5 INDIGENT

When a request is made by a mortuary to inter an individual with insufficient funds to cover expenses, the City will work within the expense allowance granted by the Weld County Department of Human Services if the deceased was an Evans resident three months prior to or at the time of death. The City may require proof of prior residency. This shall not prohibit the City from participating in any arrangement with other Cemeteries and/or Mortuaries, the purpose of which is to share expenses in cases not covered by Weld County Department of Human Services allowances.

5.6 INTERMENT AGREEMENT CONVEYS ONLY THE RIGHT OF BURIAL

All Interment Agreements shall grant to the lot owner or owners the right to use such lots for burial of human remains only, subject to these rules and regulations. The fee title to any lot, space or niche conveyed to a purchaser shall remain in the City subject to the right of burial conveyed to the purchaser.

6.0 TRANSFERS OR ASSIGNMENTS

6.1 CONSENT OF CITY

No transfer or assignment of any burial space, or interest therein, shall be valid without the consent in writing of the City first to be had and endorsed upon such transfer or assignment, and thereafter being recorded on the books of the City. The City shall have the right to refuse to consent to a transfer or an assignment if there is any indebtedness due the City by the owner of record.

6.2 NO LIABILITY OVER BURIAL RIGHTS

The City shall not be held liable by any owners/co-owners with interest in burial spaces that become subject to dispute over burial rights.

6.3 TRANSFER BY DESCENT

If no interment has been made in a lot or burial space which has been transferred to an individual Owner or Owners by the City, or if all the bodies have been lawfully removed therefrom, in the absence of a specific disposition thereof in the Owner's last will and testament, the lot shall, upon the death of the Owner, descend in regular line of succession as described in the state statutes to the heirs of the Owner.

7.0 RIGHTS AND RESPONSIBILITIES OF CITY

7.1 WORK TO BE DONE BY CITY

Except as otherwise provided herein, all grading, landscape work, improvements of any kind, and all care of lots, shall be done by the City, all trees, shrubs and bushes of any kind shall be planted, trimmed, cut or removed, and all opening and closing of graves shall be made by the City.

7.2 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 Parks Maintenance Division. If any improvements or alterations are made without the City's written consent, or, at any time; in the City's judgment, they become unsightly to the eye, the Parks Maintenance Division shall have the right to order such improvements or alterations removed, altered, or changed without consent of the lot owner.

7.3 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 in the City. The right to lay, maintain and operate or alter or change pipelines and or gutters for sprinkling systems, drainage, lakes, etc., is also expressly reserved; as well as the right to use cemetery property, not sold to individual lot or grave space owners, for cemetery purposes, including the interring and preparing for interment of dead bodies, or for anything necessary, incidental, or convenient thereto. The City reserves for itself and to those lawfully entitled thereto, a perpetual right to ingress and egress over lots for the purpose of passage to or from other lots.

7.4 NO RIGHT GRANTED IN ROADWAYS

No easement or right of interment is granted to any space owner in any road, drive, or walk within the Cemetery. Such road, drive or walk may be used as a means of access to the Cemetery or buildings as the City devotes to that purpose.

7.5 WHEN CITY IS NOT RESPONSIBLE

The City shall take reasonable precautions to protect lot owners, and the property rights of lot owners, within the cemetery from loss or damage; but the City distinctly disclaims 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 may be direct or collateral, other than as herein provided. When caught, vandals damaging City property shall be prosecuted to the fullest extent of the law.

8.0 PERPETUAL CARE

8.1 PERPETUAL CARE MANDATORY

All lots or burial spaces, apart from columbarium niches, shall be sold with perpetual care, the fee to be set by resolution of the City Council.

8.2 PERPETUAL CARE FEE

A perpetual care fee shall be collected from the purchasers of lots or burial spaces. The fee shall be set by the City Council by resolution after recommendation by the Parks and Recreation Director and/or City Clerk, or designee who shall consider the absence of or number of monuments in any section, the character of the irrigating system, the physical difficulties in the character of the soil and such other factors as tend to determine the necessary cost of the care of said lands.

8.3 LOTS NOT NOW UNDER PERPETUAL CARE

All lots and burial spaces purchased prior to February 1, 1987, require that a perpetual care fee be paid at the time of opening and closing of the burial space. The amount of such fee shall be the amount that is currently being charged on the other lots and burial spaces at such time the fee is paid.

