

Rules and Regulations

Definitions:

- 1) "Interment" means the placement of human remains in a grave or niche, whether in a casket or ashes in container / urn.
- 2) "Board of Trustees" means the legislative body of a District.
- 3) "Lot(s), Plot(s) and Niche(s)" means space in a cemetery, used or intended to be used for the interment of human remains. Such terms include and apply to one or more than one adjoining grave or niche.
- 4) "Interment rights owner" means any person in whose name an interment plot or niche of record as owner in the District office.
- 5) "Permit for Disposition of Human Remains" including "Burial Permit" is a permit, issued pursuant to law, for the interment, disinterment, removal, reinterment or transportation of human remains and must be presented at the time of placement.
- 6) "Non-Resident" is an ineligible resident, currently not paying property taxes for the support of the Cemetery District.
- 7) "Successor" is when a purchaser designates ownership of plot(s), niche(s) to someone other than themselves.
- 8) "Graveside Witnessing" refers to a specific period of time that allows family or loved ones of the deceased to "witness" or be present for the interment and/or lowering of the casket.

Interments:

The Cemetery District may make an interment upon receipt of a written authorization of, as set forth in the California Health and Safety Code, section 9060, in the order listed:

- (a) The surviving spouse;
- (b) A surviving child or parent;
- (c) Next of kin; or
- (d) A person who has acquired the right to control the disposition of the remains.
- (e) Successor of interment rights.

Disinterments or removals:

The remains of a deceased person may be removed from a plot (s) and/or niche (s) in a cemetery with a permit from the County Health Department and the consent of the District Manager and written notarized consent of the following, in the order listed:

- (a) The surviving spouse;
- (b) The surviving children;
- (c) The surviving parents; or
- (d) The surviving brother or sisters.
- (e) A person who has acquired the right to control the disposition of the remains.

Interments:

Interment and disinterments or reinterments will not be permitted without:

- (a) Written consent of the interment rights owner (except his own burial) or successor.
- (b) An order for interment, authority to disinter, to remove or reinter filed at the office of the District.
- (c) All charges being paid before opening of a site.
- (d) Permit for disposition of human remains (burial permit accompanying the remains).

Public Cemeteries:

The District may maintain a cemetery or cemeteries, and for this purpose may take and hold title to property by grant, gift, devise, condemnation, lease or any other method. Cemeteries shall be limited in use to interment in the ground and niches of the human remains of residents or taxpayers of the District or former or taxpayers of the district who purchased interment rights in plot(s) and niche(s) while residents or taxpayers of the District for members of their families. (Section 9002 of the California Health and Safety Code)

Grounds, Graves & Niches:

1) Care of the sites and cemetery grounds:

- (a) The cemeteries are open 7 days a week. (7:00 a. m. to Sunset)
- (b) No plants, shrubs or flowers may be planted in any lawn area, except as authorized by District Manager.
- (c) All plastic flowers and plants must be approved by the District Manager before being placed on any grave. District Manager may cause their removal. Weekly removal of any items and/or flowers in ALL lawn sections will be at the discretion of the District Manager. To find out which day, contact the District Office.
- (d) No family members or visitors shall cut, prune or otherwise tamper with any trees, flowers or shrubs, except authorized plants in their plot.
- (e) No curbing or masonry of any description shall be placed or installed on any lawn section. Curbing may be installed in the hill areas of the cemeteries with prior written permission and upon the approval by the District Manager of structural engineered drawings, at the expense of the owner.
- (f) Only **flat** headstones of bronze, marble, granite on cement or stone base surface marker will be permitted. Size shall not exceed 12" L x 24" W for single and 14" L x 36" W for double width graves. These headstones shall be installed at grade level. **All headstones and any other type of monuments and their installation MUST be pre-approved by and scheduled for setting with the District Manager.**
- (g) All interments will be conducted at the direction of the District Manager and to accommodate the wishes of the family.
- (h) Headstones and other monuments may be temporarily moved to avoid damage and replaced as directed by the District Manager, to allow the interment site preparation, for any contiguous plots.
- (i) Family will be financially responsible for headstone and/or any other type of monument's removal, at District Manager's discretion.
- (j) No breakable items allowed (i.e. glass, porcelain) and no fire burning objects, specifically **CANDLES**. All items found will be removed, *immediately*.
- (k) The opening of a casket is strictly prohibited.
- (l) Niche shutter – engraving must be black ink only; no other alterations are permitted.
- (m) Food, drinks, alcohol, picnicking, barbequing, catering of any kind, tents, tables, chairs, etc. is strictly prohibited on cemetery grounds.

Interments and Disinterments:

- 1) The purchase of a liner is required for all lawn interments at the Lafayette Cemetery.
- 2) Interments, disinterments or reinterments maybe scheduled Monday through Friday between 9:00 a.m. and before 1:00 p.m., with a **two business days' notice and all fees (including Non-Resident fees) being paid.** If any other time is desired, permission may be given at the discretion of the District Manager under authority of the Board of Trustees.
- 3) No time shall be set on Saturday and Sunday unless;
 - (a) Ordered by a Public Health Officer;
 - (b) The family responsible requesting interment pays the additional expense;
 - (1) Opening and Closing cost on Saturday is double (2 x) times the normal rate and
 - (2) Sunday is triple (3 x) times the normal rate.
- 4) Holiday burials are not permitted.
- 5) Graveside witnessing (refer to "definitions" on page 1) must be requested and paid for when the burial arrangements are being made, or no later than two business days' prior to the scheduled interment.

Other Provisions:

- 1) Each purchaser of interment rights shall be issued a deed which entitles interment rights in accordance with these District rules and the California Health and Safety Code.
- 2) If an owner has no further need for interment rights in plot(s) and/or niche(s) he or she may in writing, request to the District to buy back plots and/or niches (subject to availability of District funds) at a price which is equal to the amount that was originally paid, less Endowment Fees paid and return original deed(s) and receipt(s) to the District Manager including a signed and notarized deed of reconveyance.
- 3) An owner of interment rights MAY NOT sell or assign these rights other than to family members, as set forth in section 9002(e) of the California Health and Safety Code.

Endowment Fund

Endowment Fee will be paid into the Endowment Fund at time of purchase. Endowment Fund is in accordance with Section 9065 of the Health & Safety Code.

Changes in the rules and regulations:

Rules and regulation are subject to change(s) at any time by action of the Trustees and prevailing California Health & Safety Code.

Approved and adopted at a duly authorized meeting this November 17, 2016 by the Alamo-Lafayette Cemetery District Board of Trustees.

Nancy J. Flood, Chairperson

Carolyn Thiessen, Trustee

Mary McCosker, Trustee

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