

HYRUM CITY CEMETERY  
POLICIES AND REGULATIONS

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INTRODUCTION

As part of the services provided to residents of the community, Hyrum City owns and operates a municipal cemetery situated on Main Street, between 500 and 600 East.

The office for Hyrum City Cemetery is located in the Civic Center at 83 West Main, Hyrum, Utah 84319. All arrangements for interment of deceased persons must be made at the office. All requests for information concerning the cemetery, including plot location and purchasing procedures, burial rights, and other records must be submitted to the office, as well.

In preparing these rules and regulations, the city desires to offer as much freedom of choice as possible while maintaining a high standard of beauty and a prominent sense of decorum. We sincerely hope you will assist us in that effort by adhering to these policies and regulations. We also solicit your comments and suggestions regarding cemetery policies and operating procedures or the information in this booklet.

#### MISSION STATEMENT

It is the goal of Hyrum City Corp. to operate and maintain a cemetery that is beautiful, dignified, and an appropriate final resting place for loved ones.

#### MAP

See attached map.

#### DEFINITIONS

The following words or phrases shall have the indicated meanings unless the context clearly indicates otherwise:

A. Lot includes the partial lots or single graves in the municipal cemetery.

B. Lot owner or purchaser and grave owner or purchaser means the owner or purchaser of burial privileges or the collateral right of use of any burial lot for approved purposes as evidenced by a deed or burial right for a described lot or by proved and recognized descent or devise from the original owner.

C. Perpetual care is defined as that general care and maintenance necessitated by the natural growth and ordinary wear which may be provided at reasonable intervals within the budgetary limits of the cemetery. It includes the planting, cutting, watering and care of lawns, upkeep of buildings, roads, walks, fences, and maintenance of proper records. It also provides for the care of trees, shrubs and flowers planted by the cemetery but does not cover such items as maintenance and care of monuments, markers, flower vases, or other approved decorations applied to gravesites by lot owner or any other person.

#### LOT OWNERSHIP AND PRIVILEGES

A. Nature and extent of rights acquired. Upon the payment of the purchase price of a lot, the purchaser acquires the rights of burial in said lot, subject to the rules and regulations of the cemetery.

B. Purchase contracts. Lots may be purchased on an installment plan if purchased in advance of need.

No lot shall be sold without "perpetual care" and no certificate shall be issued until the contract is fully paid.

C. Descent and inheritance of burial rights. Upon the death of the lot owner, the lot descends to those named in his/her will or to his/her heirs as designated by law.

Upon the death of the lot owner or purchaser, the cemetery superintendent shall act upon his/her best judgment in determining heirship and successorship, unless an affidavit of heirship together with the power appointing one of the heirs to represent all or a certified copy of the decree of distribution of the estate of the deceased lot owner or purchaser is first filed with the cemetery superintendent. Hyrum City Corporation shall in no way be held responsible for

a failure to properly determine the legal successorship of the said lot owner or purchaser.

The heirs are entitled to the same use of the lot as the original owners and are bound by the same rules and regulations.

D. Sale of lots/burial rights. No lot may be sold by a lot owner to any person or entity other than Hyrum City Corporation. Hyrum City will pay the owner an amount equal to the current price of cemetery lots being sold to new purchasers. The City will re-purchase lots previously sold to an owner only once. Buyers may not "speculate" on burial lots by buying them for resale to the City at a higher price.

E. Interment of non-human remains. It is illegal to inter anything other than the remains of human bodies in the municipal cemetery.

#### LOT PRICES AND BURIAL FEES

A. Prices of lots, as well as opening/closing charges and any other fees, will be furnished by the cemetery management at the office.

#### BURIALS

A. Permit required. Before any deceased person is buried in the cemetery, a permit properly issued by the registrar of the registration district in which the death occurred or, in the absence of such registrar, a permit duly issued by the State Division of Health or other authorized person shall be required by the cemetery superintendent. After burial, the cemetery superintendent shall endorse upon the permit a description of the location where the deceased is buried and shall enter all of the information contained in the permit in the cemetery records.

B. Certificate of burial right required. It is unlawful for any person to bury the body of a deceased person in the cemetery without first obtaining a certificate of burial right for the lot used or producing satisfactory evidence of a right to burial based on a properly acquired certificate of burial right.

C. Burial Information to be recorded. Before any deceased person may be buried in the municipal cemetery, the relatives or person having charge of the deceased shall provide the recorder/clerk with a written statement which shall be filed by the recorder/clerk, which statement shall contain, if known, information about the deceased regarding his or her name, when and where born, the date and cause of death, the name of the attending physician, date of burial, name of cemetery and the description of the location of the grave.

Directions for all interments must be given and all charges prepaid at the administrative office of the cemetery. Information given by telephone will be taken with particular care, but Hyrum City Corporation will not be responsible for errors resulting from this procedure. All such orders must be confirmed in writing.

