

**RULES AND REGULATIONS  
HARLINGTON CEMETERY**

**I. GENERAL**

1. **The rules and regulations and prices now in force are subject to change at any time with the approval of the Leisure Services Commission and the City Council of the City of Waverly.**
2. **Under control and supervision of Leisure Services Department.**  
The control, supervision and maintenance of the municipal cemetery is vested in the Leisure Services Department and its duly appointed officers and employees. They shall have such powers and duties as are necessary for the enforcement of the provision of this chapter and other ordinances relating to the municipal cemetery.
3. **Exceptions and Modifications.**  
Special cases may arise in which the literal enforcement of a provision of this chapter may impose unnecessary hardship. The Leisure Services Department is authorized, without notice, to make exceptions, suspensions or modifications in any of the provisions of this chapter when, in the Director's judgement, the same appear advisable. Such temporary exception, suspension or modification shall in no way be construed as affecting the general application of the provisions of this chapter.
4. **Superintendent in charge of funerals.**  
All funerals, upon reaching the cemetery, shall be under the charge of the Supervisor of the Cemetery or his assistants.
5. **Casket not to be disturbed.**  
Once a casket containing a body is within the confines of the cemetery, no funeral director or his embalmer, assistant, employee or agent, vault company and their employees, shall be permitted to open the casket or to touch the body without the consent of the family or legal representatives of the deceased without a court order.

**II. INTERMENTS AND DISINTERMENTS**

1. **Subject to city, county and state laws; interments in places other than cemeteries.**  
Besides being subject to the rules and regulations as set forth in this chapter, all interments, disinterments and removals shall be made subject to the orders and laws of the properly constituted authorities of the city, county and state. No interment shall be made anywhere other than in cemeteries established in accordance with the ordinances of the city or the laws of the state.
2. **Prohibited on Sundays and certain holidays.**  
No interments, disinterment, removals or interment service shall be permitted on any of the following holidays: New Year's Day, Memorial Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve Day or Christmas Day.
3. **Notice.**  
The City Leisure Services Department shall have the authority to require at least twenty-four hours or eight working hours notice prior to any interment and to at least one week's notice prior to any disinterment or removal.

4. **Authority of custodian where location of interment space doubtful.**  
When instruction regarding the location of any interment space in a plot cannot be obtained or is indefinite, or when for any reason the interment space cannot be opened where specified, the Leisure Services Director or his designate may, in his discretion open it in such location in the plot as he deems best and proper so as not to delay the funeral and the City shall not be liable in damages for any error so made.
5. **Interment of more than one body.**  
Not more than one body or the remains of more than one body shall be interred in one grave, vault, crypt or niche unless such grave, vault, crypt or niche has been purchased with the written agreement that more than one body or the remains of more than one body may be interred, except in case of mother and infant or twin children, or cremains with space available. There is a maximum of 4 interments on a single grave space with a maximum of 4 cremains on a single grave space.
6. **Outside burial vaults required; exceptions.**  
The use of a permanent concrete burial vault shall be required for all burials except:
  1. Baby burials
  2. Cremains
7. **Same - To larger or better plot.**  
A body, or the cremated remains of a body, may be removed with respect to all state and local regulations, from its original plot to a larger or better plot in a cemetery when there has been an exchange or purchase for that purpose.
8. **Same - Care in removal; liability of city for damage.**  
The City Leisure Services Department shall exercise reasonable care in making a removal but it shall assume no liability for damage to any casket, burial case or urn incurred in making the removal.
9. **Cemetery arrival time.**  
Cemetery arrival time past 3:00 p.m. will incur an overtime charge.
10. **Postponement of scheduled interments.**

### III. PLOTS

1. **Leisure Services Department to care for plots.**  
All grading, landscape work and improvements of any kind, and all care of plots shall be done, and all trees, shrubs and herbage of any kind shall be planted, trimmed, cut or removed, and all openings and closings of graves, and all interments, disinterments and removals shall be made only by employees of the Leisure Services Department or under its supervision.
2. **Improvements or alterations of individual property - Direction and approval.**  
No improvements or alterations of individual property are made without written consent of the City, the Department shall have the right to order removed, altered or changed such improvements or alterations at the expense of the plot owner.
3. **Same - Removing, etc.**  
If improvements or alterations of individual property are made without written consent of the City, the Department shall have the right to order removed, altered or changed such improvements or alterations at the expense of the plot owner.

4. **Floral regulations**

- a. No planting of flowers, bushes, trees, shrubs, etc., will be permitted on any lots only those so designated, then shall be done by the superintendent.
  - b. Temporary vases, urns or flower arrangements for the Memorial Day Holiday (both living and artificial) will not be allowed to remain on lots after June 15th of each year, but will be removed from the lot and held subject to the order of the lot owner for 2 weeks, after which any responsibility of the cemetery ceases, and disposal will be made of same. The exception to the above rule does not apply to vases, urns or flower arrangements placed on monument or concrete foundations, or large urns already in place.
  - c. The cemetery will not be responsible for anything that may be lost, misplaced, broken or stolen.
  - d. Floral designs or other decorations will be removed from the lots or graves as soon as the flowers become wilted or unsightly and persons wishing to retain any must remove them within forty-eight hours after the funeral.
  - e. Lots shall not be used for any other purpose than as a place of burial for the human deceased.
  - f. Proprietors shall not under any circumstances allow interments to be made in their lots for a remuneration.
  - g. Winter decorations, holly, evergreen or artificial wreaths may be placed on graves November 1, to remain until April 1, after which date all such decorations will be removed.
  - h. No person shall place any boxes, shell, metal designs, ornaments, chairs, settees, vases, glass, wood or iron cases and similar articles upon plots. If such articles are so placed, the City shall have authority to remove them.
5. **Any lot owner may sell a lot back to the City** at the original purchase price less a processing fee, providing the lot is resalable at the sole discretion of the Cemetery Supervisor.
6. **Designation of cremains only grave spaces.** A grave space or lot with multiple grave spaces may be designated cremains only at the sole discretion of the Leisure Services Director or his designate.

