

Cemetery Policies

Section 1 - General Rules and Regulations

- a. Picking, mutilating or disturbing flowers, trees, shrubs or anything of a memorial nature is prohibited.
- b. The City shall not be responsible for the theft or damage of anything placed on cemetery lots or graves.
- c. The City shall assume NO responsibility for damages in the case of any marker, memorial, urn, shrub or planting being damaged in any way, during the regular course of maintenance, vandalism or subsequent burials.
- d. Veterans' and other service flags are allowed only during the Memorial Day period and only for fourteen (14) days (seven days before and seven days after Memorial Day). All special inscription markers and/or flag holders will be installed flush or will be removed. No other flags will be permitted.
- e. All artificial flowers must be in a container resting on the foundation.
- f. No boxes, shells, toys, glassware, sprinkling cans, receptacles or similar articles will be permitted on any grave or lot.
- g. No roping, curbing, fencing, hedging, borders or enclosures of any kind are allowed on any lot. No edging, brick walks, aluminum stripping, marble chips, cinders, tile, terracotta, sand, cement, gravel, wood or wood chips, etc., are allowed on any lot. The cemetery management reserves the right to remove any of the above if so erected or installed.
- h. No smoking is allowed anywhere on the cemetery grounds.
- i. No dogs are allowed in the cemetery at any time.

Section 2 - Purchasing of Burial Sites and Transfers

Persons desiring to purchase burial sites may contact the Cemetery Office so that an appointment may be made to select the site with the aid of cemetery personnel. Prospective owners are urged to purchase burial spaces before the immediate need exists, when clear unhurried judgment will ensure a good choice. If possible, avoid the necessity of choosing burial spaces in the wintertime when the ground is covered with snow.

- a. Every burial space is sold subject to the rules and regulations now in force or that may be hereinafter adopted and deemed necessary by the Fort Morgan City Council.

b. Burial Space (Grave Space)

(1) A *Full Sized Burial Space* measures five feet by ten feet.

(2) A *Cremation Burial Space* measures twenty-four inches by twenty-four inches.

(3) A *Baby Burial Space* measures two and one half feet by five feet. Baby burials are reserved for babies twelve (12) months or younger.

(4) No teenager or adult cremations are allowed in designated baby sections. Toddler/infant cremations will be left to the discretion of the Cemetery Superintendent.

c. No transfer, assignment or conveyance of any property right or interest in the City Cemetery shall be valid without the consent, in writing, of the City. An affidavit signed by participating parties shall accompany requests for transfer of ownership, assignment or conveyance of property deviating from the original certificate of purchase. The City shall not consent to transfer of any property right or interest in the City cemetery, in which there is any indebtedness due to the City. The City will be paid twenty-five dollars (\$25.00) per space to reissue deeds due to owner selling the lot or for the replacement for a lost certificate.

d. If lots and grave fees are not paid in full no head stone can be installed.

e. The City of Fort Morgan shall accept reimbursement for a final resting place, including opening and closing services, for the final disposition of any deceased public assistance or medical assistance recipient pursuant to C.R.S. § 26-2-129. Current fees for the final resting place shall be determined and the reimbursement received shall be applied as partial or full payment of the amount due. A Certificate of Purchase shall be issued to Morgan County as the county department providing the reimbursement. If the reimbursement received does not fully pay the amount due, the balance due shall be noted on the Certificate of Purchase. Such amounts due shall be for recording purposes only and shall not be recorded as accounts receivable by the City. The City may seek contributions from "non-responsible person", C.R.S. § 26-2-129(2)(h), only to the extent that moneys are available from such parties.

If requested, a grave space will be designated (if available) by the Cemetery Superintendent who shall be solely responsible for selecting the location of the grave. No monument or marker of any kind shall be placed on any such grave until the City has received payment in full for the cemetery lot, including any opening and closing services provided. The amount owed to the City will be based on the prices charged at the time of the burial. In the event full payment is thereafter received by the City for the lot and the expenses of opening and closing, the City Clerk shall request that the Board of County Commissioners assign the Certificate of Purchase to the party or parties who have tendered such payment.

Section 3 - Interment and Disinterment

The City shall not assume any responsibility for errors in opening graves when orders are received by phone. Orders (lot and burial number) by funeral directors for the opening of a grave will be construed as orders from the lot owner.

- a. A copy of the burial permit shall be required for all burials including remains. (Section 8-3, *Fort Morgan City Code* 1994)).
- b. Cemetery personnel shall remove funeral designs and floral pieces as soon as they become unsightly, and assumes no responsibility for their return.
- c. Newborn babies and cremations (up to 8) may be buried on a family member's lot with the approval of next of kin. Burial rights and grave fee will be added for each additional burial.
- d. Preparation and digging of full burials and cremation burials are to only be done by Cemetery or City of Fort Morgan Personnel.
- e. All disinterments require both a notarized affidavit stating the next-of-kin relationship and a notarized letter releasing the City from any obligation of the condition of the casket or vault.
- f. No person shall take up or remove a dead body or fetus for its original interment, not take up or remove such body or fetus from one grave or vault to another, without first obtaining proper authorization from the State Registrar of Vital Statistics, C.R.S. § 25-2-111(6), and without first obtaining a permit from the Health Commissioner of the City of Fort Morgan to do so. (Section 8-4, *Fort Morgan Municipal Code* (1994)).
- g. In all cases in which proper authorization has been obtained from the State Registrar of Vital Statistics and a permit has been obtained from the Health Commissioner for such interment, the same shall be performed in accordance with the rules, regulations and precautions of the Colorado Department of Public Health and Environment. (Section 8-5, *Fort Morgan Municipal Code* (1994)).
- h. The Cemetery Superintendent shall correct any error made by any employee in the interment, disinterment or removal of a body. The Cemetery shall not be responsible for errors made because of erroneous or incomplete information having been provided.

