



SAFFORD MUNICIPAL CEMETERY POLICIES AND REGULATIONS SAFFORD, ARIZONA

PURPOSE

The Rules and Policies are designed for the protection of owners of interment rights as a group. They are intended, not as restraining but rather as preventing the inconsiderate from taking unfair advantage of others. Their enforcement will help protect the Cemetery and create and preserve its beauty. These Policies and Regulations are hereby adopted as the Policies and Regulations of the Cemetery, and all owners of Certificate of Interment Rights, visitors and contractors performing work within the Cemetery shall be subject to said Policies and Regulations, amendments or alterations as shall be adopted by the City from time to time.

The City of Safford may, and it hereby expressly reserves the right, at any time or times, with or without notice to Certificate of Interment Right holders, to adopt new policies and regulations, or to amend, alter and/or repeal any rule, regulation and/or article, section, paragraph and/or sentence in these Policies and Regulations.

The City shall take reasonable precaution to protect owners and the property rights of owners, from loss or damage; but distinctly disclaims all responsibility for loss or damages from causes beyond its reasonable control, and especially from damage caused by: the elements, act of God, common enemy, thieves, vandals, malicious mischief, explosions, unavoidable accidents, invasion, insurrections, riots or order of any military or civil authority, whether the damage be direct or collateral.

HOURS OF OPERATION

The Safford Municipal Cemetery no longer has on-call personnel for after hour inspections at the Cemetery. Transactions or business services shall be conducted during business hours (6:00 a.m. - 3:30 p.m.) Monday through Thursday for Burial Slip Approvals, Site/Purchase Inspections, or Documentation/Site Research.

PURCHASING

Evidence of the purchase of a space(s) shall be identified by a Certificate of Interment Right. Such Certificates shall be issued by the City of Safford. A copy of the Certificate will be filed with the Public Works Department's Cemetery Division and the original Certificate will be provided to the Purchaser. In order to maximize the number of opportunities for the purchase of space in the Cemetery, a maximum of four spaces will be sold to a Certificate of Interment Right holder.

The purchase price for a casket space is \$465.00 and a cremation space is \$240.00. Space sizes and permitted burial types are outlined in "Casket Burials" and "Cremations" below.

Purchaser name, address and phone number is required on all Certificate of Interment Right. Beneficiary contact name, address and phone are suggested on all Certificates of Interment Right.

In the event of the Certificate of Interment Right's passing, the spouse shall become the Certificate of Interment Right holder. In the event of no spouse, the Beneficiary shall become the Certificate of Interment Right holder. In the event of no Beneficiary or of the Beneficiary's passing, the Certificate of Interment Right will be passed on to their dependent(s). If there is more than one dependent, the Certificate of Interment Right will be split equally amongst all the dependents and all dependents must agree to any future burials in the space(s).

Funeral homes are permitted to purchase interment rights on behalf of the family; the City no longer sells spaces to funeral homes.

No one shall be buried in any lot not having an interest therein, except by written consent of all parties interested in such lot(s) as well as the Cemetery staff (or designee). Verbal agreements or representations will not be recognized.

Areas of the Cemetery are currently undeveloped without curbs or lots. No burial spaces will be sold in these areas until and unless they are developed and mapped as lots. In the "old" section of the Cemetery, which is poorly mapped, existing Certificates of Interment Right will continue to be honored. However, no new purchases will be permitted. Improvements including curbs and water lines will not be installed. The City will provide other services on lots, such as weed control and grading roads.

Current City employees, employee dependents, and active City firemen, who want interment at the Safford Municipal Cemetery will receive one (1) cemetery space, free of charge, in the event of loss of life. As an added benefit to current City employees, employee dependent(s), and active City firemen, the City shall provide free opening and closing of the grave of any such individual in the Cemetery. Employee dependents are limited to spouses and dependent children. These benefits do not apply to retired or former employees not working for the City at time of death.

QUIT CLAIM

Certificate of Interment Right holders have the option of selling their Certificate, which is valid only if the Quit Claim is recorded at the City of Safford, Public Works Department. A Quit Claim Deed cannot be finalized privately; it must be recorded with the City of Safford, Public Works Department.

