



# Cemetery Rules & Regulations

For the mutual protection of lot owners and the cemetery as a whole and including all sections of the cemetery, the following rules and regulations have been adopted by the Town of Washington Board of Trustees. All Property owners and visitors within the cemetery, and all lots and spaces sold, shall be subject to said Rules and Regulations and subject further to such other rules and regulations, amendments or alterations as shall be adapted by the Town of Washington and the reference to these Rules and Regulations in the Deed of Certificate of Ownership to a lot shall have the same force and effect as if set forth in full therein.

The Town of Washington Cemetery shall not discriminate on the basis of race, color, religion, national origin, sex, age, disability, genetic information, familial status, sexual orientation, gender identity, and creed.

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## SECTION A. DEFINITIONS

**Cemetery:** The term cemetery is hereby defined as a burial park for interments.

**Lot:** The term shall apply to numbered divisions as shown on the record Plat, which consists of one or more spaces.

**Space:** The term space shall in general be of sufficient size to accommodate an internment. For specific details, sizes, and/or options, please contact Lexington Cemetery.

**Internment:** The term internment shall mean the permanent disposition of the remains of a deceased person by cremation and interment, or burial.

**Memorial:** The term memorial shall include a monument, marker, tablet, or headstone, for family or individual use.

**Monument:** The term monument shall include a tombstone or memorial of granite or marble which shall extend above the surface of the ground either as a foot or head monument.

**Marker:** The term marker means a memorial flush with the ground.

**Lot Marker:** The term lot marker means a marble, or granite, or steel marker used by the cemetery to locate corners of the lot or space at ground level.

**Lot Pin:** The term lot pin means an iron pin or brick used by the cemetery to locate corners of the lot or space below ground level.

**Certificate of Ownership:** The term certificate of ownership shall apply to the original deed given by the Town of Washington.

**Cemetery personnel:** Includes any employees of the Town of Washington or personnel contracted by the Town of Washington to perform cemetery services.

**Management:** The term management shall mean the person or persons duly appointed by the Town of Washington for the purpose of conducting and administering the cemetery.

**Transfer of Ownership Deed:** A transfer deed will be issued by the Town of Washington when ownership is transferred from individual to individual.

## SECTION B. GENERAL RULES

1. Washington Cemetery is operated by the Town of Washington and consistent with the laws of the State of Oklahoma. It reserves the right to refuse admission to the cemetery and to the cemetery's facilities; at any time, or to any person or persons whom the management may deem objectionable to the best interest of the cemetery and all people of the Town of Washington.
2. Cemetery services hours are Monday through Friday from 7:30am until 5:30pm except for the following observed holidays: New Year's Day, Martin Luther King Jr. Day, President's Day, Good Friday, Memorial Day, Juneteenth National Independence Day, Independence Day, Labor Day, Indigenous People's/Columbus Day, Veteran's Day, Thanksgiving Day, and the Friday after Thanksgiving, Christmas Eve, Christmas Day, and New Year's Eve.
3. The entrances of the cemetery will always remain open.
4. Cemetery personnel will not work on Sundays, Saturday afternoons, (Saturday burials must be graveside by noon), or the forementioned Town observed Holidays (to include Saturdays immediately following holidays) except when authorized by management.
5. Cemetery personnel are not permitted to do any work for property owners except normal maintenance but are expected to be courteous and helpful to all cemetery

visitors.

