

RESOLUTION NO. 17-15

RESOLUTION ADOPTING EVERGREEN CEMETERY RULES AND REGULATIONS

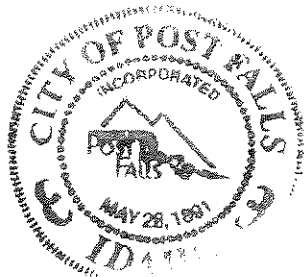
WHEREAS, The City of Post Falls operates the Evergreen Cemetery for the use and benefit of the public as a place of burial and reflection; and

WHEREAS, The City has prepared updated rules and regulations governing Evergreen Cemetery to regulate activities in the cemetery; and

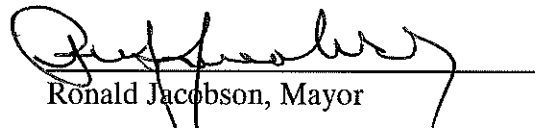
WHEREAS, The Mayor and City Council find it advisable to adopt the Evergreen Cemetery Rules and Regulations.

NOW THEREFORE, Be it resolved by the City Council of the City of Post Falls that the Evergreen Cemetery Rules and Regulations attached hereto as Exhibit "A" are adopted to regulate activities in Evergreen Cemetery.


APPROVED by the City Council on this 5th day of Sept, 2017.



CITY OF POST FALLS


Ronald Jacobson, Mayor

ATTEST:


Shannon Howard, City Clerk

EVERGREEN CEMETERY RULES AND REGULATIONS

These regulations adopted by the Post Falls City Council on Sept 5th 2017 regulate the use of Evergreen Cemetery by the public. These regulations may be amended and/or superseded from time to time by the city council. All lot purchasers and persons using the cemetery must comply with these regulations and any amendments thereto.

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 Recreation Director in these regulations includes the director's designee.

ARTICLE 1. ORNAMENTATION & BEAUTIFICATION

- 1) Decorations Restricted to Headstone Collar: All decorations must comply with these regulations and must be fully contained within the dimensions of the headstone collar. Vases must be integrated into the headstone collar. Decorations are not allowed in other locations including the footstone.
- 2) Planting of Flowers, Trees and Shrubs: Prior to planting any vegetation, written permission must be obtained from the Parks and Recreation Director. The City reserves the right to deny any request for planting. Flowerbeds are not allowed in any part of the cemetery, except those designated by the City of the benefit of the entire community. Tools and other objects used in planting, including but not limited to water cans, flower holders and garden utensils, must be removed by the owner. The City reserves the right to discard any tools or other objects left on cemetery grounds.
- 3) Removal of Flowers, Trees and Shrubs: No person other than City 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 cultivated.
- 4) Removal of Nuisance Ornamentation: Planter boxes, toys, flags, pinwheels, balloons, shells, solar lights and/or decorations that are placed on or around graves or lots that are deemed by the Parks and Recreation Director to be hazardous or to create a maintenance problem will be removed by the City.
- 5) Prohibited Material: The following materials are prohibited and will be removed by the City:
 - a. Glass of any kind including vases, ceramic statues, terracotta pots, and other breakable decorations.
 - b. Decorations and other objects hung in trees and/or shrubs.
 - c. Vases, seats, benches, rock works or other architectural structures installed in the cemetery without the written permission of Parks and Recreation Director.
 - d. Fencing, railing edging, hedges placed beside or around any burial space without the

written permission of the Parks and Recreation Director. The Director may grant permission to erect fencing and/or edging around a designated family section. The request for fencing and/or edging must be submitted in writing to the Parks and Director and written approval must be received prior to installation.

- 6) Shepherd Hooks and Wrought Iron Arbors: Shepherd hooks must be mounted within the concrete headstone collar and the curve of the hook must curve in and hang over the memorial. Wrought iron arbors must be contained within the memorial collar and still provide a 6" mowing strip around the grave site. No shepherd hooks or wrought iron arbors are allowed on cremation lots.
- 7) Artificial Flowers: Artificial flowers may be placed on the grave site at the time of internment, the birthday or death date anniversary of the person interred or on Memorial Day, Christmas, Thanksgiving or Easter. Artificial flowers must be removed within 7 days after they are placed at the grave site. Any artificial flowers left in the cemetery beyond the allowed time limit will be removed by the City. Additionally, any artificial flowers that become unsightly or that interfere with maintenance may be removed by the City at any time.
- 8) Cremation Lots: The only vases allowed in the cremation section of the cemetery are those that can be returned to a flush position for mowing. All fresh and artificial flowers placed on the site must be placed within the approved vase and must comply with the other requirements of these rules.
- 9) 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.
- 10) 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. The City may seek reimbursement for removal costs from the person placing or installing the item or vegetation removed.

ARTICLE 2. MEMORIALS & MONUMENTS

- 1) 1. Materials and Construction of Memorial/Monument: Memorials may not be of wood, concrete, plastic, porcelain or non-durable materials. All memorials must be professionally made and are subject to approval by the Parks and Recreation Director.
- 2) Allowable Memorial Types: The following types of memorials are allowed in the cemetery;
 - a. Earth Burial Section (excluding the veteran's section): Memorials may be upright or flush mount. However, foot markers and memorials for cremains buried on an existing grave must be flush mounted.
 - b. Cremation and Veteran's Sections: Only flush mounted memorials are allowed.
 - c. Niche plates: In the Veteran's memorial, only the government standard bronze 8.5" x 5.5" nameplates are allowed. All other niches must be uniform in engraving and color.
- 3) Size of Memorial/Monument: All memorials/monuments must conform to the following size limitations¹:

¹ For the purpose of these regulations, the width is the dimension of the memorial as it is to be placed on the gravesite

