

# SANTA ROSA MEMORIAL PARK

## RULES AND REGULATIONS

For the mutual protection of every purchaser of property rights or interment rights within Odd Fellows Cemetery Association of Santa Rosa, dba Santa Rosa Memorial Park, these Rules and Regulations of the Odd Fellows Cemetery Association of Santa Rosa, dba Santa Rosa Memorial Park Authority, and all property owners and visitors within the cemetery, and all property rights and interment rights sold shall be subject to the said Rules and Regulations, and subject further, to such other Rules and Regulations, amendments or alterations as shall be adopted by this Cemetery Authority from time to time; and the reference to these Rules and Regulations in the Certificate of Ownership to properties shall have the same force and effect as if set forth in full therein. The Odd Fellows Cemetery Association of Santa Rosa/Santa Rosa Memorial Park is referred to hereinafter as the "Cemetery Authority" or the "Cemetery."

### DEFINITIONS

- Rule 1-a.      **TERMS DEFINED.** The terms used throughout these Rules and Regulations shall have the same meaning as said terms are defined in the California Health and Safety Code.
- Rule 1-b.      **MEMORIAL.** The term *memorial* shall include a monument, marker, tablet, private mausoleum or tomb for family or individual use, tombstone, coping, lot enclosure, surface burial vault, urn, crypt and niche plates.
- Rule 1-c.      **PROPERTY.** The term *property* shall include a grave, a crypt, a lawn crypt, a niche, a vault, an urn or an urn space in the ground, or building, etc.
- Rule 1-d.      **INTERMENT.** The term *interment* means the disposition of human remains by inurnment, entombment or burial in a cemetery or in the case of cremated remains by inurnment, entombment, burial, scattering or burial at sea.
- Rule 1-e.      **PROPERTY OWNER.** A right of interment only is purchased and fee title to the property (grave, niche, crypt, vault) remains in the Cemetery Authority. Whenever the term *property owner* is used herein, it shall mean only the ownership of a right of purchaser. In such case, the term shall refer only to the mausoleum and shall not include the ground on which it is constructed.

### GENERAL SUPERVISION OF CEMETERY

- Rule 2-a.      **ADMISSION TO CEMETERY.** The Cemetery is private property and the Cemetery Authority reserves the right to refuse admission to anyone not a property owner or relative of a person interred in Cemetery, and to refuse the

use of any of the Cemetery facilities at any time to any person or persons whom the management may deem objectionable to the best interest of the Cemetery, and to refuse the conduct of any funeral service on its grounds, which, in the opinion of the Cemetery management, is not in keeping with the high standards and traditions of the Cemetery.

- Rule 2-b. CEMETERY MANAGEMENT IN CHARGE OF FUNERAL. All funerals, on reaching the cemetery, shall be under the control and supervision of the Cemetery manager or his/her assistants.
- Rule 2-c. CASKET NOT TO BE DISTURBED. Once a casket containing a body is within the confines of the Cemetery, the Cemetery management reserves the right to refuse permission to anyone to open the casket. In the event necessity requires, the Cemetery Authority may take appropriate steps to correct any obnoxious or improper condition.
- Rule 2-d. SELLERS RIGHTS. The Cemetery Authority, its licensees and permittees, shall have the right at any time to make, publish, display, or otherwise to dispose of any copies, replicas, photographs, models, cases, tracings, prints, likenesses or other reproductions or representations in any form material, or size, or any interment space or property, including all or any portion of the property herein described or any embellishments thereof or addition thereto, and, if deemed desirable to accompany the same with explanatory statements.