The person giving the order must be able to give the lot owner's name and address, the name of the person to be buried, the name of the funeral director, the date and time of the funeral and the grave space to be used.

Notice for opening a grave shall be given sufficiently early to allow at least 8 regular working hours for the work to be completed.

Hyrum City Corporation shall not be responsible for any mistakes occurring from the lack of precise and proper instructions as to the appropriate space in the lot where interment is desired. When instructions regarding the location of a grave on a lot cannot be obtained or are indefinite, or for any reason the grave cannot be opened where specified, the superintendent may in his discretion open it in such a location on the lot as he deems best and proper, so as not to delay the funeral and affect the interment.

No interment will be permitted, or remains received unless the proper certificate or permit required by law or ordinance is furnished.

Removals and interments shipped from other cemeteries or city must be accompanied by a similar permit.

D. Advance payment or burial fee. No grave will be opened until the charges have been paid. The presentation of a receipt from the recorder/clerk or person designated by the City when presented to the cemetery superintendent shall be authority to open a grave for the burial of a deceased person. However, upon a contract being entered into between any mortician and the City wherein the mortician agrees to be responsible and liable for fees for the opening of a grave, and wherein that mortician will be personally liable for such fees and for perpetual care payments, the recorder/clerk or authorized person may give the cemetery superintendent authority to open graves without the presentation of a receipt from the recorder/clerk or authorized person.

E. Hours when burials are permitted. No funeral or interment will be allowed in the cemetery on Sunday or on any of the holidays officially observed by Hyrum City Corporation, without the express permission of the superintendent.

On all other days, funerals will be allowed between the hours of 8:00 a.m. and 4:30 p.m. Additional charges will be made for interments on Saturday and at times other than the regular days and hours as herein stated.

F. Funeral Processions. Funeral processions upon entering the cemetery shall be under the control and subject to the direction of the cemetery superintendent.

G. Duty of funeral director. Funeral directors in charge of funerals must arrange the time for arrival at the cemetery so as to be out of the grounds before 4:30 p.m. They will be held responsible for the faithful observance of all the rules and regulations concerning funerals and burials.

H. Excavating and refilling graves. The superintendent or someone employed by the cemetery is in complete charge of every interment. No grave shall be opened or filled, refilled or sodded except by the employees of the cemetery under the direction of the superintendent.

I. Burials per grave. Except for cremations, One interment only shall be allowed in a casket except a parent with his/her infant child or two children may be buried at the same time. Not more than one casket is allowed in a grave except when the contract for such space specifically provides for such.

J. Cremations. The remains of two cremations may be interred in a single grave site either by themselves or in conjunction with a conventional vaulted burial providing the cremated remains are interred above and subsequent to the vaulted burial.

‡ K. Errors may be corrected. The cemetery superintendent shall have the right to correct any errors that may be made in making interments, disinterments or removals, or in the description, transfer or conveyance of any interment property, either by cancelling such conveyance and substituting and conveying in lieu thereof other interment property (lots or grave sites) of equal value and similar location as near as possible, or as may be selected by the superintendent, or, by refunding the amount of money paid on account of that purchase.

In the event the error shall involve the interment of remains of any person in such property, the superintendent shall have the right to remove and re-inter the remains in such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

#### VAULTS REQUIRED

A. ~~Unless in writing waived by the cemetery superintendent,~~ It is unlawful for any person to be buried in the cemetery unless the casket shall be placed in a vault made of concrete, fiberglass, steel or brick-lined, or of such other material approved by Hyrum City Corporation, substantially constructed and covered with a similar durable material. Children's caskets of fiberglass or plastic are the exception.

B. No wood shall be used as a permanent part of the construction of any part of the vault.

C. A vault is not required for cremation. An urn or other container holding cremated remains may be placed within a vessel of plastic, fiberglass, porcelain, or glass.

#### DISINTERMENTS

A. Disinterments may be made at reasonable times at the discretion of the superintendent. The written order of the lot owner or his legal representative, or an order from competent authority (such as the local health officer) in compliance with law must be given, which written authorization shall be filed and preserved in a record kept for such purposes.

B. It shall be illegal to disinter or remove the body of a person who has died from a contagious disease within two years after the date of burial, unless the body was buried in a hermetically-sealed casket or vault and is found to be so encased at the time of disinterment.

#### DECORATION OF GRAVES

A. Funeral flowers and floral pieces. Floral pieces will be removed without notice when they become unsightly. Lot owners desiring to retain floral pieces must remove them within five (5) days following interment.

B. Flower containers. Small baskets, pots, jars, cans vases, or bottles are acceptable containers for both cut and artificial flowers. Shepherds hooks, pinwheels, etc., are permitted only within the places specifically provided for such in the headstone or base. Shepherds hooks are prohibited outside the base of the headstone because of the danger posed by such to maintenance personnel. Any decorations deemed to pose a hazard to cemetery personnel or visitors or otherwise interrupt the operation of maintenance machinery will be removed and disposed of without notice.