- a. The width of a single lot memorial, including the foundation, may not exceed forty-eight inches (48") including the 6" mowing strip.
- b. The depth of a memorial must not exceed forty-two inches (42") including the 6" mowing strip.
- c. Double lot memorials will be allowed on two adjacent lots if they do not exceed ninety-six inches (96") in width by forty-two inches (42") in depth for the base of an upright stone, including the mowing strip.
- d. The height of memorials shall not exceed forty-eight inches (48") without prior written approval from Parks and Recreation Director.
- e. No garden paving or patio type block is allowed as an extension of the memorials' collar.
- f. All memorials must have a granite or concrete foundation. Foundations made of concrete must have reinforcement within concrete and be a minimum of 4" in thickness. Both granite and concrete collars must extend a minimum of 6" on all sides of memorial (including vase or other décor). *See Standard Drawing SD 3901 for specifications.*

4) Memorial/Monuments Installation:

- a. No memorial/monument may be placed without prior approval of the Parks and Recreation Director and confirmation of the exact plot location.
- b. All memorial/monuments must be set by the 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 3:30p.m., or the day before Memorial Day, unless prior appointment or approval has been granted by the Parks and Recreation Director.
- c. Memorials will be allowed at the head of the single grave or double lot. Foot markers must be placed at the opposite end of the grave.
- d. Two cremation memorials will be allowed on an existing grave in line with existing head markers.

5) Removal/Moving of Memorials/Monuments:

- a. Installed memorials/monuments that impede the opening or closing of a grave will be moved by the cemetery staff. The City is not liable for damage to the memorial that results from moving such a memorial and the City may seek reimbursement for its costs from the owner or installer of the memorial.
- b. Memorials/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 memorial or the owner's surviving family are responsible for the cost of the repair or removal if the work is performed by City personnel.
- c. Memorials/Monuments placed in violation of these regulations will be removed. If a marker has to be removed by the City, the cost of the removal will be assessed against the company placing the memorial or legal lot owner.

- 6) Temporary Markers. A temporary memorial may be placed on the grave site for up to 1 year pending the installation of a permanent memorial/monument. The temporary memorial must meet cemetery or funeral industry standards and will not be replaced or repaired by the City if damaged or destroyed during maintenance.

measured from one side of the grave to the other. The depth is the dimension of the memorial as it is to be placed on the grave measured from the top (head) of the grave site to the bottom, regardless of the orientation of the grave.

- 7) Cleaning and Repair: Maintenance and cleaning of a memorial/monument is the responsibility of the lot owner and not the responsibility of the City of Post Falls.
- 8) Vandalism and Theft: The City is not be responsible for vandalism or theft of memorials/monuments or any other items left in the cemetery.

ARTICLE 3. INTERMENT/INURNMENT

- 1) Grave Opening: Grave openings and closings may only be done by employees or agents of the City.
- 2) Notice: Two working days' notice must be given to the Parks and Recreation Director and confirmation received prior to opening or closing of a grave. Notice must be provided business hours and may not be left on an answering machine.
- 3) Vaults: Each casket must be enclosed in concrete a box, concrete vault, steel vault, infant cement liner or infant casket/vault.
- 4) Urns: Urns must be approved by the Parks and Recreation Director prior to use in the cemetery and must be made of a non-biodegradable material.
- 5) Burial Permit: A completed burial permit or copy of the cremation permit must be provided to the City prior to burial or inurnment.
- 6) Disinterment: Arrangements for a disinterment must be made at least a week in advance. The disinterment will not be scheduled until the City receives the proper permits required by the State of Idaho.
 - a. Additional Burials: The City charges a fee to disinter remains or cremains prior to an additional internment or inurnment in the same lot.
 - b. Damage during Disinterment: The City does not assume any responsibility for damages to cremation containers or caskets during disinterment and reburial. The party requesting the disinterment is responsible for any all damages.
- 7) Multiple Burials:
 - a. Burials in a full sized lot are limited to one casketed burial and two inurnments or 3 inurnments.
 - b. Burials in a cremation lot is limited to two inurnments with a single flush mounted marker.
 - c. Burials in above ground niche units is limited to two inurnments if space is available within the niche for both urns.
- 8) Lawn Crypts: Lawn-crypts are not allowed except in areas specifically designated for that use.
- 9) Scattering Cremated Remains: Scattering of cremains is not allowed in the cemetery.

ARTICLE 4. CONDUCT IN THE CEMETERY

- 1) Fireworks: Fireworks are not allowed on or within the cemetery grounds.
- 2) Animals: Hunting or otherwise disturbing animals is prohibited on cemetery grounds. While service animals are allowed in the cemetery, pets are not.
- 3) Alcohol/Drugs: Possession or use of alcoholic beverages or illegal drugs is prohibited.
- 4) Boisterous Behavior: Boisterous or loud behavior or activities are not allowed in the cemetery.
- 5) Vandalism: Vandalism is prohibited on the cemetery grounds, including but not limited to, defacing any wall, marker or memorial or activity that changes the cemetery grounds in any way.

ARTICLE 5. RULES ENFORCEMENT

- 1) Authority: The Parks and Recreation Director has the authority to enforce these regulations and to remove any property in the cemetery in violation of these regulations or to exclude from the ground any person violating these rules. The City may enforce these regulations in any lawful manner.

ARTICLE 6. AMENDMENT AND CORRECTION OF ERRORS

- 1) These regulations are subject to change. It is the responsibility of the lot owner to know the current regulations at to contact the City prior to any burial or making any changes to a burial site.
- 2) The City reserves the right to correct any errors made by its employees, including those relating to the marking of the location or boundaries of a burial site.