6. All fees or charges for services are payable to the Town of Washington using a check, cash, money order, or credit card based on the published Town of Washington Manual of Fees.
7. Cemetery patrons and guests shall not walk across burial lots unless it is necessary to do so to gain access to one's own lot. The cemetery expressly disclaims liability for any injuries sustained by anyone violating this rule.
8. People visiting the cemetery are prohibited from picking flowers (wild or cultivated), breaking, or injuring any tree, shrub, or plant, or from writing upon, defacing or injuring any memorials, fence, or other structure within the cemetery grounds. Violators will be subject to prosecution for destruction of private property.
9. The following rules apply to vehicles inside the cemetery grounds:
  - a. Loud noises from Vehicles are prohibited.
  - b. The maximum speed in the cemetery is 10 mph.
  - c. Driving or parking any vehicle on a grave, lot or lawn is prohibited.
  - d. Parking on any road within the cemetery that prevents any other vehicle passage or otherwise blocking the lane is prohibited.
10. Children under fifteen years of age are not permitted in the cemetery unless accompanied by an adult.
11. Littering on any part of the cemetery grounds is prohibited.
12. The planting of flowers, shrubs, or trees without management authorization is not allowed, and no glass jars, metal cans, rods or hooks are allowed to be installed in the cemetery or left at graves. The placing of fencing, ornaments, chairs, and benches (unless purchased from a monument company and approved by the Town Administrator and used as a monument) are prohibited. Glass containers of any sort or similar articles on graves or lots are prohibited. Management reserves the right to remove such articles.
13. The following are not permitted at any time:
14. Loud or boisterous talking
15. Idling or loafing on the grounds, or in any of the buildings
16. Soliciting the sale of any product within the cemetery
17. Placing signs, notices, or advertisements within the cemetery
18. Bringing firearms into the cemetery except by a military escort accompanying a Veteran's funeral or attending memorial services, and law enforcement officers.
19. Management is responsible for the enforcement of all rules and regulations. Management is authorized to make temporary additional rules which may be needed to meet emergencies which are not covered by these Rules and Regulations.
20. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardships. Cemetery management reserves the right to make exceptions to, suspend, or modify any of these Rules and Regulations, without notice, when in the judgement of management such action appears necessary and such temporary exceptions, suspensions, or modifications shall in no way be construed as affecting the general application of such Rules and Regulations.
21. The Town of Washington hereby expressly reserves the right to adopt additional Rules and Regulations or to amend, alter or repeal any Rules or Regulations, at any time, and without notice.

22. The Town of Washington reserves the right to correct any errors that may be made by its personnel either in making internments, disinterments, or removals, or in description, transfer or conveyance of any internment property, either by canceling such conveyance and substituting any conveyance in lieu thereof other internment property of equal value and similar location as far as possible, or as may be selected by the management, or in the sole discretion of management, by refunding the amount of money paid for said purchases. In the event such error involves the internment of remains of any person in such property, the cemetery reserves the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. The cemetery will follow all applicable laws of the State of Oklahoma.

## **SECTION C. LOTS AND LOT OWNERS**

1. People desiring to purchase lots should schedule an appointment to visit the cemetery where management will aid them in selecting. Payment shall be made to the Town of Washington. Upon receipt of the funds by the Town of Washington, a certificate of ownership will be issued by the Town of Washington and provided to the purchaser.
2. Payment for lot purchases and cemetery fees must be paid by one of the following forms of payment: check, cash, money order, or credit cards (fees do apply).
3. A transfer of ownership must be made on any reselling or inheritance of lots or spaces. Once valid documentation is presented, the Certificate of Ownership can be issued by the Town of Washington.
4. No lot shall be used for any other purpose than for the interment of human remains.
5. No easement or right of interment is granted to any property owner in any road, drive, alley or walk within the cemetery. However, they may be used as a means of access to the cemetery or buildings, if management devotes it to that purpose.
6. The right to enlarge, reduce, re-plot or change the boundaries or grading of the cemetery, or section(s), including the right to modify or change the location of or remove or regrade roads, drives, walks, or any part thereof is hereby reserved. The right to lay, maintain and operate, or alter or change pipelines or gutters for water systems, drainage, etc. is also expressly reserved, as well as the right to use cemetery property not sold to individual owners for cemetery purposes, including interment of human remains, or for anything necessary, incidental, or convenient thereto. The cemetery reserves to itself and to those lawfully entitled thereto a perpetual right of ingress and egress over lots for the purpose of passing to and from other lots.
7. Descriptions of lots will be in accordance with cemetery records which are kept on file.
8. The management will take all reasonable precautions to protect lot owners, and the property rights of lot owners within the cemetery from loss or damage; but the cemetery and the Town of Washington distinctly disclaim all responsibility for loss or damage from causes beyond its reasonable control, and especially from damages caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.
9. It is the duty of the property owner to notify management of any changes in address

and in event of the owner's death, it is the responsibility of the heirs to notify management of the new owner for a transfer deed to be issued.

10. The instrument of conveyance of these Rules and Regulations and any amendments thereto constitutes the sole agreement between the cemetery and the property owner. The statement of any employee or agent, unless confirmed in writing by management, shall in no way bind the cemetery.

