

LOWER LAKE CEMETERY DISTRICT RULES AND REGULATIONS

A. **DEFINITIONS:** As used in these regulations, the following terms shall have the following meanings:

1. ***BOARD*** shall mean the *Board of Trustees of the Lower Lake Cemetery District*.
2. ***DISTRICT*** shall mean the *Lower Lake Cemetery District*.
3. ***MANAGER*** shall mean the *Manager of the Lower Lake Cemetery District*.
4. **BURIAL RIGHT HOLDERS** shall mean one who has purchased burial rights.

B. **CARE OF GRAVES AND CEMETERY GROUNDS:** The absolute control of Cemetery grounds in every particular is vested in the ***BOARD***; burial right holders and others are entitled only to such privileges within the grounds as are provided by these rules and regulations. Subject to the control of the following shall be the rules regulating the general care of the graves and cemetery grounds.

1. No person shall plant any tree, shrub or flower on the cemetery grounds. Donations for trees or shrubs are acceptable, but trees or shrubs will be selected and planted under the direction of the Manager.
2. Flowers may be placed only in the vases provided in the ground or marker foundations, or if not available, in unbreakable containers placed at the head of the grave. Flowers in such containers shall be removed as they become unsightly. Unauthorized containers, as determined by the Sexton, will be removed and disposed of.
3. No person shall place on any grave, any statues, toys, boxes, globes, shells, cans, jugs, bottles, bric-a-brac of any description or any unauthorized object without prior authorization from the Sexton.
4. No person shall gather flowers or disturb growing plants or trespass on any plot of which he does not hold the Burial Right. All persons other than Burial Right Holders shall confine themselves to the roads, paths, and other public places provided for public use within the cemetery grounds.
5. Except in the excavation for the completion of a burial, no person shall remove any earth or in any way damage the cemetery grounds or leave any grass, earth or rubbish of any kind thereon. Dead flowers and other rubbish must be placed in containers provided for that purpose.
6. If any tree, shrub, plant or vine situated on any plot shall by reason of roots, branches, height, shade, or otherwise become detrimental or unsightly to adjacent plots, paths, streets, of the Cemetery grounds, the Manager or any other person

authorized by the Board, may enter upon such plot and remove or trim such tree, shrub, plant or vine as deemed necessary.

7. No person shall burn any combustible material within the cemetery grounds.
8. The Board reserves the right to make improvements to any grave and/or lot or to any public portion of the Cemetery grounds at any time at the cost of the District.
9. No glass, alcoholic beverages, bottles, or drugs are allowed on cemetery grounds.
10. The District is not responsible for any loss or damage beyond its reasonable control, especially loss or damage caused by the elements, an Act of God, common enemy, thieves or vandals.
11. All rules and regulations are at the discretion of the Sexton, and can be appealed to the Board of Trustees by submitting a written request on the "Appeal Form" to the Sexton or Clerk to the Board, no later than the Thursday prior to the regularly scheduled meeting.

C. **BURIALS:** Burial Right Holders, morticians and other authorized persons shall comply with the following regulations in the use of graves/plots for burial purposes:

1. A combination of five (5) burials may take place in full 5 X 10 graves/plots, (one full burial & four (4) cremations, *in that order*, or five (5) cremations). A combination of six (6) burials may take place in double-depth graves/plots, two (2) full burials and four (4) cremations, *in that order*. Cremation graves/lots are limited to four (4) cremation burials.
2. After all fees have been paid and plots to be used are chosen, a minimum of 24 hours notice must be given for an interment or disinterment. Cemetery personnel will confirm times and dates on a "Purchase Agreement."

A minimum of 24 hours notice must be given for the cancellation of a previously scheduled service. An additional opening and closing fee will be charged the party scheduling a funeral if notification of a cancellation is not received by the District Office 24 hours prior to scheduled time of service.

Individuals who have previously made and paid for arrangements on a "Purchase Agreement" have thirty (30) days to complete the transaction or any new rates set by the Board of Trustees will go into effect.

