Blair Cemetery

Rules and Regulations

FOREWORD

The Blair Cemetery is owned and managed by the City of Blair, Nebraska.

The management of the cemetery shall be under the direction of the Cemetery Superintendent, who in turn shall be responsible to the City Administrator and City Council for direct and complete supervision of the cemetery in all matters.

All applications for purchase, transfers, assignments or repurchase of the cemetery grave spaces, interment and disinterment permits shall be made at the Cemetery Superintendent's office. Only the Superintendent or the City Clerk/Treasurer is empowered to receive all monies or payments and to issue receipts for the same in all transactions involving cemetery property or service.

It is the desire of the City to make the Blair Municipal Cemetery a quiet, beautiful place for the deceased, where a sense of repose will be obtained by dignified landscape effects on a well-maintained lawn. Nothing shall be permitted that detracts from the general beauty, dignity, or harmony of the cemetery. Peace and good order shall be maintained at all times, and the sacred character of the cemetery shall be respected and preserved. These rules and regulations are established to further these purposes.

These rules govern the use and operation of the Blair Cemetery located in Blair, Washington County, Nebraska.

ARTICLE 1 — GENERAL RULES

1. The cemetery is open every day of the year, weather permitting. The gates are open from 7:00 a.m. to dusk.
2. The Superintendent may open or close the Cemetery when in his judgment the appropriate use of the cemetery requires it.
3. The Superintendent has the general oversight of the cemetery and shall coordinate the time and day of all interment and disinterment.
4. No person shall:
    a. Operate a motor vehicle within the cemetery except on an established roadway.
    b. Disturb any trees, shrubs, plants, or monuments without consent of the Cemetery Superintendent.
    c. Erect a marker, monument, or vase without first contacting the Cemetery Superintendent and obtaining the necessary authorization and/or permits.
    d. Erect a mausoleum for private use.
5. The Cemetery Superintendent and/or City Council reserves the right for City workers and those persons necessary to the performance of normal cemetery operations to enter on or cross over any lot or grave space in the cemetery in performing such duties as are deemed necessary by the Superintendent of the Blair Cemetery.
6. The Blair Cemetery and/or City of Blair shall not be financially responsible for any damage to grave spaces, monuments, vases, or structures thereon for flowers or articles removed from any grave space or lot.
7. Neither the City of Blair nor its employees assume liability for property or physical damage, or mental anguish caused or alleged to be caused in the performance of normal operations or of loss or damage by vandals or any third party.
8. All traffic rules of the City of Blair shall be applicable to operations of vehicles in the Blair Cemetery. No vehicle shall be operated more than ten miles per hour within the cemetery. Any person driving in the cemetery shall be responsible for any damage done by the vehicle, and/or person of such vehicle.
9. The City council shall have the right at any time to amend or change these rules and regulations.

ARTICLE 2 — INTERMENTS

1. All interments and disinterment's in the cemetery shall be subject to these rules and regulations and the applicable laws of the State of Nebraska.

2. The Superintendent shall be given a minimum of twenty-four (24) hours' notice in the Summer and thirty-six (36) hours' notice in the Winter for the opening and preparation of a grave prior to interment.

3. Interments on Saturday, or City recognized holidays shall be allowed for religious reasons, extraordinary, or extenuating circumstances. Sunday funerals shall only be allowed for religious reasons and shall be charged at the Saturday afternoon or City holiday rate.

4. The interment of more than one body in one grave space will not be permitted except in the following cases:

a. Two infants

b. One infant and ~~one~~ two cremations.

c. Two cremations and one adult burial (where sufficient space is available).

   Cremations will only be placed on top of the vault or box Those wishing to place a full burial after cremains have been interred will be required to pay the appropriate fees for disinterment and adhere to any appropriate state regulations.

d. One adult and one infant.

e. Three Cremations.

5. No interment of remains other than that of a human being will be permitted within the cemetery.

6. All interred cremains shall meet all Cemetery rules and regulations for lot set back, lot coverage, and shall be placed in conformance with regulations for monuments and markers.

7. No interment will be permitted until the Superintendent has issued a burial permit and all requirements have been met and all fees paid.

8. The lot owner and/or funeral director shall designate the location of graves on the lot to the Cemetery Superintendent and any change of location made after the opening of the grave has begun shall be at the expense of the lot owner/funeral director. When definite information for locating a grave is not available in ample time for grave preparation to meet the time requested for interment, the Superintendent will exercise his best judgment in establishing the location in order that the requested time for interment may be met. The City, Blair Cemetery, or its employees assumes no responsibility for any error in such location. An additional charge will be made for any change requested.

9. The City and its employees shall not be held responsible for any orders given by phone, or for any mistake resulting from the lack of precise and proper instructions as to the space, size, or location in a plot where an interment is desired.