#### INTERMENTS AND DISINTERMENTS GENERALLY

- Rule 3-a. SUBJECT TO LAWS. Besides being subject to these Rules and Regulations, all interments, disinterments and removals are made subject to the orders, regulations and laws of the property constituted authorities of the city, county and state.
- Rule 3-b. TIME AND CHARGES. All interments, disinterments and removals must be made at the time and in the manner and subject to the payment of such charges fixed by the Cemetery management.
- Rule 3-c. HOLIDAYS. No interments, disinterments, removals, cremation or interment services will be performed on Sundays, or on any of the following holidays: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day, unless authorized by General Manager.
- Rule 3-d. NOTICE. The right is reserved by the Cemetery Authority to insist upon at least forty-eight hours notice before any cremation or interment, and to at least one week's notice prior to any disinterment. The Cemetery Authority may refuse to make an interment until a more expedient time if the remains arrive at the Cemetery Authority without prior notice or if too many funerals arrive at

such times that can not be serviced with the normal crews. An overtime charge may be made for any service arriving in the Cemetery after 3 p.m., burial beginning before 4:00 p.m.

- Rule 3-e. **AUTHORIZATION TO INTER.** Interments may be made only on written authorization of the person or persons authorized to control disposition of human remains as set forth in the California Health and Safety Code and on written authorization of the plot owner of record, or if deceased, the person or persons vested by law in the ownership of the plot.
- Except as may be authorized by law, a plot may be opened and/or a disinterment made only on written authorization of the record owner of a plot, or his/her successor at law, and of the then living members of the family of the deceased who would be entitled by law to control disposition of the remains.
- Rule 3-f. **USE OF PROPER CONTAINER.** The body shall not be received for interment or cremation unless it is in a suitable receptacle of wood or other material acceptable to management to the end that the health of employees or others will not be jeopardized. The Cemetery Authority reserves the right to refuse cremation when the remains are not in a combustible container.
- Rule 3-g. **USE OF OUTER CONTAINER.** In every earth interment, the casket shall be closed in a concrete liner or concrete vault, the actual installation of which shall be made by the employees of the Cemetery Authority. Cremated remains shall be enclosed in a concrete, fiberglass or other acceptable material vault.
- Rule 3-h. **ONLY FAMILY TO VIEW CREMATION.** The Cemetery Authority shall have the right to refuse anyone but the members of the family or representatives duly authorized in writing by members of the family to view the cremation after the family or its representatives recognizes in writing the necessary procedures of cremation.
- Rule 3-i. **CASKET FURNISHING MAY BE DESTROYED.** The Cemetery Authority reserves the right to remove and to destroy all noncombustible portions of any container delivered for cremation.
- Rule 3-j. **INTERMENT OF CREMATED REMAINS.** Cremated remains must be interred or transferred from the Crematory to the Cemetery Authority or Funeral Home no later than 90 days after the cremation. The Cemetery Authority may hold cremated remains for up to one year after the cremation. The person(s) authorizing the cremation, and the heirs-at-law, jointly and or severally, may be held liable for rental space occupied by the remains pending the time they are permanently interred and for the interment charges if interred. All cremains must be in a minimum of a plastic, fiberglass or sheet metal container of standard specifications of the Cemetery Authority, or of bronze if interred in a glass fronted niche.

The Association shall in no way be liable or held responsible for the deterioration of any or for any damage caused by an cinerary container, receptacle or urn placed in any niche, unless the container, receptacle, or urn is constructed of cast bronze or of standard specification.