8.4 PERPETUAL CARE EXCEPTIONS

The term "perpetual care" shall in no case be construed as meaning the maintenance, repair or replacement of any grave stones, monumental structures or memorial placed or erected on spaces or burial space(s) nor the planting of flowers or ornamental plants; nor the maintenance or doing of any special or unusual work in the Cemetery; nor does it mean the reconstruction of any marble, granite, bronze or concrete work on any section or space, nor on any portion or portions thereof in the Cemetery, damaged by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, insurrections, riots, or by the order of any military authority, invasions or causes beyond the reasonable control of the City, whether the damage be direct or collateral, other than as herein provided.

9.0 INTERMENTS

9.1 SUBJECT TO LAWS AND ORDERS

Besides being subject to these Rules and Regulations, all interments shall be subject to the orders and laws of the properly constituted authorities of the City of Evans, Weld County, the State of Colorado, and the Federal Government.

9.2 MAXIMUM TIME ALLOWED

Two hours is the maximum time allowed for interment and service at the cemetery.

9.3 TIME OF INTERMENTS

Notification must be received a minimum of two business days prior to the requested date and time. No interments will be allowed between 12:00 noon Saturday and 8:00 a.m. Monday. Confirmation from the City Clerk, or designee must be received prior to scheduling.

9.4 HOLIDAYS

No interment, interment services or disinterment's will be allowed on any holiday that the City observes, as listed on the City's website.

9.5 EMERGENCY BURIALS

Arrangements for emergency burials must be made through the City Clerk, or designee's Office and upon proof of emergency. The City shall not allow arrangements for emergency burials simply for convenience or accommodation.

9.6 DISASTER

In the event of a disaster, which results in numerous burials for the cemetery, the cemetery crew will work whatever hours deemed necessary by the City Manager or the Parks and Recreation Director. The City Manager or Parks and Recreation Director shall have the authority to make

exceptions to any and all regulations necessary in order to handle the numerous burials as orderly and as quickly as possible.

9.7 CASKET NOT TO BE DISTURBED

Once a casket containing a body is in the confines of the cemetery, no funeral director or their embalmer, assistant, employee, agent, cemetery official or employee, or any other person shall be permitted to open a casket or to touch a body without the written consent of the legal representatives of the deceased, or without a court order.

9.8 APPROVED GRAVE LINERS

Every interment must be made in an approved outer liner of steel, or concrete, and shall be supplied by the funeral home. The Parks and Recreation Director shall have the right to refuse any receptacle that is damaged or in any other way inadequate.

9.9 NOT RESPONSIBLE FOR EMBALMING OR IDENTITY

The City shall not be responsible for the interment permit nor for the identity of any persons sought to be interred; nor shall the City be responsible in any way for the preparation of the body.

9.10 NUMBER OF INTERMENTS

In order to maintain accurate records, not more than one body or the remains of one body may be interred in one burial space except as provided below:

9.10.1 Two cremains.

9.10.2 One regular interment and one cremains. In the case of double occupancy, only one headstone will be allowed. Regular interment must happen first before cremains.

9.10.3 Only one cremains urn or container shall be permitted per columbarium niche.

9.11 USE OF EQUIPMENT

Tents, artificial grass, lowering devices and other equipment in making interments, disinterment and removals shall be the responsibility of the funeral home in charge of the burial or disinterment.

9.12 INTERMENT OF CREMAINS

To inter cremains in the cemetery, the applicable fee must be paid to the City of Evans. The City shall not be liable for the protection of any cremains. The person(s) requesting interment of cremains must provide a cremains vault. Scattering of cremains is prohibited.

9.13 LOCATION OF INTERMENT SPACE

When instructions regarding the location of an interment space on a lot cannot be obtained, or are indefinite, or when for any reason the burial space cannot be opened where specified, the City may, in its discretion, open the space in such location on the burial lot as it deems best and proper, so as not to delay the funeral; and the City shall not be liable in for damages for any error or change made. The interment/inurnment of any deceased person within the corporate limits of the City, except in platted and duly authorized cemeteries shall be prohibited.

9.14 ORDERS GIVEN BY TELEPHONE

When making arrangements for burial the exact location (i.e. block, lot or space) must be given. The City shall not be held responsible for any order given by telephone, or for any mistake occurring for want of precise and proper instructions as to the location of the burial space. Precise orders shall be finalized in writing prior to the burial. Faxed signatures and e-mails are acceptable alternatives to signed originals delivered in person.

