

Nevada Cemetery District

Cemetery Regulations

**Adopted and Approved
by the
Board of Trustees
of the
Nevada Cemetery District
February 19, 2002**

**Revised
December 7, 2011**

**Nevada Cemetery District
10523 Willow Valley Road
Nevada City CA 95959
Phone: 530-265-3461**

REGULATIONS

A. DEFINITIONS

As used in these regulations, these terms have the following meanings:

1. **H & S Code** means the California Health and Safety Code, Division 7, Division 8, and Division 102
(<http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=hsc&codebody=&hits=20>).
2. **Board** means the Board of Trustees of the Nevada Cemetery District.
3. **District** means the Nevada Cemetery District.
4. **Manager** means the Manager of the Nevada Cemetery District.
5. **Interment Rights Holder** means a person who has purchased interment rights from the Nevada Cemetery District.

B. CARE OF INTERMENT PLOTS AND CEMETERY GROUNDS

The control of the grounds of all Nevada Cemetery District cemeteries is vested in the Board; Interment Rights Holders and others are entitled only to such privileges within the grounds as are provided by these regulations.

1. No person may plant trees, shrubs, bushes or flowers on cemetery grounds. Donations for plants are acceptable, but they will be selected and placed under the direction of the Manager.
2. Nothing other than fresh-cut or artificial flowers may be placed on any interment plot. Any statues, toys, boxes, globes, shells, cans, jugs, bottles, bric-a-brac or other objects will be removed and disposed of by District personnel.
3. No person may gather flowers, nor disturb growing plants, nor trespass on any interment plot of which he or she does not hold the interment rights.
4. If any tree, shrub, plant, or vine situated on any interment plot by reason of roots, branches, height, shade or other feature becomes detrimental or unsightly to adjacent plots, paths, streets, or cemetery grounds, District personnel may enter the plot and remove or trim the tree, shrub, plant or vine as deemed necessary.
5. Except for an excavation for the completion of an interment, no person may remove any earth or in any way damage cemetery grounds or leave any grass, earth or rubbish of any kind on the grounds. Dead flowers and other rubbish must be placed in containers provided for public use within the cemetery grounds.

6. All benches set in District cemeteries must be approved in advance by the Manager and such benches must be made of granite, marble or other approved stone. District personnel will set the benches in approved locations in District cemeteries. Any benches that are broken or unsafe will be removed and disposed of by District personnel.
7. Only District personnel may burn most combustible materials within cemetery grounds. Others may burn candles or incense only during attended ceremonies.
8. The Board reserves the right to make improvements to any interment plot or to any public portion of the cemetery grounds at any time at the cost of the District.

C. INTERMENTS

Interment Rights Holders, morticians and other authorized persons must comply with the following regulations in the use of plots or niches for interment purposes.

1. Mortuaries and families of the deceased must give a minimum notice to the District of two business days for an interment or disinterment, or for the cancellation of a previously scheduled service. The scheduling information for a service must include the day, time, and place of the service, the type of interment, and the completion of an Interment Order.
2. A Permit for Disposition of Human Remains (Interment Permit) must in all cases accompany human remains to a cemetery. A Fax copy of the permit will be accepted at the time of interment, with the original to be provided to the District office within five business days.
3. The District will consider ethnic and religious customs in scheduling a service.
4. A combination of three interments may take place in a full-body plot (one full-body interment plus two cremated remains, or three cremated remains).
5. Cremation plots in Deer Creek Cemetery are limited to two cremated remains.
6. Double-depth full-body interments are not allowed in any District cemetery.
7. All full-body interment plots must have no less than 18 inches of dirt or turf on top of all vaults or caskets as measured at the time of burial (H & S Code 8113.1).
8. A casket with handles is required for all full-body interments. At the minimum, the casket may be made of wood.
9. No casket may be opened before, during, or following a service without the written permission of the deceased's family and then only under the direct supervision of the funeral director in charge.
10. Standard vaults and liners must be used for infant and adult interments.

11. All full-body interments are required to have a receptacle that meets the following specifications.
 - a. All concrete products must have steel reinforcement and meet the National Concrete Burial Vault Association criteria with a compressive strength of at least 5,000 p.s.i.
 - b. Concrete and polypropylene vaults and liners must be purchased from the Nevada Cemetery District.
12. All cremated remains placed in a District niche column must be in a sealable stainless steel, bronze, ceramic, or porcelain container.
13. All cremated remains to be placed in-ground must first be placed in a highly durable urn that may be made of poly-plastic. All cremated remains urns must be placed in cremation vaults for in-ground interments.
14. Cremation plots must have no less than 18 inches of dirt or turf on top of the urn vault as measured at the time of burial, or no less than 6 inches of dirt when the vault is covered by a 3-inch thick concrete pillow base.
15. No interment can be made on any of the holidays recognized by the District, nor may an interment take place on a Sunday, unless the interment is ordered by a public health officer or is an extreme emergency. An additional fee as set by the Board will be charged for all Saturday, Sunday, or holiday burials. All District interments must be scheduled after 9:00 a.m. and prior to 1:30 p.m.
16. No services in connection with an interment will be provided until the charges for such services as fixed by the Board have been paid in advance to the District office (California Constitution, Article 16, Section 6).
17. All persons acting as casket bearers or pallbearers during funeral services who transport a casket from a hearse to an interment plot will do so at their own risk, release Nevada Cemetery District harmless from any incidents, and sign a form stating such.
18. No Interment Rights Holder may allow an interment to be made in the holder's plot for remuneration. If the Interment Rights Holder is deceased, decisions about the holder's plot may be made by agents or persons in the order specified in H & S Code 7100.

