

## **SUTTON COUNTY CEMETERY RULES & REGULATIONS**

All spaces in the Cemetery owned and operated by Sutton County are conveyed to the purchaser by license for the purpose of sepulture only, and the rights of the purchaser therein are subject to such rules and regulations as may be made, from time to time, by the Commissioners of Sutton County. The rules and regulations herein contained have been found essential for the protection of the rights of all property owners, and no rules have been adopted except as experience has shown it necessary for the preservation of the rights of the owners.

### **DEFINITIONS:**

1. The term "Cemetery" as used in these rules and regulations is hereby defined to mean cemetery owned and operated by Sutton County.
2. The term "supervisor" shall mean the person duly appointed by Sutton County for the purpose of supervising and administering cemetery functions.
3. The term "Owner" shall mean the owner as indicated by receipt.
4. The term "Interment" shall mean entombment or burial of the remains of a deceased person.
5. The term "Memorial" shall mean any marker, monument, headstone, tablet, or other structure upon or in any lot or niche, placed thereupon or partially therein for identification or in memory of the interred.
6. The term "Space" shall mean the area normally designated for a single interment.

### **ADMISSION TO CEMETERY:**

1. No person shall be permitted to enter or leave the Cemetery except by the public gates. The Cemetery will be open to the public during reasonable hours as established by the Supervisor.
2. The admission of motorcycles to the Cemetery may be refused on the basis of noise or disruption of services.
3. Any unauthorized person found on the Cemetery grounds after dark will be considered a trespasser.
4. The use of any Cemetery equipment or Facilities may be refused at any time to any person or persons as the rules, judgment and custom may dictate.

### **ARRANGEMENTS FOR INTERMENTS:**

1. Written authorization from the owner of record of a burial space, or his/her designated representative or successor in interest, or other proper legal authority will be required for interment.

2. The Supervisor shall have the right to schedule the time when interments or disinterments may be conducted.

3. There shall be no graveside services on Sundays or designated County holidays which are as Follows:

New Year's Day  
Good Friday  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Christmas Day

4. In making a request for interment, the casket or vault, if of unusual size, must be particularly indicated. Interments requiring openings wider than 38" will require that more than one lot be used.

5. The Supervisor shall not be responsible when an error occurs from an order placed by telephone regarding grave location or container size to be used.

6. The Supervisor shall not be liable for any delay in the interment of a body when protest to the interment has been made, or when compliance with the rules and regulations has not been made.

#### **INTERMENT, DISINTERMENT AND REINTERMENT PROCEDURES:**

1. Proper authorization as required by the local government or public authority having jurisdiction in the matter must be presented to the Cemetery office at the time an interment or disinterment is affected. The Supervisor shall not be liable for the accuracy of the data contained in said authorization or for the identity of the person to be interred or disinterred.

2. All interments, disinterments and reinterments - shall be performed by a Funeral director or other person as provided for by State and local laws. The Funeral director will be responsible for the opening and closing of the grave.

#### **INSTRUCTIONS FOR SPACE HOLDERS AND SPACE HOLDERS' RIGHTS:**

1. Burial vaults either partially or entirely above ground are prohibited.

2. A permanent type container such as a concrete liner or burial vault is recommended for all adult interments. Other types of containers may be approved by the Cemetery Foreman at his or her discretion. Welfare cases are exempt from this provision.

3. Construction or installation of grave covers, curbing, steps, fencing, hedging, or enclosures of any kind will not be permitted on or around any space or lot. Cement, iron, wooden, glass, plastic, paper, or other miscellaneous statues or objects as well as objects of temporary nature will not be permitted.

Sutton County reserves the right to remove any objects which are erected, planted or placed in violation of this rule.

4. Only one (1) casket will be permitted in each grave, or two (2) caskets if husband and wife are to be buried in the same grave, one on top of the other. In situations where special or unusual circumstances exist, the Cemetery Supervisor may grant exceptions to this rule. In the event cremation is utilized, a maximum of one (1) interments will be permitted in one (1) space with a casket, two (2) interments are allowed in one (1) space if husband and wife, as stated above, and or two (2) cremations can be placed in one (1) plot with no casket.

5. The use of a space is for the owner or such other person as the owner may designate.

6. In the event of the death of an owner, any and all privileges of the owner shall pass according to the laws of the State of Texas.

7. Pets or other animals are not permitted to be buried in the cemetery.

#### **SERVICE CHARGES AND PAYMENTS:**

1. Sutton County shall have the right to establish a charge and time of payment for each interment or disinterment.

2. Sutton County reserves the right to specify the terms and amounts of purchase of all spaces to the original purchaser.

