

CEMETERY RULES AND REGULATIONS

ADOPTED April 3rd, 2017

For the mutual protection of lot owners and the cemetery as a whole, the following rules and regulations have been adopted by the Eufaula City Council as the rules and regulations of the municipally owned cemetery and all lot owners and visitors within the cemetery and all lots sold, shall be subject to said rules and regulations. And subject further, to such other rules and regulations, amendments or alterations as shall be adopted by the Eufaula City Council from time to time and the reference to these rules and regulations in the deed or certificate of ownership to a lot shall have the same force and effect as if set forth therein.

Section 1. Definitions:

1. **Cemetery-** the term cemetery is hereby defined to include a burial park for earth internments, a community mausoleum for vault or crypt internments, a crematory or crematorium and columbarium for incendiary internments, or a combination of one or more thereof.

2. **Plot-** The term plot shall apply to a space of sufficient size to accommodate one casket interred adult; or three crematory internments placed in corresponding areas. One urn may be placed over a previously interred casket. Plot size is approximately three foot by ten foot.

3. **Lot-** The term lot shall apply to the numbered divisions as shown on record plat.

4. **Internment-** The term Internment shall mean the permanent disposition of the remains of a deceased person by cremation and inurnment, entombment, or burial.

5. **Memorial-** The term memorial shall include a monument, marker, tablet, headstone, private mausoleum or tomb for family or individual use, tombstone, coping, urn crypt and niche place.

6. **Monument-** The term monument shall include a tombstone or memorial of granite or marble which shall extend above the surface of the ground.

7. **Marker-** The term marker means a memorial that is flush with the ground.

8. **Lot Marker-** The term lot marker refers to marble or granite post to mark corners of the lot. Markers may also be metal marker pins with lot number stamped on them.

(D) Making a complete or partial reverse turn of any motor vehicle on any road that said vehicle trespasses upon a grave or memorial within the cemetery.

6. The throwing of rubbish or trash on the drives and paths, or any part of the grounds, or within buildings is prohibited.

7. No sledding, hunting or trapping on or within cemetery grounds.

8. Pets must be on leash within cemetery.

9. No loitering or parking for extended periods allowed.

10. No discharging of firearms or explosives in cemetery, an exception may be made for military services.

11. No selling of any commodity.

12. The gathering of flowers, either wild or cultivated, breaking of trees, shrubbery or plants, the marring or defacing of the grounds, buildings, markers, memorials, or architectural features, or other objects of the cemetery is prohibited.

13. The use of signs, notices, or advertisements is prohibited.

14. The placement of wooden, concrete, or cast iron benches or chairs, or any wooden or wire trellis, or fencing around graves unless placed by the cemetery is prohibited. Sheppard hooks and/or hanging plant hooks which are not a part of the monument and extend vertical/perpendicular to the monument are prohibited.

15. The placing of shells, boxes, toys, metal designs, ornaments, chairs, benches, settees, vases, picture frames and similar articles, upon plots will not be permitted and if so placed the city reserves the right to remove them. Except Memorial and Veterans Day when such decorations will be allowed, however they must be removed within 14 days after said Holiday. In addition, on Christmas when blankets and decorations will be allowed and must be removed by February 1st. All other exceptions must be cleared through cemetery sextant or the City of Eufaula.

16. It is the duty of the City to see the Rules and Regulations are complied with and it is its duty to see that order is maintained and to protect and promote the best interest of the cemetery. To that end, the City of Eufaula is authorized to make temporary additional rules that may be needed, from time to time, to meet emergencies, which are not covered by these Rules and Regulations.

17. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The City therefore, reserves the right to make exceptions,

Section 4. Correction of Errors:

The City reserves, and shall have, the right to correct any errors that may be made by it either in making internments, disinterment or removals, or in the description, transfer or conveyance and substituting any conveying in lieu thereof other internment property of equal value and similar location as far as possible or as may be selected by the City or, in the sole discretion of the city, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the internment of any remains of any person in such property, the City reserves, and shall have the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

Section 5. Descent of Title

The laws of the State of Oklahoma govern the descent of title to cemetery lots as well as other matters pertaining to assignments, conveyances, devises, trust deeds, and inalienability. The city will gladly assist any lot owner who desires the information or advice on questions pertaining to his/her lot(s).

Section 6. Internments:

1. The cemetery will open for internments from 8:00 A.M. to 5:00 P.M. with the exception of Saturday, Sunday, and all legal holidays. If the internment must be made on Saturday or all legal holidays; an additional fee will be added to the regular charge. This extra fee will be set from time to time by the City Council.

2. All Funerals on entering the Cemetery shall be under the charge of the City of Eufaula.

3. No internment of two or more bodies shall be made in one grave except in the case of mother and child or two infants in one casket, or in instance of cremains where three separate cremation urns may be buried in one lot, or one cremation urn may be buried over a previous casket interred gave.

4. When an internment is to be made in a lot, the location of such internment shall be designated by the lot owner. Should the lot owner fail or neglect to make such designation, the City reserves the right to make the internment in a location designated by the City.

5. The cemetery sextant and the employees of the City are the only persons who will be permitted to open graves with the following exceptions:

(A) When the cemetery is directed to make a disinterment by the order of a court competent jurisdiction and a certified copy of such order has been filed with the City.

4. If a grave marker contains ashes it must be sealed within marker and inaccessible.

5. Urn container or biodegradable urn must be placed at a depth in which at least eighteen to twenty-four inches of dirt rests upon the top.

6. Only three urns may be buried in an unused five foot by ten-foot grave.

7. First urn will be placed to the West, twenty-four inches from headstone. Second urn will be placed forty-four inches from the headstone. Third urn will be placed sixty-six inches from the headstone. This allows for proper spacing between the three urns.

8. Only one urn may be buried over a previous casket interred grave and must be placed in correspondence with where first urn will be placed.

9. Area must be marked by cemetery sextant or employee of the City, before any digging is to be done.

Section 8. Plants and Shrubs:

1. The City will undertake to maintain, as it may be practicable, the planting of trees and shrubs, to preserve and maintain landscape features, but does not undertake to maintain individual plantings or urns of plants.

2. There shall be no individual beds of shrubbery or flowers allowed on the grounds except by special permission by the City. A scaled sketch of the proposed planting, indicating the position and names of the plants and shrubs suggested, should accompany applications for the same.

3. The City 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 sexton, they become unsightly, dangerous, detrimental, or diseased, or when they do not conform to the standard maintained as heretofore set forth in the Rules and Regulations.

4. The City shall not be liable for floral pieces, baskets, or frames in which, or to which, such floral pieces are attached beyond the acceptance of such floral pieces for cemetery services held in the cemetery.

5. The City shall not be responsible for frozen plants or herbage of any kind or for the plantings damaged by the elements, thieves, or by other losses beyond its control.

6. The City reserves the right to prevent the removal of any flowers, floral designs, trees, shrubbery, plants, or herbage of any kind unless the sextant gives consent.