

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 and Parks Supervisor, who in turn shall be responsible to the Deputy City Administrator of Public Works, City Administrator, Blair Mayor, 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 and Parks Supervisor's Cemetery and Parks Supervisor office. Only the Cemetery and Parks Supervisor 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. Anything which would mar the general beauty and harmony of the cemetery must be avoided. Peace and good order must prevail, and the sacredness of the cemetery must be properly maintained. It is to this end that these rules and regulations have been implemented.

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 Cemetery and Parks Supervisor may open or close the Cemetery when in his judgment the appropriate use of the cemetery requires it.
3. The Cemetery and Parks Supervisor 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 the consent of the Cemetery and Parks Supervisor.
 - c. Erect a marker, monument, or vase without first contacting the Cemetery and Parks Supervisor and obtaining the necessary authorization and/or permits.
 - d. Erect a mausoleum for private use.
5. The Cemetery and Parks Supervisor 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 Cemetery and Parks Supervisor 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 assumes 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 apply 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 the person operating such vehicle.
9. The City Council shall have the right at any time to amend or change these rules and regulations.

ARTICLE 2
INTERMENTS, DISINTERMENTS, AND REMOVALS

1. Any interment, disinterment, and or removal in or from the cemetery are subject to these rules and the Statutes of the State of Nebraska
2. The Cemetery and Parks Supervisor 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. Any disinterment and or removal shall be made under the direction of the Cemetery and Parks Supervisor according to the laws of the State of Nebraska, Washington County, the State Board of Health, and in the presence of a Licensed Mortician.
5. Disinterment or removal will not be permitted on weekends, National or City-recognized holidays.
6. The Cemetery and Parks Supervisor shall be given at least one week notice of the intention to disinter or remove a body from the cemetery. When disinterment is made, the Cemetery and Parks Supervisor shall permit only the following persons 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.
7. The interment of two more than one bodies in one grave space will not be permitted except in the following cases:

a. Two infants

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

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

~~e.i.~~ 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. Multiple cremations (based on available space)?

~~e.i.~~ Up to three cremations allowed per grave space.

e. One adult and one infant.

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

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

10. No interment will be permitted until the Cemetery and Parks Supervisor has issued a burial permit and all requirements have been met and all fees paid to the City Clerk/Treasurer.

11. The lot owner and/or funeral director shall designate the location of graves on the lot to the Cemetery and Parks Supervisor, 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 Cemetery and Parks Supervisor 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.

12. 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.

13. 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

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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.

14. The Cemetery and Parks Supervisor or his/her designated representative is to be present in the cemetery for every interment or disinterment.
15. 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
16. 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.
17. 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 B.

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 Cemetery and Parks Supervisor, 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 acquires no right, title, or interest and may not inter a body or cremation in any grave space in the cemetery; until he has paid in full for said grave space or spaces, along with all interment fees.
3. The City of Blair will file with the Washington County Register of Deeds on behalf of the lot owner. A 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.
7. A single interment may not be buried to occupy more than one grave space without written direction from the lot owner or his heirs.
8. Unused grave spaces may be reclaimed and sold per Nebraska State Statute.

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 Cemetery and Parks Supervisor or an approved delegate.
2. All plantings of trees, shrubs, bushes, plants, and flowers shall be under the direction of the Cemetery and Parks Supervisor; any removal or pruning of the above-listed items must also be under the Cemetery and Parks Supervisor's supervision. The Cemetery and Parks Supervisor may remove any unauthorized planting, 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 Cemetery and Parks Supervisor 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 such damage is caused 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 the 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 the routine maintenance of the cemetery.
 - i. An extension may be allowed by the Cemetery and Parks Supervisor 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. Any water hydrant left on, and no one present, shall be turned off, and the cemetery employees shall pick up any hoses or sprinklers left out. The cemetery also reserves the right to turn off or disconnect the water supply at any time because of leaks or rationing mandated by the City.
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 damaged by opening 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 the 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. Monuments or markers shall not be removed unless notice has been given to the Cemetery and Parks Supervisor in writing.
8. Placement of monuments and markers applies 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 ends of a grave space that do not interfere with future grave openings and are not set back-to-back with another monument or marker.
 - 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..
 - d. Monuments or markers located in North-South closed roadway lots shall be placed at the West end of 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.
9. In the event existing curbs become a maintenance hazard or become unsightly because of deterioration and/or disrepair, the Cemetery and Parks Supervisor 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 Cemetery and Parks Supervisor's discretion.

~~9-10.~~ Spaces will multiple burials will not be exempt from the headstone rules and regulations.

~~10-11.~~ The following requirements shall apply to all monuments and markers:

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- 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 for each two feet of length. A 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 judgment of the Cemetery and Parks Supervisor, any marker or monument becomes hazardous, the monument company will be notified.
 - i. If the monument company fails to take action after thirty days, the Cemetery and Parks Supervisor 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 Cemetery and Parks Supervisor on a case-by-case basis, depending upon circumstances.

ARTICLE 6
Fees - Charges - Permits - Payments

The payment of all fees, charges, permits, and payments is payable at the time of service and shall be made at the City Clerk's office, located at 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 and Parks Supervisor and in the Blair City Clerk's office. Such a 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

| | |
|--------------------------------|-------------------------------------|
| Adult | \$550.00 <u>\$600.00</u> |
| Infant | \$350.00 |
| Cremation (one urn) | \$300.00 <u>\$350.00</u> |
| Cremation (one urn with vault) | \$350.00 <u>\$400.00</u> |

There shall be an additional charge of \$350.00 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 disinterments and re-interments in the 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 re-interment, in another grave, shall be charged for two (2) openings plus any additional fees if applicable.

Grave Space Purchases

| | | |
|----------------------|------------------------|-------------------------------------|
| 40- & 45-Inch Spaces | Adult/Infant/Cremation | _____ |
| | | \$550.00 <u>\$600.00</u> |

Baby Section (30inches x 60inches)

| | |
|------------------|-------------------------------------|
| Infant (under 2) | \$300.00 <u>\$350.00</u> |
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Cremation (Any) ~~\$300.00~~ \$350.00

Miscellaneous Fees

Recording Fee for Deed \$10.00

Layout for headstones/Catholic \$100.00

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