Cemetery Operations
Rules and Regulations

Broomfield County Commons Cemetery
12800Sheridan Blvd
Broomfield, Colorado 80020

Lakeview Cemetery
200 Eagle Way
Broomfield, Colorado 80020

Revised
June 2011

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1.0 PURPOSE

1.1 DECLARATION OF PURPOSE

These rules and regulations shall be held to be minimum requirements enacted for the mutual protection of the City and all burial space owners at the Broomfield County Commons Cemetery and Lakeview Cemetery and to insure a uniform and permanent beauty.

2.0 DEFINITIONS

2.1 WORDS AND TERMS DEFINED

As used in these rules and regulations, the following terms shall have the meanings indicated:

At-Need: At the time of death, the purchaser will purchase a burial space with right of interment, perpetual care, a vault, and pay for opening and closing costs. The owner will obtain memorials or markers directly from a City-approved vendor.

Bench Estate: Bench estates can accommodate families of varying size, typically 4-8 members. The interments are typically buried behind the bench while family members are individually memorialized on pavers or plaques in front of the bench.

Boulder Estate: Boulder estates can accommodate families of varying size, typically 4-8 members. Memorialization plaques with individual or family names are attached to the boulder.

Burial Space: The term “burial space” shall mean a single, double, or a companion space within a burial section designed for the interment of human remains.

Burial Vault: Container designed to enclose a casket for burial purposes. It may be concrete, steel or poly.

City: The City and County of Broomfield, Colorado.

City Council: The City Council of the City and County of Broomfield, Colorado.

Cemetery: The term “Cemetery” is hereby defined as a burial park for above and below ground interments of human remains, specifically, the Broomfield County Commons Cemetery and Lakeview Cemetery owned by the City.

Cemetery Fund: A separate fund to record the financial activity of the Cemetery.

Cemetery Services Director: City staff member appointed by the City and County Manager or designee who shall have responsibilities for the operation and administration of the Cemetery. The Director may delegate responsibilities to a designee for daily decisions.

Cenotaphs: A common memorial serving many people usually consisting of a large slab

of granite that allows for the attachment of individual bronze plaques for memorialization. Cremated remains may be buried in a sealed container adjacent to the cenotaph or remains could be buried or scattered elsewhere and memorialized on the cenotaph.

Cremains: Cremated remains of a human body and the cremated remains of a pet.

Crypt: A single or companion space within a mausoleum.

Curb Memorial: Curb memorials may be either granite or stone. A bronze memorial plaque is attached to the curb surface. Curb memorials can be integrated throughout a garden setting.

Disinterment: The removal of the buried remains of a deceased person and the burial vault from the ground.

Double Depth Lawn Burial: Two interments possible with one casket on top of the other casket.

Interment: The permanent disposition of the remains of a deceased person by earth burial or crypt entombment.

Inurnment: The term “inurnment” shall mean the permanent disposition of the cremated remains of a deceased person by earth burial or columbarium niche.

Family Mausoleum: Family mausoleums are usually purchased at time of need. They are available in various styles, sizes, and shapes to accommodate the family’s needs.

Foundation: The base or foundation upon which a memorial is installed.

Lawn Burial with Separate Memorialization: A lawn burial with headstones integrated into an adjacent landscaped area or central feature in order to help ease maintenance or burial operations.

Marker: Same as Memorial.

Mausoleum: An above-ground structure consisting of multiple crypts and possibly niches for the interment of human remains.

Memorial: A monument, marker, tablet or headstone for family or individual use.

Monument: Same as memorial.

Niche: A single or companion space within a niche columbarium.

Niche Columbarium: Above-ground structure consisting of multiple niches for inurnment of cremated remains. The inurnments can be individual or companion.

Section: A platted lot within the Cemetery and may consist of more than one burial

space.

Owner: The person or persons:

1. To whom the Cemetery has conveyed a right or rights of interment,
2. Who have acquired such right or rights by transfer in accordance with these Rules and Regulations.

Pre-Need: An agreement between the City and the purchaser. A Pre-Need agreement may include purchase of a burial space with right for interment, perpetual care, and a vault.

