

# Cemetery Administrative Policy



## Cemetery

### A. Purpose

1. To provide policy guidelines and operational rules for the administration of the City of Kirkland Cemetery.

This policy applies to all persons utilizing the City of Kirkland Cemetery.

### B. Definitions

1. "Border," the concrete edging around the marker to protect the marker from damage and to allow trimming around the marker.
2. "Burial," the placement of human remains in a grave.
3. "Cemetery," any place used and dedicated for cemetery purposes by the City.
4. "Cemetery Committee," the group of City of Kirkland staff which oversee the operations and activities of the City of Kirkland Cemetery.
5. "Columbarium," a structure or other space containing niches for permanent inurnment of cremated remains.
6. "Committal," that part of a funeral service which places the remains of the deceased to his/her final resting place.
7. "Cremated Remains," a human body after cremation in a crematory.
8. "Disinterment," the removal of buried human remains from a grave.
9. "Foundation," the concrete poured below ground level to support and stabilize a memorial.
10. "Funeral," a memorial service for a deceased person.
11. "Human Remains or Remains," the body of a deceased person, and includes the body in any stage of decomposition except cremated remains as defined by RCW 68.04.020.
12. "Interment," the disposition of human remains by cremation and inurnment or burial in a place used or intended to be used and dedicated for cemetery purposes.
13. "Inurnment," the disposition of cremated human remains within an urn.
14. "Liner," any concrete or composite material container that is buried in the ground to provide outer protection and into which human remains are placed in the burial process.
15. "Marker," any grave headstone, memorial or monument that is intended to permanently mark a grave.
16. "Next of Kin," relative most nearly related i.e.: (a) Spouse (b) Children (c) Parents (d) Brothers and Sisters (e) Domestic Partners
17. "Niche," a space in a columbarium or urn garden used or intended to be used for inurnment of cremated human remains.
18. "Open and Close," the term used for referring to the opening of a gravesite and closing of a gravesite after remains are placed.
19. "Plot," a space of ground in a cemetery used, or intended to be used, for burial.
20. "Resident / Non Resident," A person shall be considered a resident of the City of Kirkland if: (he or she was born in the City of Kirkland, has lived in the City of Kirkland for a period of ten or more continuous years at any point in his or her life, or is a current resident of the City of Kirkland; or (2) he or she has an immediate family member who currently resides in the City of Kirkland. For the purpose of this Chapter, an "immediate family member" shall be the spouse, domestic partner, parent, child or sibling of the person. As used in this section, "domestic partner" means a person who meets the City's domestic partner eligibility criteria and signs an affidavit or declaration to that effect.



21. "Staff or Crew," refers to City of Kirkland personnel that are assigned administrative duties and maintenance duties for the City of Kirkland Cemetery.
22. "Urn Liner," a container whose purpose is to provide outer protection for the ground burial of cremated remains.
23. "Vault," any container which is buried in the ground and sealed to provide outer protection and into which human remains are placed in the burial process.

### **C. Cemetery Administration and General Provisions**

#### **1. Rules and Regulations**

These rules and regulations may be administratively amended at any time by the City, and shall be so changed and amended when any rule is found to be detrimental to the best interest of the plot owners as a whole or when new conditions require the adoption of other or further regulations.

#### **2. Cemetery Committee**

The Cemetery Committee is made up of the Finance Director or designee, Parks Director or designee and representatives from the Parks Maintenance and Cemetery Administration staff. The committee shall periodically review and make recommendations to the City Manager on fees, policy or operational plans. Any exceptions to or issues with these items will be reviewed by the committee on an as needed basis.

#### **3. Cemetery Fees and Charges**

All prices for burial lots, cremated remains sites, service fees, and charges are approved by the City Manager or approved designee, upon recommendation from the Cemetery Committee. See KMC 3.92.020. As the City Manager's designee, the Finance Director is authorized to waive or reduce fees in accordance with KMC 3.92.010.

#### **4. Method of Payment**

All sales shall be paid in full at the time arrangements are made in the form of cash, approved check, or credit cards acceptable to the City.

#### **5. Cemetery Hours**

The Cemetery is open to the public during the following times:

Gates open at 8:00 a.m. each morning and are locked at dusk, seven days a week. Cemetery Administration is located at City Hall which is open 8:00 a.m. to 5:00 p.m., Monday through Friday, except holidays.

#### **6. Cemetery conduct**

Any person disturbing the quiet and good order of the Cemetery by noises or disorderly or improper conduct, or who shall violate any of the rules or regulations pertaining to the cemetery, will be ejected from the Cemetery. No animals allowed (except service or comfort animals). Children must be accompanied by a responsible adult and must be supervised at all times. Leaving food items at the Cemetery is prohibited. All vehicles must be kept under control at all times. No vehicle shall be driven in any part of the cemetery except on the driveways laid out for that purpose. Vehicles shall not be driven in the cemetery at a speed exceeding 10 miles per hour.