D. MEMORIAL MARKERS

1. The District allows both upright and flat permanent memorial markers in District cemeteries except for the new lawn area of Deer Creek Cemetery where flat markers only are allowed.
2. Maximum permanent marker sizes for full-body plots (markers may be smaller):
 - a. Upright marker height of 60 inches and a base of 24 inches by 36 inches

- b. Flat marker base of 24 inches by 36 inches for a single interment, a double interment in a single plot, or a double marker base for two single plots side by side
3. Temporary markers must be replaced by permanent markers within 12 months of interment. If not replaced, the District will use a layout fee charged at the time of interment rights purchase to install a base for the temporary marker.
4. Markers for in-ground cremation plots must be 5 inches by 9 inches and made of bronze. They will be provided by the District with the cost covered by the interment rights purchase.
5. All permanent memorial markers set in District cemeteries must be made of granite, marble or bronze. All other marker materials must be approved in advance by the Manager.
6. All permanent memorial markers in District cemeteries must be set in a concrete foundation or concrete pillow base with a minimum thickness of 3 inches. Upon payment of a fee, the District supplies precast concrete pillow bases for all but specialty or upright markers. The concrete foundations for specialty or upright markers must be a minimum of 4 inches larger than the marker bases on all sides.
7. All mortuaries and monument companies who wish to set memorial markers in cemeteries other than Deer Creek Cemetery and Elster Memorial Cemetery must obtain permission from the Manager in advance.
8. District personnel only will set concrete pillow bases and memorial markers in the lawns in Deer Creek Cemetery and Elster Memorial Cemetery. Monument companies and mortuaries that provide markers for these cemeteries should deliver them to the District office at 10523 Willow Valley Road, Nevada City, and the District will then set them on a time-permitting basis.
9. In cemeteries other than Deer Creek and Elster Memorial, the District will allow marker installation by mortuaries and monument companies that have submitted liability insurance documents to the District office at 10523 Willow Valley Road, Nevada City CA 95959. The District must be named as an additional insured with proper policy endorsements in the amount of \$1,000,000 combined single limit and must receive a minimum of 15 days prior notice of cancellation of insurance. Evidence of worker's compensation insurance meeting the requirement of California law must be provided to the District office when a company's employees are working on District property or facilities. Notice of cancellation of worker's compensation insurance must be provided to the District at least 15 days prior to cancellation.
10. Mortuaries and monument companies must call, fax, e-mail, or mail a description of a marker to the Manager for review before ordering a marker. At the time of interment rights purchase, the District charges a layout fee for district personnel to stake out a memorial marker location in any cemetery.

11. The wording for a memorial marker must be approved in advance by the Manager and may be provided only by an agent or person specified by H & S Code 7100, and in the order specified by that Code.
12. The District is not liable under any circumstances for memorial markers, including damage, theft, vandalism or deterioration. The District does not own the memorial markers. The District may, at its sole discretion, repair or replace a damaged marker. The District may also repair, remove or replace any marker that is a threat to public safety.
13. Markers must not be set until all cemetery charges have been paid in full.

E. FLOWERS (All cemeteries except Deer Creek and Elster Memorial)

1. Flowers (fresh-cut or artificial) may be placed only in vases provided in the ground or in marker foundations, or if not available, in unbreakable containers placed at the head of the interment plot. Flowers in such containers will be removed by District personnel as they become unsightly. Unauthorized containers will be removed and disposed of by District personnel.
2. Artificial wreaths are allowed only during the Christmas season (December 15-January 1) and Memorial Day and the week immediately following.
3. Every reasonable effort will be made to care for flowers placed on graves, but the District is not responsible for anything of a moveable character that may be stolen or lost.
4. No person may place or pour sand, gravel, rocks, cement, casting plaster, or metal of any kind in vases, cans, or flower containers because of hazards to District equipment and public safety.
5. No glass or breakable containers are allowed.

F. FLOWERS IN DEER CREEK AND ELSTER MEMORIAL CEMETERIES

1. Fresh-cut flowers are allowed all year and must be placed in District approved vases.
2. Artificial flowers are allowed in District approved vases except during the mowing season from March 1 to November 1.
3. No live planting is allowed in vases or pots of any kind.
4. Each interment plot is limited to two flower vases. Other flowers will be removed and discarded except on Memorial Day and the day of interment and the week immediately following.