

RIVERSIDE-THOMAS

CEMETERY



EST. 1887

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CEMETERY
POLICY
MANUAL

Revision 2.0

APPROVED MARCH 12th, 2018

REVISION HISTORY

| Rev. # | Rev. Date | Summary of Changes | Delivered Via |
|--------|-----------|--|--------------------|
| 1 | 7/23/2017 | Initial publication | Online publication |
| 2 | 3/12/2018 | <ul style="list-style-type: none">• Fee changes; opening and closing fees have been revised. Winter and summer fees were averaged together, to provide for simplicity in billing and uniformity in questionable weather circumstances.• Pertaining to purchases of cemetery plots, "resident" versus "non-resident" has been changed to "owning tax-assessed property" and "not owning tax-assessed property."• Minor spelling and grammatical changes | Online publication |

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Introduction

This policy manual was created to aid in the efficient and productive use of the cemetery. The management of the cemetery acknowledges that not all circumstances and situations can be comprehensively covered by this manual. Unique circumstances and situations can and will arise. In those instances, the board of directors and/or the sexton may elect to use common sense judgment, with the best interest of the cemetery and general public in mind, to rule and manage.

Definitions

For the purposes of cemetery business and operations, the following definitions are applicable in all situations, and shall govern in any arisen dispute.

Cemetery

Refers to the Riverside-Thomas Cemetery, located at 939 W. Highway 39, Blackfoot, Idaho, 83221.

Gravesite

The place where a deceased person is buried. *See also: Plot*

Interment

The act of burying a deceased person.

Plot

The legal description of a single gravesite; measuring not more than 45” wide, by 104” long. *See also: Gravesite*

Headstone

A permanent marker indicating the identity of a deceased person.

Base

A concrete or cement pad upon which the headstone rests.

Owner

A person who has purchased a “right-of-burial” and/or “deed” certificate from the cemetery. A deed owner does not own the physical ground at the cemetery, only the burial rights to said ground.

Cremains

The burnt remains of a cremated deceased person.

Funeral

Any ceremony, gathering, wake or religious service honoring a deceased person.

Disinterment

The ace of removing a deceased person from his/her pervious interment. *See also: Interment*

Tax Payer

A person residing in, and paying property tax on land, geographically located within the Riverside Thomas Cemetery District.

Vault

An outer container, made of cement, fiber glass or stainless metal material, which contains a casket of a deceased person.

Casket

A container for a deceased person.

Sexton

The person for whom cemetery maintenance and operations is responsible. May also refer to the *Sexton's* agent or employee.

Cemetery Maintenance Commissioners

Per Idaho Statue § 27-109, the cemetery maintenance board is tasked with managing and conducting business of the cemetery, make and execute contracts, and make and adopt all necessary rules and regulations pertinent to the operation of the cemetery. The Sexton is appointed by the Cemetery Maintenance Commissioners. Hereafter, the Cemetery Maintenance Commissioners may be referred to, collectively, as ‘the board.’

The Riverside Thomas Cemetery district is a legal taxing district, in the State of Idaho. Boundaries were previously established by petition in accordance with Idaho Statue § 27-104.

The board meets quarterly; meetings are open to the public and generally held at the Snake River Community Library, located at 922 W. Highway 39, Blackfoot, Idaho. Current meeting schedules can be found on the cemetery website, at www.riversidethomascemetery.org/board-meetings.

The board consists of three commissioners, one of which serves as chairperson/president, each one from one of the three geographical areas of the district, one secretary, and one treasurer. The secretary and treasurer are non-voting members, and who’s seat/office may be occupied by the same person.

Burial & Interment

One burial per plot is allowed. Two cremains may be placed on top of a previously completed traditional (non-cremated) burial. All opening and closing activities, including digging the grave, placing the vault and casket into the grave, filling in the grave, etc, will be done by cemetery personnel, or their designee. Digging a grave by hand is not permitted. Interments are limited to the human dead. No animal interments, of any kind, are allowed.

Permit Required

The State of Idaho form titled “Authorization for Final Disposition-Transit Permit” is required for all burials, prior to the burial taking placed. Without the permit, no burial can legally occur.

Vault Requirements

Per cemetery policy, a commercially manufactured vault, other vault approved by the sexton, is required for all regular (non-cremated) burials. The vault must be made of concrete, or other non-rusting material.

Advanced notice

To ensure employee and equipment availability, notice, in advance of 48 hours of 8:00 AM on the day of the funeral, is required prior to any funeral service. The cemetery shall not be held liable for disruptions in funeral plans and/or services, when an appropriate notification has not been made in the given timeframe.