3. No casket shall be opened before, during or following a service without the direct permission of the deceased's family, and then only under the direct supervision of the funeral director in charge.

4. A *Permit for Disposition of Human Remains* (Burial Permit), must, in all cases, accompany the body to the Cemetery. A FAX copy of the permit shall be accepted, with the original received within five (5) working days.

5. A minimum container of cloth covered wood casket with handles is required for all interments except cremated remains.

6. All full-body burials are required to have a receptacle to meet the following specifications:

Standard vaults of concrete must be used for all infant & adult burials.

- a. All products accepting a casketed body and interred at the Lower Lake Cemetery District shall be constructed of concrete with steel reinforcement.**
- b. All concrete products will meet the National Concrete Burial Vault Association criteria with compressive strength to meet or to exceed 5,000 p.s.i. Manager has discretion to match concrete products used prior to date of this policy.**
- c. Cemetery has the option to require vendors to supply test results from an Independent source to warrant the strength of product concrete. *Note: The vendors cement company test results will not satisfy the requirement of an independent source.***
- d. Cemetery will require the burial product to be warranted by the vendor against material and manufacturers' defects.**
- e. All burial products not supplied by Cemetery's normal vendor, must be presented to Cemetery Manager for approval not less than forty eight (48) hours before the service is scheduled.**
- f. There is an additional handling fee, as determined by the current "Rate Sheet," for all vaults not supplied by the Cemetery's normal vendor.**
- g. Cemetery Manager has the option to refuse any burial product that does not meet Cemetery requirements.**
- h. The Lower Lake Cemetery District will allow plastic or fiberglass urns or vaults for the purpose of interring cremated remains. Concrete urn/vaults will also be allowed for this type of interment.**

7. No interment shall be made on any of the holidays recognized by the District, nor shall an interment take place on a Saturday or Sunday, unless interment is ordered by a public health officer or in case of *extreme* emergency, such basis to be determined jointly by the Manager and the Mortician. An additional fee, as determined by the current "Rate Sheet," shall be charged for all Saturday, Sunday, or holiday burials except for burials ordered by a public health officer. Burials will normally be made after 9:00 a.m. and prior to 2:00 p.m.

8. No grave shall be graded or mounded and the top of the grave shall be level with the surrounding lot when fully settled.

9. No services in connection with a burial will be made until charges for such services as fixed by the Board have been paid in advance to the Manager or authorized employee of the District. (Govt. Code Article 16, Sec. 6). The only exceptions are:

- **The opening and closing charges for cremations; these will be at the discretion of the Sexton.**
- **Services for an active member of the Armed Forces when the burial fees will be paid for by the United States Military.**

10. No Burial Right holder shall allow any interment to be made in his/her plot for remuneration.

11. Except when ordered by a Court, disinterments will be at the discretion of *the Board*. When allowed, District personnel will open the grave and remove or open the vault. The District shall not be responsible for removal of the casket or for any damages to vault, casket, or remains.

12. There will be no lowering of a casket until the service is completed, and all people have left the Cemetery grounds.

13. If unable to get the depth necessary at a grave site because of rocks, trees, or an act of nature, the nearest available plot will be used.

14. Double depth burials are available only in the Second Addition and the School Addition, *previous sales only*. No new double depth sales will be allowed.

15. New sales will not be allowed in the Catholic, New, First, Second, Memorial, Veterans X, or School Additions. All new sales will be in the Hillside, Sunset Knoll, and Niche Additions, only. New areas will be developed as needed.

16. Restrictions on headstones are posted in the Cemetery Office. No setting or work is to be done on headstones without checking with the office.

17. No cement curbing or outlining of plots with rock, brick, fencing, etc. is allowed. No trees, plants, or other grave embellishments shall be permitted without cemetery approval.

18. Cemetery personnel reserve the right to remove any flower, plant, ornament, glass container, artificial grass, rock, curbs, or any object they feel becomes unsightly or a health risk.