9.15 ERRORS MAY BE CORRECTED

The City reserves the right, and shall have the right to correct any errors that may be made by it (either in making interments or disinterments or in the description transferring or conveying any interment property) either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and in similar location as far as possible, as may be selected by the City; or, in the sole discretion of the City, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains in such property, a person requesting removal shall assume full responsibility for disinterment which shall be carried out pursuant to paragraph 10.0.

9.16 DELAYS IN INTERMENT CAUSED BY PROTEST

The City shall in no way be held liable for any delay in the interment of a body where a protest to the interment has been made in a court of law or where the rules and regulations have not been complied with; and, further, the City reserves the right, under such circumstances to instruct a funeral home to place the body in a receiving vault until the full rights have been determined by a court of competent jurisdiction. The City shall be under no duty to recognize any protests of interments.

10.0 DISINTERMENTS

10.1 SUBJECT TO LAWS AND ORDERS

Besides being subject to these Rules and Regulations, all disinterments shall be subject to the orders and laws of the properly constituted authorities of the City of Evans, Weld County, the State of Colorado, and the Federal Government.

10.2 PERMISSION FOR DISINTERMENTS

No disinterment of a body or cremains will be made without either a court order of a court of competent jurisdiction or a signed affidavit from the surviving spouse or next of kin, on a form provided by the City, stating that the disinterment is being requested for a valid reason, that the application is being made by a proper person, that there is no opposition to the disinterment by the surviving spouse, next of kin, or by the expressed wishes of the decedent, and that the affiant agrees to indemnify the City and hold it harmless from any liability that might result from the disinterment and release it from any claims the affiant may have, then or in the future, by reason of the disinterment. The City Clerk, or designee shall have the right to require a court order for disinterment at any time prior to the disinterment when circumstances exist or arise which indicate that there is a question as to the reason for the disinterment or as to whether there is opposition to the disinterment.

10.3 DISINTERMENT PROHIBITED UNDER CERTAIN CIRCUMSTANCES

Disinterment of a body so that the lot or burial space may be sold for profit to the heirs of the deceased or to any other persons or removal contrary to the expressed or implied wish of the original lot or burial space owner is repugnant to the ordinary sense of decency and absolutely forbidden.

10.4 NOTICE OF DISINTERMENT REQUIRED

The City reserves the right to require at least ten days notice prior to any disinterment. Disinterments must be conducted during the hours of 9:00 a.m. and 2:00 p.m. No disinterment will be made on any Saturday, Sunday, or legal holiday or on the day upon which any holiday is legally observed.

10.5 PAYMENT OF FEES

All fees assessed by the City for disinterments shall be paid to the City Clerk, or designee's office prior to the disinterment.

10.6 CITY NOT RESPONSIBLE FOR DISINTERMENTS

All disinterments of a body will be the responsibility of the family. The City shall not assume responsibility for any disinterments. Families wishing to disinter a body shall procure the services of a competent funeral director who must first provide evidence of liability insurance satisfactory to the City of Evans.

11.0 DECORATION OF LOTS

11.1 PLANTS, TREES, SHRUBS, FLOWERS AND BORDERS

11.1.1 The Parks Maintenance Division has exclusive authority in the planting of all trees, shrubs, plants, flowers and grass for ornamentation of the cemetery. **Planting of trees, shrubs, plants, flowers, grass, and any other type of item is prohibited!**

11.1.2 Fences, railings, curbs, hedges and other bordering of spaces are not allowed. Nothing shall be placed upon lots and graves other than flowers, vases containing flowers, wreaths, flags and other temporary decoration. Flowers, vases containing flowers, wreaths, flags or other temporary decoration may be placed on the ground in front of the columbarium niches but cannot be temporarily or permanently attached to the surface of the columbarium. These will be removed and disposed of by cemetery crews, at their sole discretion, when they become dead, faded, broken or anything of a similar nature (particularly artificial flowers) without prior notice to the lot owner.

11.1.3 If any trees, shrubs, bushes or flowers growing on any space or lot shall become detrimental, in the sole discretion of the Parks Maintenance Division, to adjacent lots or spaces, walkways or roads or in anyway interferes with the general design of the cemetery, they will be removed without notice.

11.2 OTHER ARTICLES

The placing of boxes, shells, stones, boulders, toys, metal designs, ornaments, chairs, settees, unattached vases, glass, urns, fences, wood or metal cases and similar articles upon lots shall not be permitted.

