

CEMETERY RULES AND REGULATIONS

These regulations adopted by the Post Falls city council on the 3 day of May, 2005 shall be applicable to the use of the Evergreen Cemetery by the public. These regulations may be amended or superseded by new rules and regulations adopted by the city council. All lot purchasers and persons using the cemetery shall comply with these regulations and any amendments thereto or subsequent rules and regulations.

These rules and regulations are adopted for the purpose of providing an attractive and safe cemetery grounds and to maintain the integrity and beauty of the cemetery while allowing for the expression of respect, grief and loss for those that are interred therein.

All reference to the parks and cemetery director in these regulations shall include the director's designee.

ARTICLE 1 **ORNAMENTATION & BEAUTIFICATION**

- 1.1 Planting of flowers, trees and shrubs:** Prior to planting flowers, trees or shrubs in the cemetery, written permission must be obtained from the director of parks and recreation or the cemetery sexton. The City has the right to deny any request for planting flowers, trees and shrubs.
- 1.2 Removal of flowers, trees and shrubs:** No person other than cemetery staff may remove or prune trees or shrubs within the cemetery grounds, or remove or damage any other type of foliage on the cemetery grounds, whether the foliage is wild or cultivate.
- 1.3 Ornamentation:** Planter boxers, toys, flags, pinwheels, balloon, shells, solar lights and/or decorations which are placed on or around graves or lots that are deemed by the City cemetery management to be hazardous or to create a maintenance problem will be subject to removal by City staff.
- 1.4 Glass Prohibited:** Glass of any kind is not allowed in the cemetery, including vases, ceramic statuetes, terracotta pots, and decorations.
- 1.5 Planting Vegetation:** Planting of any vegetation in the cemetery without permission from the cemetery sexton and city arborist is prohibited. Flowerbeds are not allowed in any part of the cemetery, except for those designated by the City for the benefit of the entire community. Objects used in planting, including but not limited to water cans, flower holders and garden utensils, are the responsibility of the owner to remove from the cemetery and may not be left on the cemetery grounds.
- 1.6 Hanging Objects:** Hanging objects from trees in the cemetery is not allowed.
- 1.7 Fences and Edging:** No fence, railing, topping, brick edging or hedge shall be placed beside or around any burial space, except for sections designated by the City and sold as a family

section. The fencing and edging for designated family sections must have prior approval of the park and recreation director before installation.

1.8 Architectural Structures: No vases, seats, benches rock works or other architectural structures may be installed in the cemetery without the written permission of the Director of Parks and Recreation.

1.9 Cremation Lots: Approved vases only will be allowed in the cremations section of the cemetery. Vases must be of the type that can be returned to a flush position for mowing. Fresh and artificial flowers will be allowed only if they are in approved vases and must be removed when the flowers become wilted or become unsightly as determined by the cemetery sexton.

1.10 Shepherd Hooks and wrought iron arbors: Shepherd hooks must be mounted within the concrete collar of the marker and the curve of the hook must curve in and hang over the marker. Wrought iron arbors must be contained within the monument collar. No shepherd hooks or wrought iron arbors are allowed on cremation lots.

1.11 Artificial Flowers:

Artificial flowers or decorations may be placed on cemetery grounds during the months of March through October, subject to the following conditions:

- a. Memorial Day. The artificial flowers must be removed within seven days after the official Memorial Day holiday.
- b. Exceptions:
 1. Artificial flowers may be placed on grave sites at the time of interment, but must be removed within 14 days after the interment.
 2. Seasonal flowers may be placed during the holiday seasons, i.e. Thanksgiving, Christmas and Easter, but must be removed when they become unsightly or no longer match the season.
 3. Artificial flowers may be placed on grave sites on the Anniversary of death or date of birth of the person interred. The decorations must be removed within seven days of the date of the anniversary.
- c. Any artificial flowers or decorations left in the cemetery may be removed at any time by cemetery staff when the flowers or decorations become unsightly or a maintenance problem as determined by the cemetery sexton.