C. Fresh cut flowers. Fresh cut flowers are permitted in a sunken vase or other appropriate container anytime.

D. Artificial flowers. Artificial flowers and grave decorations are permitted throughout the year but will be removed and disposed of by maintenance personnel during the last month of each quarter.

E. Memorial Day decorations. All Memorial Day decorations will be removed after seven (7) days following the holiday.

F. Planting or excavation. No planting of any type of plant material or digging or disturbing the sod within the cemetery will be permitted.

Persons wishing to make a permanent memorial may request approval to plant a tree of a type and variety and in a location selected by the superintendent. The superintendent will attempt to accommodate the request providing there are tree locations available as indicated on a map provided for that purpose.

Other than grave markers or monuments and trees planted in accordance with the regulations found herein, no other permanent improvements may be made by anyone other than Hyrum City Corporation. It is unlawful for any person to erect or maintain any fence, corner post, coping or boundary of any kind, to plant any vegetation upon any lot or lots, street, alley or walk in the cemetery or to grade the ground thereof. The cemetery superintendent shall, whenever required, furnish the true lines of any lots according to official survey, shall prevent and prohibit any markings of the same except by official landmarks, and shall prevent and prohibit any grading thereof that might destroy or interfere with the general slope of the land.

Other than specific lots reserved by the city for the purpose of planting trees, all lots must be used for interment of deceased persons. No person may purchase lots for the purpose of landscaping or placement of benches, etc.

#### MARKERS AND MONUMENTS

A. Monuments/grave markers. Monuments are permitted throughout the cemetery. This marker shall be at the head of the grave. Only one grave monument/marker will be permitted on the grave except for cremation remains interred in a gravesite over a conventional vault. In this case, one additional marker will be allowed on the gravesite to be placed in the center of the grave, flush with the ground. ~~This marker shall be at the head of the grave.~~ To avoid possible misunderstanding and difficulty, dealers should clear proposed monument and marker plans and design with the cemetery superintendent. Otherwise, these memorials may not conform with the rules and regulations of the cemetery and may therefore not be permitted.

#### GENERAL PLATTING & LANDSCAPING

A. Boundaries, roads, water lines. The right to enlarge, reduce, re-plat or change the boundaries of the cemetery or of a section or sections from time to time, including the right to modify or change the locations of roads and drives, is hereby expressly reserved by Hyrum City Corporation. The right to lay, maintain and operate pipe lines or gutters for water supply or drainage is also expressly reserved.

B. Filing of plats. All maps, plats, records, etc. are on file at the cemetery office.

#### REGULATIONS GOVERNING ACCESS AND CONDUCT

A. Entrance regulation. Access to Hyrum City Cemetery is restricted to daylight hours only.

B. Improper conduct prohibited. Hyrum City Cemetery has been dedicated for the burial of the dead. Any behavior or conduct not in keeping with this purpose is expressly forbidden. Benches or rest areas, including the sunshade located in the southeast corner of the cemetery, are for use of those waiting for services or completion of the interment process, not for general public to picnic or other recreational purposes.

People walking or jogging through the cemetery is not forbidden but loud, boisterous conduct should be avoided.

C. Loss or damage. The employees of Hyrum City Corporation will exercise every means and effort to prevent loss or damage to all property within the cemetery. However, the City distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control and will not be liable.

D. Speed limit. The speed limit within Hyrum City Cemetery is 15 miles per hour. Vehicles must keep to the right or the drives while in the cemetery.

E. Animals. Horses are not permitted in the cemetery except in the case of a horse-drawn conveyance or other use of horses in conjunction with the funeral procession. In such cases, those responsible for horses should confine them to the roadways and restrain them at all times so as to prevent damage to the lawns, landscaping, monuments, and other cemetery improvements. No other animals, including dogs, cats, or other household pets, shall be allowed in the cemetery except in the confines of a vehicle and must be at all times retained within the confines of the vehicle while the vehicle remains in the cemetery.

F. Motorcycles and bicycles. Motorcycles and bicycles shall be permitted on designated roads only.

#### MISCELLANEOUS

A. Office-Records. The cemetery office is kept open weekdays from 8:00 a.m. to 5:00 p.m. with the exception of holidays. All business pertaining to the cemetery should be transacted at the office.

The location of all graves shown by maps and by a system of recorded measurements from fixed, permanent landmarks. All maps and records are on file at the office.

All lot owners are requested to notify the cemetery office of any change in their address.

B. Alteration and repeal of rules and regulations. Hyrum City Corporation reserves the right without notice, to make, amend and repeal the rules and regulations of the cemetery and to make exceptions thereto, but such exceptions shall not amend or repeal any permanent rule or regulation. All fees, prices and charges are also subject to change without notice and are published separately.

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