10. The cemetery shall be in no way liable for any delays in the interment of a body where a protest to the interment has been made or where the rules or regulations have not been followed. The City shall be under no duty to recognize any protest to interment unless they are in writing and filed at the cemetery.

11. The Cemetery Superintendent or his/her designated representative is to be present in the cemetery for every interment.

12. All interments shall be contained in a concrete box or vault only, except for infants or cremation interment in which case an infant interment may use a fiberglass casket vault combination.

13. A single interment may not be buried to occupy more than one grave space without written directions from the lot owner or his heirs.

DISINTERMENTS

1. Any disinterment and or removal shall be made under the direction of the Superintendent according to the laws of the State of Nebraska, Washington County, the State Board of Health and in the presence of a Licensed Mortician.

2. Disinterment or removal will not be permitted on weekends, National or City recognized holidays.

3. The Superintendent shall be given at least one week's notice of the intention to disinter or remove a body from the cemetery. When disinterment is made, the Superintendent shall permit only the following people to be present:
    a. Members of the immediate family.
    b. The mortician conducting the disinterment.
    c. A legal enforcement official authorized by a Court Order.
    d. Any other person specifically authorized by Law or Court Order.
    e. Any other person(s) that are needed to perform disinterment and/or re-interment.

4. Disinterment by heirs of a body so that the grave space or lot may be sold for profit to themselves or to any other persons, or disinterment contrary to the written directions of the original grave space or lot owner, shall not be allowed.

5. The Cemetery Superintendent or his/her designated representative is to be present in the cemetery for every disinterment.

6. The City of Blair and/or its employees shall not be liable for any damages to any casket, vault, or box incurred in making a removal. Fee charges for such service are set in Appendix A.

ARTICLE 3 — Blocks, Lots, and Grave Spaces

1. The cemetery is divided into blocks, which are in turn subdivided into lots, each ranging from four (4) to twelve (12) grave spaces. An infant's section and a county burial section are also available in the Blair Cemetery.
2. All arrangements to purchase a lot or grave space shall be coordinated with the Superintendent, after which the purchaser shall make payment to the City of Blair for such purchase. The purchaser shall receive a Cemetery Deed from the City of Blair for the lot or grave spaces purchased. A purchaser shall acquire no right, title, or interest in any grave space, nor shall any burial or interment of cremated remains be permitted therein, until the grave space or spaces and all applicable interment fees have been paid in full.
3. The City of Blair will file a cemetery deed with the Washington County Register of Deeds on behalf of the lot owner. A recording fee of ten dollars will be added to the sale of lots for this service.
4. A lot owner may sell their grave space or spaces; however, the City shall have no obligation to recognize the transfer unless a copy of the deed recorded with the Registrar of Washington County is filed with the City Clerk. All grave spaces sold back to the Cemetery/City must be conveyed by Warranty Deed.
5. The Cemetery shall have the right to refuse to consent to a transfer or any conveyance of said grave spaces if there is any kind of indebtedness due to the cemetery by a recorded lot or grave space owner.
6. If there are no heirs at law of a lot owner and he or she has not provided by will for the disposal of lots, the remaining space, or spaces escheat back to the Blair Cemetery after normal inquiry of any known relatives and in accordance with State law and the regulations below.

Cemetery Lot Ownership Verification and Deed Issuance Policy

7. The Cemetery Superintendent, City Clerk, and City Attorney are authorized to review and evaluate claims of ownership and determine whether sufficient evidence exists to establish ownership.

Ownership may be established through one or more forms of evidence, including 8. but not limited to:

a) An original or recorded cemetery deed in the name of the person claiming ownership.

b) Probate records, wills, trust documents, or other estate records in the name of the person claiming ownership.

c) Burial permits or interment records of spouse or proof of name already on a stone.

d) Monument, marker, or headstone inscriptions identifying the person claiming ownership.

e) Evidence of fencing, curbing, landscaping, or other permanent improvements historically associated with ownership.

f) Affidavits from family members, heirs, or other persons who have personal knowledge of ownership.

9. Review Process

a) The claimant shall submit a written ownership claim on a form approved by the City.

b) Supporting documentation shall accompany the claim.

c) The Cemetery Superintendent and City Clerk shall review all submitted materials.

d) The City Attorney may be consulted regarding legal sufficiency or disputed claims.

e) Additional documentation may be requested when necessary.

f) A deed will be filed for any person who successfully provides sufficient documentation to claim ownership.

10. Issuance of Deed

Upon approval of an ownership claim:

a) The City Clerk shall issue a cemetery deed identifying the approved owner or owners.

b) The deed shall be recorded in accordance with the Cemetery Rules and applicable law.

c) The claimant shall pay any applicable recording fees established by the City Council.

