

# Cowlitz County Cemetery District #6

## Administrative Policy

May 5, 2012

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### I. Preface

To provide policy guidelines and operational rules for the administration of the Cowlitz County Cemetery District #6. This policy applies to all persons utilizing the Cowlitz County District #6 Cemetery.

### I. Definition

- A. "Border," the concrete edging around the marker to protect the marker from damage and to allow trimming around the marker.
- B. "Burial," the placement of human remains in a grave.
- C. "Cemetery," any place used and dedicated for cemetery purposes by the City.
- D. "Cemetery Staff/Commissioner," the group of Cemetery staff which oversee the operations and activities of the Cowlitz County District #6 Cemetery.
- E. "Columbarium," a structure or other space containing niches for permanent inurnment of cremated remains.
- F. "Committal," that part of a funeral service which places the remains of the deceased to his/her final resting place.
- G. "Cremated Remains," a human body after cremation in a crematory.
- H. "Disinterment," the removal of buried human remains from a grave.
- I. "Foundation," the concrete poured below ground level to support and stabilize a memorial.
- J. "Funeral," a memorial service for a deceased person.
- K. "Human Remains or Remains," the body of a deceased person, and includes the body in any stage of decomposition except cremated remains as defined by RCW 68.04.020.
- L. "Interment," the disposition of human remains by cremation and inurnment or burial in a place used or intended to be used and dedicated for cemetery purposes.
- M. "Inurnment," the disposition of cremated human remains within an urn.
- N. "Liner," any concrete or composite material container that is buried in the ground to provide outer protection and into which human remains are placed in the burial process.
- O. "Marker," any grave headstone, memorial or monument that is intended to permanently mark a grave.
- P. "Next of Kin," relative most nearly related i.e.: (a) Spouse (b) Children (c) Parents (d) Brothers and Sisters (e) Domestic Partners
- Q. "Niche," a space in a columbarium or urn garden used or intended to be used for inurnment of cremated human remains.
- R. "Open and Close," the term used for referring to the opening of a gravesite and closing of a gravesite after remains are placed.
- S. "Plot," a space of ground in a cemetery used, or intended to be used, for burial.
- T. "Resident / Non Resident," A person shall be considered a resident of the Cemetery District #6 if: (1) he or she has lived in and owns property located within the District # 6 areas. or (2) he or she has an immediate family member who currently resides in the Cemetery District #6. For the purpose of this Chapter, an "immediate family member"

shall be the spouse, domestic partner, parent, child or sibling of the person. As used in this section, "domestic partner" means a person who meets the Washington State's domestic partner eligibility criteria and signs an affidavit or declaration to that effect.

- U. "Staff or Crew," refers to Cemetery District #6 personnel that are assigned administrative duties and maintenance duties for the Cemetery District #6.
- V. "Urn Liner," a container whose purpose is to provide outer protection for the ground burial of cremated remains.
- W. "Vault," any container which is buried in the ground and sealed to provide outer protection and into which human remains are placed in the burial process.

## **II. Hours & Ground Regulations/Rules**

1. Cemetery Hours: The Cemetery is open to the public typically during daylight hours, seven days a week.
2. No Dogs allowed without supervision and must be on leash during any service or presence of visitors. All animal waste (crap!) is responsibility of the pet's owner and must be removed from cemetery grounds.
3. Absolutely no alcoholic beverages are allowed.
4. Cemetery users are asked to keep the cemetery clean and tidy and required to remove their own items of refuse.
5. No loitering
6. No driving on grass areas.
7. Parking in designated parking areas only. No unattended running vehicles allowed.
8. No camping is permitted
9. No placing of signs or advertising

## **III. Lot Sales and Ownership**

- All plots in the cemetery are conveyed to the purchaser by a receipt when paid for but the rights of the owner, successor or assignee are subject to such rules and regulations as set by the Cemetery District #6.
- Interest in Cemetery Plots  
Interest in Cemetery plots shall be governed by RCW 68.32 as now and hereafter amended. The Cemetery District #6 shall endeavor to determine the legal next of kin, but the Cemetery District #6 shall not be held responsible for failure to do so. Persons representing themselves as next of kin may be required to provide a notarized statement to this effect. The Cemetery District #6 shall not be responsible for activities authorized by persons falsely representing themselves as next of kin.
- Selling or Transferring of a Plot  
When an owner of a plot wishes to sell or transfer the plot to another individual, or sell it back to the Cemetery District #6 he/she must provide the Cemetery District #6 with a "Qualified Receipt of Ownership" showing their ability to the transfer of ownership. If the original owner of the plot(s) is deceased, the executor or heir(s) must show proof of their authority to devise or ownership of the property, i.e. Letters Testamentary, Decree of Distribution, or a copy of the will.