19. Horses are allowed for funerals only, unless otherwise authorized, and they are restricted to the roads.

20. Effective July 15, 2009, existing benches within the Lower Lake Cemetery District will be “grandfathered” in with the following conditions:

A. Individuals with the right of interment shall be responsible for the maintenance and repair of the existing benches and the plot area. Replacement of existing benches will be at the discretion of the Board of Trustees.

B. Deteriorated benches shall be removed at the discretion of the Sexton/Manager and/or the Board of Trustees.

C. No new benches other than headstone benches that have been pre-approved by the Board of Trustees will be allowed.

21. Effective August 25, 2009, the Lower Lake Cemetery District does not permit the interment of animal remains, unless interred with human remains. Animal remains will be permitted only if interred in the same grave, and with the accompanying deceased's casket or burial vault. All such animals must be contained within a separate container. Only cremated remains of animals will be permitted to be interred with human remains-whole body animal interments will not be permitted or accepted. The interment of cremated animal remains with an individual is limited to domestic house pets and to space available in the Niche Wall.

D. STREET SIGNS: Effective July 20TH, 2011 the cemetery district shall allow the installation of street signs honoring loved ones interred at Lower Lake Cemetery District. Signs will be allowed on all roads with the exception of Cemetery Drive. Street signs shall bear either the first or last name of decedent or family member(s).

All Signs shall all be of uniform size and color as specified herein:

Signs shall be **30** inches long x **6** inches in height.

Signs shall be **highway green** in color with white lettering (on both sides). Lettering shall be 3" (upper case) x 2 1/4" (lower case) inches. Poles shall be ten (10) feet in height and 2 1/4" inches in diameter. Pole must be galvanized (HIP Sheeting – medium grade).

Ordering the sign, pole, hardware and cement, etc are the responsibility of the cemetery district. All expenses incurred shall be paid by the person(s) requesting the sign.

Installation shall be performed by District personnel only. The District will determine the actual location of said installation. Unauthorized signs will be removed by the district.

The District assumes no responsibility for signs damaged by vandalism, theft, or act of nature. Replacement signs are the responsibility of patron.

Cross street signs will be permissible on all single poles, with the exception of the following two (2) designated signs: Kellie Way and Tommy Lane.

Kellie Way and Tommy Lane signs are hereby "grandfathered in" due to installation prior to adoption of policy. Kellie Way and Tommy Lane signs shall remain as single pole signs only. No cross signs shall be added to these designated poles.

A written pre-numbered application form, available at the District office, must be completed and received by the District prior to installation. Acceptance by the District will be on a first come, first serve basis, to eliminate disputes over rights to any given name or location.

Installation Fee \$ 50.00

E. FEES AND CHARGES: The Board shall establish the prices at which burial rights shall be sold, the fees for the opening and closing of graves, the additional fees for performing such services other than during the normal times established by these rules and regulations and the fees for all other services performed by the District in connection with the use of the Cemetery grounds. A schedule of the current fees shall be available for inspection at all reasonable hours in the office of the District.

1. In addition to the above fees and charges, the Board shall establish the amount to be Paid by the purchasers for deposit into the Endowment Care Fund in accordance with Section 8738 of the California Health and Safety Code. Such amount paid into the Endowment Care Fund is non-refundable.
2. Non-resident fees shall be charged for burial of a person who was not living or paying taxes at the time of death that is eligible for burial in a cemetery of the District by Sections 9060 and 9061 of the California Health and Safety Code.

F. LEGAL PROVISIONS: In addition to the provisions established by law for the operation of the District's cemeteries, the following rule and regulation shall apply:

1. Burial in the District's cemetery shall be limited in accordance with Section 9060 of the California Health and Safety Code as the same now exists or may hereafter be amended. For the purpose of these rules and regulations, interments shall be limited to residents and taxpayers of the Districts, their family members, and eligible non-residents as provided in Sections 9060 and 9061.

G. LIABILITY: The district, its Board, all individual members of said Board, the Manager and all other personnel of the Cemetery District shall not be responsible for injury or damage suffered by any persons, including children, in their use of the cemetery grounds. Any person visiting the cemetery shall do so at their own risk.