A determination made under this policy shall be based upon the information available at the time of review and shall be considered final unless additional .

Nothing in this policy shall prevent the City from reclaiming, reselling, or otherwise administering cemetery lots in accordance with City resolutions, established.

ARTICLE 4 — Care of the Cemetery

1. All grading, general landscape work, improvements, all openings and closing of graves and all interments, disinterment, and removals shall be made by the Superintendent or an approved delegate.
2. All plantings of trees, shrubs, bushes, plants, and flowers shall be under the direction of the Superintendent any removal or pruning of the above listed items must also be under the Superintendents supervision. The Superintendent may remove any unauthorized plantings and the City, and its employees shall not be liable for such removals.

3. Floral arrangements and designs, flowers, shrubs, trees, weeds, or any herbage or any plastic or any other item may be removed by the Superintendent or his employees whenever he judges them to be unsightly, dangerous, detrimental, diseased, or distracting from the general décor of the cemetery. The cemetery and its employees shall not be liable for flower pieces, baskets, frames, or other objects left for or after a funeral service or for decoration of a grave over winter. The cemetery shall not be liable for lost, misplaced, or otherwise damaged flower cases unless damaged by the cemetery personnel in the performance of their duties. The cemetery shall not be responsible for frozen plants or herbage of any kind, or for plantings or herbage of any kind, or for plantings damaged by the elements, drought, lack of water, thieves, vandals, or by other causes beyond its control.
4. Glass containers of any kind are not permitted in the cemetery. The City/cemetery is not responsible for any cost of replacement or injury because of such containers.
5. Flowers (silk, plastic or real) are not permitted on lots or grave spaces from April 1 through November 1 unless contained in a permanent type of container approved by these rules except as follows:
    a. From April 1 through November 1 all other decorations or mementos are permitted if attached to the headstone or firmly sitting completely on the headstone base.
    b. A valid three (3) day registration in remembrance of birthdays or date of death.
    c. Five (5) days before Memorial Day to seven (7) days after.
    d. The Thursday before Mother's and/or Father's Day at 4:00 p.m. to the Tuesday after Mother's and/or Father's Day at 6:00 p.m.
    e. Temporary decorations are allowed for 30 days after interment. Decorations must be placed in line with adjacent markers and must not impede routine maintenance of the cemetery.
        i. An extension may be allowed by the superintendent on a case-by-case basis, depending upon circumstances.
6. Patrons of the Blair Cemetery may decorate grave spaces or lots from November 1 through April 1 with any items they wish except for any glass items. The cemetery and its employees, however, are not responsible for any items that have been moved, damaged, or lost during this time either in the performance of their duties or by other third parties.
7. Patrons of the Blair Cemetery may water grave spaces, lots, trees, and bushes or flowers only if they are present. Water hydrants shall not be left running unattended. Cemetery employees may turn off any unattended hydrant and remove any hoses, sprinklers, or other watering equipment left out. The City reserves the right to shut off or disconnect the water supply at any time due to leaks, water conservation measures, or other City-imposed restrictions.
8. Curbing, fences, or hedges around any grave space, or lots are prohibited.

9. No elevated mounds shall be built over graves, and no lots shall be filled above the level established by the cemetery.

ARTICLE 5 — Monument and Marker Regulations

1. Flower vases, allowed by these rules, separate from the headstone or monument must be placed at the North and South ends of the foundation.
2. The Blair Cemetery may charge a fee to the lot owner or person requiring the movement of a large monument or marker or to open a grave. The City is not responsible for the replacement of any foundation damage to open a grave.
3. All permits and fees shall be paid before any monuments, markers, vase, or foundation work can begin. See Appendix A for any fees.

4. The foundation for any monument or markers shall be level with the ground at least six (6) inches thick. The lot owner is responsible for maintenance and repairs of the foundation.

5. All monuments or markers shall be no more than sixteen inches in width and be set in a straight line with lot lines. Cemetery staff will locate corner pins and identify the location of each monument or marker. All monuments and markers must be properly aligned in their respective lots.

6. All monuments or markers shall be constructed of marble, granite, or bronze. Rock, steel, aluminum, or formed concrete plate shall not be used for markers or monuments. Grave slabs are not permitted in any part of the cemetery.

7. Benches may be allowed in lieu of a monument or marker. Benches will not be allowed on a grave space in addition to a monument or marker.

~~7.~~8. All monuments or markers shall be approved by the Superintendent in writing prior to installation. A detailed rendering of the stone showing all dimensions shall be provided, as well as a site plan showing placement of the monument or marker in the grave space.

~~8.~~9. Monuments or markers shall not be removed unless notice has been given to the Superintendent in writing.

