



CEMETERY RULES & REGULATIONS



CITY OF LYNN HAVEN
CEMETERY AUTHORITY
A PUBLIC WORKS DIVISION

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I. PREAMBLE

These Rules and Regulations are designed for the protection of 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. Their enforcement will help protect your cemetery and create and preserve its beauty ... These rules and regulations are hereby adopted as the rules and regulations of the Cemetery Authority, 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 Cemetery Authority from time to time.

These Rules and Regulations have been approved by the Florida Department of Financial Services Division of Funeral, Cemetery, and Consumer Services in accordance with Section 497.273 of the Florida Statutes.

II. DEFINITIONS

1. As used in these Rules and Regulations, the following terms shall have the meaning hereinafter defined, unless a contrary intention appears from the context of any Rule or Regulation.

(a) "Cemetery" means the burial -ground commonly known as Lynn Haven Cemetery, located at 4799 County Rd 389, Lynn Haven, FL 32444, and burial -ground commonly known as The Community Cemetery, located at E. 10th Ct, Lynn Haven, FL 32444, including, without limitation:

- (1) All land dedicated, reserved, or used for interment purposes;
- (2) All vegetation therein;
- (3) All graves, mausoleums, crypts, columbaria, niches or other interment spaces therein;
- (4) All memorials and works of art therein;
- (5) All roads, walkways, crematoria, and other structures of every kind therein;
- (6) All equipment and facilities incident to the operation of Lynn Haven Cemetery;

(b) "Cemetery Authority" means City of Lynn Haven, Florida D/B/A: Lynn Haven Cemetery. The City of Lynn Haven being the sole owner of the cemetery.

(c) "Cemetery Management" means the City Manager, or the person designated as the Cemetery Manager by the City Manager. This manager shall be responsible for the operation, maintenance, and control of the Cemetery, as well as the administration of its affairs.

(d) "Interment" means burial, entombment, or inurnment of human remains.

(e) "Interment Rights" or Right of Interment" means the right to burial, entombment, or inurnment of human remains.

(f) "Burial" means the placement of human remains in a grave.

(g) "Entombment" means the placement of human remains in a crypt.

- (h) "Inurnment" means the placement of an urn containing cremated human remains in a niche.
- (i) "Lot" means a grave crypt, niche, or plot.
- (g) "Graves" means a space of land in the cemetery used or intended to be used for the burial of human remains.
- (k) "Crypt" means a space in a mausoleum used or intended to be used for the entombment of human remains.
- (l) "Niche" means a space in a columbarium used or intended to be used for the interment of cremated human remains.
- (m) "Plot" means two or more adjoining graves, crypts, or niches.
- (n) "Deed" or "Certificate of Ownership" means the document by which the Cemetery Authority conveys a right of interment.
- (o) "Lot Holder" or "Lot "Owner" means the person or persons:
- (1) To whom the Cemetery Authority has conveyed a right or rights of interment or:
 - (2) Who have acquired such right or rights by transfer in accordance with these rules and regulations: or
 - (3) Who holds such rights or rights by inheritance.
- (p) "Community Mausoleum" means a structure, above ground, or partially above and partially below ground, containing crypts and niches used or intended for use by members of the general public.
- (q) "Family (Private) Mausoleum" means a structure above ground, or partially above and partially below ground, containing crypts, the use of which is restricted to a group of persons related to each other by blood or marriage.
- (r) "Memorial" means
- (a) a grave marker, tablet or headstone identifying a grave or graves; or
 - (b) a nameplate or inscription identifying a crypt or niche.
- (s) "Foundation" means the base or foundation upon which a memorial is installed. The foundation will be approved granite or approved synthetic marble or other material as the Cemetery Authority may from time to time approve. The foundation can be of such size as to hold one memorial depicting one individual or one marker depicting two individuals, or two markers depicting two individuals.
- (t) "Care" means the maintenance of the Cemetery within the limits permitted by the income derived from its endowment care trust and in keeping with a well-preserved cemetery; including the cutting and trimming of lawn, shrubs and trees at reasonable intervals; keeping in repair the drains, water lines, roads, buildings, fences and other structures; overhead expense necessary for such purposes, including maintenance of machinery, tools and equipment for such care; compensation of employees; payment of insurance premiums; reasonable payments for

employees' pension and other benefit plans; and maintaining necessary records of lot ownership, transfers and burials. **More details Rules pertaining to Care as set forth below in Part VI hereof.**