11.3 LIABILITY AND REGULATION OF DECORATIONS

The City of Evans shall not be held liable for lost, misplaced or broken flower vases or for damage by the elements, thieves, vandals or by causes beyond its control. The City reserves the right to regulate the method of decorating lots and the right to remove any decoration so that uniform beauty may be maintained.

12.0 MEMORIAL WORK IN CEMETERY

12.1 PRODUCERS AND RETAIL DEALERS

12.1.1 Producers of monumental materials, meaning thereby quarries, quarries who also manufacture memorials, and manufacturers of memorials who are not quarries must provide only first grade, clear stone for memorial purposes at the cemetery, and must guarantee that such stone is free from sap or anything that will cause rust or other stains, and that it will not crack or split, and must agree that should such faults develop within five years from the date of setting, the memorial will be replaced without cost or delay to the City or the lot owner.

12.1.2 Retail dealers must agree to use only first grade stone from producers approved as provided above, and must guarantee the memorial to be executed in first grade workmanship, with the agreement that should faults develop within five years due to the setting, treatment or handling of the same by the memorial dealer, such memorial will be replaced without cost or delay to the City or to the lot owner.

12.1.3 Letter cutters, persons or firms who engage in the business of cleaning monuments, and who are not connected with established retail dealers, and all other persons or firms must secure permission from the Parks and Recreation Director and/or City Clerk, or designee before any work in the cemetery is commenced. In order to procure such permission, it will be necessary for the person or firm to submit satisfactory evidence of their ability to properly perform the work for which they have been engaged.

12.1.4 Retail dealers engaged in erecting or placing monuments or other structures shall be considered general contractors and must provide a bond and evidence of liability insurance satisfactory to the City of Evans.

12.1.5 Persons engaged in erecting monuments, or other structures, are prohibited from attaching ropes or other devices to monuments, trees or shrubs, and are prohibited from scattering their material or tools over adjoining lots or from blocking roadways or walks, or from leaving their material or tools on the grounds longer than is absolutely necessary.

They must do as little injury to the grounds, trees and shrubs as is possible and must remove all debris and restore the ground to its original condition.

12.1.6 While a funeral or an interment service is being conducted nearby, all work of any description shall cease.

12.2 MONUMENTS

12.2.1 No monuments will be allowed on any burial space until the space has been fully paid for.

12.2.2 Only one monument for each burial space shall be permitted.

12.2.3 While the City will exercise due care to protect raised letters, carving or ornaments on any monument or other structure on any lot in the cemetery, it disclaims responsibility for any injury thereto.

12.2.4 No copying, curbing, hedging, grave mounds, borders, enclosures of any kind, or walks of any kind shall be allowed to be built or placed on any lot in the cemetery. The City reserves the right to remove the same without recourse and without prior notice to the lot owner, if so planted, erected or placed.

12.2.5 The use of tiles, bricks, gravel, crushed rock, oyster shells, cinders or other material on any lot in the cemetery is strictly forbidden. Any of these used may be removed by the City without prior notice to the lot owner.

12.2.6 Temporary markers, homemade markers, wooden markers or ornaments shall not be allowed and may be removed by the City without prior notice to the lot owner.

12.2.7 Foot-stones and corner-stones are not allowed and may be removed by the City without prior notice to the lot owner.

12.2.8 No lot owner shall erect or place or cause to be erected or placed, on any lot in the cemetery, any monument in respect of which the Parks and Recreation Director and/or City Clerk disapproves and if erected or placed, may be removed by the City without prior notice to the lot owner.

12.3 FOUNDATIONS

All foundations for monuments shall be the responsibility of the lot owner. The lot owner shall procure the services of a monument company for foundation work in the cemetery. Charges for such work will be paid directly, by purchaser, to the monument company who must furnish evidence of liability insurance and a bond in an amount acceptable to the City of Evans.

12.3.1 Monuments only constructed of granite, standard bronze or marble will be allowed. Other materials are subject to deterioration and contribute to unsightliness.

12.3.2 Foundations must meet the following criteria:

SINGLE	DOUBLE
minimum of 4" deep	minimum of 4" deep
not to exceed 48" in width and 24" in length and a minimum 4" border must show after monument is placed	not to exceed 92" in width and 24" in length and a minimum 4" border must show after monument is placed
48" width	92" width
24" length	24" length
must be centered	must be centered

These foundation measurements assure a solid base for the monument and will help to prevent settling and vandalism.

12.3.3 Cut-outs for flowers located on the foundation of the monument are encouraged. These cut-outs shall not exceed 6" in diameter on the foundation.