Burial Flowers & Décor

Flowers and other conservative decorations may be placed on the top surface of the grave or within 5 feet of the grave, at the time of burial; after 7-10 days, they will be removed and disposed of. Family members of the deceased person wishing to keep any of these decorations are encouraged to retrieve them within the 7-day time frame.

Disinterment

Disinterment may occur by the lawful order of an officer of the court. Disinterment’s at the request of gravesite owners and/or family members of the deceased may occur on a case-by-case basis, with the approval of the sexton and the cemetery board. Fee’s associated with disinterment may be found under the heading *Fee Structure*.

Ongoing maintenance

The sexton, who serves as the general manager, manages the cemetery. The sexton oversees all maintenance operations at the cemetery, including landscaping, maintenance, irrigation, funeral services, and all other maintenance related activities.

The summer maintenance season, wherein the grass is mowed weekly, is from April 15th, through October 1st. At the discretion of the sexton, the mowing season may begin earlier, and extend later, weather permitting. The watering season shall be from May 1st, through October 1st.

No persons, other than the duly authorized employees of the cemetery, shall be allowed to perform any work within the cemetery without explicit authorization issued by the cemetery management, and any such work so authorized shall be subject to all provisions contained herein pertaining to such activity. Examples of said work include moving headstones, leveling graves, raising headstones, adding dirt to sunken areas, pruning trees, spraying weeds, etc.

Headstones

Headstone preface: The cemetery recognizes that secondary to the significant age of many of the headstones in the cemetery (many of which are 100+ years old), many of the family members and or owners of headstones/plots may not regularly visit the cemetery. Changes to cemetery policy over the years may have left some headstones in violation of the following policy, and we are unable to contact family members or plot owners to remedy the situation. It is our intention to keep the cemetery a safe and beautiful place to visit, and we have written this policy, and will execute it, with this in mind.

Headstones add to the natural beauty and ambiance of the cemetery. Their accurate placement aids in the location of graves, both old and new. In order to ensure safe and efficient cemetery maintenance, the cemetery has established the following headstone policy:

- a. Headstones installed after June 1st, 2017, must have prior approval from the cemetery sexton. Headstones installed without written approval from the sexton, after the aforementioned date, may be removed without notice.
 - a. Written approval can be obtained by applying for a headstone permit, by visiting www.riversidethomasceemetery.org/headstone. Notice, in advance of 2 business days, is required (cemetery personnel will mark the location of the headstone). When applied for in advance of the 2 business day time frame, there is no fee for the permit.
 - b. Monument companies or individuals applying for a permit, after the headstone has been placed or without proper notice, will be assessed a \$100 fee.
- b. Headstones must be made of granite, marble or bronze. No other materials are allowed.
- c. Headstones must be placed on a concrete or cement base. The base shall extend a minimum of 3” from the all sides of the headstone to the outer edge of the base.
- d. The base may contain permanent spaces for flowers or other decorations so long as the base still has 3” of concrete from the edge of the space to the outer edge of the base.
- e. A headstone and its base must rest fully within the space of the grave. The headstone and its base may not intrude on a neighboring space, regardless of deeded ownership, except in the case of a legally married or common-law couple.
- f. Headstones and other adornments at the gravesite may not exceed 48 inches in height.
- g. Placement of headstones is at the plot owner’s own risk. The cemetery shall not be held liable for damage to headstones and/or bases, including headstones that the cemetery may have placed as a service to the deceased.
- h. A headstone must be obtained for each burial within 6 months of burial date, weather permitting. Exceptions to this rule may be made at the discretion of the sexton, and with his/her written permission.
- i. Headstones shall be placed on the west side of the grave.
- j. Without previous notice, and at the discretion of the sexton, headstones may be moved, within the bounds of the grave, to accommodate safe and efficient cemetery maintenance.
- k. No deceased person shall have more than one headstone. Veterans, as designated by the department of veteran’s affairs, may have one upright headstone, and one additional headstone flush with the ground, immediately behind the upright headstone.
- l. Headstones for cremains placed on top of a previously completed traditional burial (non-cremated), may be placed over the cremation. To accommodate mowing of the grass, said headstone must be flush with the ground.
- m. No family monuments are allowed.
- n. The cemetery, at it’s own discretion, may elect to place or replace a headstone on a gravesite that has not previously had one or has a damaged one.
- o. All headstones must be in full compliance with this policy. Headstones not in compliance with the following policy may be removed at the discretion of the sexton, and with prior written notice to the deeded owner.