3. In the event an owner sells a space or spaces, a record of such sale must be provided to Sutton County and must be reported to the Supervisor within 30 days.

#### **MEMORIALS:**

1. All memorials shall be installed and maintained at the expense of the owner. Unless coordinated with the Supervisor in advance, memorials may be installed only during normal business hours when cemetery personnel are normally on duty.

2. Only one memorial will be permitted on one grave space. A companion or family memorial may be placed upon two or more grave spaces. A veteran may have two memorials, the foot memorial must be flat and level with the ground surface with no vase. A person who wishes to have a cremation buried on top of an existing grave may have a memorial at the foot that does not exceed 24"x 12", the memorial must be flat and level with the ground surface with no vase. Only 1 cremation per grave site with a casket and or (2) two cremations if there is no casket present. Memorials will be placed in alignment with adjacent memorials and centered at the head of the grave space. The actual location for memorials will be determined by Cemetery personnel.

3. Space or lot corner markers will be set flush with the turf.

4. Flush Type Memorials

a. The marking each space in areas designated for flush type memorials is restricted and limited to memorials set of flush with the turf, and of such dimensions, materials, design, finish and construction as indicated in this section.

b. Flush type memorials shall be made of granite, aluminum, marble or cast bronze installed on a granite, marble or concrete base.

c. Only Flush markers at ground level shall be permitted.

#### 5. Above Ground Memorials

a. In areas of the Cemetery not specifically designated for flush type memorials either an above ground or flush type memorial may be used.

b. All above ground memorials shall be of marble, granite or similar permanent type stone.

6. Stone or masonry benches are NOT permitted.

7. Should an existing memorial become unsightly, dilapidated, or a menace to the safety of persons within the Cemetery, the Supervisor shall have the right to correct the condition, including by removal of the memorial.

#### **RULES FOR MEMORIAL WORK:**

1. Memorial dealers shall abide by all the rules and regulations of the Cemetery.

2. The Supervisor reserves the right to approve the size, craftsmanship, quality, inscriptions, and foundations of memorials placed or to be placed in the Cemetery.

3. Memorial dealers engaged in placing or erecting memorials or other structures are prohibited from scattering their material over adjoining spaces, or from blocking roads or walks, or from leaving their material on the grounds longer than necessary. Damage done to spaces, walks, drives, trees, shrubs or other property shall be repaired at their expense to the satisfaction of the Supervisor.

4. Work of any nature may be stopped if proper preparations have not been made; or when work is being done in such a manner as to endanger life or property; or when there is evidence of misrepresentation; or when any reasonable request on the part of the Supervisor is disregarded; or when any person employed in the work violates any rule of the Cemetery.

#### **GENERAL REGULATIONS:**

1. Visitors or workers shall use only the avenues, walkways, or roads, unless it becomes necessary to walk across other spaces or graves to gain access to a space or grave.

2. Automobiles, trucks and other vehicles shall not be driven through the Cemetery grounds at a speed greater than fifteen (15) miles per hour. Unauthorized vehicles may not be driven or parked off the designated roadways or parking areas.

3. Pets shall not be allowed in the Cemetery.

4. The use of illicit drugs and consumption of intoxicating beverages within the Cemetery is strictly forbidden.

5. No person will be permitted to use profane or boisterous language or in any way disturb the quiet and good order of the Cemetery.

6. No boxes, shells, glassware, sprinkler cans, water hoses, or similar articles will be permitted to remain on any grave, walkway or street. Stick flags can be placed in an approved vase, or on the headstone base. No stick flags or solar lights shall be in the ground. All decorations on sticks will be removed by the Supervisor after a reasonable amount of time.

7. The Supervisor has the authority to enter upon any space and to remove any unauthorized or objectionable item that may have been placed there contrary to the regulations.

8. All persons are strictly forbidden to break or injure any tree or shrub, or mar any landmark, marker or memorial or in any way deface the grounds of the Cemetery.

9. No person or persons (except peace officers or a military guard of honor) shall be permitted to bring or carry firearms within the Cemetery.

10. No signs other than those installed by County personnel will be permitted on the Cemetery grounds.

11. Sutton County is not responsible for vandalism or theft of any memorial or other personal property.

12. Other than the memorials described herein above under Memorials, the construction or placing of any wooden, concrete, masonry, cast iron, or other bench, chair, table, fence, border, trellis, slab, or other structure shall not be permitted on the cemetery grounds. Separate structures, including but not limited to, those which are symbols or representative of religious denomination, organizations to which the Decedent belonged, or of business or personal interest of the Decedent, other than those incorporated into the memorial itself, are not permitted.