- The Cemetery District #6 may repurchase plots from the current owner. For plots purchased prior to 5/1/95, the Cemetery District is authorized to buy back plots for \$50.00. For plots purchased between 5/2/95 to 1/1/09, the Cemetery District is authorized to buy back plots for \$200.00. For plots purchased after 1/1/09, the Cemetery District is authorized to buy back plots for 75% of the original purchase price.

#### **IV. Interment Services**

##### **1. Funerals, Interments, and Committals**

Funerals, interments, and committals within the Cowlitz County Cemetery District #6 shall be under the independent control of the funeral service providing the services for the family and only upon prior approval of one commissioner of the District. All plots shall be marked by an authorized Cemetery District #6 staff only. All plots to be excavated and closed by an experienced contract employee of the funeral service company. Canopies, artificial grass, lowering devices, tractors, and other equipment provided by the funeral service company or party sponsoring the service must be removed upon completion of the service. Any cemetery or gravesite charges including plot cost must be paid prior to interment – no exceptions.

##### **2. Concrete Liners**

All interments shall be in concrete liners or vaults designed and manufactured for this purpose.

##### **3. Burial Permit**

At the present time, no burial permit is required. Should this change and become a requirement, it will become a condition from the Cemetery District #6 and must be secured by the funeral home before an interment will be permitted. If required by the County government (outside of the Cemetery District #6) The Cemetery District #6 shall not be responsible in any manner for securing any permit.

##### **4. Arrangements**

Under no condition shall the Cemetery District #6 allow the opening of a plot without proper authorization. Any funeral home accepting full responsibility on behalf of a family and the service for burial will be held liable for proper opening and closing of the plot. This will include removal of excess dirt, and cleaning of areas. Sod must be properly replaced and condition of ground brought back to original condition prior to interment.

##### **5. Notice of Interment or Disinterment**

The Cemetery District #6 must be notified at least two (2) business days before any interment so the plot or niche may be properly marked, and at least one week's notice shall be given prior to any disinterment. The Cemetery District #6 reserves the right to delay an interment when scheduling conflicts occur including bad weather conditions.

##### **6. Authorization for Interment**

The Cemetery District #6 is authorized to allow opening of a plot for any purpose on proper authorization by any lot or niche owner of record or the legal next of kin and unless there are written notarized instructions to the contrary on file with the cemetery administrative office.

##### **7. Interment Agreements**

When a lot is jointly owned, authorization for interment will be granted to either the plot owner(s) or their heirs as governed by RCW 68.32. An agreement may be made between common plot owners to the right of burial but the Cemetery District #6 shall not undertake to enforce such an agreement.

#### **8. Funerals Burials and Committals—Days and Hours Allowed**

Normal burial hours shall be Monday through Saturday between the hours of 8:30 a.m. and 4:00 p.m. The Cemetery District #6 recognizes that mitigating circumstances may arise necessitating a burial outside of normal hours. This can be arranged, but is subject to the availability of any required cemetery staff. If staff is required, fees may be incurred. No burials will be allowed on Sunday or non-burial dates (holidays). Non-burial dates are typically on Memorial Day, Independence Day, Veterans Day, Thanksgiving Day, Christmas Day, New Year's Day, or Federal Holiday.

#### **9. Funeral and Burial Service Requirements**

Cemetery District #6 will require all funeral or burial service providers will provide proof of liability insurance to be on file with the Cemetery District. Only insured personnel shall be permitted to open/dig site. General practice for opening gravesites is by hand digging and not machine. Machine is acceptable only when authorized, and if use of machine all other surrounding grave sites will not be disturbed in any way. All excess excavation material must be removed or moved to a designated location authorized by the staff of Cemetery District #6. All finished burials will be tidied up and left in acceptable condition with proper sod placement. Funeral service and or their burial service contractor will be liable for all costs to repair or replace any disturbed grounds, or other areas.

#### **10. Interments Per Individual Plot**

The interment of two casket burials in one plot shall not be allowed except in the designated area for double depth burials. Regular graves are designated for one casket and a maximum of two cremated remains. No interment other than that of a human being shall be permitted.

#### **11. Disinterment**

For disinterment of remains (including cremated remains), the applicant must have written authorization from the closest living relative. Such written authorization must be presented to staff and approved by the Cemetery District #6 Board in writing before disinterment is undertaken. Provisions concerning permission to remove remains shall be governed by State law in RCW 68.50 as now or hereafter amended.