### **D. Lot Sales and Ownership**

1. All plots in the cemetery are conveyed to the purchaser by a warranty deed when paid for but the rights of the owner, successor or assign are subject to such rules and regulations as set by the City of Kirkland.

#### **2. Interest in Cemetery Plots**

Interest in Cemetery plots shall be governed by RCW 68.32 as now and hereafter amended. The City shall endeavor to determine the legal next of kin, but the City shall not be held responsible for failure to do so. Persons representing themselves as next of kin may be required to provide a notarized statement to this effect. The City shall not be responsible for activities authorized by persons falsely representing themselves as next of kin.

#### **3. Selling or Transferring of a Plot**

When an owner of a plot wishes to sell or transfer the plot to another individual, or sell it back to the City, he/she must provide the City with a "Quitclaim Deed" showing transfer of ownership. If the original owner of the plot(s) is deceased, the executor or heir(s) must show proof of their authority to devise or ownership of the property, i.e. Letters Testamentary, Decree of Distribution, or a copy of the will.

The City may repurchase plots from the current owner. For plots purchased prior to 1/1/09, the City is authorized to buy back plots for \$1200.00. For plots purchased after 1/1/09, the City is authorized to purchase plots for 75% of the original purchase price.

#### 4. Designated Blocks

- a. Blocks 47 and 48 are designated as an urn garden for cremation interments only.
  - b. Baby Haven block is for burial of children under the age of 2.
  - c. Block 34 has double depth sites, appropriate for joint plots.
  - d. Entryway, Flag Plaza and Historical Section walls are for cremated remains.
- All remaining blocks are for single plots only.

### E. Interment Services

#### 1. Funerals, Interments, and Committals

Funerals, interments, and committals within the City of Kirkland Cemetery shall be under the control of the Parks and Community Services Department. All plots shall be opened and closed by employees of the City. Canopies, artificial grass, lowering devices, tractors, and other equipment provided by the City shall be used exclusively for all interments, inurnments, entombments and disinterments. All Cemetery and gravesite charges must be paid prior to interment.

#### 2. Concrete Liners

All interments shall be in concrete liners or vaults designed and manufactured for this purpose. Concrete liners are sold by the City. Vaults may be purchased from a third party, but must meet the Cemetery specifications before use on Cemetery grounds.

#### 3. Burial Permit

A burial permit from the King County Department of Health must be secured by the funeral home before an interment will be permitted. The City shall not be responsible in any manner for securing any permit. Cremated remains must be properly labeled and accompanied by a cremation and disposition authorization form to the Cemetery to certify identity of the cremated remains.

#### 4. Arrangements

All families or designated representatives shall be required to complete an Interment Authorization form in person at the Cemetery Administration desk in City Hall, accepting responsibility and authorizing and designating the exact location of the plot for burial. Funeral directors or designated representatives who sign on behalf of the family are accepting financial responsibility and liability for any decisions or actions taken under their direction. Under no condition shall the City of Kirkland Cemetery open a plot without proper authorization.

Any funeral home accepting financial responsibility on behalf of a family must deliver to the Cemetery Administration Office payment in full for all charges at the time arrangements are made.

#### 5. Notice of Interment or Disinterment

The City must be notified at least 24 hours before any interment so the plot or niche may be properly prepared, and at least one week's notice shall be given prior to any disinterment. The City of Kirkland Cemetery reserves the right to delay an interment when scheduling conflicts occur.

#### 6. Authorization for Interment

The City of Kirkland Cemetery may open a plot for any purpose on proper authorization by any lot or niche owner of record or the legal next of kin and duly filed at City Hall unless there are written notarized instructions to the contrary on file with the City's cemetery administrative office.

#### 7. Interment Agreements

When a lot is jointly owned, authorization for interment will be granted to either the plot owner(s) or their heirs as governed by RCW 68.32. An agreement may be made between common plot owners to the right of burial but the City shall not undertake to enforce such an agreement.

#### 8. Funerals Burials and Committals—Days and Hours Allowed

Normal burial hours shall be restricted to weekdays between the hours of 9:00 a.m. and 3:00 p.m. The City recognizes that mitigating circumstances may arise necessitating a burial outside of normal hours. This can be arranged, subject to the availability of City staff. Overtime fees will be incurred if the burial is requested after 3:00 p.m. or on a Saturday or holiday. No burials will be allowed on Sunday.

