

**City of Douglas
Calvary Cemetery
Rules and Regulations**

These rules and regulations are designed for the protection of the owners of interment rights as a group. They are intended, not as restraining, but rather as preventing the inconsiderate from taking unfair advantage of others. These rules and regulations are adopted by the cemetery and all owners of interment rights, visitors and contractors performing work within the cemetery shall be subject to said rules and regulations, amendments or alterations as shall be adopted by the city.

Uses

The cemetery shall be used for exclusively for the burials of human beings and their remains.

Definitions

As used in this ordinance, the following words and phrases will have the following meanings, unless the context clearly indicates a different meaning:

- A. "Cemetery" shall mean any burial grounds operated by the city including those burial plots or graves sites sold to others.
- B. "Cremains" means the cremated remains of a dead body.
- C. "Burial" means the interment of a dead body or the remains into a grave.
- D. "Exhume" means the disinterment, digging up or removal of a dead body or the remains from a grave.
- E. "Plot" means the lot or space reserved for the burial of a dead body at a cemetery.

Cemetery Supervision

- A. The cemetery reserves the right to compel all persons coming into the cemetery to obey all rules and regulations adopted by the city.
- B. The city reserves, and shall have, the right to correct any errors that may be made by it either in making interments, disinterment's or removals, or in the transfer or conveyance and substituting in lieu thereof other interment rights of equal value and similar location as far as possible.
- C. The city may, and it hereby expressly reserves the right, at any time, with or without notice to owners, to adopt new rules and regulations, or to amend, alter or repeal any rule, regulation, article, section, paragraph or sentence in these rules and regulations.

Sale and Purchase of Interment Rights

- A. The sale or transfer of any interment right by any owner or purchaser shall not be binding upon the city, unless the same shall first be duly approved in writing by the city, and then such interment right can be issued to the new owner. This procedure is required in order that the city may at all times have a complete and accurate record of all owners and purchasers.
- B. Any and all transfer of any interment right, whether the same be by conveyance or assignment of purchase contract, are subject to all rules and regulations of the city which are now in full force and effect or which hereafter may be enacted.
- C. All interment rights and associated cemetery charges are sold subject to payment of the amount posted in the office of the city clerk.
- D. No interment rights or contracts for the purchase of interment rights can be sold, assigned, transferred, or pledged without the written approval of the city clerk.
- E. Each owner is vested with the ownership of his or her interment right for the sole purpose of interment of human dead bodies.
- F. No person shall buy or sell any lot within the Cemetery for purposes of speculation.
- G. When a removal is to be made from a single grave to another grave, the formerly occupied single grave space and all rights therein revert to the city.

Burial Rules

- A.** Prior to all burials, compliance with Title 36 Arizona Revised Statutes for the transportation and disposition of human remains (AZ TRANSIT PERMIT) shall be required.
- B. BURIAL PERMIT.** A burial permit from the local health office signed by the proper authorities is required before interments can be made.
- C. FUNERALS.** All funerals, interments and inurnments within the cemetery grounds shall be under the direction of the Cemetery Management. No interment shall take place without all applicable laws having been complied with.
- D. NOTICE OF FUNERALS.** Notice of funerals with exact location of the grave must be given to the Cemetery Management at least twenty-four working hours in advance of the burial. No grave will be laid out or dug by anyone other than a designated cemetery official.

- E. BURIALS AFTER HOURS.** An additional charge shall be made for any burial service in which the burial vault, mausoleum crypt or columbarium niche is not sealed by 2:30 p.m. from April 1st to September 30th and by 3:30 p.m. from October 1st to March 31st. These additional charges are a part of the rate schedule adopted by the City.
- F. OPENING AND CLOSING OF GRAVES.** All graves, crypts and niches shall be opened and closed by cemetery personnel only. For the safety of the general public, no one from the general public will be allowed to help fill in the grave site.
- G. ORDERS GIVEN BY TELEPHONE.** Under no condition will the City assume responsibility for errors in opening graves, crypts or niches when orders are given by telephone. Orders by the funeral director for the opening of graves, crypts or niches will be construed as orders from the lot owner.
- H. BURIALS OR MORE THAN ONE PERSON IN ONE GRAVE.** Burial of two or more persons in one grave space is not permitted, except: mother and infants, infant twins, cases where an infant is to be buried with a relative who has acted as the guardian, and cremations. For cremations in a traditional in ground grave: no more than one casket and one cremation urn or two cremation urns may be entombed in a single grave.
- I. CEMETERY WORK.** Any persons engaging in work while in the vicinity of a burial must suspend their labor during the religious service at the grave.
- J. DISTINTERMENT.** Disinterment of a body will not be made without proper authority in accordance with the laws of the State of Arizona. All permits must be presented to cemetery officials prior to disinterment so that proper arrangements can be made.
- K. MISREPRESENTATIONS OR ERRORS.** The City will not be liable for misrepresentations or errors made by the person or persons purported to be the owners, legal representatives or agents.
- L. INURNMENT CONTAINERS IN GROUND BURIAL.** Inurnments may be made only in approved containers. Cremated remains must be in a non biodegradable, unbreakable container made of concrete, plastic or metal. Urns composed of paper, cardboard, plastic bags, or any other material deemed unacceptable by the City will not be accepted for inurnments.
- M. OPENINGS OF CASKETS.** No person shall open a casket or urn within the confines of a cemetery prior to burial, entombment or inurnment unless that person is next of kin to the deceased or has the written permission of the deceased's next of kin.