### **V. Plantings/Shrubs/Flowers**

1. Cemetery maintenance shall reserve the right to remove funeral designs, floral pieces, plant material, shrubs and urns as they become un-slightly at his/her discretion.
2. Planting of trees, shrubs, flowers, or plants or growing material is not permitted or allowed and will removed if installed.
3. Plants or planters not complying with the above rules will be removed or and disposed of. Cemetery is not responsible for lost, damaged, or removed planter or other memorabilia.

### **VI. Monuments/Markers/Headstones**

1. The introduction of any item that hinders the proper maintenance of the cemetery is not permitted. Such examples are but not limited to chains, flower boarder, brick, fencing, ornaments, and other.
2. Damaged property. Repaired, replaced, or removed at the discretion of the board and recommendation of the grounds keeper.
3. Removal by others: No monument, marker, or headstone may be removed without consent or authorization of the board.
4. All flat memorials placed in the Cemetery shall have a concrete base with a minimum of a 2-inch border, and not to exceed 4 inches.
5. A full-scale drawing of all upright markers and/or oversized flush markers must be submitted to the Cemetery District #6 for approval before purchase/placement.
6. Only flush memorials are allowed to mark cremated remains inurned on an occupied grave space when the first interments is already marked with a headstone. The marker shall be placed adjacent to the existing marker and directly over the inurned cremated remains.
7. All inscriptions for niches are subject to the approval of the Cemetery District #6 and shall be limited to the name of the deceased and year of birth and death.
8. Marker setting and on-site engraving shall be scheduled during normal business hours with and authorized by Cemetery Staff at least one working day prior to the work being done. The Cemetery District #6 reserves the right to remove any marker which was set or engraved without permission and does not conform to the standards set forth in these rules and regulations.
9. The Cemetery District #6 does not bind itself to maintain, repair, or replace any markers or monumental structures erected upon the plot which are lost or damaged due to weather, age, vandalism, or normal maintenance. The Cemetery Staff will endeavor to see that the headstone remains in good condition.

## **VII. Fees, Charges, Payments, Penalties, Non-payments**

- Plot payment must be made prior to all burials.
- Any funeral service provider and or family of the deceased performing burial without prior arrangement will be subject to penalty at the discretion of the board.

## **VIII. Maintenance**

1. Unless approved by the board, All ground maintenance to be performed by approved cemetery staff.
2. Volunteer groups wishing to provide additional services such as clean headstones, landscaping or otherwise must obtain prior approval by the board of commissioners.
3. The Cemetery District #6 will provide the maintenance of plot sites. Cut flowers and bouquets are allowed year round.
4. Artificial flowers and decorations are allowed so long as they look presentable at the discretion of cemetery staff.
5. The Cemetery District #6 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 the management, they become unsightly, dangerous, detrimental, diseased, or when they do not conform to the standards maintained. The Cemetery District #6 shall not be liable for floral pieces, baskets, or frames in which or to which such floral pieces are attached. The Cemetery shall not be responsible for plants or plantings of any kind damaged by the elements, thieves, vandals, or by other causes beyond its control. The Cemetery District #6 reserves the right to regulate the method of decorating plots so that a uniform beauty may be maintained.
6. Planting of flowers and shrubs is allowed with prior approval from the Cemetery District #6 to assure the items do not interfere with maintenance and are in the correct location. Hooked poles for hanging flower baskets are not allowed.

7. The Cemetery District #6 is not responsible for damage to or theft of cut flowers, potted plants, displays, or containers. Anyone leaving such articles in the Cemetery does so at his/her own risk.
8. The placing of boxes, shells, toys, metal designs, ornaments, chairs, settees, glass, wood or iron cases, and similar articles upon plots shall not be permitted.
9. Only personnel authorized by the Cemetery District #6 shall trim, prune, or remove any part of the trees or shrubs in the Cemetery. If any tree or shrub situated on any grave by means of its roots, branches, or similarly becomes detrimental, dangerous, or objectionable to the adjacent plots, walks, or avenues, or the Cemetery District #6 is unable to maintain the grounds, the Cemetery District #6 shall have the right to enter upon the plot and remove the tree(s), or shrub(s), or any part(s) thereof as it may see fit.

**IX. Correction of Errors\Exceptions**

- The Cemetery Management or Commissioners reserve, and shall have, the right to correct any errors that may be made by it either in making interments, disinterment or removals, or the description, transfer or conveyance of any interment property, either by canceling such conveyance and substituting any conveying in lieu thereof other interment property of equal value and similar locations as far as possible, or as may be selected by the Management, or, in the sole discretion of the Management, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property, the Cemetery Management or Commissioners reserve, and shall have the right to remove or transfer such remains so interred to such other property, consistent with the law, of equal value and similar location as may be substituted and conveyed in lieu thereof.

**X. Protesting or Demonstrating**

Absolutely no protesting or demonstrating of any funeral service on or near cemetery property is allowed.