- Rule 3-j. LOCATION OF INTERMENT SPACE. When instructions from the plot owner regarding the location of an interment space in a plot cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened where specified, the management may, in its discretion, open it in such location in the plot as it deems best and proper, so as not to delay the funeral; and the Cemetery Authority shall not be liable in damages for any error so made.
- Rule 3-k. ORDERS GIVEN BY TELEPHONE. The Cemetery Authority shall not be held responsible for any order by telephone, or for any mistake occurring from the want of precise and proper instructions as to the particular space, size and location in a plot where interment is desired.
- Rule 3-l. ERRORS MAY BE CORRECTED. The Cemetery Authority reserves and shall have the right to correct any errors that may be made by its either in interments, disinterments or removals; or in the description, transfer or conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as far as possible, or as may be selected by the Cemetery Authority, or, in the sole discretion of the Cemetery Authority, by refunding the amount of money paid on account of said purchase. In the event the error shall involve the interment of the remains of any person in such property, the Cemetery Authority reserves, and shall have the right to remove and reinter the remains to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. The Cemetery Authority shall also have the right to correct any erros made by placing an improper inscription, including an incorrect name or date, either on the memorial or on the container of cremated remains. Upon such correction of any errors, the Cemetery Authority shall be liable to anyone for any loss or damage, direct or consequential.
- Rule 3-m. DELAYS IN INTERMENTS CAUSED BY PROTESTS. The Cemetery Authority shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made, or where the Rules and Regulations have not been complied with; and further, said Cemetery Authority reserves the right, under such circumstances, to place the body in the receiving vault until the full rights have been determined. The Cemetery Authority shall be under no duty to recognize any protests of interments unless they be in writing and filed in the office of the Cemetery.
- Rule 3-n. DELAY IN INTERMENT TIME. The Cemetery Authority shall be in no way liable for any delay in the interment of a body or any failure or delay in the fulfillment of its contract or legal obligations, including, but not limited to

maintenance, care, memorial work or construction may arise from causes beyond memorial work or construction which may arise from causes beyond its control, and especially, from delay caused by the elements, act of God, common enemy, thieves, vandals, strikers, malicious makers, explosions, unavoidable accidents, invasions, insurrections, riots or any military or civil authority.

Rule 3-o. NOT RESPONSIBLE FOR IDENTITY. The Cemetery Authority shall not be liable for the interment permit or for the interment or for the identity of the person sought to be interred or cremated and may rely on the representation of the person(s) entitled to control disposition of the remains.

Rule 3-p. NO INTERMENT PERMITTED UNLESS PROPERTY PAID FOR. No interment shall be permitted or memorial placed in or on any property not fully paid for except by special consent by the General Manager in writing in each and every case, and in the event such consent is given, any and all interments or memorials placed in or on said property, shall be considered as temporary. A promissory note shall not be considered as payment, and no rights shall be acquired by the plot purchaser of said interment(s) until such property is fully paid for in case, including principal and interest; and, in case the purchaser of said property shall fail to meet all payments within 30 days after the same are demanded by the Cemetery Authority, then the Cemetery Authority may re-enter said property and hold the same as of its former estate. The Cemetery Authority thereupon, shall be released from all obligations thereunder, and it may retain such payments as may have been made toward the purchase of such property as liquidated damages.

The Cemetery Authority reserves the right, and shall have the right to immediately or at any time thereafter, without notice, at its discretion, to move to single graves, to be chosen by the Cemetery Authority, each of the remains then interred in said property. The Cemetery Authority, further, shall have the right to remove any memorial that may have been placed on said property.

Rule 3-q. INTERMENT OF MORE THAN ONE BODY. No more than one body or the remains of more than one body shall be interred in one grave, crypt or niche unless such grave, crypt or niche has been purchased with the written agreement that more than one body or the remains of more than one body may be interred or the Cemetery Authority.

Alls single graves may be purchased with the right of double interment or with one regular interment and one cremation interment. The Cemetery charges for this right shall be:

1. Single grave with right of double interment shall be current single grave price; also a fee may be added, as set by the Cemetery Authority.

2. Single grave with cremation right shall be current sales price; also a fee may be added, as set by the Cemetery Authority.

All single crypts may be purchased with right of one regular interment and one cremation interment. The cemetery charges for this shall be:

1. Single crypt with cremation right shall be the price of single crypt price; also a fee may be added, as set by the Cemetery Authority.

All owners of property heretofore sold desiring to purchase right of double interment or inurnment, right of double interment, or inurnment right may do so by paying the above charge as indicated, if applicable.

Where the lot owner heretofore sold desires to make interment in a grave already occupied, a Cemetery approved vault must be used for the remains of the first interment (unless the remains are encased in such a vault) as well as for the second interment. Where there are no interments in the grave and it is the desire of the lot owner to make an interment and a second interment at a later date, a Cemetery approved vault must be used and placed at the proper depth to accommodate a later interment. Vaults must be used for both upper and lower interments in double interment graves.

