

## **RESOLUTION NO. 931**

### **A RESOLUTION ESTABLISHING NEW RULES AND REGULATIONS FOR THE ZION MEMORIAL PARK CEMETERY AND REPEALING RESOLUTIONS 71, 114, 146, 182, 218, AND 251.**

**WHEREAS**, the City Council of the City of Canby has determined that the rules and regulations for the Zion Memorial Park cemetery should be changed to meet current needs and requirements; and

**WHEREAS**, the Council has previously established rules and regulations for Zion Memorial Park through resolutions 71, 114, 146, 182, 218, and 251;

**NOW THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Canby, as follows:

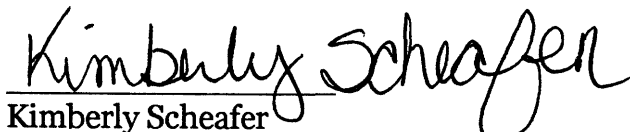
- (1) The rules and regulations listed in Exhibit "A" shall henceforth be the City's rules and regulations for the Zion Memorial Park cemetery.
- (2) Resolutions 71, 114, 146, 182, 218, and 251 are hereby repealed.

The effective date of this resolution is August 2, 2006.

ADOPTED this 2<sup>nd</sup> day of August, 2006 by the Canby City Council.

  
Melody Thompson  
Mayor

ATTEST:

  
Kimberly Scheafer  
City Recorder, Pro-Tem

**EXHIBIT "A" TO  
RESOLUTION 931**

**CITY OF CANBY**

**ZION MEMORIAL PARK CEMETERY RULES & REGULATIONS**

All rules and laws of the State of Oregon and the Canby Municipal Code apply to Zion Memorial Park Cemetery. In addition, the following specific rules and regulations are applied under the authority of City Council Resolution 931, to be enforced by City management and the Cemetery Sexton, acting as their representative.

**HOURS OF OPERATION**

1. Visitors are welcome from 8:00 a.m. to dusk every day.
2. Burials may be held Monday through Saturday, excepting listed holidays. The Sexton must be given notice a minimum of 24 hours in advance. There is an additional fee for burials on Saturday and on other legal holidays not listed. In some situations at the Sexton's discretion, burials may be performed on Sundays and the additional fee will apply. All funerals will be concluded and exited from the Cemetery by 4:30 p.m. or an overtime charge will apply.
3. Observed holidays are: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.

**FLORAL AND GROUNDS REGULATIONS**

1. Floral arrangements accompanying the casket or urn at time of burial will be placed on the completed grave. Natural cut or artificial flowers may be placed in built-in vases or in plastic cone type vases on graves at any time of the year. They will be removed when they become unsightly or when it becomes necessary to facilitate Cemetery operations such as mowing or trimming.
2. Other permitted items are allowed for a period extending seven days before and seven days after the following holidays and observances: Easter Sunday, Mother's Day, Memorial Day, Father's Day, Christmas, and the birthday or anniversary of death of the person buried. Items must not extend beyond the perimeter of the headstone.
3. Permanent plantings (flowers, bulbs, shrubs, etc.), vigil lights, and breakable objects (including glass or pottery vases) are prohibited. Adornments considered offensive or otherwise inconsistent with the dignity of the Cemetery are prohibited. Items that pose a hazard or interfere with Cemetery maintenance are prohibited. The Sexton has the discretion to remove and discard prohibited items at any time.
4. The pounding in or insertion of any type of stake or metal rod into the ground anywhere in the Cemetery is prohibited.
5. The Cemetery is not responsible for the theft or damage of any items left on gravesites or at the mausoleum.

6. Permanent plantings may be allowed in the Memorial Garden area with prior permission and supervision of the Sexton.

## **BURIAL REGULATIONS**

1. The Sexton must be notified 24 hours before any interment or entombment.
2. All burials require a vault or concrete liner.
3. No cremains may be scattered on top of burial sites.
4. All cremains to be buried must be in a non-decomposing container; otherwise, a cremains liner is required.
5. All opening and closing of any nature will be done by the Cemetery Sexton only.
6. Each full size gravesite may be used for one full burial and one cremation, or two cremations. Two full burials are not allowed.
7. In the event that the titled owner of a pre-owned space is different from the person to be buried, the person making arrangements must establish the right to burial to the satisfaction of the Sexton.
8. Fees for services and liners must be paid after scheduling but before the burial or entombment.
9. The Cemetery reserves the right to refuse full burials in the Old Section due to ground stability and other issues. Cremains burials are recommended in this section.

## **PROPERTY PURCHASES AND TRANSFER**

1. Gravesites and mausoleum spaces may be purchased at any time in advance of need. Purchases are generally made at the Cemetery. A Certificate of Title will be issued by mail upon completion of recording at the City of Canby. Time payments are not allowed.
2. Reselling of property, except back to the City, is prohibited. Should the owner wish to rescind ownership, the City will buy back the property at the original selling price. A signed written request along with the Certificate of Title is required.
3. Title may be transferred to relatives or heirs by submitting a written request along with the original Certificate of Title and a \$75 recording fee. In the event the original title is no longer available, other documentation and/or signed affidavits may be accepted, at the discretion of the City Recorder. If the person requesting the transfer is not the original owner, they must prove their right to make the transfer.

## **MEMORIAL MARKERS (HEADSTONES)**

1. The Sexton must be notified 24 hours before any memorial marker can be set in Cemetery.
2. All memorial markers must have a concrete border with the total width not exceeding 2 feet. For example:
  - On a 24" x 12" stone the pour will be 36" long x 24" wide
  - On a 36" x 12" stone the pour will be 48" long x 24" wide
  - On a 48" x 12" stone the pour will be 60" long x 24" wide

This results in a 6" border of concrete unless a vase is added to the top of stone, in which case the borders would be 8" on top and 4" on the bottom. Additional vases can be added only to the east side of stone in a 9" square concrete pour.

3. All memorial markers must be placed on the gravesite so it will be read facing east.
4. Either flat or upright markers are allowed in the Old Section as well as in the following blocks of the New Section: H, K, N, O, P, S, T, and U. New Section F West is reserved for upright markers only. All other blocks in the New Section, as well as all child, baby and cremains plots are limited to flat memorial markers only.
5. No rock or rock products will be allowed as a border around memorial markers.
6. Only one memorial marker is allowed per gravesite.
7. No foot markers are allowed.
8. Temporary markers will be removed after six months.
9. Memorial markers that have been removed due to disinterment/relocation or marker exchange will be destroyed and disposed of after three months if not claimed and removed by the owner(s).
10. The Cemetery assumes no obligation to repair, or pay for repair of memorial markers that are caused by vandalism or age decay. The Cemetery will work with owners to arrange necessary repairs to concrete border settings that were installed by the Cemetery. Resetting fees may apply unless evidence that perpetual care fees were paid is provided. Fees may also apply if requested repairs are cosmetic only.