III. GENERAL RULES & REGULATIONS

1. All interment rights in the Cemetery shall be 'owned and held subject to the laws of the State of Florida and the Rules and Regulations of the Cemetery Authority now in force or hereafter adopted.
2. The Cemetery will be open to the public for visitations each day from 6:00 A.M. to 6:00 P.M. The Cemetery office will be open from 8:00 A.M. to 4:00 P.M. Monday through Friday. Disinterment or unveiling shall take place before 9:00 A.M. or after 4:00 P.M. All hours are subject to change during certain seasons, in the sole discretion of and as posted by Cemetery Authority or Management.
3. Only one interment shall be permitted in each grave, crypt or niche unless otherwise provided in the Deed or Certificate of Ownership.
4. All persons entering the Cemetery for whatever reason must display proper respect for the deceased and the lot in which they are interred. The employees of the Cemetery Management and Cemetery Authority may take such measures as the circumstances warrant in order to ensure strict observance of this basic principle. In addition, the following must be adhered to:
 - (a) Persons with food products, liquor, or any other form of refreshments will not be permitted in the Cemetery.
 - (b) Driving more than 15 miles per hour or driving upon paths or borders is strictly forbidden. Drivers may not turn around or back up in the roadways, except in places provided for such a purpose, and shall obey all directional signs established by the Cemetery Authority. Any driver who drives an automobile or other vehicle, upon a lawn area, across drainage gutters or on any area within the Cemetery other than the roadways, shall be liable for any damage which may result from. Roadways and such parking areas as may be provided by the Cemetery roadways and such parking areas as may be provided by the Cemetery Authority or management, from time to time, shall only be used for visitation while conducting business, or attending funerals, and by any other persons authorized by the Cemetery Authority, and not as a public parking area. Such parking areas are reserved for automobiles and other vehicles involved or participating in a funeral and shall not be utilized by any other persons within the Cemetery when such parking areas are being so used. All "No parking- Funeral" signs must be strictly obeyed.
 - (c) Soliciting work in the Cemetery by gardeners, monument firms, outside contractors, salesmen of any kind, or any other persons is prohibited. The Cemetery Authority may remove and destroy any advertising without notice and without liability.
 - (d) All work and other activity must cease a funeral service in the immediate vicinity of any lot when such services are being held.
 - (e) Visitors may not throw or scatter papers or other material in the Cemetery. Receptacles for waste material will be placed and maintained by the Cemetery Authority at convenient places selected by it throughout the Cemetery. No one shall

move, destroy, or damage such receptacles, and the disposition of rubbish within the Cemetery shall be solely using such receptacles.