## **SECTION D. CARE OF LOT RULES**

The general care of the cemetery is assured by the management and includes mowing the grass at reasonable intervals, raking and cleaning of the grounds, and pruning of shrubs and trees that may be placed by management. The general care assumed by the cemetery shall not include the maintenance, repair or replacement of any memorial placed or erected upon lots or doing any special or unusual work in the cemetery, including work caused by the impoverishment of the soil. General care shall not include reconstruction of any marble or granite work on any section or lot, or any portion or portions thereof in the cemetery, caused by the elements, an act of God, vandals, explosions, unavoidable accidents, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.

## **SECTION E. DESCENT OF TITLE RULES**

The laws of the State of Oklahoma govern the descent of title to cemetery lots as well as other matters pertaining to assignment, conveyances, devises, trust deed and inalienability.

## **SECTION F. INTERMENT RULES**

1. Interments will be allowed from 8:00am to 4:00pm daily apart from all Sundays and Saturday afternoons (Saturday burials must be graveside by noon). and Town observed Holidays (to include Saturdays, immediately following holidays when Town offices are closed), which include the following: New Year's Day, Martin Luther King Jr. Day, President's Day, Good Friday, Memorial Day, Juneteenth National Independence Day, Independence Day, Labor Day, Indigenous People's/Columbus Day, Veteran's Day, Thanksgiving Day, and the Friday after Thanksgiving, Christmas Eve, Christmas Day, and New Year's Eve.
2. Where immediate burial is required by laws of the State of Oklahoma and under the rules and regulations of the Board of Health or under religious beliefs, interments may be made on Sundays and holidays, but an additional fee will be added to the regular interment charges, such that the interment fee is equal to the maximum interment or disinterment fee as determined by the Manual of Fees.
3. Once a casket containing a body is within the confines of the cemetery, no funeral director nor his embalmer, assistant, employee, or agent shall be permitted to open the casket or to touch the body without the consent of legal representative of the deceased or an order signed by a court of competent jurisdiction.
4. All funerals in the cemetery shall be under the charge of the cemetery management.
5. It is a requirement that a burial order is obtained from the Cemetery prior to interment.

6. Funeral directors must be present with the necessary burial permit from the Oklahoma State Department of Health at the time of burial.
7. Lot owners shall not allow interments in their lots in return for remuneration of any kind unless there has been a properly executed transfer.
8. No interment of two or more bodies shall be made in one grave except in the case of parent and infant, two infants buried in one casket, or a cremation being placed in the casket with the deceased. Two cremations may be buried in a single space if the grave purchased is a traditional adult full-sized space. Cremated remains may also be buried on an existing burial by approval of the management and at their discretion. All cremated remains must be buried.
9. When an interment is to be made in a lot, the location of such interment shall be designated by the lot owner, but under no circumstances shall an interment be made outside or infringed upon official lot lines designated by the cemetery management. Should the lot owner fail or neglects to make such designation, the cemetery reserves the right to make the interment in a location designated by the cemetery management.
10. Cemetery Personnel are the only persons who will be permitted to open graves with the following exceptions:
  - a. When the cemetery is directed to make a disinterment by the order of a court or competent jurisdiction and a certified copy of such order has been filed with the Town of Washington and copies to cemetery personnel.
  - b. When the coroner directs the disinterment for the purpose of holding an inquest and has filed with management a signed authorization to release the body to himself and his lawful agents. The disinterment must be made by the coroner or his lawful agents. Cemetery personnel will not be permitted to assist the coroner or his agents.
11. To minimize the severity of sunken graves, it is required that all burials must be made in outside containers made of reinforced concrete. All such containers must be constructed and installed to meet specifications established by management. The only exception to this rule is that approved infant containers may be used for child's grave in the areas designed for babies. Cremations do not require outer containers.
12. All Charges for interment or services in connection therewith, shall be paid to the Town of Washington before interment will be completed.
13. At least eight (8) business hours' notice prior to any interment and at least one week's notice prior to any disinterment or removal must be received by Cemetery Personnel.
14. All interments, disinterments, and removals must be made at the time, in the manner, and upon the charges established by management.
15. Besides being subject to these Rules and Regulations, all interments, disinterments, and removals are made subject to the orders and laws of the properly constituted public authorities.
16. The cemetery will not be responsible for any mistake occurring from the lack of precise and proper instructions as to the particular space, size of grave, and location in lot, where interment is desired.
17. The cemetery will not be liable for the identity of the person sought to be interred.