1.12 Access: No objects may be placed in the cemetery that restrict access by others through the cemetery or interfere with the maintenance of the cemetery grounds or buildings.

1.13 **Removal at Owner's Expense:** Any item or vegetation placed in the cemetery that violates these regulations or obstructs the maintenance of the cemetery or detracts from the appearance of the cemetery grounds or buildings will be removed by the City at the owner's expense.

ARTICLE 2

MARKERS AND MONUMENTS

2.1 **Vandalism or theft:** The City shall not be responsible for vandalism or theft of markers/monuments or any other items left in the cemetery.

2.2 **Type of Marker/Monument:** Markers may be either upright or flush with the ground in the earth burial sections of the cemetery. All markers in the cremation and Veteran sections must be mounted flush to the ground. "Classic Single" markers will be the only allowable marker in the cremation section, or an existing grave or for the burial of an infant on an existing grave. No markers are allowed that are made of wood, concrete, plastic, porcelain or non-durable materials or are homemade.

2.3 **Size of Marker/Monument:** All markers/monuments must conform to the following size limitations:

- a. The width of a single lot marker/monument, including the foundation, shall not exceed thirty-two inches (36"), including the mowing strip.
- b. The length of a marker shall not exceed twenty-four inches (24") or 36"X24" including a 4" mowing strip.
- c. Double lot markers/monuments will be allowed on two adjacent lots if they do not exceed seventy-two inches (72") in length by thirty inches (30") in width for the base of an upright stone or fifty-two inches (52") in length by twenty-eight inches (28") in width, including the mowing strip, for a flush double marker.
- d. No garden paving or patio type block is allowed as an extension of the marker collar.

For the purpose of these regulations, the width shall be the dimension of the marker as it is to be placed on the gravesite measured from one side of the grave to the other. The length shall be the dimension of the marker as it is to be placed on the grave measured from the top of the grave site to the bottom, regardless of the orientation of the grave.

2.4 **Nonconforming Markers:** Lot owners must enter into an agreement with the City agreeing that the lot will be left unoccupied if a marker or monument placed by the owner renders an unoccupied lot owned by that person unusable. The agreement shall also contain a provision whereby the owner releases the City from any liability for damage to the marker.

2.5 **Marker/Monuments Installation:**

- a. No marker/monument may be placed without prior approval of the cemetery sexton and confirmation of the exact plot location.
- b. All markers/monuments must be set by Post Falls cemetery staff or by a monument company approved by the City. No monument work is permitted in the cemetery on Sundays or holidays or after 3:30 p.m. or the day before Memorial Day, unless prior appointment or approval has been granted by the cemetery sexton.
- c. Flat marker foundations set by Post Falls cemetery personnel will not be replaced by the City after one year from the date of installation has elapsed.
- d. A headstone will be allowed at the head of the grave or double lot. Foot markers must be placed flush with the ground at the opposite end of the grave as the headstone.
- e. One infant marker or cremation marker will be allowed on an existing grave and must be mounted flush with the ground in line with existing foot markers.

2.6 Removal/Moving of Markers/Monuments:

- a. Markers/Monuments already installed that impede the opening or closing of a grave will be moved by the cemetery staff at the expenses of the owner of the marker or the surviving family members if the owner is deceased.
- b. Markers/Monuments that become damaged or are a hazard to patrons of the cemetery or cemetery personnel may be either repaired or removed. The owner of the marker or the owner's surviving shall be responsible for the cost of the repair or removal if the work is performed by city personnel.
- c. Markers/Monuments placed in violation of these regulations or which interfere must be removed. If a marker has to be removed by the City, the cost of the removal will be assessed against the company illegally placing the marker.

2.7 Temporary Markers:

- a. A temporary marker may be placed on the grave site pending the installation of a permanent marker/monument.
- b. The temporary marker must be removed at the time the permanent marker/monument is installed.
- c. Temporary markers will not be replaced or repaired by the City if damaged or destroyed by cemetery maintenance.

d. Temporary markers shall meet the cemetery or funeral industry standards.

