

**CITY OF LANDER  
MOUNT HOPE CEMETERY  
RULES AND REGULATIONS**

**OPERATIONS**

1. **Dates and Times Cemetery will be Open** - The cemetery will be open from **5:00 a.m. until 9:00 p.m.** daily. It shall be unlawful for any person to be in the cemetery during any other hours without the permission of the cemetery department superintendent or his assistant. Violators will be prosecuted.
  
2. **Office Hours** - The cemetery office shall be open from 7:30 a.m. to 4:00 p.m. Monday through Friday. The cemetery office will be closed on all legal holidays except Memorial Day and, any special times granted by the City administration. It will be the policy of the City of Lander that no employee of the cemetery be contacted at home.

**PROPERTY OWNERSHIP**

3. **Reservation of Burial Plots** - A plot or plots may be reserved only by written agreement with the cemetery department superintendent or his assistant upon such terms and for such period as shall be mutually agreed not to exceed one year. The final sale price of any plot so reserved will be the price established at the time of sale and not the price prevailing at the time of reservation.
  
4. **Cemetery Certificate** - Ownership of a plot or plots within the cemetery shall be evidenced only by a Cemetery Certificate of Sale issued and signed by the City of Lander Clerk upon full payment of the purchase price.
  
5. **Nature of Plot Ownership** - Ownership of a cemetery plot consists of an irrevocable license to use the plot, of the right of interment and any rights necessarily implied therefrom unless otherwise noted on the Certificate of Sale. Not more than one body shall be interred in one plot, with the exception of cremated remains and small infants. The bodies of small infants may be buried in an occupied plot if the container will allow two feet of cover over the container when completed.
  
6. **Subdivision of Plots** - A cemetery plot cannot be divided into smaller portions than that originally set forth in the Cemetery Certificate of Sale thereof.
  
7. **Transfer of Plots** - No transfer or assignment of plot or interest therein

shall be valid until the consent of the City has been endorsed on the Certificate of Sale thereof.

### **BURIAL PROCEDURES**

8. **Notification** - The cemetery department superintendent or his assistant shall approve all times and dates of scheduled services and shall be notified as soon as possible in advance of the need for the opening of a cemetery plot and of all proposed burial arrangements. Such notification may be given orally but must be followed by written instructions to the department superintendent or his assistant not less than 24 hours prior to the scheduled burial time. Notification of Monday funerals must be received before 12:00 a.m. on the preceding Friday.

9. **Saturday Services** - It is the policy of the City of Lander that there shall be allowed Saturday services. It shall be the responsibility of the Cemetery Department superintendent or his assistant or his supervisor to make arrangements and supply necessary people to work these services. Due to the fact that Saturday services will cost the city additional monies for employee compensation there will be an additional fee set by the administration, to compensate employee salaries. No interments, disinterments or funeral services shall be permitted on Sundays or holidays without the prior approval of the department superintendent or his assistant and his supervisor. Such permission will not be granted absent an emergency and the additional fee mentioned above will be charged. First service will be 10:00 a.m., the second service will be 1:00 p.m. or 2:00 p.m.

10. **Overtime Services** - There will be no scheduling of services between 4:30 p.m. and 7:30 a.m. Monday through Saturday, except for extreme emergencies. Emergency situations will be approved by the department supervisor and the public works director. Overtime fees will be applicable for all Saturday services, and services set prior to 9:00 a.m. and after 3:30 p.m.

11. **Removal and Replacement of Monuments for Interment** - If in the opening or closing of a grave it becomes necessary for the department superintendent or his assistant to remove or replace an existing monument or its foundation, the same will be performed at the expense of the monument owner and neither the department superintendent or his assistant, his employees, nor the city shall be liable for any resulting damage to the monument or foundation which shall be repaired at the owner's expense. If any such movement, replacement or repair is required the funeral director or family in charge will be notified prior to the opening or repair.

12. **Permit Required for Opening** - No grave may be opened in the cemetery without a cemetery permit first having been obtained from the cemetery department superintendent or his assistant. The permit will be endorsed with the cemetery department superintendent or his assistant's signature, complete with the dates of opening and closing of the grave. A copy of said permit will be presented to the City Clerk.

13. Public Involvement – Because of liability purposes there will be no public involvement in the filling of graves.

### **GRAVE CONSTRUCTION**

14. **Regulations for Cemetery Work** - Persons erecting monuments or doing work of any kind in the cemetery will be held responsible for any damage done and shall conform to the following:

- (a) Before doing work of any kind it shall be necessary to obtain directions and consent from the department superintendent or his assistant who shall have complete supervision.
- (b) All work shall be done as rapidly as possible and in accordance with the trade standard of proper methods for handling and setting of monuments. No rubbish or materials of any kind shall be scattered or placed upon any other burial space or cemetery road and shall be immediately removed by those responsible after completion of the work.
- (c) In the erection of monuments any necessary posts, ropes or wires shall be secured in the alleyways. Neither ropes nor wires shall be attached to other monuments or to trees. In unloading monuments, planks shall be used where necessary to protect the grass.

15. **Enclosing of Caskets** - All human bodies must be in a casket or container durable enough to support the weight of the body, must have handles or straps for handling and must meet state statutes. Any casket or container six feet long or longer, in every interment shall be enclosed in a permanent grave reinforcement of PVC, fiberglass, steel or concrete and comply with the national standards governing burial receptacles.

16. **Un-Embalmed Bodies** - Un-embalmed bodies must be enclosed in an airtight casket or vault.