Requests for an emergency waiver of this policy or any provision of this policy may be made to the Parks and Community Services Director or his designee, as the designee of the City Manager, who shall have sole discretion to approve or deny the emergency waiver request. The emergency waiver request shall include payment for any and all additional expenses to the City for these services.

**9. Interments Per Individual Plot**

The interment of two casket burials in one plot shall not be allowed except in the designated area for double depth burials. Regular graves are designated for one casket and a maximum of two cremated remains. No interment other than that of a human being shall be permitted.

**10. Welfare Burials**

A welfare burial is available if the plot is pre-owned by the deceased or applicant. Burials will follow the Department of Social and Health Services (DSHS) guidelines for the disposition of remains.

**11. Disinterment**

For disinterment of remains (including cremated remains), the applicant must have written authorization from the closest living relative. Provisions concerning permission to remove remains shall be governed by State law in RCW 68.50 as now or hereafter amended.

**F. Markers**

**1. Services Provided:**

- a. The Cemetery shall make available for purchase markers such as memorials.
  - b. Placement of markers may be performed by the City or can be contracted for by a City-approved vendor upon authorization of the City.
2. Upright markers are allowed only on certain plots adjacent to the older sections of the Cemetery. Upright markers will not exceed a height of four feet (48 inches) from ground level. Concrete borders at the front and back of an upright memorial must be a minimum of 2 inches, not to exceed 4 inches in width and on the sides.
  3. All flat memorials placed in the Cemetery shall have either a concrete or granite border with a minimum of a 2-inch border, not to exceed 4 inches.
  4. A full-scale drawing of all upright markers and/or oversized flush markers must be submitted to the City for approval before purchase.
  5. Markers must be set level with and conforming to the slope of the lawn and placed in line with adjacent stones so as to present a uniform appearance. The Cemetery reserves the right to inspect all markers/memorials after installation and to require or make changes if improperly set.
  6. Only flush memorials are allowed to mark cremated remains inurned on an occupied grave space when the first interments is already marked with a headstone. The marker shall be placed adjacent to the existing marker and directly over the inurned cremated remains.
  7. Vases may be purchased through Cemetery Administration located at City Hall. Vases not purchased through Cemetery Administration must be pre-approved.
  8. All inscriptions for niches are subject to the approval of the City of Kirkland and shall be limited to the name of the deceased and year of birth and death.
  9. Marker setting and on-site engraving shall be scheduled during normal business hours with and authorized by the Parks and Community Services Department at least one working day prior to the work being done. The City reserves the right to remove any marker which was set or engraved without permission and does not conform to the standards set forth in these rules and regulations.
  10. The City does not bind itself to maintain, repair, or replace any markers or monumental structures erected upon the plot which are lost or damaged due to weather, age, vandalism, or normal maintenance. The City will endeavor to see that the headstone remains in good condition.

## G. Maintenance and Landscape Regulations

1. The City will provide the maintenance of plot sites. Maintenance of plot sites includes seeding, leveling of sites, mowing and also trimming around the markers. The City may place sod on an as needed basis.
2. Cut flowers and bouquets are allowed year round.
3. Artificial flowers and decorations are allowed from November 1 to March 30.
4. The City of Kirkland shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants, or herbage of any kind from the Cemetery as soon as, in the judgment of the management, they become unsightly, dangerous, detrimental, diseased, or when they do not conform to the standards maintained. The City shall not be liable for floral pieces, baskets, or frames in which or to which such floral pieces are attached. The Cemetery shall not be responsible for plants or plantings of any kind damaged by the elements, thieves, vandals, or by other causes beyond its control. The City reserves the right to regulate the method of decorating plots so that a uniform beauty may be maintained.
5. In order to protect property and maintain a uniform aesthetic the planting of flowers and shrubs or the use of hooked poles for hanging flower baskets are not allowed.
6. The City is not responsible for damage to or theft of cut flowers, potted plants, displays, or containers. Any-one leaving such articles in the Cemetery does so at his/her own risk.
7. The placing of boxes, shells, toys, metal designs, ornaments, chairs, settees, glass, wood or iron cases, and similar articles upon plots shall not be permitted.
8. Only personnel authorized by the City shall trim, prune, or remove any part of the trees or shrubs in the Cemetery. If any tree or shrub situated on any grave by means of its roots, branches, or similarly becomes detrimental, dangerous, or objectionable to the adjacent plots, walks, or avenues, or the City is unable to maintain the grounds, the City shall have the right to enter upon the plot and remove the tree(s), or shrub(s), or any part(s) thereof as it may see fit.
9. No lot or plot shall be defined by fence, railing, hedge or by any unauthorized memorial. A plot shall not be decorated with any trees or shrubs without prior approval. Any items placed improperly or without permission shall be removed at the owner's expense.