Perpetual Care: The term "perpetual care" used in reference to burial spaces shall be held to mean the cutting and watering of the grass upon said burial spaces at reasonable intervals; the raking and cleaning of said burial spaces; and, the general care and pruning of the trees or shrubs that may be placed on said burial spaces by the City; meaning and intending the general preservation of the burial spaces and the ground walks, roadways, boundaries and structures to the end that said grounds shall remain and be reasonably cared for as Cemetery grounds forever.

Post Marker: Post markers are available in both individual and companion sizes. The memorialization is engraved directly onto the coping on the marker or a bronze plaque is attached. The interments are typically buried behind the marker or can be incorporated into the marker if it is cored.

City & County of Broomfield Resident: A person or family that lives in, or owns taxable property, within the City and County limits; a person or family that lived in the City and County for 20 years or more that no longer resides in the City and County limits; or a person who worked for the City and County of Broomfield for 20 years or more, shall receive residents' rates for purchases at the City and County of Broomfield Cemeteries.

Sales Agreement: A contract between the City and the purchaser of a burial space for right of interment and other related services.

Single Depth Lawn Burial: Single burial with upright headstone or flush marker at burial space.

Urn: A container for cremated remains.

Veteran: Any member of the Armed Forces of the United States, (Army, Navy, Air Force, Marine Corps, Coast Guard) who dies on active duty. Any veteran who was discharged honorably or with any other type of discharge that qualifies for Veteran benefits. The surviving spouse of a veteran killed in action is eligible for the veteran discount and interment in the veteran section.

Walled Family Estates: These areas include pre-installed concrete vaults, walls, landscaping, etc. The garden can be customized with a common headstone, bench, at time of need. These estates typically range from 4 to 8 spaces with single or double depth burials. Cremations are sometimes included in the landscaped area within the

walled estate.

3.0 ADMINISTRATION AND ENFORCEMENT

3.1 OWNED BY CITY

Broomfield County Commons Cemetery and Lakeview Cemetery are owned by the City.

3.2 CONTROL BY CITY COUNCIL

The City Council has the right of general control of the Cemeteries in all matters, whether or not they are specifically covered by these rules and regulations.

3.3 MANAGED BY CEMETERY SERVICES DIRECTOR

The management of the Cemeteries shall be under the direction of the Cemetery Services Director.

3.4 CEMETERY SERVICES DIRECTOR TO ENFORCE RULES

The Cemetery Services Director, or designee, is hereby expressly empowered to enforce the rules and regulations, and to exclude from the Cemeteries any person violating the same. The Cemetery Services Director shall have complete charge of the Cemetery grounds and buildings, and at all times shall have the authority to direct the conduct of all persons within the Cemeteries, including the conduct of Funeral Directors, individuals involved in all aspects of the funeral or Cemetery industry, funeral processions (within the grounds), traffic, employees, lot owners and visitors.

3.5 BUSINESS OFFICE

All payments for any Cemetery property or services shall be paid at the Cemetery Office. Applications for burial space purchase, interment and disinterment orders, perpetual care, foundation and monument orders or special permits of any kind shall be made at the Cemetery Office.

3.6 CITY CLERK TO KEEP RECORDS

The office of the City Clerk shall maintain all original agreements, including all purchase agreements, amendments to purchase agreements, and assignments of purchase agreements, regarding to Cemetery property.

3.7 ADMISSION TO CEMETERY

Entrance into the Cemeteries except through the main gate or other approved entry points is strictly forbidden.

3.8 CITY SHALL NOT DISCRIMINATE

The City and County of Broomfield does not discriminate on the basis of race, color, national origin, gender, religion, marital status, disability, age, or ancestry on the size, placement, location, sale, or transfer of any cemetery grave space, niche, or crypt or in the interment of a deceased person.

4.0 APPLICATION OF REGULATIONS

4.1 COMPLIANCE WITH REGULATIONS

All burial space owners, visitors, Cemetery employees, persons working directly or

indirectly for lot owners and all lots sold shall be subject to these rules and regulations, and subject further, to such rules and regulations, amendments or alterations as shall be adopted by the City in the future. The reference to these rules and regulations in the certificate to burial spaces shall have the same force and effect as if set forth in full therein.