The right of double interment shall be known as Double Interment Privilege. The cremation right shall be known as the Cremation Privilege.

Rule 3-r. **SCATTERING OF CREMATED REMAINS WITHIN THE CEMETERY PROPERTY.** The Cemetery Authority, at its discretion, may designate and reserve certain areas for the scattering of cremated remains within the Cemetery. Scattered cremated remains will be commingled with other cremated remains.

Rule 3-s. **INTERMENT IN CHURCH OR LODGE PLOT.** Where a plot is owned by a church, lodge or other society, interments shall be limited to the actual members of that organization, to their spouses, immediate family, families of members or anyone else approved by organization.

Rule 3-t. **CEMETERY AUTHORITY'S EQUIPMENT.** Tents, artificial grass, lowering devices and other equipment owned by the Cemetery Authority shall be used exclusively in making interments, disinterments and removals.

#### DISINTERMENTS AND REMOVALS

Rule 4-a. **REMOVAL FOR PROFIT PROHIBITED.** Removal by the heirs of a body or cremated remains so that the plot may be sold for profit to themselves, or removal contrary to the express or implied wish of the original plot owner is forbidden.

Rule 4-b. MAY OBTAIN LARGER PLOT. A body or cremated remains may be removed from its original plot to a larger or better plot in the Cemetery when there has been an exchange or purchase for that purpose and all appropriate authorization and permits are obtained.

Rule 4-c. CARE IN REMOVAL. The Cemetery Authority shall exercise due care in making a disinterment and removal, but it shall assume no liability in damage to any human remains or any casket or burial case or urn incurred in making the disinterment and removal.

#### SERVICE CHARGES AND PAST DUE INDEBTEDNESS

Rule 5-a. PAYMENT OF SERVICE CHARGES. The charges for the Cemetery services must be paid at the time of issuance of the order for interment or disinterment and removal unless arrangements are made otherwise.

Rule 5-b. PAST DUE INDEBTEDNESS. Arrangements for the payment of any and all previous indebtedness due to the Cemetery Authority must be made before cremation, or before interment will be made in any plot.

#### PROPERTY RIGHTS OF PLOT OWNERS

Rule 6-a. FAMILY PLOTS – INALIENABILITY. Whenever an interment of the remains of a member or of a relative of a member of the family of the record owner or of the remains of the record owner is made in a plot transferred by deed or certificate of ownership to an individual owner, the plot shall become the family plot of the owner.

If the owner dies without making disposition of the plot either in his or her will or by a specific devise, or by a written declaration filed and recorded in the office of the cemetery authority, any unoccupied portions of the plot shall pass according to the laws of intestate succession.

Any unoccupied portions of a family plot that became inalienable prior to December 31, 2001, shall no longer be inalienable and shall pass according to the laws of intestate succession. No sale, transfer, or donation of any unused portion of a family plot made alienable under this subdivision shall be made unless all persons entitled to interment in the family plot are deceased or have expressly waived in writing the right to be interred in the family plot.

The seller of a cemetery plot shall notify the buyer that unused portions of a family plot may pass through intestate succession unless written disposition is made by the buyer and may be sold, transferred, or donated by the buyer's heirs. The seller shall notify the buyer of the effect of a future transfer, sale or donation of the unused portion of a family plot on any endowment for care or

maintenance of the plot that the buyer may purchase in conjunction with the purchase of the cemetery plot.

An affidavit executed by a person who is the owner of the plot by virtue of the laws of intestate succession or by his or her attorney-in-fact, setting forth the fact of the death of the owner, the absence of a disposition of the plot by the owner in his or her will by a specific devise, the name of the person(s) who have rights to the plot under the intestate succession laws of the state, and the consent of that person or those persons to the sale of the plot by the Cemetery Authority, shall constitute complete authorization to the Cemetery Authority to permit any sale of the unoccupied portions of the plot.