N. CREMATED REMAINS TO BE DISPOSED OF PURSUANT TO STATE LAW. No person shall scatter cremated remains within the cemetery. Any cremated remains disposed of in the cemetery shall be done so consistent with any applicable Arizona Law.

O. DISINTERMENTS AND REMOVALS. No disinterment and removal to another location within the cemetery of a body or cremated remains will be permitted without the written consent of the personal representative of the deceased unless by a duly authorized public official.

P. NO REMOVAL OF BODY WITHOUT LAWFUL AUTHORITY. No person, whether a relative or not, shall remove any body from any lot without lawful authority to do so.

Q. CARE IN REMOVAL. The City will not be liable for any damage resulting from the removal of any remains.

Use of Motorized Vehicles in the Cemetery

A. Motorized cars and other vehicles must be kept under complete control at all times.

B. The following are prohibited:

- The driving of motorized cars or other vehicles through the gates or in the Cemetery at speeds greater than 10 miles per hour.
- The driving of any motorized car, vehicle or animal across or upon any grave, lot, lawn or parking or leaving the same thereon.
- Parking or leaving any motorized car or vehicle on any road or driveway within the Cemetery at such location or in such position as to prevent any other car or vehicle from passing the same and if so parked or left, the City will remove the same and the owner of said removed vehicle shall be legally liable for the cost of the removal.
- No motor vehicle will be allowed off designated roadways at any time with the exception of the cemetery officials, monument setters and vault company employees.
- No person can park on the maintenance easement areas of the cemetery.
- All vehicles shall park on the far right hand side of the road while parked.

Care of Lots

- A. PERPETUAL CARE TO INCLUDE.** Perpetual care of cemeteries which cover mowing, tree trimming, filling in sunken graves, and weeding will be assumed by cemetery employees only.
- B. PERPETUAL CARE NOT TO INCLUDE.** Perpetual Care shall not include the watering of flowers or plants or the trimming of shrubs if planted by the lot owner. Perpetual Care does not include the maintenance, repair or replacement of any marker, memorial, tomb, curbing, or mausoleum placed or erected on the lot.
- C. GRASS AREAS.** In order to ensure the uniform appearance of burial sites and facilitate proper maintenance, there shall be the following:
1. No curbing, fencing, hedging, trenching or enclosing any gravesites.
 2. No plants may be planted by anyone other than cemetery personnel. Cemetery personnel may remove such shrubbery upon finding them.
 3. Solely cemetery personnel may do any and all landscape work.
 4. No fixtures shall be permanently affixed to markers or memorials.
 5. Cemetery personnel shall water the grass areas on a seasonal schedule of the cemetery as dictated by weather conditions and season.
 6. Only flowers placed within permanent retractable vases are allowed. During mowing season, flowers will be removed from the referenced type of vases and replaced to the best of our abilities. Flowers outside of these vases and/or vases other than those specified herein will be discarded.
 7. Flowers or other non-permanent decorations outside approved vases may be placed on burial sites seven (7) days before these holidays: Easter, Mother's Day, Fathers Day, Christmas, Memorial Day, Good Friday and All Souls Day. Only items that are not in vases and items that are clearly identified as appropriate to the holidays will be removed seven (7) days after the Holiday.
 8. The planting of plants and shrubs are restricted to dirt grave sites only.
- D. NON GRASS AREAS.** In the non grass areas, the responsible parties, may water their plants on their own. The city is not responsible for water any plants in these areas.