## SECTION G. PLANTS AND SHRUBS

1. The cemetery will maintain the planting of trees and shrubs provided by the Town of Washington but does not take responsibility for and prohibits the placement and maintenance of individual plantings or urns of plants.
2. There shall be no individual beds of shrubbery or flowers allowed on the grounds except by special permission of cemetery personnel.
3. There shall be no glass jars, or cans, or other containers used on the premises for holding floral bouquets. Rocks, metal rods, wire stakes, or other items to secure decorations that may cause maintenance problems are prohibited. All items not placed on headstones will be picked up by the caretaker.
4. Management has the authority to remove or prune all floral designs, flowers, weeds, trees, shrubs, plants, or herbage of any kind from the cemetery as soon as, in the judgement of management, they become unsightly, dangerous, detrimental, or diseased, or when they do not conform to the standard maintained.
5. The cemetery shall not be liable for floral pieces, baskets, or frames, in which, or to which, such floral pieces are attached beyond the acceptance of such floral pieces or cemetery services held in the cemetery.
6. Management is not responsible for frozen plants or herbage of any kind or for plantings damaged by the elements, thieves, vandals, or by other causes beyond its control.
7. The cemetery reserves the right to prevent the removal of any flowers, floral designs, trees, shrubs, plants, or herbage of any kind unless management gives consent.
8. Schedule for placement of flowers, wreaths, potted plants:
  - a. Fresh Cut flowers may be placed in approved cemetery flower vases throughout the year. When the flowers have withered, they will be removed by the cemetery personnel. Flowers from funeral services will be removed one week after the day of service or earlier if they become unsightly.
  - b. Potted plants, wreaths, and artificial flowers, in approved cemetery vases and baskets, placed on gravesites will be removed at the discretion of Management, the only exception will be Memorial Day which will be removed one week later.
  - c. From November 1<sup>st</sup> (or after last mowing of the season) until the last week of February, the normal period when the cemetery's lawns are dormant, potted plants, wreaths, grave blankets, and artificial flowers are permitted. They will be removed when their appearance is unsightly or during the last week in February.
9. Artificial flowers that are placed in permanent vases that are integral parts of the family monuments will not be removed until their appearance is unsightly.
10. **WARNING IT IS UNLAWFUL AT ANY TIME TO REMOVE DECORATIONS OTHER THAN FROM YOUR OWN GRAVES. CEMETERY PERSONEL, AS STATED IN THE PRECEDING PARAGRAPHS, ARE ALLOWED TO REMOVE DECORATIONS UNDER THESE RULES AND REGULATIONS.**

## **SECTION H. CONSTRUCTION OR PRECONSTRUCTION ITEMS**

1. No lot, part or parcel of the cemetery shall be enclosed by any curbing, fencing, bird baths, benches, hedging, or other obstructions or structures. The Cemetery acting by and through its cemetery management, reserves and retains the right to remove from the cemetery anything placed on said lot or burial spaces in violation of this regulation.
2. No Mausoleum or above ground crypts or grave covers such as concrete, marble or granite shall be erected or constructed within the confines of the cemetery. Any maintenance on existing structures must be done by the lot owners. Management reserves the right to give permission for grave covers if they meet all requirements set by management on lots with existing grave covers only as husband or wife. There shall be no further placement of grave covers on other lots in the cemetery without any exceptions.
3. All monuments that require construction or forming of base on site must be approved by cemetery management before purchased and placed in the Cemetery.

## **SECTION I: ENFORCEMENT OF RULES AND REGULATIONS**

Management is hereby empowered to enforce all rules and regulations and to exclude from the cemetery any person violating the same. Management shall have charge of the grounds and buildings including the conducting of funerals, traffic, personnel, property owners and visitors and at all times shall have supervision and control of all people in the cemetery.

## **SECTION J: MONUMENTS AND MARKERS**

1. No structures other than headstones will be placed above ground level. Headstones shall be in line at the head of grave.
2. Footstones shall be in line and flush with the ground so as not to obstruct mowers. No more than One (1) footstone per grave is allowed.
3. Monuments and markers to be placed on any lot in cemetery shall be professionally manufactured and installed per cemetery specifications.
4. All monuments and markers must be set on at least a 4-inch thick concrete foundation with at least a 4-6-inch border.
5. The length of foundation shall not exceed lot or lot's width.
6. Materials are limited to professional granite, marble, or bronze. Any other materials must be preapproved by Management.
7. Mausoleums and crypts are not permitted.