An affidavit executed by a person who is the owner of the plot by virtue of the laws of intestate succession or by his or her attorney-in-fact, setting forth the fact of the death of the owner, the absence of a disposition of the plot by the owner in his or her will by a specific devise, the name of the person or persons who have rights to the plot under the intestate succession laws of the state, and the consent of that person or those persons to the sale of the plot by the cemetery authority, shall constitute complete authorization to the cemetery authority to permit any sale of the unoccupied portions of the plot.

In a family plot one grave, niche or crypt may be used for the owner's interment; one for the owner's surviving spouse, if any, who by law has a vested right of interment in it; and in those remaining, if any, the parents and children of the deceased owner in order of death may be interred without the consent of any person claiming any interest in the plot.

If no parent or child survives, the right of interment goes in the order of death first, to the spouse of any child of the record owner and second, in the order of death to the next heirs at law of the owner or the spouse of any heir at law.

Any surviving spouse, parent, child or heir who has a right of interment in a family plot may waive such right in favor of any other relative, or spouse of a relative of either the deceased owner or of his spouse, and upon such waiver the remains of the person in whose favor the waiver is made may be interred in the plot.

## TRANSFERS, ASSIGNMENTS, OR SUBDIVISIONS

Rule 7-a. CONSENT OF CEMETERY AUTHORITY. No transfer or assignment of any plot, or interest therein, shall be valid until the consent of the Cemetery Authority has been endorsed thereon and the same has been recorded on the books of the Cemetery Authority.



- Rule 7-b. **INDEBTEDNESS.** The Cemetery Authority may refuse to consent to a transfer or to an assignment as long as there is any indebtedness due the Cemetery Authority from the record plot owner.
- Rule 7-c. **TRANSFER CHARGES.** The Cemetery Authority may charge a fee for all transfer of ownership in plots. No transfer of ownership shall be complete or effective until all charges are paid.
- Rule 7-d. **MAY NOT SUBDIVIDE PLOTS.** The subdivision of plots is not allowed. No one shall be interred in any plot not having any interest therein, except by written consent of all parties interested in such plot and of the Cemetery Authority; provided, however, a relative of any record owner may be buried in said plot as provided in these rules or the laws of the state.

#### CONTROL OF WORK BY CEMETERY AUTHORITY

- Rule 8-a. **WORK TO BE DONE BY CEMETERY AUTHORITY.** All grading, landscape work and improvements of any kind, and all care on plots shall be done, and all trees, shrubs and herbage of any kind shall be planted, trimmed, cut and removed and all openings and closings of plots and all interments, disinterments, removals and placing of memorials shall be made by the Cemetery Authority or its authorized representatives.
- Rule 8-b. **CEMETERY MANAGEMENT MUST DIRECT AND MAY REMOVE IMPROVEMENTS.** All improvements and alterations of individual property in the Cemetery shall be under the direction of and subject to the consent, satisfaction and approval of the General Manager; and, should the be made without written consent, or become unsightly, the management shall have the right to remove, alter or change such improvements or alterations at the expense of the plot owner.

#### CHAPELS

- Rule 9-a. **MANAGEMENT IN CHARGE OF CHAPEL.** All arrangements for any service in the chapel, including the handling and disposition of flowers, must be under the supervision and control of the management, whether such funeral be conducted by the employees of the mortuary operated in the cemetery or by an outside funeral director. A chapel cleaning charge may be added for each chapel service.

#### DECORATION OF PLOTS

- Rule 10-a. **FLORAL REGULATIONS.** No flower receptacles may be placed on any plot, or in the mausoleum or columbarium, unless approved by the Cemetery Authority and they shall be of approved material or materials approved as to size and design and, in the case of the lawns, they shall be set wholly beneath

the level of the lawn. Such receptacles may be purchased from and placed by the Cemetery Authority. The Cemetery Authority shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants, or herbage of any kind from the cemetery as soon as, in the judgment of management, they become unsightly, dangerous, detrimental, or diseased, or when they do not conform to the standards maintained. The Cemetery Authority shall not be liable for floral pieces, baskets or frames in which, or to which, such floral pieces are attached. The Cemetery Authority shall not be liable for lost, misplaced, or broken flower vases. It is the responsibility of the owner of the plot to replace the vases at their expense. The Cemetery Authority shall not be responsible for plants, herbage or plantings of any kind damaged by elements, thieves, vandals or by other causes beyond its control.