- (f) Children under the age of ten (10) years must be accompanied by an adult in the Cemetery.
 - (g) No bicycles or motorcycles shall be admitted into or operated within the Cemetery, except such as may be in actual attendance at a funeral or on a legitimate visitation or business mission.
 - (h) No person shall enter or leave the cemetery, except by use of the private entrances furnished for the use of the public.
 - (i) Any unauthorized person who is found within the Cemetery after visiting hours will be considered a trespasser, since it will be the policy of the Cemetery authority, in effort to prevent pilferage, theft, vandalism, and the possible desecration of a lot or memorial, to keep the Cemetery closed at a reasonable time every twenty-four hours, such closing time to be conspicuously posted within the Cemetery.
 - (j) No person will be permitted to use profane, obscene, or boisterous language, or in any other way disturb the quiet and good order of the Cemetery.
 - (k) Only persons authorized by the Cemetery Authority, including a military guard of honor, will be permitted to bring into or carry firearms within the Cemetery. Moreover, a military guard will not be admitted into the Cemetery, unless it is under the direction and control of a military officer.
 - (l) Buses or vehicles of cumbersome description and unauthorized tours will not be allowed to enter the cemetery except by special permission of an Officer of the Cemetery Authority.
5. All persons within the Cemetery shall use only the avenues, roads, walks, and paths and shall have the right of access over the paths and walks in the area in which the lot they are visiting is located, and the Cemetery Authority shall not be liable for any injuries sustained by any persons violating this rule.
6. The Cemetery Authority reserves the right to correct any and all errors that may occur in or in connection with the operation of the Cemetery, including, without limitation, those involving, or in connection with, the making of an interment, disinterment, or removal, or in the description, transfer, granting the right of use or conveyance of a right of interment, and, in this connection, the Cemetery Authority shall have the right to substitute, grant the right of use, or convey, in order to correct any such errors, other interment rights, approximately equal in value and location as far as feasible, as selected by it, or, in its sole discretion, the correction of an error may be accomplished by the refunding of the amount of money paid on account of the acquisition or use of a right of interment. In the event an error shall involve an interment, the Cemetery Authority shall have the right to remove and transfer the remains that are involved.
7. All charges of the Cemetery Authority must be prepaid. No interment or disinterment will be permitted, and no memorial or embellishment placed upon any lot, grave, crypt, or niche against which there is any charge of the Cemetery authority due and unpaid.
8. Violators of the Rules and Regulations of the Cemetery Authority, or trespassers on the Cemetery grounds may be ejected from there and prosecuted and held liable under the law for any damage done by them. Anyone who persistently violates said Rule and Regulations may be permanently excluded from the Cemetery.

IV. RIGHTS OF LOT OWNERS

1. Rights of Interment

A right of interment is an easement right to interment in a specific location. All rights of interment in the Cemetery are conveyed and shall be held subject to:

- (a) all applicable laws and governmental regulations.
- (b) all By-Laws Rules and Regulations adopted by the Cemetery Authority

2. Record Owner

The individual(s) named in the Certificate of Ownership issues and of record will be presumed to be the owner(s) of the Right of Interment unless the Cemetery receives written notice to the contrary. Where a Right of Interment is owned by several persons, the Cemetery Authority shall not be obligated to recognize a transfer of any such Right of Interment without the written concurrence of all Owners thereof.

3. Form of Ownership

A Certificate of Ownership may, at the option of the Cemetery Authority, be issued to an individual, to husband and wife as tenants by the entirety, and to several individuals as tenants in common or as joint tenants.

4. Restrictions on Transfer

Upon the receipt of written instructions or a certified copy of a will containing specific devices from the deceased owner of a record of a lot, the Cemetery Authority shall restrict interments to the persons designated in the authorization or devise.

5. Absence of Designation

If an owner of the record dies without providing a written declaration or a specific device by will, any unused interment descends to the holders of vested rights of interment.

6. Vested Interment Rights

A vested right of interment is one in which the individual holding it has a superior right to its use which is not defeasible by anyone other than the owner (either by written declaration lodged with the Cemetery Authority or by the specific device in his will) or someone else who has a similar vested right. The spouse, children, and parents of the certificate owner of record of more than one interment right have vested rights. The spouse of an owner has a vested right of interment in the space even if he or she became the spouse after the rights were acquired. No transfer or other action of the owner without the written consent of all persons having vested rights of interment shall divest such persons of their vested rights of interment. A vested right of interment may be released by waiver, terminated upon the interment elsewhere of the remains of the person in whom vested, or in the case of a spouse by divorce, unless it is otherwise specifically provided in the divorce decree. No vested right of interment gives the right to be interred where any deceased person having prior vested right of interment has been interred, nor does it give the right to have the remains of more than one deceased person interred in a single interment space in violation of these rules and regulations.