2.8 **Cleaning and Repair**: Maintenance and cleaning of a marker/monument is the responsibility of the lot owner and not the responsibility of the City.

RULE 3 INTERMENT/INURNMENT

3.1 **Vaults**: For every interment the casket must be enclosed in concrete a box, concrete vault, steel vault, infant cement liner or infant casket/vault. Cremations must also be inurned in a container approved by the cemetery sexton.

3.2 **Burial Permit**: A proper burial permit or copy of the cremation permit is required to be provided to the cemetery sexton prior to burial or inurnment.

3.3 **Urns**: Urns must be approved by the parks and recreation director and the city council prior to use in the cemetery these are to be defined as urnvaults.

3.4 **Notice**: Two working days notice must be given to the cemetery sexton and confirmation received from the sexton for the opening and closing of a grave. Notice must be given during regular business hours of the City and may not be left on the answering machine or other electronic device.

3.5 **Grave Opening**: Grave openings and closings may only be done by employees or agents of the City.

3.6 **Disinterment**: No disinterment shall take place without presenting the proper approval as required by the state of Idaho and arrangements for the disinterment made with the cemetery sexton at least one week prior to the disinterment.

3.7 **Multiple Burials**: Burial in a full size lot is limited to:

- a. One adult burial and two inurnments that are place in a cremation urnvault approved by the park and recreation director; or
- b. One adult burial and one infant burial.
- c. If it is necessary to disinter cremated remains, adult remains, or an infant burial prior to a full earth burial of a casketed body, grave liner or vault, or cremated remains, a fee will be charged by the City for that service.
- d. Two inurnments will be allowed on a cremation lot, but only one flush mounted marker is allowed on these lots.
- e. Lawn-crypts are not allowed.

f. Two inurnments will be allowed in the above-ground niche units if they meet cemetery requirements and both urns fit in a niche space.

3.8 **Damage during Disinterment:** The City will not assume any responsibility for damages to cremation containers or caskets during disinterment and reburial. The party requesting the disinterment shall accept the responsibility for any damages and any costs relating to those damages.

3.9 **Scattering Cremated Human Remains:** The sprinkling of Cremated Human Remains is not allowed on the cemetery grounds.

RULE 4 **CONDUCT IN THE CEMETERY**

4.1 **Firearms/Fireworks:** Firearms or fireworks are not allowed on or within the cemetery grounds except for a military or honor guard under the supervision of an officer during a military service. This prohibition shall not apply to law enforcement officers while performing their official duties.

4.2 **Animals:**

a. No person shall hunt or disturb any animal life on cemetery grounds. This prohibition shall not apply to wildlife management personnel or animal control officers while performing their official duties.

b. Pets are not allowed on cemetery grounds, except for animals needed to assist the handicapped.

4.3 **Alcohol/Drugs:** Possession or use of alcoholic beverages or illegal drugs is prohibited on the cemetery grounds.

4.4 **Boisterous Behavior:** Boisterous behavior or activities are not allowed on the cemetery grounds.

4.5 **Vandalism:** Vandalism is prohibited on the cemetery grounds, including but not limited to, defacing any wall, marker or monument.

RULE 5 **ENFORCEMENT**

5.1 **Authority:** The cemetery sexton and the parks and recreation director have the authority to enforce these regulations and to remove any property placed in the cemetery in violation of these regulations or to exclude from the cemetery grounds person that are violating these rules.

- 5.2 **Non-exclusive**: The enforcement authority set forth in these regulations is not exclusive and the City may enforce these regulations in any other lawful manner.

RULE 6
CORRECTION OF ERRORS

- 6.1 The City reserves the right to correct any error's made by its employees, including those relating to the marking of the location or boundaries of a burial site.

THESE REGULATIONS ARE SUBJECT TO CHANGE.

It is the responsibility of the lot owners to know the rules and regulations. It would be prudent for any person to contact the Evergreen Cemetery Sexton or the Post Falls Park and Recreation Department before any augmentation of a burial site is considered.