Section 4 - Planting and Flowers

- a. Planting of any kind is not allowed around flush markers, nor is the turf to be disturbed in any way. If planting does occur, cemetery personnel will remove such plants without notification.
- b. Planting of live flowers are permitted up to 12" around the monument in Riverside Cemetery only.
- c. Plantings may not encroach on adjacent plots owned by others or interfere with cemetery maintenance.
- d. Plantings with thorns are not permitted.
- e. The maintenance of the planted area is the responsibility of the plot owners. If the flowerbed or plantings become unsightly, or interfere with cemetery maintenance, it is the policy of the cemetery to mow, cut or remove said flowers or plantings.
- f. Cut flowers are permitted in an approved flower holder during the summer period, and must be removed when they become unsightly.
- g. Containers such as, but not limited to, glass jars, tin cans, buckets, etc., are not acceptable and will be removed by cemetery personnel without notice.
- h. Two hanging plant holders (Shepherd's hook) are permitted per lot, and must not hold more than one hanging plant. The hanging plant holder must be made of metal, iron or steel and be of sufficient size to hold the hanging plant upright. The hanging plant holder must be placed in a manner that does not interfere with cemetery maintenance. Cemetery personnel may move/remove holders that interfere with maintenance, or become damaged or unsightly.

Section 5 - Columbarium Decorations

Funeral designs and floral pieces are allowed at the base of the Columbarium only (none are to be placed on the top of the Columbarium) during the funeral service, Cemetery personnel shall remove such funeral designs and floral pieces as soon as they become unsightly, and assume no responsibility for their return. At no other time shall flowers or plants be placed at the Columbarium.

- a. Absolutely no memorials including, but not limited to, candles, decorative flags, stuffed animals, balloons, vases, etc., are allowed. These will be removed and discarded by cemetery personnel without prior notice.
- b. Only approved niche vases are allowed on niches.
- c. Flowers/décor must not encroach on another family's niche or they will be removed without notice.

Section 6 - Seasonal Decorations

Winter Period – November 1 to March 1

Artificial arrangements, wreaths and statues may be placed during this period. All artificial flowers must be in a container resting on the foundation. These types of decorations remaining after the Annual Spring Cleanup notification date will be removed and disposed of by cemetery personnel.

Section 7 - Shrubbery and Urns

- a. Any urn that has been damaged, not used or becomes unsightly, may be removed by cemetery personnel.
- b. Urns that are retractable or that are part of the monument construction may be used.
- c. Planting of dwarf type bushes is not permitted. Bushes may encroach on adjacent plots owned by others or interfere with the maintenance of the cemetery.
- d. Planting of trees is not permitted without the Superintendent's approval.
- e. The cemetery or a contractor thereof will trim shrubs once a year unless lot owners wish to do so at their own expense. The City will assume NO liability for personal injury or damage.
- f. The cemetery reserves the right to remove shrubbery or plantings that have been planted incorrectly, have overgrown or are unsightly. The City Forester will be called in to determine health of trees and shrubs, when available.
- g. Any lot owner requesting removal of shrubs and/or trees shall contact the Cemetery Superintendent and sign a Request/Release from Liability form before removal by cemetery personnel

Section 8 - Monuments and Markers

- a. All monuments or markers shall be made from durable granite, marble or bronze. Other materials such as flagstone, wood or steel are not permissible.
- b. Monuments over five (5) feet wide and five (5) feet tall are not permitted. The base height added to the height of the monument will be used when determining whether or not the monument meets the height parameter.
- c. For each single lot, a foundation must cover the entire width of the lot (60) inches and 22 inches wide. The foundation must be reinforced with wire mesh and the mesh must extend six inches from each side.

- d. No foundation will be poured wider than twenty-two (22) inches without the Superintendent's approval.
- e. The Cemetery Staff shall determine the location of foundations(s).
- f. The largest foundation for a baby lot is thirty (30) inches by twenty-two (22) inches.
- g. No upright stones will be allowed unless they are in the stone/foundation row.
- h. If monuments are pushed over or damaged by an act of vandalism, the City will not be held responsible. However, the Cemetery personnel will set the monument back on its foundation at no charge to the lot owner.

Section 9 - Memorial Contractors and Firms

All contractors shall abide by the rules contained herein including but not limited to the following:

- a. No passenger operated equipment used to set monuments or foundations are allowed on the turf without permission of the Cemetery personnel. If permitted, proper planking must be in place to protect the turf and all equipment must be immediately removed.
- b. The completed work of memorial contractors is subject to the approval of the Superintendent and, if unsatisfactory, may be removed by the Cemetery personnel with notice to the contractor and site owner.
- c. No monument shall be delivered to the Cemetery until Cemetery personnel have notified the firm which is placing the monument that the foundation is installed. Cemetery personnel will not install upright monuments.
- d. Letter cutters and firms who clean memorials must contact cemetery personnel or the Superintendent before any work in the cemetery begins.
- e. No weekend work or installations are permitted without Cemetery personnel present and/or prior authorization from the Cemetery Superintendent.
- f. Any contractor found to be in violation of policies is subject to suspension of their installation privileges.

The City of Fort Morgan reserves the right to change and/or amend these rules and regulations in part or their entirety at any time.

Certified by: /S/ Nancy J. Lockwood
City Clerk

Original Policy
First Revisions, Sec 2 1/03/06

SECOND REVISION 06/02/20