4.2 EXCEPTIONS AND MODIFICATIONS

Special occasions may arise in which the literal enforcement of a rule may impose unnecessary hardship. In such an instance the City and County Manager, or designee, shall have the right, without notice, to make exceptions, suspensions or modifications in any of these rules and regulations.

4.3 AMENDMENTS

The City may, and it hereby expressly reserves the right, at any time or times, to adopt new rules or regulations, to amend, alter and/or repeal any rule, regulation and/or article, section, paragraph and/or sentence in these rules and regulations. Such new or amended rules and regulations shall be binding on the owners of all lots or burial spaces regardless of date such owner purchased such lots or burial spaces.

5.0 RIGHTS AND RESPONSIBILITIES OF CITY

5.1 WORK TO BE DONE BY CITY

Except as otherwise provided herein, all grading, landscape work and improvements of any kind, and all care of lots, shall be done, and all trees, shrubs and herbage of any kind shall be planted, trimmed, cut or removed, and all opening or closing of graves and all interments, disinterments or removals shall be made by the City.

5.2 CITY MUST DIRECT AND MAY REMOVE IMPROVEMENTS

All improvements or alterations of property in the Cemetery shall be under the direction of and subject to the consent, satisfaction and approval of the Cemetery Services Director, or designee, and should such changes be made without written consent, or, in the event that at any time they become unsightly to the eye, the Director or designee shall have the right to remove, alter or change such improvements or alterations at the expense of the lot or burial space owner.

5.3 RIGHT TO REPLAT, REGRADE AND USE PROPERTY

The right to enlarge, reduce, replat and/or change the boundaries or grading of the Cemetery or of a section or sections, from time to time, including the right to modify and/or change the locations of or remove or regrade roads, drives and/or walks, or any part thereof, is hereby expressly reserved to the City. The right to lay, maintain and operate or alter or change pipelines and/or gutters for sprinkling systems, drainage, lakes, etc., is also expressly reserved; as well as is the right to use Cemetery property, not sold to lot or burial space owners, for Cemetery purposes, including the interring and preparing for interment of remains, or for anything necessary, incidental or convenient thereto. The City reserves for itself and to those lawfully entitled thereto, a perpetual right to ingress and egress over lots for the purpose of passage to and from other lots.

5.4 NO RIGHT GRANTED IN ROADWAYS

No easement or right of interment is granted to any lot or burial space owner in any road, drive or walk within the Cemeteries, without the approval of the Cemetery Services Director, or designee, but such roads, drives or walks may be used as a means of access to or within the Cemeteries.

5.5 RIGHT TO CLOSE ROADWAYS

The Cemetery Services Director, or designee, shall have the right, at any time, to close any road, drive or walk.

5.6 WHEN CITY IS NOT RESPONSIBLE

The City shall take reasonable precautions to protect lot owners, and the property rights of lot owners within the Cemeteries, from loss or damage, but the City distinctly disclaims responsibility for loss or damage from causes beyond its reasonable control and especially from damage 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 may be direct or collateral, other than as herein provided.

6.0 CONDUCT WITHIN THE CEMETERY

6.1 TRAVERSING CEMETERY PROPERTY

Persons within the Cemeteries shall use only the roads, drives or walks as thoroughfares and no person shall walk on the grass unless it is necessary to do so to reach a particular lot, except that a worker may use such space as is necessary to perform maintenance or other services in connection with a lot. Any person using any portion of the Cemeteries other than the roads, drives or walks as a thoroughfare is hereby declared to be a trespasser and the City shall in no way be held liable for any injury sustained by such trespassers.

6.2 TRESPASSERS ON CEMETERY BURIAL SPACES

Only the burial space owner or relative of the owner or other authorized individuals shall be permitted on any Cemetery burial space. Any other person thereon shall be considered to be a trespasser, and the City shall owe no duty to said trespasser to keep the property or the memorial thereon in a safe condition.

6.3 REMOVAL OF FLOWERS, ETC. FORBIDDEN

All persons are prohibited from gathering flowers, either wild or cultivated, or breaking trees, shrubs or plants, or feeding or disturbing fish or birds or other animal life within the Cemetery.

6.4 REFRESHMENTS

No person shall be permitted to have alcoholic beverages within the Cemetery grounds.