**IV. CONDUCT OF PERSONS WITHIN THE CEMETERY**

1. **Use of walks, etc.**

Persons within the cemetery grounds shall use only the avenues, walks, or alleys and roads. Any person injured while walking on the grass or while on any portion of the cemetery other than the avenues, walks, alleys or roads, shall in no way hold the city liable for any injuries sustained.

2. **Refreshments.**

No person shall be permitted to have any alcoholic beverages within the cemetery.

3. **Rubbish.**

The throwing of rubbish on the drives and paths or on any part of the grounds or in the buildings of the cemetery is prohibited.

4. **Automobiles, etc.**  
Automobiles and other motor-driven vehicles shall not be driven through the roadways of the cemetery at a greater speed than fifteen miles per hour. Such vehicles must always be kept on the right-hand side of the cemetery roadway. No vehicles should be off road except with the permission of the Leisure Services Director or his designate.
5. **Firearms.**  
No firearms shall be permitted within the cemetery. Exceptions are military funerals or with a special permit from the Leisure Services Director or his designate and Chief of Police.
6. **Signs, notices and advertisements.**  
No signs, notices or advertisements of any kind shall be allowed in the cemetery unless placed by the City.
7. **Hours cemetery grounds open.**  
The cemetery grounds shall be open for daylight to dark.
8. **Hours offices open.**  
The cemetery office shall be open from 7:00 a.m. to 4:00 p.m. and the Leisure Services Department business office shall be open from 8:00 a.m. to 4:30 p.m. Monday through Friday excepting Holidays.
9. **Improper assemblages; assistance from police.**  
The Leisure Services Director or his designate shall have power to prevent improper assemblages and to call upon the police department for aid in enforcing this chapter.
10. **Enforcement of chapter.**  
The Leisure Services Director or his designate shall have charge and enforce this chapter.
11. **Supervision of buildings and grounds.**  
The Leisure Services Director or his designate shall have charge and supervision of the grounds of the cemetery and the buildings located thereon.
12. **Control of persons in cemetery.**  
The Leisure Services Director or his designate shall, at all times have supervision and control of all persons in the cemetery, including the conduct of funerals, traffic, employees, plot owners and visitors.
13. **Defacing monuments.**  
All persons are prohibited from writing upon, defacing or injuring any monument, marker, or other structure, in or belonging to the cemetery.

## **V. MONUMENT OR MEMORIAL WORK**

1. **Foundations.**  
Permits for installing foundations must be obtained and fees paid prior to any foundation work.
2. **Foundation requirements.**  
All memorial foundations constructed in Harlington Cemetery must meet the following requirements:
  - a. 4" wash (front and back)
  - b. 12" pads on both ends. Single grave foundations must have at least one 12" pad
  - c. Maximum size of a foundation is the size of the owner's lot minus 4".

Monument foundation forms and related construction materials should be removed and cleaned up by the foundation company within seven calendar days.

3. **Monuments and markers generally.**

No lot owner shall erect or place, or cause to be erected or placed, on any lot in the cemetery any memorial disapproved by the Leisure Services Department.

4. **Damage to grounds by dealer or contractor.**

Damage done to lots, walks, drives, trees, shrubs or other property by dealers or contractors, or their agents, shall be repaired by the City Leisure Services Department and the cost of such repair shall be charged to the dealer or contractor or to his principal.

5. **Depth.**

Depth is optional. The monument company must stand behind their work on each individual foundation.

6. **Babyland Monuments**

All monuments in Babyland must be gray in color and either of the following dimensions:

16.5" long x 11" deep x 8" tall

15" long x 7" deep x 5" tall

## VI. PERPETUAL CARE DEFINED

1. **Perpetual care defined.**

The term perpetual care, used in reference to cemetery plots, shall mean the cutting of the grass upon such plots at reasonable intervals, the taking and cleaning grass upon the plots at reasonable intervals, the taking and cleaning of the plots, the pruning of the shrubs and trees that may be placed by the city Leisure Services Department; meaning and intending the general preservation of the plots and the grounds, walks, roadways, boundaries and structures to the end that such grounds shall remain and be reasonably cared for as cemetery grounds forever.

The term perpetual care shall in no case be construed as meaning the maintenance, repair or replacement of any gravestones or monumental structures or memorials placed or erected upon plots; nor the planting of flowers or ornamental plants; nor the maintenance or doing of any special or unusual work in the cemetery or in the mausoleum and columbarium; nor does it mean the reconstruction of any marble, granite, bronze or concrete work on any section or plot or any portion thereof in the cemetery, mausoleum and columbarium or other buildings or structures, caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or by the order of any military or civil authority, whether the damage shall be direct or collateral other than as herein provided.