7. Court Order May Be Required

In the event all of the holders of vested interments do not consent to the use or other disposition of unused rights if interment, then no such use or other disposition shall be made by the Cemetery Authority without an order of a Court of competent jurisdiction, and the holders of such vested interment rights shall indemnify the Cemetery Management and their employees and agents of and from all liability, cost, and expense that the Cemetery Authority or Management might incur in connection with obtaining such a court order, including reasonable attorney's fees and other legal costs.

8. Joint Tenants

Upon the death of a joint tenant, the title to any lot held in joint tenancy immediately vests in the survivors, subject to the vested rights of interment of the remains of the deceased joint tenant.

9. Multiple Owners

When there are multiple owners of rights of interment, they may designate one or more persons to represent their interests by filing written notice with the Cemetery Authority. In the absence of such designation or a written notice objection at the time of interment, the Cemetery Authority may permit an interment upon the request or direction of any co-owner without liability.

10. Affidavit Required

The Cemetery Authority is authorized to permit the use of an unused interment right by a person entitled to its use if it receives an affidavit by a person having knowledge of the facts set forth:

- (1) the fact of the death of the owner and the name of the person or persons entitled to the use of the right of interment: or
- (2) the fact of the death of one joint tenant, proof of the identity of the surviving joint tenants or their successors in interest, names in the certificate of tenants or their successors in interest, names in the certificate of ownership, and the written directions of the surviving joint tenants or their successors in interest.

11. Restrictions on Assignments

No transfer or assignment of any right of interment, or interest therein shall be valid until accepted in writing by the Cemetery Authority and recorded in the books of the Cemetery Authority. The Cemetery Authority may also refuse to consent to a transfer or to an assignment if there is indebtedness due to the Cemetery Authority from the record owner(s).

12. Transfer Charges

The Cemetery Authority will not charge for all transfers of ownership of lots. However, no transfer of ownership shall be complete or effective until the proper paperwork has been approved by the Cemetery Authority or its authorized representative.

V. INTERMENTS

1. No interment shall take place without authorization, order, or permit signed by the person or persons authorized by law and/or by the lot owner or owners. The same shall designate the location of the lot to be used and shall be filed in the office of the Cemetery Authority. The Cemetery Authority shall be entitled to rely on the accuracy of the information set forth in such permit and shall not be liable for any error therein contained, or as to the identity of the person whose remains are to be interred.

2. Orders for interment may, at the option of the Cemetery Authority, be received by telephone, but if so, such orders must be confirmed in writing **forty-eight (48) hours** prior to the time of actual interment. The Cemetery Authority shall not be responsible for any error that may be made in the telephoned interment order.

3. Orders for interment form must be received prior to 10:00 A.M. two (2) days prior to the day the interment is to be made, and the following information furnished:

- (a) Name and age of the deceased;
- (b) Date of birth and Date of death of the deceased;
- (c) Block, Lot, and Space number;
- (d) Name of the owner of the interment space;
- (e) Name and contact information of a Funeral Home arranging interment;
- (f) The exact size of the burial container (traditional burial or cremation);
- (g) Date of interment and time of arrival at Cemetery;
- (h) Name, address, and contact information of next of kin.

4. All funerals upon reaching the Cemetery shall be under the supervision of the Funeral Home. The Cemetery Authority shall have the right to refuse to proceed with the interment unless the funeral is accompanied by a duly licensed funeral director.

5. The Cemetery Authority shall not be liable for any delay in interment where its Rules and Regulations have not been complied with, or where unforeseen underground obstructions may be encountered, or where protest has been made, or circumstances beyond the Cemetery's control.