6.5 LOUNGING ON GROUNDS

No person shall be permitted to sit or lounge on any of the grounds, graves or monuments within the Cemeteries, or in any of the Cemetery buildings except in connection with a visit to a particular burial space or lot.

6.6 LOUD TALKING AND PROFANITY
Loud talking shall not be permitted on the Cemetery grounds. The use of profane language is also forbidden.

6.7 VISITORS
Visitors are welcome on the Cemetery grounds during regular hours of operation, as posted at Cemetery entrance.

6.8 RUBBISH
Throwing rubbish on any part of the grounds or buildings, except into designated receptacles, is prohibited.

6.9 AUTOMOBILES
Automobiles shall not be driven through the Cemeteries at a speed greater than fifteen (15) miles per hour. Automobiles are not allowed to park or come to a complete stop in front of an open grave unless such automobiles are in attendance at a funeral.

6.10 TRUCKS AND HEAVY HAULING
Heavy hauling, trucks or commercial vehicles of any kind are not permitted within the Cemetery grounds, unless they have a business purpose for being in the Cemetery, and then only by permission of the Cemetery Services Director.

6.11 BICYCLES, MOTORCYCLES AND RECREATIONAL VEHICLES
No bicycles, motorcycles or recreational vehicles shall be allowed in the Cemetery except such as may be in attendance at funerals or on business. All vehicles must be properly licensed and legal for highway use.

6.12 PEDDLING OR SOLICITING
Peddling of flowers or plants, or the soliciting for the sale of any commodity, is prohibited in the Cemeteries.

6.13 FIREARMS
No open carrying of firearms or carrying of illegal weapons as defined in the Broomfield Municipal Code shall be permitted within the Cemeteries. This does not include firearms or weapons as allowed for a military funeral or similar occasion, by Colorado certified peace officers or pre-approved military personnel. Concealed weapons or handguns are allowed, only if properly permitted under state law.

6.14 NOTICES OR ADVERTISEMENTS
No signs, notices, or advertisements of any kind except those related to cemetery operations shall be permitted within the Cemetery grounds.

6.15 DOGS, HORSES AND OTHER ANIMALS
No dogs, horses or any other animal, other than animals required to accommodate a qualified disability under the Americans with Disabilities Act, shall be allowed in the Cemetery or in any of the Cemetery buildings. The owner or keeper of any animal which trespasses upon the Cemetery grounds shall be liable for any damage done by said animal. The City shall not be liable for any damage done by animals and does not

assume responsibility for keeping animals out of the Cemetery.

6.16 HOURS
The Cemetery grounds will be open from dawn to dusk. The hours of operation will be posted at the Cemetery entrance.

6.17 IMPROPRIETIES
It is of the utmost importance that there should be strict observance of the proprieties of the Cemetery, whether embraced in these Rules and Regulations or not. No improprieties will be allowed, and the Cemetery Services Director, or designee, shall have the power to prevent improper assemblages and the like.

6.18 EMPLOYEES AND WORKERS
City employees, as well as other workers, monument dealers, florists, etc., working within the Cemetery shall conduct themselves with decorum at all times and in strict accordance with these Rules and Regulations.

7.0 PURCHASE OF BURIAL SPACES

7.1 APPLICATIONS FOR PURCHASE
Applications for the purchase of the right of interment or inurnment must be made at the designated Cemetery Office where plats showing the size, location and description of all burial spaces, crypts, and niches and the schedule of prices will be kept on file.

7.2 CERTIFICATE CONVEYS ONLY THE RIGHT OF INTERMENT
All Sales Agreements shall grant to the purchaser the right to use such burial spaces for interment of human remains or the interment of human remains with the cremated remains of pets, subject to these Rules and Regulations or any subsequent Rules. The fee title to burial spaces shall remain in the City, subject to the right of interment conveyed to the purchaser.

7.3 ERRORS MAY BE CORRECTED
The City reserves the right to correct any errors made by it in the description of the location of the lot or burial space to which the right of interment is conveyed, either by canceling the sale and substituting in lieu thereof other burial space(s) of equal value and in a similar location as far as possible, or, in sole discretion of the City, by refunding the amount of money paid on account of said purchase with interest.