~~9.~~10. Placement of monuments and markers apply to each section of the Cemetery as follows:

a. Blocks 1 through 109 inclusive shall have unrestricted monument privileges, which permit the erection of monuments or markers at either ~~or both~~ end~~s~~ of a grave space which do not interfere with future grave openings and are not set back-to-back with another monument or marker. If a monument or marker is already installed in an adjoining spot the new monument or marker must be on the opposite end of the grave space.

b. Blocks 110, 111 and 118, the monuments or markers on the East one half of the lot shall be placed on the East end of the grave with the inscription facing the grave, and on the West one half of the lot the monuments or markers shall be placed on the West end of the grave with the inscription facing the grave.

c. Block 115-117 shall allow monuments or markers on the East one half of the lot shall be placed on the East end of the grave with the inscription facing the grave, and on the West one half of the lot the monuments or markers shall be placed on the West end of the grave with the inscription facing the ~~grave..~~grave.

d. Monuments or markers located in North, South closed roadway lots shall be placed at the West end or the grave and face East. No monuments may be placed on the east end of these grave spaces.

e. Center (Family) monuments will not be permitted in any section of the cemetery for lots purchased after April 1, 2023.

~~10.~~11. In the event existing curbs become a maintenance hazard or become unsightly because of deterioration and/or disrepair, the Cemetery Superintendent shall notify the lot owner or heirs, if possible, that the curb must be repaired within 30 days weather permitting or it shall be removed. If no lot owner or heir can be located the Cemetery shall repair or remove the curbing at the Superintendent's discretion.

Spaces with multiple burials will not be exempt from the headstone rules and ~~—~~regulations.

~~11.~~12. The following requirements shall apply to all monuments and markers:

a. Only professional monument companies are permitted to install foundations and monuments.

b. Only engineered, pre-stressed precast concrete foundation caps set in a wet concrete footing will be used.

   i. The monument company will be responsible for determining the depth of the footing.

   ii. Monuments over sixty (60) inches tall must be supported by a minimum six-inch-thick foundation and a six-inch diameter post forty-two (42) inches deep, one per each two feet of length. Reinforcing rod must be used to tie the foundation to the post(s).

c. The wash on all monuments will be a minimum of two inches.

d. No monument, marker or vase will extend beyond the boundary of the grave space or lot.

e. It shall be the responsibility of the monument company and/or the family of the deceased to straighten the monument, or marker should it begin to lean or tilt.

f. If in the judgement of the Cemetery Superintendent any marker or monument becomes hazardous, the monument company will be notified.

   i. If the monument company fails to act after thirty days, The Superintendent may remove the marker until it can be reset.

g. Temporary markers may be placed by request for a length of 90 days. These may be placed by the funeral home, or one provided by the cemetery. After 90 days temporary markers will be removed, and a permanent marker or monument must be placed at the grave.

   i. An extension may be allowed by the superintendent on a case-by-case basis, depending upon circumstances.

ARTICLE 6 — Fees - Charges - Permits - Payments

All applicable fees, charges, and permit costs shall be due and payable at the time of service and shall be paid at the City Clerk's Office, 218 South 16th Street.

A schedule of all fees, charges, permits, and payments, as established by the City Council and stated in Appendix A hereto shall be on file in the office of the Cemetery Superintendent and in the Blair City Clerk's office. Such schedule may be amended from time to time.

The City may buy back grave spaces at the rate of $200.00 per grave space.

APPENDIX A — Fee Schedule

Grave Openings

Service or purchase	Fee
Adult	$600.00
Infant	$350.00
Cremation (one urn)	$350.00

Cremation (one urn with vault)	$400.00

There shall be an additional charge of $250.00 for interments on Saturday mornings. There shall be an additional charge of $350.00 for interments on Saturday afternoon, or recognized City holidays. There shall be a late service fee of $125.00 per hour for any service scheduled after 4 pm.

All disinterment's and re-interments in same grave shall be charged for one (1) opening and any additional time or equipment used in the removal of said disinterment in accordance with City rental fees and expenses.

Any disinterment and subsequent re-interment in another grave shall be subject to a charge equal to **two (2) grave openings**, plus any applicable fees or costs incurred outside the City of Blair.

Grave Space Purchases

Service or purchase	Fee
40- & 45-Inch Spaces — Adult/Infant/Cremation	$700.00
Family Purchase of Re-claimed Lots	$275.00

Baby Section (30 inches × 60 inches)

Service or purchase	Fee
Infant (under 2)	$350.00
Cremation (Any)	$350.00

Miscellaneous Fees

Service or purchase	Fee
Recording Fee for Deed	$10.00
Layout for Catholic Cemetery	$100.00