VI. CARE

1. A careful record will be made and preserved by the Cemetery Authority for the purpose of showing the name of each Lot Owner and the amount that has been paid to the account under the Cemetery Authority.

2. The Cemetery Authority will use every reasonable precaution to protect the lots and memorials within the Cemetery against loss or damage; but the Cemetery Authority assumes no responsibility, direct or indirect, for the loss or damage that might result from causes beyond its reasonable control, including, without limitation, such loss or damage as may be caused by the elements, decay, common enemy,

thieves, vandals, strikers, rioters, revolutionaries, malicious, mischief makers, explosions, unavoidable accidents, invasion, insurrection, or by any persons acting under an order of any military or civil authority. Under no circumstances shall the Cemetery Authority ever be held liable or responsible beyond the cost of repairing actual damage to a lot or memorial.

VII. MAINTENANCE, CONSTRUCTION, REPAIRS, AND IMPROVEMENTS

1. All labor and equipment for the construction of foundations, walks, and curbs, shall be performed solely by employees of the Cemetery Authority or its designated agents, at the City's expense. No such work shall be undertaken (except such work as may be required of the Cemetery Authority under its obligation to furnish care.) All grading, landscape work, and improvements of any kind and care of all interment spaces and memorials shall be done, and all trees, shrubs, and herbs of any kind shall be planted, trimmed, cut, or removed, solely by the Cemetery Authority, its employees, or persons otherwise - authority by it.
2. The Cemetery Authority or Management, or their agents, servants, employees, or licensees, shall direct and supervise all improvements that are made within the Cemetery, including planting, sodding, surveying, and the erection of improvements.
3. In the event trees or shrubs situated on any grave shall by reason of their roots, branches, or otherwise, become detrimental to adjacent graves or paths, or become unsightly or inconvenient and hazardous to visitors or employees of the Cemetery Authority, the Cemetery Authority shall, upon notice: as hereinafter provided, have the right to enter upon said grave or lot and to remove, repair or otherwise remedy the condition and if caused by the Lot owners or their families, at their expense.
4. No person, other than the duly authorized employees of the Cemetery Authority, shall pluck, mutilate, or destroy any tree, shrub, plant, or flower, whether wild or cultivated, in any part of the Cemetery.
5. The Cemetery Authority in no event assumes any liability to anyone by reason of its granting approval to any outside contractor to perform work at the Cemetery. If in the opinion of the Cemetery authority, any work or material furnished shall be improper, it may reject the same; and if the work has already been done or the said material has been delivered on the lot, the Cemetery Authority may enter thereon and remove the same therefrom or; if in its opinion the same may be put in proper order, the Cemetery Authority may at its discretion put the same in proper order at the expense of the lot. The Cemetery Authority may fix and collect from an outside contractor a reasonable charge for the use of the Cemetery roads and facilities.
6. Where in making improvements some degree of obstruction to roads, avenues, and paths becomes necessary, prior approval by the Cemetery Authority must be obtained, and the same must be as slight as possible. No unnecessary delay will be permitted after work has commenced.
7. Where heavy material is to be moved, planks must be laid on the paths or grass affected to protect them from damage.
8. No setting of markers will be permitted during inclement weather, the same to be determined at the sole and absolute discretion of the Cemetery management or his assistant or designee.

9. For the purpose of performing work on any lot or other part of the Cemetery, including the making of interments, disinterment, excavations for any other purpose, or for repairs or improvements, the Cemetery Authority reserves the right temporarily to enter upon and use adjoining areas, including lots or graves, to receive such machinery and materials as may be necessary to perform all the work in connection therewith and shall restore such area as quickly as possible.

10. In order to assure free access to plots:

(a) No entrance sills or enclosures of any kind, including, without limitation, hedges, shrubs, posts, bars, chains, and rails shall be permitted on private lots.

(b) The entrance to every lot must always remain unobstructed.