7.4 PAYMENT
The pre-need purchase price and perpetual care for burial spaces may be paid in full at time of purchase or by payment plan established by the City.

7.5 PURCHASE AND RESALE OF CEMETERY BURIAL SPACES
The purchase and resale of Cemetery burial spaces for profit is prohibited except as allowed elsewhere in these policies.

7.6 CHANGE OF ADDRESS
It shall be the duty of the lot or burial space owner to notify the City of any change in the

owner's mailing address. Notice sent to the last address on file at the City Clerk's Office shall be considered sufficient and proper legal notification.

7.7 VETERANS' DISCOUNT
Veterans and the surviving spouse of a veteran killed in action will receive a 50% discount on the purchase of a burial or cremation space at Broomfield County Commons Cemetery only.

7.8 LAKEVIEW TRANSFERS & CREDIT
Transfers from Lakeview Cemetery to the Broomfield County Commons Cemetery (BCCC) receive a credit of 50% of the Lakeview purchase price to apply toward costs at BCCC.

8.0 ABANDONED BURIAL SPACES

8.1 REVERSION
The right of interment in any unoccupied burial space shall, upon abandonment as defined below, revert to the City.

8.2 PRESUMPTION
If the owner or the owner's heirs shall fail to use the lot or burial space within 50 years from date of purchase, then the City shall have the right and option to repurchase the remaining unused portion of the lot or burial space at and for the same amount without interest paid by the original purchaser. If the City exercises its option to repurchase any unused lot or burial spaces, the repurchase price shall therefore be determined by dividing the amount paid by the original purchaser of such lot or burial spaces to be so repurchased and deducting therefrom all sums paid to said City for the perpetual care of said unused lot or burial spaces.

8.3 NOTICE REQUIRED
Abandonment shall not be deemed complete unless the owner, heirs, or assigns shall be notified of the abandonment in writing, mailed to the owner's last known address, by the City Clerk. In the event that the address of the owner or heirs cannot be ascertained, then notice of such abandonment shall be given by publishing the same in a local newspaper once a week for five (5) weeks.

8.4 FAILURE TO REPLY
If the owner, heirs, or assigns fails to inform the City Clerk of an intention to retain the burial space(s) within sixty (60) days after the date the Notice of Abandonment was mailed or after final publication of such notice, then abandonment shall become final and the City may thereafter sell, transfer, and convey the right to interment therein. The funds derived from any sale of an abandoned burial space shall be deposited in, and become a part of, the Cemetery Fund.

9.0 TRANSFERS AND ASSIGNMENTS

9.1 CONSENT OF CITY
No transfer or assignment of any right to a burial space, or interest therein, shall be valid

without the consent in writing of the City first to be had and endorsed upon such transfer or assignment, and thereafter being recorded on the books of the City.

9.2 INDEBTEDNESS
The City shall have the right to refuse to consent to a transfer or an assignment as long as there is indebtedness due to the City by the owner of record.

9.3 TRANSFER BY DESCENT
In the absence of a specific disposition of a burial space in the owner's last will and testament, the lot or burial space shall, upon the death of the owner, descend in regular line of succession as described in the state statutes to the heirs of the owner. It shall be the responsibility of the descendant or descendants to provide legal documentation of heirship to the City prior to transfer of any lot or burial space.

9.4 REPURCHASE BY CITY
If for any reason it becomes necessary for any lot owner to dispose of their interest in any burial space, they may make application to the Cemetery Services Director for repurchase of their interest in such burial space by the City. Each of these individual applications shall be investigated by the Cemetery Services Director who may elect to repurchase the burial space at a price not to exceed 50% of the purchase price. The payment of the price agreed upon by the Cemetery Services Director will be made to the burial space owner or owners when they have conveyed to the City by deed or Certificate of Purchase a good and sufficient right to such burial space as approved by the City Attorney.

9.5 TRANSFER FEE
All transfer of rights to burial spaces and all assignments shall be subject to a fee. The fee must be paid to the City at the time of the transfer or assignment is requested. Transfer of ownership from a resident to a non-resident would be charged the difference in the price of all products plus the transfer fee. This would not apply to estate transfers.