Original Certificate of Interment Right holders may sell their Certificate back to the City at the original purchase price. Quit Claims between private parties cannot be sold back to the City for their purchased price.

BURIAL SLIPS AND ARIZONA DISPOSITION TRANSIT PERMITS

Prior to all burials, an Arizona Disposition Transit Permit shall be obtained pursuant to Arizona Revised Statutes §36-326 for the transportation and disposition of human remains. The Transit Permit must be provided to the City of Safford, Public Works Department *prior* to a grave opening.

In addition to the Arizona Disposition Transit Permit, a City of Safford Burial Slip is required to be completed with the funeral home prior to the opening or closing of a space. A funeral home representative must meet with Cemetery staff at the Cemetery to confirm and mark the block, lot and space. All burials and exhumations must be conducted under the license of a funeral home.

Exhumations require a Burial Slip for tracking purposes. If the remains will be removed from the Cemetery, the exhumers will be required to obtain an Arizona Disposition Transit Permit from the state and provide a copy to the Public Works Department prior to exhumation.

If local funeral home is providing opening/closing services or assistance to a funeral home outside the area, the local funeral home is required to obtain a Burial Slip from the City and provide information on the funeral home it is assisting.

These procedures are required in order that the Cemetery may always have a complete and accurate record of all interments and exhumations.

CASKET BURIALS (approximately 6 foot by 12-foot space)

Two (2) caskets permitted per space (double deck/companion burial, one placed on top of one another)

Four (4) cremains permitted per space

One (1) casket and one (2) cremains permitted per space

Except for burials in Potter's Field/Free Section, an outer burial container (vault) is required for all burials in the Safford Municipal Cemetery. The outer burial container shall be constructed of materials approved by City staff.

Only one casket or body may be placed in a gravesite, except that subject to the approval of Cemetery staff, double deck/companion burials will be allowed if at the time of the first burial, appropriate means are taken to accommodate the double burial, such as a double vault, and adequate depth of the first burial.

The City shall not be responsible for persons other than city staff who prior to burials, damage curbs, waterlines, plantings, headstones, fencing or other improvements when excavating for burials or disinterment. The party responsible for the damage must repair or replace any damaged property.

The City reserves the right to approve any excavation or digging by hand or backhoe within the Cemetery by non-City staff.

In blocks 1 through 121, citizens who purchased an entire lot (6 spaces) and wish to place additional burial(s) in the lot may request Cemetery staff inspect the burial spaces to determine if the space smaller than 6 x 12 will accommodate an additional burial. If caskets have not been properly placed or if the smaller space cannot be opened safely due to caving conditions, Cemetery staff may not approve of additional burials in the lot or space. The family of the deceased shall be informed of the conditions preventing additional burials. If Cemetery staff approves the additional burial, the space may be purchased at today's price and a Certificate of Interment Right will be issued.

In the "old" section of the Cemetery, which is poorly mapped, existing Certificates of Interment Right will continue to honor burials only if the existing area is curbed. Prior to new burials, Cemetery staff will continue to investigate burial spaces to determine if a space has been filled previously.

CREMATIONS (approximately 6 foot by 6-foot space)

Two (2) cremains permitted per space

All cremations must be conducted under the license of a funeral home.

Designated cremains spaces shall be approximately 6 feet by 6 feet. Double burial (cremains) will be allowed if at the time of the first burial, appropriate means are taken to accommodate the double burial and adequate depth of the first burial.

No more than two (2) cremation urns shall be buried in a single 6 foot by 6-foot space.

The Cactus Garden west of the flagpole is designated as a scattering area for cremains at no charge.

POTTER'S FIELD/FREE SECTION

In area designated as Potter's Field/Free Section, indigent persons are buried as a service through Graham County. The area is not curbed. The City will not charge for the space. Graham County provides for burial at its expense. This area does not allow permanent curbing, landscaping, structures, or fencing. Headstones and markers are permitted according to Guidelines and Regulations.