(c) If, in order to open a grave or take an interment or disinterment, the Cemetery Authority at any time deems it necessary to remove existing hedges, shrubs, posts, bars, corner markers, entrance sills, enclosures or parts of enclosures, it may remove and dispose of the same without any liability and without responsibility for the replacement or cost of replacement thereof.

11. The Cemetery Authority reserves the right to change the boundaries or grading of the Cemetery, including the right to modify, relocate, regrade, or eliminate roads, drives, and/or walks. It also reserves easements and rights of way under, through, and over the Cemetery and any and every part thereof for the purpose of laying, maintaining, and operating or altering or changing pipelines, conduits, gutters, and/or drains for sprinkling systems, drainage, electric or communication lines, or for any other purpose. The Cemetery Authority reserves for the benefit of those lawfully entitled thereto, a perpetual right of ingress and egress over any and all lots in the Cemetery for the purpose of passage and repassage to and from other parts of the Cemetery.

VIII. DISINTERMENTS, TRANSFERS, AND REMOVALS OF REMAINS

1. No disinterment, transfer, or removal of remains will be permitted without the consent of the Cemetery Authority and the written consent of the owner of the lot and all the persons whose consent may be necessary or advisable under the laws of the State of Florida, including all persons having vested interment rights. The Cemetery Authority may, in its sole and absolute discretion, require that in addition to such consents, an order of the Court also be obtained.

2. All charges, including unpaid arrears pertaining to the lot, if any, shall be payable in advance before disinterment is permitted. The Cemetery Authority assumes no liability for any damage to any coffin, casket, burial case, urn, or any other burial container, that might result from or in connection with the making of a disinterment, removal, or transfer.

3. The date of disinterment, transfer, or removal shall be set solely by the Cemetery Authority.

4. Prior to any reinterment of any remains previously interred, whether, in the Cemetery or elsewhere, the Cemetery Authority reserves the right to inspect the casket and remains and to take whatever action it deems necessary to make the casket or remains acceptable for reinterment in the same manner and condition as when originally interred.

IX. MEMORIALS

1. The Cemetery Authority always reserves the right to prescribe the kind, design, size, symbolism, craftsmanship, quality, and material of all memorial inscriptions or markers placed in the Cemetery. All memorials are subject to approval by the Cemetery Authority.
2. The completed work is subject to the approval of the Cemetery Authority and if unsatisfactory, it may be removed by the Cemetery Management.
3. The name or inscription of each memorial must correspond with the name and record in the office of the Cemetery, and no change shall be made thereon except upon request of the proper parties and by the permission of the Cemetery Authority.
4. All memorials shall be placed and installed by outside contractors.
5. The Cemetery Authority reserves and shall have the right to correct any error that may be made by its employees or persons.
6. While the Cemetery Authority will exercise all possible care to protect raised lettering, carving, or ornaments from any damage or injury thereto.
7. Lots must be paid for in full before memorials are installed.
8. All foundations for memorial work will be installed by outside contractors to specifications determined by the Cemetery Authority or Management.
9. Should any memorial become unsightly, dilapidated, or a menace to visitors, the Cemetery Authority shall have the right to correct the condition at the owner (s) expense.
10. The marking of each grave shall be made only with bronze memorials placed flush with the lawn. All memorials shall be equal to the quality and sizes herein specified.
11. The memorials for each grave, except as hereinafter provided, are restricted and limited to flat bronze tables set level with the turf and of such dimensions, materials, design, finish, and construction as designated by the Cemetery Authority. To preserve uniform beauty all bronze memorials must meet the following specifications:
 - (a) East casting shall be true, free from all weakening defects of any character, and free from minor defects and imperfections which would be visible from a distance of 3 feet. All exposed surfaces must be smooth; no sand-like roughness or beveled edges in either polished or full finish will be permitted.
 - (b). All letters, numbers, ornamentation, and insignia must be hand chased, finely buffed, and highlighted. Backgrounds shall be of sculptured texture. Backgrounds shall be finished in medium-dark statuary bronze color, secured by chemical means through the formation of cuprous oxide and cupric oxide on the background surface. No sulfide finishes or painted pigmented lacquer finishes will be permitted.
 - (c) Each memorial shall be cast with integral bosses on the back in locations specified by the Cemetery Authority. The bosses shall be drilled and tapped to receive 3/8" diameter anchor lugs

of brass or bronze from 4" to 6"-inch length, these anchor lugs are to be supplied to the Cemetery with the memorial.