- Rule 10-b. **ARTIFICIAL FLOWERS ON CRYPTS AND NICHEs.** Artificial flowers of good quality are permitted. Flower arrangements must not be larger than the vase can accommodate and may not encroach on adjacent niche or crypt fronts. Decorations may not be taped or hung on the front of crypts or niches. The flowers must be tightly bound together and have an ID tag. The Cemetery Authority reserves the right to remove any or all such flowers when, in its judgment, their appearance warrants such removal (including seasonal flowers). All flowers are removed from the crypts and niches every year between January 15<sup>th</sup> and February 1<sup>st</sup>.
- Rule 10-c. **ARTIFICIAL FLOWERS ON GRAVES.** Artificial and cut flowers are permitted throughout the year only in the vases provided by Santa Rosa Memorial Park (Cemetery Authority). The artificial flowers must be tightly bound together and have an ID tag to make removal and placement during mowing practical. Artificial flowers, potted plants and decorations are permitted on the lawn/grave only on the following holidays: Easter, Mother's Day, Memorial Day, Father's Day, Veteran's Day and Christmas. Any person wishing to save such items must remove them within seven days after the holiday as the Cemetery Authority cannot be responsible for them. Arrangements that become unsightly will be removed periodically. Once yearly, between January 15<sup>th</sup> and February 1<sup>st</sup>, all arrangements are removed and discarded. Flowers from recent services will be left at the interment site for up to three (3) days.
- Rule 10-d. **REMOVAL OF FLORAL FRAMES.** Floral frames when removed from the plot site, unless called for within five days by those lawfully entitled to them, may be disposed of by the Cemetery Authority in any manner it sees fit.
- Rule 10-e. **CERTAIN ORNAMENTS PROHIBITED.** The placing of boxes, shells, toys, metal designs, statuary, chairs, vases, glass, wood, pinwheels, mylar balloons, planting of shrubs, trees and flowers by individuals, glass vases and similar

articles upon plots shall not be permitted, and if so placed, the Cemetery Authority may remove the same.

Santa Rosa Memorial Park is not responsible for the loss or theft of flowers and other decorations that you may place.

- Rule 10-f. URNS, ETC. SUBJECT TO APPROVAL. All fitting, adornments, urns, inscriptions and name plates for crypts or niches are subject to the approval and control of, and acceptance or rejection by the Cemetery Authority.
- Rule 10-g. NUMBER OF URNS IN NICHE. The Cemetery Authority may determine the number of urns that may be placed in an open (glass) faced niche. All remains placed in niches must be contained in sealed containers. In the event of there being more cremated remains than the cremated remains urn provided or purchased, Santa Rosa Memorial Park reserves the right to place the cremated remains in a secondary container and place it in the niche in accordance with Section 8345, Health & Safety Code.
- Rule 10-h. ITEMS PROHIBITED IN MAUSOLEUM AND COLUMBARIUM. Flower arrangements must not be larger than the vase can accommodate and may not encroach on adjacent niche or crypt fronts. Decorations may not be taped or hung on the front of the crypts or niches. Plants, arrangements and decorations may not be left on the floors, except on listed holidays.