10.0 INTERMENTS

10.1 DISPOSITION - REMOVAL PERMIT REQUIRED
A Disposition - Removal Permit issued by the Colorado Department of Health, or, if the death occurred outside Colorado, a similar permit issued by the state in which the death occurred, is required prior to interment. Such permit must be provided by the Funeral Director to the Cemetery Office.

10.2 INTERMENT PERMIT REQUIRED
The City reserves the right to refuse interment in any burial space and to refuse to open any burial space for any purpose, except upon written application by the owner or the owner's representative for an interment permit made on forms provided by the City and duly filed in the Cemetery Office. Interment permits shall be granted by the Cemetery Services Director or designee.

10.3 MANNER AND CHARGES
All interments must be made in the manner set by the Cemetery Services Director and

only after payment of the applicable charges, or guarantee of payment upon arrival by an approved mortuary.

10.4 TIME AND SCHEDULING
All interments must be scheduled through the Cemetery Office. No interment or funeral services will be allowed from 5 p.m. on Saturday to 9 a.m. Monday. Interments on Saturdays after 12 noon or on a legal holiday observed by the City will be charged an extra fee. No interments will be allowed on New Year's Day, Memorial Day, 4th of July, Thanksgiving Day, Christmas Eve or Christmas Day. Arrangements for Monday interments must be completed by 12 noon the previous Friday. Weekday services shall require 24 working hours notice. The Cemetery Services Director may require more than 24 hours notice if additional time is needed. Any exception must be approved by the Cemetery Services Director.

The Cemetery Services Director, or designee, shall appoint the time for the arrival of funeral processions at the Cemetery. At least one hour shall be allowed between the times of arrival of funeral processions to be held on the same day unless waived by the Cemetery Services Director, or designee. When two funeral processions arrive at the Cemetery near the same time, the funeral procession arriving first shall proceed and have precedence in entering the Cemetery. The other procession shall proceed in accordance with the instructions of the Cemetery Services Director or designee. No funeral procession will be permitted in the Cemetery after 3:30 p.m. except by special permission of the Cemetery Services Director, or designee. The Cemetery staff shall endeavor to have a representative available at the time of the arrival of the funeral procession to lead the funeral procession to the burial space or lot. In the event that no staff person is available to do so, the Funeral Director or other person in control of the funeral procession shall be responsible for leading the funeral procession to the appropriate burial space.

10.5 BURIAL VAULT REQUIREMENT
Every casket or in-ground cremation interment must be made in an outer liner of concrete, steel or poly approved by the City. The vault will be purchased through the City, constructed by an approved burial vault manufacturer. The Cemetery Services Director, or designee, shall have the right to refuse any burial vault that is damaged or in any other way inadequate.

10.6 BURIAL VAULT DESIGN Burial vaults shall be designed specifically for use as containers to be placed in a burial space. The vault shall be of adequate size to completely enclose the casket or urn.

10.7 BURIAL VAULT INSTALLATION
A fee in the opening/closing costs shall be charged for all vaults installed by the City. The City will install all vaults unless otherwise approved by the Cemetery Services Director. Any individual, mortuary or company receiving approval from the City for installation must provide evidence of liability insurance and may be required to provide a bond in an amount acceptable to the City prior to installation of any burial vault. Any individual, mortuary or company other than the City engaged in installation of a burial vault shall be solely responsible for the safety of individuals, or any and all damages

which may result.

10.8 CASKET REQUIRED
Every interment/inurnment in the Broomfield Cemeteries shall be made in a casket/urn approved by the Cemetery Services Director, or designee. Burial caskets or casket/vaults must have a secure closure system in place.

10.9 CASKET NOT TO BE DISTURBED
Once a casket or other burial receptacle containing a body is in the confines of the Cemetery, no funeral director or embalmer, assistant, employee, agent, Cemetery official or employee, or any other person shall be permitted to open the casket or touch the body without the written consent of the legal representatives of the deceased or a court order.

10.10 EMERGENCY INTERMENTS
Arrangements for emergency interments must be made through the Cemetery Services Director, upon proof of emergency. Scheduling shall be at the discretion and approval of the Cemetery Services Director, or designee.

10.11 INTERMENTS INVOLVING VIRULENT CONTAGIOUS DISEASES
Advance notice must be given to the Cemetery Office of the intention to inter the remains of any person who died of a virulent contagious disease so that a proper time may be appointed for the interment and proper arrangements made for the protection of the public and the Cemetery staff.