(d) Each individual marker shall be twenty-four (24) inches in length; not less than 3/16 of an inch in thickness at any one point.

(e) All owners, or anyone duly authorized to act for, or on behalf of an owner of sepulcher rights, before ordering any memorial should secure from the Cemetery Authority or management written approval of design, size, and lettering style.

(f) All memorials must be inspected by the Cemetery Authority or Management before acceptance for installation and the Cemetery Authority reserves the right to reject any which do not comply with these requirements.

(g) The alloy of the bronze shall consist of:

- Not Less Than 87% Copper
- Not Less Than 2 1/2% Lead
- Not Less Than 5% Tin
- Not Less Than 5% Zinc

All other elements in total do not exceed 1 %.

(h) No sulfide, golden antimony, liner of sulfide, or painted or pigmented lacquer finishes shall be used in the production of any memorial.

12. To preserve uniform beauty, strength, and durability, the Cemetery Authority will permit only standard sizes and minimum weights of bronze memorials as follows:

Square End Bronze Sizes	Minimum Weight (Vase Not Included)
24 X 12"	20 lbs.
24 X 13"	21 lbs.
24 X 14"	22 lbs.
24 X 16"	25 lbs.
38 X 12"	38 lbs.
38 X 13"	40 lbs.
44 X 13"	50 lbs.
44 X 14"	52 lbs.
56 X 16"	80 lbs.

13. If memorials are placed on-granite bases, the exposed surface of the granite must be polished and true, and no part of the memorial shall be above level.

14. If memorials are placed on granite bases, the exposed surface of the granite must be polished and true, and no part of the memorial shall be more than 1 ¼" above the granite surface. The same shall be true if placed on cement- the cement border must be well-trowelled and have a round edge. In all

instances, there must be a minimum of two and not more than three inches exposed around the memorial.

15. All markers shall be vase markers with the bronze vase an integral part of the marker. When not in use, the vase must be inverted into a container that is fastened to the bottom side of the memorial and must be so assembled and machined so that the vase is securely fastened and cannot tip over when in an upright position. All vases must be cast bronze or equivalent and must not extend over 12 inches above the memorial.

16. Special consideration shall be given to memorials for infants.

17. All memorials shall be set on uniform lines as prescribed by the Cemetery Authority to conform to the general plan of the Cemetery.

18. The Cemetery reserves the exclusive right to do all grading, landscaping, walks, and curbs, and to plant all trees and plants of any kind.

19. All markers or memorials shall be installed by outside contractors on foundations built by the contractor at the cost of the Owner. The Cemetery Authority or Management shall not be liable for any defective materials or defective workmanship beyond replacement or repair of such defective materials as have been furnished by the Cemetery Authority. All foundations shall be of the size material specified by the Cemetery Authority.

20. Should any memorial become unsightly, dilapidated, or a menace to visitors, or not be in compliance with these rules and regulations, the Cemetery Authority shall have the right either to correct the condition or to remove the same at the expense of the lot owner (s).

21. No memorial, tree, plant, object, or embellishment shall be altered or removed from a lot, grave, or crypt except by the Cemetery Authority.