#### ROADWAYS AND REPLANTING

- Rule 11-a. RIGHTS TO REPLACE, REGRADE AND USE PROPERTY. The Cemetery Authority reserves the right and privilege at any time, to resurvey, enlarge, diminish, replace, alter in shape or size, or otherwise to change all or any part, portion or subdivision of the property (including the right to lay out, establish, close, eliminate, or otherwise modify or change the location of roads, walks or drives) and to file amended maps or plats thereof, and to use the name for the erection of buildings, or for any purposes or uses connected for the care, preservation or preparation for the disposal or interment of human dead bodies, or other cemetery purposes, together with easements and rights of way throughout the premises for the right and privilege of installing, maintaining and operating pipelines, conduits, drains for sprinklers, drainage, electric or communication lines for any other purpose.
- Rule 11-b. NO RIGHT GRANTED IN ALLEYWAYS. No easement or right of interment is granted to any plot owner in any road, drive, alley or walk within the Cemetery, but such road, drive, alley or walk may be used as a means of access to the cemetery or buildings as long as the Cemetery Authority devotes it to that purpose.

## CONDUCT OF PERSONS WITHIN THE CEMETERY

- Rule 12-a. **SMOKING.** Smoking is prohibited in any of the offices or mausoleums.
- Rule 12-b. **RUBBISH.** The discarding of rubbish on the drives and paths, or on any part of the grounds, or in the buildings, is prohibited. Receptacles for waste material are located throughout the cemetery.
- Rule 12-c. **AUTOMOBILES, MOTORCYCLES AND BICYCLES.** No vehicle shall be operated within the Cemetery at a greater speed than 20 miles per hour nor shall any vehicle be permitted to operate on the plots except for those Cemetery vehicles required to do so for interments, maintenance and other Cemetery operations.  
No vehicle shall be operated within the Cemetery, regardless of the posted speed limit, at speeds that are unsafe due to roads, weather, visibility, heavy traffic or other conditions. All vehicles driven in the Cemetery must be kept on the right hand side of the Cemetery roadways. No vehicle will be permitted to operate within the Cemetery that produces excessive or unusual noise or is considered a nuisance by Cemetery management.
- Rule 12-d. **PARKING OF AUTOMOBILES AND EQUIPMENT.** No vehicle or equipment shall be allowed to park in front of an open interment site unless the occupants are attending the funeral service. All vehicles should be parked at the curb on the right hand side of the road or in parking areas as provided.
- Rule 12-e. **PEDDLING OR SOLICITING.** Peddling of flowers, plants or soliciting the sale of any commodity, other than by the employees of the Cemetery under its direction, is prohibited within the confines of the Cemetery.
- Rule 12-f. **FIREARMS.** No firearms shall be permitted within the Cemetery except on special permit from the management or duly constituted authorities.
- Rule 12-g. **NOTICES AND ADVERTISEMENTS.** No signs or notices or advertisements of any kind shall be allowed in the Cemetery unless placed by the Cemetery Authority.
- Rule 12-h. **PETS.** Pets shall be on leashes at all times while in the cemetery and the owner must pick up after their pet. Owners will be asked to leave and not return if they do not abide by this rule.
- Rule 12-i. **OFFICE AND GROUNDS HOURS.** The cemetery office is open Monday – Sunday, 8:00 AM – 4:30 PM. Gates on Poppy Drive are open from 8:00 AM – 4:30 PM and the mausoleum doors are open from 8:00 AM – 4:30 PM. Keys are required for all mausoleums. Visitors must check in at the office and leave a valid ID for a key. Keys must be returned to the office and ID will be returned. The management has the discretion to alter these hours.

Rule 12-j. **MANAGEMENT TO ENFORCE RULES.** The management and such other employees as the Cemetery Authority may designate, shall have the authority of a peace officer and shall enforce all rules and regulations, and may exclude from the property of the Cemetery Authority any person violating the same. The manager and his/her assistants shall have charge of the ground and buildings, and at all times have supervision and control of all persons in the Cemetery, including the conduct of funerals, weddings, traffic, employees, plot owners and visitors.

#### FEES, GRATUITIES AND COMMISSIONS

Rule 13. **GRATUITIES MAY NOT BE ACCEPTED BY EMPLOYEES.** No persons, while employed by the Cemetery Authority, shall receive any fee, gratuity or commission, except from the Cemetery Authority, either directly or indirectly, under penalty of immediate dismissal.