12.3.4 Prior to placement of a foundation and/or monument, an appointment must be made either with the City Clerk, or designee in order for her/him to locate the burial lot(s). Notice must be given at least one business day (24 hours) in advance prior to placement of a foundation and/or monument. The City will assume no responsibility for an incorrect placement for any foundation and/or monument if placed prior to contacting the City Clerk, or designee.

12.4 MISCELLANEOUS

12.4.1 Should any monument be installed without the services of an approved monument company, become unsightly, dilapidated or a menace to the safety of visitors, the City shall have the right to either correct the condition or to remove the same, at the expense of the lot owner.

12.4.2 No monument shall be removed from the cemetery, except by the City unless the written order or permission of the lot owner is presented to the City and permission is granted by the City.

13.0 RULES OF CONDUCT

13.1 CHILDREN

Children under fifteen (15) years of age shall not be permitted within the Cemetery as amended, unless accompanied by an adult.

13.2 REMOVAL OF FLOWERS, ETC, FORBIDDEN

All persons are prohibited from gathering flowers, either wild or cultivated, or breaking trees, shrubs or plants, or feeding or disturbing fish or birds or other animal life within the Cemetery.

13.3 ALCOHOL BEVERAGES AND GLASS CONTAINERS PROHIBITED

No person shall be permitted to have alcohol beverages and glass containers within the Cemetery grounds. This rule will not prohibit City employees from eating their lunch on the Cemetery grounds in connection with their regular employment.

13.4 LOITERING ON GROUNDS

Persons shall not be permitted to loiter on any of the grounds, graves, or monuments within the Cemetery.

13.5 LOUD TALKING

Loud talking shall not be permitted on the Cemetery grounds. The use of profane language is forbidden.

13.6 VISITOR HOURS

Visitors are welcome on the Cemetery grounds during the regular hours of sunrise to sunset.

13.7 TRASH AND RUBBISH

Throwing rubbish on any part of the grounds or buildings, except in containers designated by the City is prohibited.

13.8 BICYCLES, VEHICULAR TRAFFIC, AUTOMOBILES, TRUCKS, AND OTHER EQUIPMENT

13.8.1 Automobiles shall not be driven through the Cemetery at a speed greater than five (5) miles per hour.

13.8.2 Heavy hauling, trucks or commercial vehicles, of any kind are not permitted within the Cemetery grounds, except on business or in connection with the Cemetery work, and then only by permission of the Parks and Recreation Director, or designee.

13.9 PEDDLING OR SOLICITING

Peddling of flowers or plants, or the soliciting for the sale of any commodity is absolutely prohibited within the confines of the Cemetery.

13.10 NOTICES OR ADVERTISEMENTS

No commercial signs or notices or advertisements of any kind shall be permitted within the Cemetery. However, the City reserves the right to post signs and notices, in appropriate places, in or within the grounds of the Cemetery. Such signage may include Rules of Conduct, visiting hours, or other such information as is necessary to allow everyone to enjoy a peaceful and clean environment.

13.11 DOGS AND OTHER ANIMALS

Dogs, except those used for hearing or visually impaired persons, shall not be allowed in the Cemetery grounds. The owner or keeper of any dog which trespasses upon the Cemetery grounds shall be liable for any damage done by said dog. The City shall not be liable for any damage created by dogs or other animals.

13.12 INJURIES TO CEMETERY GROUNDS, ORNAMENTS AND/OR MONUMENTS

It shall be unlawful for any person to willfully ride or drive upon any place within the Cemetery other than platted driveways, or to willfully tamper, deface, injure or destroy any monument, tomb, grave or gravestone, grass space, walkway, driveway, building or any other part thereof associated with the Cemetery.

13.13 PARKS AND RECREATION DIRECTOR OR DESIGNEE TO ENFORCE RULES

The Parks and Recreation Director, or designee is hereby expressly empowered to enforce these rules and regulations, and to exclude from the Cemetery property any person violating the same. The Parks and Recreation Director, or designee shall have complete charge of the Cemetery grounds and buildings, and, at all times, shall have supervision of all persons within the Cemetery, including the conduct of funerals, traffic, employees, burial space owners and visitors.