22. The Cemetery Authority and Management shall not be liable for damage to or destruction of any marker on any lot from causes beyond their reasonable control, including but not limited to the elements, severe weather, the common enemy, thieves, vandals, strikes, lockouts, malicious mischief, explosions, war, riots, or by orders of any military or civil authority. In the event of any such damage or destruction, the Cemetery Authority may at any time, thereafter, give a ten (10) day written notice of the necessity for replacements, repair, resetting, or reconstruction thereof to the owner of the lot as shown upon its records by depositing the same in the United States mail addressed to such owner at his address appearing on its books. In the event such owner fails to replace, repair, reset or reconstruct the same within the period specified in said notice, the Cemetery Authority may at its discretion enter the said lot, cause the same to be repaired, reset, or reconstructed, and charge the expense thereof against such owner, but nothing herein contained shall obligate the Cemetery Authority to render any such service.

X. VAULTS

1. The Cemetery Authority always reserves the right to prescribe the kind, design, size, construction, quality, and material of all vaults placed in the Cemetery. All vaults are subject to approval by the

Cemetery Authority. Since the Cemetery Authority uses certain heavy equipment and machinery to maintain the cemetery grounds, the structural requirements of all vaults shall meet the following minimum requirements to preserve and protect the beauty and level integrity of the cemetery grounds.

- (a) Only concrete and fiberglass vaults are permitted.
- (b) All concrete vaults must be steel reinforced and have a minimum weight of 1600 lbs; excluding cremation and baby vaults.
- (c) All fiberglass vaults must be steel reinforced and capable of withstanding more than 3000 lbs. per square foot of concentrated weight.

XI. Funerals

1. Funerals and flower delivery vehicles, upon entering the Cemetery, shall be subject to the direction and control of the funeral director.
2. At least forty-eight (48) hours advance notice shall be given of the time of a funeral. Exceptions to this rule will be recognized only when approved, in writing, by the Cemetery Authority or Management.
3. At least forty-eight (48) hours before a funeral, the location of the interment(s) to be made shall be designated, in writing, by the Lot Owner (s), or its duly authorized representative, or his widow, or by an heir or the legal representative of his estate. Should no such designation be timely made, the Cemetery authority reserves the right to make the interment in a comparable alternative location. The Cemetery Authority will not be responsible for errors, mistakes, or delays in following such instructions as may be furnished to it provided it acts in good faith.

XII. POLICY CONCERNING FLOWERS, PLANTS, AND SHRUBS

1. The Cemetery authority recognizes that the living flowers that will be brought into the Cemetery from time to time will unquestionably add immeasurably to its exquisite beauty. Nevertheless, the Cemetery Authority recognizes that such living flowers eventually wither and die. It is the Cemetery Authority's policy to encourage the custom of placing fresh-cut flowers in authorized vases, but it reserves the right to have its employees remove and discard such flowers when they wither and die.
2. No funeral flower stands shall be permitted except at the time of a funeral service, and then only in connection with said service. Stands or other holders containing flowers or other decorations in connection with a funeral service or burial will be removed by the Cemetery Authority or Management as soon as their contents fade, wither, or freeze.
3. The Cemetery Authority assumes no responsibility for watering or for furnishing any other care to plants or flowers brought into the Cemetery.

XIII. CREMATION

1. All cremains must be placed in an urn or other approved container prior to interment in a niche or a crypt. A cardboard or plastic receptacle is not an approved receptacle for cremains. Ground interment must be made in a standard vault used for those purposes.

XV. REPEAL, AMENDMENT, MODIFICATION, ADDITION, OR OTHER CHANGE IN THESE RULES AND REGULATIONS

1. The Cemetery Authority may, and it hereby and herein expressly reserves the right, at any time and from time to time, with or without notice to Lot Owners, to repeal, amend, modify, add to, or change, any of the above and foregoing rules and regulations, in whole or in part, upon the written authorization of the City Commission and City Manager; and upon doing so, such new Rules and Regulations, or amendment or modification or addition or other changes shall be fully binding on a uniform basis upon all Lot Owners.