CONSTRUCTION ACTIVITY PERMIT

A Construction Activity Permit Application must be completed prior to any improvements and/or landscaping work. Once the proposed activity is approved by the Cemetery staff (or designee), the activity must be completed within a 12-month time frame from the date of approval.

GUIDELINES AND REGULATIONS

The Cemetery reserves the right to compel all persons coming into the Cemetery to obey all Guidelines and Regulations adopted by the Cemetery. The Guidelines and Regulations may be changed without notice by the City of Safford at any time.

Only evergreen trees and desert-type plants may be planted in any gravesite.

Grass, colored stone, or cement cap is permissible.

No animals shall be buried in any gravesite.

There shall be no changes to existing curbing (including painting).

Extra curbing must be approved by Cemetery staff. Curbing installed between spaces must match existing curbing height and width. The width of the curbing (6") shall be split evenly between the adjoining spaces. Please keep in mind, the space size will be reduced with the curb installation. There shall be no changes in the existing curbing. Painted curbing or colored cement is not permitted. Painted curbing or improperly installed curbing will be removed by City of Safford at the installers expense.

All burials must be within the gravesite.

No mausoleums, shrines, cenotaphs, monuments, wire or wooden trellis or structures of any type shall be permitted.

Headstone types shall not exceed 3 feet in height from the ground and shall not exceed the width of the space.

Flag poles are permitted with a minimum 2" diameter pole not to exceed 12' in height. Flags must be illuminated in dark, not impede adjoining lots and will be removed by Cemetery staff if tattered or torn.

Rod iron fencing must be mounted on inside of curbed lot and shall not exceed 30" from the top of the curb. Fencing must be removable for accessibility to gravesite(s) for future burials.

Grave mounds will not be permitted and no lot shall be raised above the established grade.

Consumption of alcohol within the Cemetery is strictly prohibited.

Flowers or other decorations may be removed by the Cemetery staff as soon as the flowers fade and wither. Tattered or torn flags will be removed as well. The Cemetery shall keep holders and flags at the risk of the owner, for a period of thirty (30) days, from the date of removal. If owner fails to collect said holder(s) within said thirty (30) days, he shall there by forfeit all right, title and interest in and to said holders and the Cemetery may dispose of them as it deems best.

Holiday decorations will be removed by Cemetery staff 30 days after holiday.

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

Washing of any motorized vehicles is forbidden at the Cemetery.

Hunting is forbidden on the Cemetery grounds.

Out of respect, touch nothing in the Cemetery that does not belong to you. All persons are strictly forbidden to break or injure any tree or shrub, mar any landmark, curbing, marker or memorial, or in any way deface the grounds of the Cemetery.

Persons within the Cemetery grounds shall use only the walkways and roads. Automobiles shall not be driven through the grounds at a speed greater than 10 mph and must always be kept on the right side of the Cemetery roadways. Out of respect to families, automobiles are not permitted to park or come to a full stop in front of an open grave unless such automobiles are in attendance at the funeral.

All persons are urged to inform the Cemetery staff of any breach of proper decorum that may come to their notice.

All persons are reminded that the grounds are sacredly devoted to the burial of the dead and that 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.

MAINTENANCE

Funeral home shall maintain the cemetery space due to settling for a one-year period following interment at no cost to the City. This does not include landscaping, decorative site improvements, gravel, plantings, plastic barriers or concrete caps. The Cemetery staff will restore unsettled graves after the one-year funeral home maintenance requirement. Restoration may include water compaction, placing dirt and leveling the area. Any improvements on the lot such as rock, gravel, plantings, plastic or concrete must be removed by the Purchaser or Beneficiary prior to any maintenance being performed. The Cemetery staff will not move or relevel headstones or monuments.

Watering: Water will be available for landscaping purposes only according to the City Water Proclamation. The City is not responsible for replacement of plantings or trees that suffer due to lack of

water or care. Freezing temperatures will require the water be turned off to prevent broken water lines.