Lot Ownership & Privilege

Nature and Extent of Burial Rights

Only permissive burial rights are sold. The cemetery retains title to the cemetery property. A maximum of twelve (12) gravesites can be purchased per household who are residents of the taxing district. Non-resident households may elect to purchase a maximum of four (4) gravesites per household. Proof of current residency is the responsibility of the applicant. A certificate of burial rights or deed will be issued for each plot, with an associated name (not just the purchaser), after fees are paid in full. Burial plot or Gravesite Certificates do NOT convey title to the land, ONLY the right for burial of the named individual in said plot or gravesite; title remains with the cemetery. Any unauthorized or improper transactions concerning issued Certificates may render them null and void.

Rights Conveyed

Burial rights are conveyed to the person named therein and their heirs. All legal heirs are presumed to have legal claim to the rights of burial, unless specified differently in a legal will or by probate court. Burials by or of heirs, after the original parties named on burial certificates are deceased, require the written permission of all known living heirs.

Restrictions on Resale and/or Reassignment

Plot resale may occur with permission of the cemetery board and will be facilitated through the cemetery sexton, or his designee.

Unused Plots

The Cemetery, on an as-needed basis, may reclaim plots that have been unused, or have no written notice of claim or interest, for over 50 years. Every effort, practically and legally, will be made to find the owner or legal heirs before lot ownership shall be reverted. Should a certificate, deed or right to a lot that has been previously reverted to the cemetery, be presented, the legal holder shall be entitled to be compensated at the original plot purchase price or be offered an alternative plot. The choice shall be at the discretion of the person with the right to the plot.

Plot Buy Back

Plot owners seeking to “sell back” plots to the cemetery, may, through the sexton, file a request to the board of directors stating their desire to sell back plot(s) to the cemetery. The cemetery board may elect to approve or deny requests, at their discretion.

Fee Structure

The cemetery board of directors approves all fees. Cemetery fees are non-negotiable, and are evaluated yearly.

Plots

- \$250, for purchasers owning tax-assessed property within the taxing district
- \$350, for purchasers not owning tax-assessed property within the taxing district

Opening & Closing Fee's

- \$350, funerals, Monday through Friday
- \$550, funerals, Saturday (no Sunday Funerals)
- \$250, cremation, Monday through Friday
- \$300, cremation, Saturday (no Sunday Funerals)
- \$35/hour, snow removal
- \$8/hour, ground thawing

Misc. Services

- \$25/man hour to remove, relocate, or repair headstones or gravesites beyond what the cemetery normally provides.
- \$25 per hole drilled for shepherds hooks or other decorations (this service may be completed by a cemetery contractor).
- \$25-100, per headstone cleaned (this service may be completed by a cemetery contractor).

Disinterment

- \$1000, plus \$65 per man-hour. Deposit may be required. Disinterment does not include mortuary, back-hoe or monument company fees.

Cemetery Code of Conduct

To maintain the natural atmosphere of the cemetery, the following code of conduct has been approved by the cemetery board of directors.

Animals

Pets must be on a leash. Handlers of pets are expected to clean up after said pet.

Children

Children under twelve (12) years of age shall not be permitted within the cemetery, or its buildings, unless accompanied by an adult, or with specific permission of the management.

Conduct

Boisterous or unseemly conduct that would disturb the quiet and good order of the cemetery shall not be permitted in the cemetery, or in any of its buildings.

Controlled Substances

The possession or consumption of illegal drugs or alcoholic beverages within the cemetery is strictly forbidden. There is no smoking or vaping, of any kind, on cemetery property.

Improprieties

It is of the utmost importance that there should be strict observance of all of the proprieties of the cemetery, whether embraced in these rules or not, as no improprieties shall be allowed, and the management shall have power to prevent improper assemblages.

Littering

The throwing of rubbish on the roads, drives, paths, parking lots, or on any part of the grounds, or in the buildings, is prohibited. Use of the cemetery provided rubbish cans, is for cemetery related waste only. Dumping of household or other non-cemetery trash will be reported to the Sheriff's Department as illegal dumping.

Vehicles

Vehicles must remain on the paved areas of the cemetery, and may not travel in excess of 10 miles per hour. Driving on the grass is explicitly prohibited.

Decorations & Adornments

The cemetery acknowledges the sentimental nature of many of the decorations or items left at the gravesite. While we sympathize with frustrations and sadness when theft, breakage or vandalism occurs, the cemetery shall not be held liable for these situations.

We encourage the appropriate adornment of headstones and gravesites, as a way to celebrate the life of a deceased person. To support this, and accommodate efficient cemetery maintenance, decorations placed on a gravesite must be fully contained and secured within the base of the headstone.