#### PROTECTION AGAINST LOSS OR DAMAGE

Rule 14-a. **USE OF GUARDS AND NON-RESPONSIBILITY.** The Cemetery Authority shall have the right to maintain guards if in its discretion it deems it necessary but is under no legal obligation to do so.

Whether or not guards are used, the Cemetery Authority distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control; damage caused by the elements, an Act of God, common enemy, thieves, vandals, explosions, unavoidable accidents, invasions, insurrections, riots or by order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.

Rule 14-b. **CEMETERY AUTHORITY AY CHARGE FOR UNUSUAL REPAIRS NECESSITATED BY ACTS OF GOD.** In the even that it becomes necessary to repair or reconstruct nay marble, granite, bronze or concrete work or any section or plot or crypt or nice, or any portion or portions thereof in the cemetery, mausoleum or columbarium, which has been damaged by the elements, unavoidable accidents, invasions, insurrections, riots or by the order of any military or civil authority, the Cemetery Authority shall give a 10-day written notice of the necessity for such repair to the plot owner or record as his/her address stated in the books of the Cemetery Authority. In the event the plot owner fails to repair the damage within a reasonable time, the Cemetery Authority may direct that the repairs be made and charge the expense against the plot and to the plot owner of the record of his successors.

#### CHANGE IN ADDRESS OF PLOT OWNERS

Rule 15. PLOT OWNER MUST NOTIFY CEMETERY AUTHORITY. It shall be the duty of the plot owner to notify the Cemetery Authority of any change in his/her mailing address. Notice sent to the plot owner at the last address on file in the office of the Cemetery Authority shall be considered sufficient and proper legal notification in those instances where notice is required.

#### ENDOWMENT AND SPECIAL CARE

Rule 16-a. ENDOWMENT CARE. Endowment care is the general care and maintenance, necessitated by natural growth and ordinary wear, which may be provided at reasonable intervals within the limits of the net income from the Endowment Care Fund. It includes the planting, cutting, watering and care of the lawns, trees, shrubs, cleaning and upkeep of buildings and the maintenance of utilities, walls, roadways and walks. The Endowment Care Fund provides maintenance and care of the cemetery for the benefit of all property owners. It does not cover the care of such items as memorials, flower vases and monuments.

Rule 16-b. ENDOWMENT CARE OF MAUSOLEUM OR COLUMBARIUM. Endowment Care is that care and maintenance necessitated by natural growth and ordinary wear which can be provided at reasonable intervals with the net income from the Endowment Care Fund, and includes the cleaning and sweeping of the buildings at reasonable intervals, the replacement of broken glass, the keeping of the roof in repair and proper provisions of locks and doors to prevent the entrance of people who do not have reason to be there or vandals. The Cemetery Authority may also use a portion of the income from such fund for such general care, maintenance, repairs and embellishment as it seems necessary for the best interest of the mausoleum and columbariums.

Rule 16-c. ENDOWMENT CARE EXCEPTIONS. The term *endowment care* shall not be construed as meaning the maintenance, repair or replacement of any grave stones or monumental structures or memorials placed or erected up on plots; nor the planting of flowers or ornamental plants; nor the maintenance or doing of any special or unusual work in the cemetery or in the mausoleum or columbarium, nor does it mean the reconstruction of any marble, granite, bronze or concrete work on any section or plot, or any portion or portions thereof in the cemetery, mausoleum, or columbarium, crematory or other buildings or structures caused by the elements, Act of God, thieves, vandals, unavoidable accidents, riots or by order of any military or civil authority, whether the damage be direct or collateral.

Rule 16-d. INVESTMENT OF ENDOWMENT CARE AND SPECIAL CARE FUNDS. The money received for Endowment Care and Special Care shall be held in trust and invested as provided by law. The Cemetery Authority reserves the right, however, either to handle all investments itself or to deposit said funds with any person, company or corporation qualified to act as trustee for such funds.