Trimming: The Cemetery maintenance crew will trim trees, shrubs and bushes as required upon request up to two times annually. If burials or weed control requires additional time, the City reserves the right to delay, reschedule or delete trimming. The City is not responsible for damage to trees, shrubs or bushes from trimming or for the satisfaction of the person requesting the trimming. Individuals, descendants or relatives may trim trees, shrubs and bushes. The Cemetery maintenance crew will clean up and haul trimmings to the landfill. Piles of trimmings must be stacked neatly and bundled. The Cemetery maintenance crew will remove dead plantings from lots upon request as time permits. The City has the right to remove dead plantings.

Grading: The Cemetery staff will grade and maintain roads and alleys within the Cemetery as needed. Any other grading activity must be authorized by Cemetery personnel.

Water Lines and Curbs: The Cemetery maintenance crew shall repair water lines and spouts as needed. The City will repair outside curbing bordering lots as required. Curbing installed by private parties between spaces or lots are not required and will not be maintained by the City.

The City of Safford has the right to enlarge, reduce, change boundaries or grading of the Cemetery or of any area in the Cemetery from time to time, including the right to re-grade roads, drives and walkways is hereby expressly reserved. The right to lay, maintain, operate, alter or change pipe lines or gutters, drainage and other similar items is also expressly reserved for the City of Safford.

If any memorial, or any structure whatsoever, or any inscription to be placed on the same, shall be determined by the Cemetery staff to be offensive, they shall have the right, and it shall be their duty, to enter upon such lot and remove, change or correct the offensive or improper object or objects.

If any tree, shrub, vine or plant standing upon any lot, by reason of its roots, branches, or otherwise, be or become detrimental to adjacent lots or roadway(s), or if for any reason its removal be deemed necessary, the Cemetery staff shall have the right, and it shall be their duty, to remove such tree(s) shrub(s), vine(s) or plant(s), or any part thereof, or otherwise correct the conditions existing as in their judgment seems best.

The Cemetery is not responsible for theft or damage to anything placed on graves or lots.

FUNERAL HOMES

Funeral home shall furnish the City with a Certificate of Insurance listing the City of Safford as an additional insured with a minimum one million dollar policy, including additional endorsements for general liability, workman's comp (per statutory requirements) and auto coverages. If a policy does expire, a renewal certificate must be sent to the City thirty (30) days prior to the expiration date.

Funeral homes with a current Certificate of Insurance shall be authorized to perform interment and disinterment of remains, including the supervision of services for interments in the Safford Municipal Cemetery for persons who have purchased a space or spaces(s) for such purposes.

Funeral home shall be responsible for all labor, equipment and materials necessary for excavation and backfill of gravesites, setting up and removing lowering devices, tents, chairs and all items necessary to properly conduct gravesite activities for interments and disinterment. All work performed shall be done in a manner consistent with the customary and accepted practices of the funeral industry.

Funeral home, before and after interments or exhumations, shall return the area or items of every kind and nature to a condition equal to or better than the areas or items prior to any activity. The areas and items herein referred to shall include, but are not limited to, headstones and markers (moving and replacement), curbing, waterlines, plantings, brick or block walls or other retainers or fences, including brick-bordering landscaping and groundcover landscaping. Any damages or disturbances not repaired or remedied to a condition equal to their condition prior to damage or disturbance shall be resolved in one or more of the following manners:

Funeral home shall, within seven (7) days after demand by the City to repair and/or restore areas or items, remedy the situation to the satisfaction of the City of Safford's Cemetery Supervisor (or designee). The City of Safford may charge a reasonable administrative fee for the effort expended in issuing the demand and inspecting the results.

The City, at its option, may make the repairs and/or restoration to the items and/or areas and invoice the funeral home or responsible party for its actual costs plus twenty percent (20%) administrative surcharge. Persons so invoiced shall make full payment within seven (7) days of receipt of the invoice. If payment is not timely made, the City shall be entitled, in addition to the invoiced amount, investigation, collection, and attorney's fees from the party or parties not timely paying the invoiced amount(s).