Cemetery staff may dispose of decorations not fully contained within the base of the headstone. Nearly all decorations, overtime, will deteriorate secondary to weather and irrigation. As this happens, they being to break down, and with the wind will get blown around; and may end up in our fence line, or in the yards of the property neighboring the cemetery. **To prevent this litter, the cemetery reserves the right to dispose of decorations that have become worn or tattered.**

Shepard's hooks and other decorations that "stick" in the ground are not permitted outside the base of the headstone. When placed within the base of the headstone, they must be fully contained inside the base of the headstone by 2 inches on all sides. By request, the cemetery will drill a hole in the base of a headstone to accommodate shepherds hooks. The cost for this service is \$25, per hole.

All decorations shall be conservative in nature and must not contain explicit material or controlled substances (alcohol, tobacco, etc.). Should a decoration present a safety hazard, cemetery staff, without notification, may remove it. Balloons are discouraged, as they deteriorate quickly, and become litter. The cemetery does not permit adornments which are considered offensive, inconsistent with the dignity of the cemetery or considered hazardous to cemetery personnel; examples are beads, wires, twine and string which may become entangled in mowers or other equipment and cause injuries.

Because they break, and become a safety hazard, glass and/or ceramic decorations are not permitted.

Planting of any type of flower, tree, bush, hedge, grass or other plant or vegetation, without prior written approval by the cemetery sexton, is strictly prohibited. When found, these items will be immediately removed and disposed of without prior notification. No fences or enclosures around gravesites are permitted.

Cemetery staff is happy to inspect decorations to ensure they comply with policy, prior to them being placed at a gravesite. Contact a staff member for assistance.

Memorial day exception:

Beginning the Friday morning before Memorial Day, and extending through the Memorial Day weekend, through the following Tuesday at 8:00 AM, flowers and decorations may extend beyond the base of the grave. To accommodate refuse removal, **the cemetery will temporarily close, the Monday following Memorial Day at 8:00 AM. The following items will be disposed of:**

- a. All live flowers

- b. **All artificial flowers, not fully contained within the base of the headstone or are worn and/or tattered.**
- c. **All decorations, not fully contained within the base of the headstone.**
- d. **All balloons.**
- e. **All shepherds hooks, not fully contained within the base of the headstone.**

It is suggested that patrons remove, prior to the aforementioned time, any decorations they wish to keep. This is the only way to fully ensure that decorations are not inadvertently removed and disposed of.

Burial Plot Transfer

See *Restrictions on Resale and/or Reassignment*.

Veterans Monuments

The cemetery keeps a complete record of veteran's graves. Each year, in advance of the Memorial Day holiday, in recognition of their service to this great nation, United States flags are placed at the right side of veteran's headstones. The flags shall be 11" tall by 17" wide, and shall be made of a cotton or similar material. The flags shall be in good condition, not showing signs of wear, discoloration, or otherwise faded. Flags showing these signs, or are tattered or damaged in any way, shall be appropriately retired.

Cemetery patrons are welcome to adorn the gravesites of those interred at the cemetery with flag of the United States of America—especially our veterans. The flags shall be appropriately sized for the given height, and shall never touch the ground. Flags should generally be displayed in accordance with appropriate historical practice and in compliance with local, state and federal regulations. Additional information can be found by visiting the following websites:

- <https://www.senate.gov/reference/resources/pdf/RL30243.pdf>
- <https://www.va.gov/opa/publications/celebrate/flagdisplay.pdf>

Liability

Headstones, monuments, temporary markers, and decorations or memorials on the cemetery grounds are placed at the owner's own risk. In no way does the cemetery warranty or guarantee their safety or location. The cemetery will not be held responsible for damage occurring to headstones and/or the aforementioned items.

Patrons of the cemetery visit the cemetery grounds at their own risk. By its very nature, the cemetery ground is often uneven, and may be difficult to traverse. Though the cemetery staff attempts to mitigate hazards to the best of their ability, hazards can and do exist. Examples include: uneven ground, protruding monuments, holes, ice, snow, lightening, falling branches, broken glass, open graves, etc. The cemetery will not be held responsible for personal injuries sustained on the grounds of the cemetery in any way, shape or form.

Cemetery Vendors

Individuals or businesses wishing to conduct business related activities within the cemetery must have approval from the cemetery board, or their designee. Proof of liability insurance and appropriate licensing may be required before permission is given.

Individuals or business conducting business related activities on cemetery property without written permission from the cemetery shall be considered trespassing.

Though not all inclusive, the following businesses are required to obtain permission from the cemetery prior to conducting business on the cemetery property:

- Funeral homes & mortuaries
- Monument companies
- General contractors
- Heavy equipment operators
- Monument cleaning companies
- Garbage collection companies
- Mechanical repair services