13.14 CITY EMPLOYEES AND SERVICE PROVIDERS

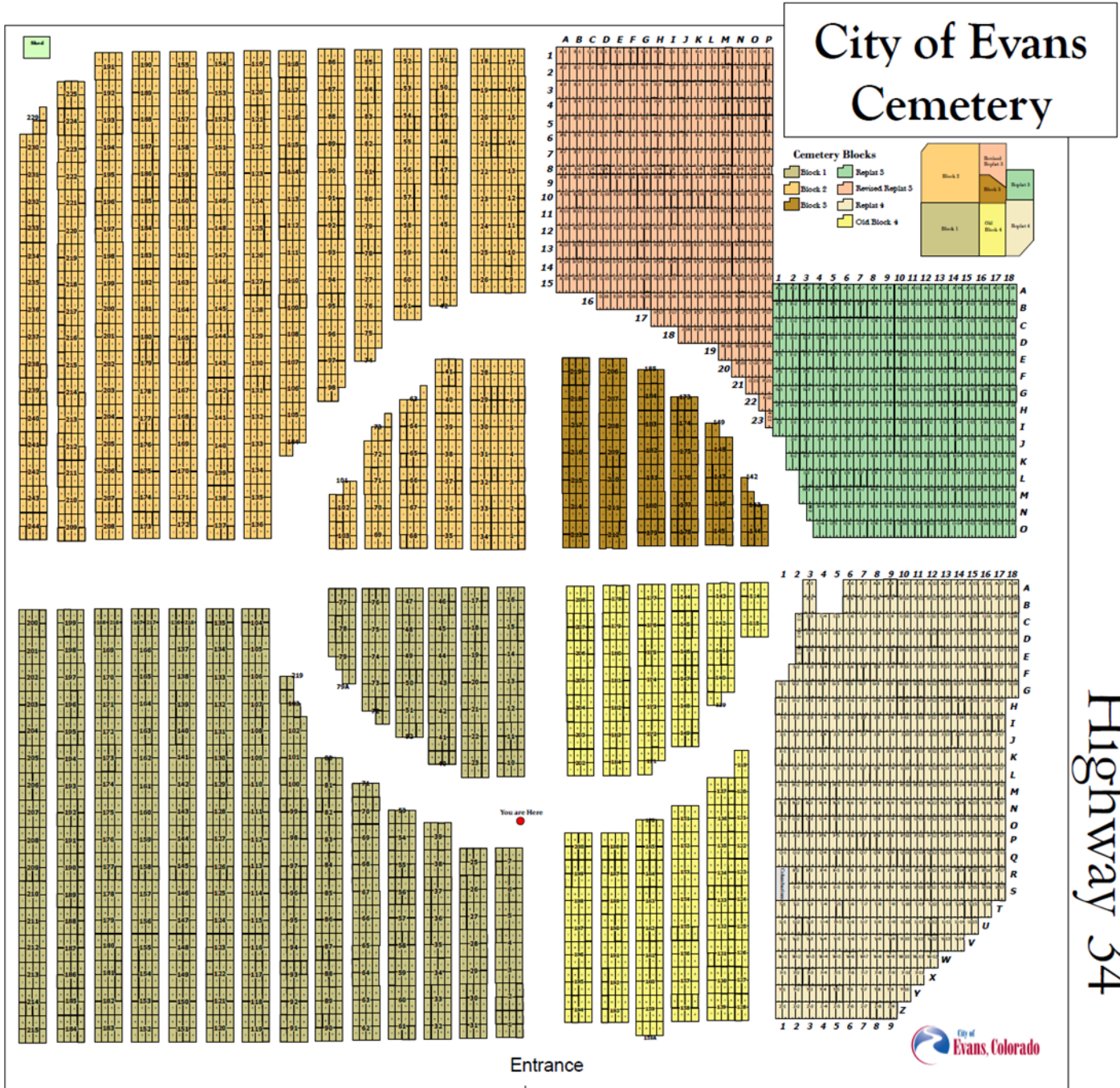
Employees and service providers within the Cemetery grounds shall conduct themselves with decorum at all times and with strict accordance with these rules and regulations, and this applies to outside workers, stone masons, florists, etc., as well as to those persons directly employed by the City.

13.15 FEES, GRATUITIES AND COMMISSIONS MAY NOT BE ACCEPTED BY CITY EMPLOYEES

No person, while employed by the City, shall receive any fee, gratuity or commission, except from the City, either directly or indirectly, under penalty of immediate dismissal. All fees, payments or charges for any Cemetery property or service shall be paid to the City at the Office of the City Clerk, or designee.

CEMETERY MAPS

For a more detailed map please go to: [Cemetery Maps](#)



FEE SCHEDULE

The current fee schedule can be found at: [Cemetery Fees](#)