10.12 DISASTERS
In the event of a disaster which results in numerous interments in the Cemetery, the Cemetery crew will work whatever hours are deemed necessary by the City and County Manager. The City and County Manager has the authority to void any and all regulations necessary in order to handle the numerous interments as orderly and as quickly as possible.

10.13 DELAYS IN INTERMENTS CAUSED BY PROTESTS
The City shall in no way be held liable for any delay in the interment of a body where a protest to the interment has been made, or where these Rules and Regulations have not been complied with or until the full rights have been determined. The City shall be under no obligation to recognize any protests of interments unless they are made in writing and filed with the Cemetery Office.

10.14 AUTHORIZATION OF ONE BURIAL SPACE OWNER SUFFICIENT
The City reserves the right to allow interment of the remains of any member of the immediate family of any one of several common burial space owners upon the written authorization of any such common burial space owner. No person other than a member of an immediate family may be interred in any burial space without the written consent of all common lot owners. No interment shall be permitted in any burial space which has no current legal owner registered with the City Clerk.

10.15 LOCATION OF BURIAL SPACE

The application for an interment permit must specify the exact location within each section of the burial space desired to be opened. All burial spaces, regardless of single or double depth casketed burial or cremation, must ensure a minimum of 18” of soil cover over the top of the vault. The burial space must be at least five and one-half feet in depth for adult burials and of a proportionate depth for children. Burial, half in one burial space, half in another will not be permitted.

When instructions regarding the location of a burial space on a lot cannot be obtained or are indefinite, or when, for any reason, the burial space cannot be opened where specified, the Cemetery Services Director may open it in such location on the lot as deemed best and proper; and the City shall not be liable for damages for any such change. If, for any reason, instructions concerning the location of the burial space to be opened are changed by the Funeral Director, burial space owner or their representatives after the digging has begun, been completed, or the burial has been made, the person requesting the change shall be responsible for the payment of applicable additional fees to the City. Such fees shall be paid before any work is done pursuant to the revised instructions.

10.16 ORDERS GIVEN BY TELEPHONE
The City shall not be held responsible for any order given by telephone, or for any mistake occurring for want of precise and proper instructions as to the particular space, size or location in a lot where an interment is desired.

10.17 ERRORS MAY BE CORRECTED
The City reserves the right, and shall have the right to correct any errors that may be made by it (either in making interments or disinterments or in the description transferring or conveying any interment property) either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and in similar location as far as possible, as may be selected by the City, or, in the sole discretion of the City, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains in such property, a person requesting removal shall assume full responsibility for disinterment which shall be carried out pursuant to paragraph 11.0.

10.18 EMBALMING; IDENTITY
The City shall not be responsible for the identity of any person sought to be interred; nor shall the City be responsible in any way for the preparation of the body.

10.19 NUMBER OF INTERMENTS
Not more than one body or the remains of one body may be interred in one single-depth burial space or not more than two bodies or the remains of two bodies may be interred in one double-depth burial space except as provided below:

10.19.1 Single-depth burial space: Not more than one body or the remains of one body with one or two cremated remains.

10.19.2 Single-depth burial space: Not more than four cremated remains only.
10.19.3 Double-depth burial space: Not more than two bodies or the remains of

two bodies with one or two cremated remains.

10.19.4 All cremated remains and full burials shall have vaults.

10.19.5 Any number of pet cremations may be placed with the human burial and must be placed in the vault provided for the human.

10.19.6 Cremated remains interred in a crypt, monument, or foundation shall be counted the same as if they were buried in the burial space itself.

10.20 EQUIPMENT
Only tents, artificial grass, lowering devices and other equipment owned by the City shall be used in making interments. Any exceptions must be approved by the Cemetery Services Director, or designee.

10.21 INTERMENT OF CREMAINS
In order to inter cremains in the Cemetery, either in the ground, in a monument foundation or in a columbarium, the applicable fee must be paid to the City. An approved container shall be provided by the City, at City cost for interment of cremains. The person(s) requesting interment may waive use of the container and inter the cremains in any other container approved by the Cemetery Services Director.