17. **Monument Foundations** - All monuments, headstones, or permanent markers shall be set on a concrete base which will extend a minimum of six inches from the edges of the monument, headstone or marker at ground level and will not extend over the property purchased by the owner. Mausoleum or tomb foundations shall meet the specifications for such structures. Stationary vases of metal, marble, concrete, etc., or statues, or figurines may not be installed on the foundations, but, must be installed on granite bases, or other material as approved by the department superintendent or his assistant at least four inches above the foundation.

18. **Monument Placement** - All monuments or headstones must be in line with surrounding monuments or headstones. Where permitted, footstones must be mounted flush with the ground. **In sections established after 1970, it is required that monuments be set as to face the closest North by South road. This requires monuments of the west half of a section be set on the East end of the graves, and monuments of the East half of the section, be set on the West end of the graves. All other situations must be approved by the department superintendent or his assistant.**

19. **Temporary Markers** - Temporary markers, pending placement of a permanent marker shall be allowed for no more than one year. The department superintendent or his assistant shall have the right to remove temporary markers that have been left in place for more than one year and return them to the funeral director furnishing the temporary marker.

20. **Composition of Markers** - In the best interest and for the protection of grave owners, memorials of cement, wood, artificial wood, tin, iron or other material not permitted by the department superintendent or his assistant, will not be permitted to be erected in the cemetery.

21. **Erection of Fences, Copings, Hedges, Retaining Walls, Etc, Prohibited** - No person shall erect a fence, coping, corner post, hedge, retaining wall or other boundary marker upon any grave, lot or plot.

- a) The city, at the discretion of the Department superintendent or his assistant, shall be allowed to remove, replace or repair any objects on plots which cause a safety concern for city employees or which hinder the maintenance of the cemetery plots.

22. **Cemetery Responsibility** - The cemetery will not be responsible under any circumstances for any loss or damage to any marker, monument, mausoleum, vase or other fixture placed on any burial plot where such loss or damage shall be caused by thieves, vandals, windstorms or any act of God.

## **GRAVE DECORATION**

23. **Duration of Placement of Decorations** - All grave decorations of any description which are permitted by these regulations, will be allowed to remain as a grave decoration so long as they meet the following:

1. Appropriately affixed to the grave monument as to not be blown away;
2. Do not obstruct the general maintenance procedures of the cemetery.

Grave decorations that do not meeting these requirements will be removed by the cemetery crew. Every effort will be made to store any valuable decorations for a period not to exceed two weeks after which the cemetery crew may dispose of such items. However, the City shall not be liable for any items which are not so stored or which are disposed of after storage.

There will be a general clean up of unsightly, tattered or worn out decorations during the months of October and April.

24. **Holidays** - Notwithstanding other regulations herein, the following provision concerning grave decorations shall be in effect on the designated holidays:

- (a) **MEMORIAL DAY DECORATIONS** - All temporary decorations and artificial flowers assembled on the grass or grave spaces shall be picked up starting five (5) days after Memorial Day. Cemetery vases and cans sold by local florists and retailers will be allowed for this five (5) day period only.
- (b) **CHRISTMAS DECORATIONS** - Christmas wreaths and grave blankets placed on graves within the cemetery may be permitted until January 31.
- (c) **ALL OTHER HOLIDAYS** - Decorations for holidays, such as, Easter, 4<sup>th</sup> of July, Valentines, etc., will be removed five (5) days after.

25. **Decorative Rods** - Decorative rods or iron stands, commercially purchase or privately built, will be allowed when the following procedures are followed:

- (a) Said rod must be in a hole within the monument foundation as close as possible to the monument to allow space to allow mowers to go by.

- (b) Only one rod per monument.
- (c) Anything hung from the rod must be secured to prevent it from being blown off. Any items secured to the rod must not obstruct any maintenance procedures.
- (d) All installations will be under the discretion of the cemetery management.

26. **Securing Grave Decorations** - All grave decorations, which are not a permanent part of the monument must either be of sufficient weight to prevent them from being blown about by the wind, or must be secured to the monument, headstone or grave marker so as to prevent such occurrence.

27. **Prohibited Grave Decorations** – All items made of glass, porcelain, pottery or any other fragile material is not allowed. All boxes, cans, toys, ornaments or other similar articles are not allowed without consent of the cemetery management. For general public safety all items used in securing decorations such as wire, spikes, nails, pipes, rocks that may obstruct maintenance or impose a public safety hazard will be removed.

28. **Planting of Trees or Shrubs** - Planting of any tree, plant or shrub upon any cemetery plot is prohibited without written permission of the department superintendent or his assistant. The department superintendent or his assistant shall have the power to remove any such tree, plant or shrub which is installed without permission or which is detrimental in any way to any adjoining lot, road or walk. Neither the department superintendent or his assistant nor the city shall be liable for the item or its removal.

### **PROHIBITED ACTS**

29. **Advertising Prohibited** - No advertising of any kind shall be permitted in the cemetery.

30. **Noise Restrictions** - During funeral services, all construction, loud talking or other activity on cemetery property that might interfere with services is prohibited.

31. **Firearms** - Except for firearms used in connection with the ceremonies of a military burial, none shall be permitted in the cemetery without special written consent of the cemetery department superintendent or his assistant.

### **ENFORCEMENT**

32. **Authority and Enforcement** - The cemetery department superintendent or his assistant shall have the power to prevent improper assemblages and boisterous and unseemly conduct. The cemetery department superintendent or his assistant shall have the power to enforce all ordinances, rules, and regulations pertaining to the cemetery and to exclude from the cemetery any person or persons found in violation thereof. The cemetery department superintendent or his assistant shall have charge of the cemetery grounds and buildings and at all times shall have supervision and control over all persons in the cemetery.

Adopted by Ord 334 1952  
Amended by Ord 338 1952