13. The construction of additional mounds over graves shall not be permitted.

14. Holders such as clay or plastic pots, wire, frames, etc. containing flowers or other decorations may be removed before the next mowing cycle and the right is reserved by the Cemetery to make such removal.

15. Funeral designs or floral pieces will be removed from graves 7 days after the funeral. Persons desiring to retain same must remove them within 7 days after funerals. The digging of holes for placement of plants, flowers or other decorative items is strictly prohibited. Artificial or cut flower

arrangements may be placed on graves for the Christmas holiday with the understanding that they will be removed one month after Christmas. Artificial or cut flower arrangements for all other holidays shall be removed seven days after holidays. No ornaments or other objects will be allowed in the trees, bushes and shrubs of the cemetery. After funeral designs and floral pieces are picked up 7 days after the service small flower arrangements may be placed around temporary markers if they don't hinder maintenance or become unsightly. Small flower arrangements must be picked up at the next available cemetery cleanup day or when a permanent memorial is placed. The flowers then must be moved into an approved vase on the memorial.

16. In sections designated for flush type memorials, plants, cut flowers, shall be placed only in the invertible type bronze vases provided for the purpose.

17. In the interest of maintenance, planting of ivy, flowers, shrubs, or bushes is prohibited. Long lived hardwood trees such as live oak, red oak, pinon pine, zelcova, purple leaf plum, Russian olive, honey locust, and cedar elm may be planted with the approval of the Supervisor.

18. If any trees or shrubs situated on any space shall become detrimental, unsightly, or impede access to adjacent spaces, walks, or roads, they may be pruned or removed in whole or in part as determined necessary by the Supervisor.

19. Personnel employed by the Cemetery are not permitted to solicit or accept money or other compensation from any person or persons for maintenance performed within the Cemetery. All inquiries or complaints shall be made to the Supervisor.

20. The grounds are sacredly devoted to the burial of the dead and the provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wanton injury, disturbance, and disregard of the rules.

21. There shall be a strict observance of all the properties due the Cemetery, whether embraced in the foregoing regulations or not, as no impropriety will be tolerated.

22. No vigil lights of any kind are allowed.

#### **CARE OF THE CEMETERY:**

1. Care shall be furnished for the Cemetery owned and operated by Sutton County. Care is to be understood as that maintenance of buildings and grounds required to preserve the pleasing appearance of the Cemetery.

2. Special care by Cemetery employees of any grave or space located within the Cemetery is prohibited.

#### **RESERVATIONS OF SUTTON COUNTY:**

1. Sutton County reserves the right to correct errors made by them associated with interments or conveyance of property. In the event such error shall involve interment, the County reserves the right

to remove and reinter the remains to such property of equal value and similar location as may be substituted and conveyed in lieu thereof. Should an error develop in the conveyance of property, the County may correct such error by conveying property of equal value in similar location insofar as possible.

2. The right to revise and/or add to the Cemetery (a section or sections) from time to time, including the right to modify or change the location of or any part thereof or remove or regrade roads, drives and walks is expressly reserved. The right to lay, maintain and operate, or alter or change pipelines or gutters for water sprinkling systems and drainage, is also expressly reserved, as is the right to use Cemetery property, not sold to individual owners, for Cemetery purposes, including the interring and preparation for interment, or for anything necessary, incidental or convenient thereto. The Cemetery reserves to itself, and to those lawfully entitled thereto, a perpetual right of ingress and egress over spaces for the purpose of passage to and from other spaces.

3. No easement is granted to any owner in any road, drive or walk within the Cemetery, but such road, drive or walk may be used as a means of access to the Cemetery and its buildings as long as the County of Sutton devotes such road, drive or walk to that purpose.

4. Sutton County disclaims responsibility to owners, their personal representatives or successors in interest for loss or damage to cemetery spaces or memorials by any cause, natural or otherwise, direct or indirect beyond reasonable control of Sutton County.

5. The statement of any employee of the Cemetery shall not be binding upon Sutton County except as such statement agrees with the document conveying the right of interment and these rules and regulations.

6. Sutton County reserves the right at any time and from time to time to change, amend, alter, repeal, rescind, or add to these rules and regulations or any part thereof or to adopt any new rule or regulation or any temporary exception with respect to said Cemetery or anything pertaining thereto.

7. In all matters not specifically covered by these rules and regulations, Sutton County reserves the right to do anything which in its judgment is deemed reasonable pertaining to the Cemetery, and such determination shall be binding upon the space owner and all parties concerned.