- E. SETTLED GRAVES.** Depending on their schedule, city personnel may fill settled graves when needed.
- F. SPECIAL CARE ON LOTS.** Lot owners who desire special attention for their lot, such as special care for flowers, trees and shrubs, must make arrangements for such care with a person, firm or other private sector person or organization.
- G. REMOVAL OF PLANTS AND SHRUBS.** The Cemetery shall have the right to enter upon any lot and remove, without notice, trees and shrubs and flowers planted in violation of these rules. The City reserves the right to trim, cut down and remove any plantings by a lot owner which are undesirable in their present condition.

No tree or shrub shall be planted, removed, cut down or trimmed, within the border of any lot or grave, without the permission of the cemetery maintenance superintendent or designated official.

- H. FLOWERS.** Fresh and artificial floral displays may be placed on the graves at any time. Floral displays will be removed when they become faded and unsightly or as necessary to facilitate cemetery operations. All floral displays will be removed bi-weekly, no responsibility for their return to the owners will be assumed.

Cemetery personnel will not be responsible for flowers or plantings that may prohibit necessary grounds care activities.

- I. OTHER OBJECTS.** Statues, vigil lights, breakable objects of any natures, and similar commemorative items are permitted on dirt grave sites. Cemetery staff will remove non-floral items if they get damaged or are a hazard immediately. Items appearing to be of sentimental or keepsake value will be retained for one month before disposal, no responsibility for their return to the owners will be assumed.

The city will not be responsible for any lost or damaged items left at the cemetery. At no time will jars, tin cans, unsightly plastic containers or wire stands be construed as permanent decorations and allowed in either cemetery.

No benches or furniture will be allowed within any part of the road way or on lots not owned by the person placing the bench or furniture.

- J. Responsible for Decorations.** Cemetery personnel are not responsible or liable for any decorations or flowers placed at burial sites. High winds and monsoon rains tend to blow items away. In addition, at times the cemetery is open when neither the office nor grounds personnel are staffed leaving the cemetery unsecured.

K. Removal of Decorations. There are three ways in which decorations *are generally* removed from burial spaces:

1. Seasonal decorations **seven (7) days** after major holidays listed above.
2. When a Violation of this policy is observed by cemetery personnel.
3. At certain times of the year when weather conditions blow flowers from vases and at other times when the cemetery is open and staff are either not present or unable to prevent the theft of flowers, which does occur.

L. CITY NOT RESPONSIBLE FOR ARTICLES LEFT. In no case shall the City or any officer or employee thereof be responsible for articles, which may be left on any lot or grave. In all cases, the right is given to the City to remove from any lot or grave any article which is unsightly or otherwise objectionable.

Cemetery Visitor Rules

A. PROPER CONDUCT FOR SACRED PLACE

It is of utmost importance that there should be strict observance of the properties of the Cemetery. Hence, all persons within the Cemetery should avoid conduct unbecoming a sacred place. The following conduct is prohibited within the Cemetery:

1. All visitors are reminded that the cemetery is considered to be sacred ground for the dead, and that a strict observance of all properties due such a place will be required.
2. Loud or boisterous talking, any persons disturbing the tranquility of the cemetery by noise or other improper conduct will be asked to leave the grounds or be subject to arrest.
3. Cemetery visitors will be allowed in the cemetery from sunrise to sunset. Any person(s) found loitering on the grounds during closed hours will be subject to arrest.
4. No picnics, parties or other similar gatherings will be allowed in the cemeteries at any time;
5. No peddling or soliciting the sale of any commodity within the Cemetery.
6. No placing of signs, notices or advertisements of any kind within the Cemetery.
7. No bringing of dogs into the Cemetery or any of its buildings unless on a leash and properly cleaned up after.

8. No bringing of firearms into the Cemetery except by a military escort accompanying a veteran's funeral or attending a memorial service. Law enforcement authorities and military personnel shall be the only persons allowed to possess weapons on cemetery property.
9. No bringing of alcoholic beverages in the Cemetery or buildings.
10. The City of Douglas or its employees assume no liability for property damage or acts beyond its ability to reasonably control during normal business hours.
11. The throwing of rubbish on driveways or plotted areas is strictly prohibited. There are receptacles for the sole purpose located in both cemeteries.
12. No person shall enter or leave the cemetery except through established gateways provided for such purpose.
13. All persons found on the grounds after dark shall be considered to be a trespasser.