10.22 SCATTERING OF CREMAINS
Scattering or spreading of cremains on burial spaces or any other area of the Cemetery is prohibited.

10.23 INTERMENT OF PET CREMAINS
Interment of the cremated remains of family pets will be allowed under the following conditions:

10.23.1 Pet must be cremated remains only and contained in an urn.

10.23.2 Pet will be interred at the time the owner is interred.

10.23.3 Pet urn must be placed in the niche or vault that is being provided for the owner.

10.23.4 Pet memorializing can be incorporated into the memorial provided for the owner with approval of the Cemetery Services Director.

11.0 DISINTERMENTS

11.1 SUBJECT TO LAWS AND ORDERS
In addition to these Rules and Regulations, all disinterments shall be subject to all applicable law, including the orders and laws of the properly constituted authorities of the City, the State of Colorado, and the Federal Government.

11.2 PERMISSION FOR DISINTERMENTS

No disinterment of a body will be made without either a court order of a court of competent jurisdiction or a signed affidavit from the surviving spouse or next of kin, on a form provided by the City, stating that the disinterment is being requested for a valid reason, that the application is being made by a proper person, that there is no opposition to the disinterment by the surviving spouse, next of kin, or by the expressed wishes of the decedent, and that the affiant agrees to indemnify and hold harmless the City, its elected and appointed officials, its employees, and its agents, from any liability that might result from the disinterment, and releases the City, its elected and appointed officials, its employees, and its agents, from any claims or, causes of action the affiant may have, then or in the future, by reason of the disinterment. The Cemetery Services Director shall have the right to require a court order for disinterment at any time prior to the disinterment when circumstances exist or arise which indicate that there is a question as to the reason for the disinterment or as to whether there is opposition to the disinterment.

11.3 DISINTERMENT PROHIBITED UNDER CERTAIN CIRCUMSTANCES
Disinterment of a body so that the lot or burial space may be sold for profit to the heirs of the deceased or to any other persons or removal contrary to the expressed or implied wish of the original lot or burial space owner is repugnant to the ordinary sense of decency and is absolutely forbidden.

11.4 NOTICE OF DISINTERMENT REQUIRED
The City reserves the right to require at least ten days notice prior to any disinterment. No disinterment will be made on any Saturday, Sunday, or legal holiday or on the day upon which any holiday is legally observed. All disinterments shall be supervised by the Cemetery Services Director or designee.

11.5 PAYMENT OF FEES
All fees assessed by the City for disinterments shall be paid to the Cemetery Office prior to the disinterment.

11.6 SERVICES PROVIDED
The services provided in connection with disinterments include removing the remains of the deceased, the casket or urn, and the burial receptacle, placing the same on top of the ground, and backfilling or closing the empty burial space.

11.7 CITY NOT RESPONSIBLE
The City shall exercise the utmost care in carrying out a disinterment but it assumes no liability for damage to any casket, burial receptacle or any other property during the disinterment process.

12.0 DECORATION OF BURIAL SPACES

12.1 CEMETERY SERVICES DIRECTOR IN CHARGE OF PLANTING
The Cemetery Services Director, or designee, has authority in the planting of all trees, shrubs, plants and grass ornamentation of the Cemetery. Additional planting by burial space owners shall require permission from the Cemetery Services Director, or designee. It will be left to the Cemetery staff's discretion as to what can be planted and

where it can be planted. A list of approved landscape material and approved locations for plantings will be provided by Cemetery staff upon request. All plantings will be performed by the Cemetery staff. Haphazard placement has an extremely detrimental effect on grounds maintenance and the irrigation system.

12.2 PLANTING OF LIVE FLOWERS

Live flowers may be planted or cultivated in a burial space only with approval of the Cemetery Services Director, or designee. See Cemetery staff for approved list of plants and locations. Planted flowers are not allowed on flush casketed burial spaces. Cut flowers are allowed in vases that are integral with the memorial, two vases maximum per memorial. On upright casketed burial spaces, plants and flowers are only allowed in the plant bed immediately adjacent to and behind the monument. No plants or flowers are allowed in turf area. Plants in vases that are integral with the monument will be allowed, two vases maximum per monument. If an adjacent burial space owner also chooses to plant adjacent to their monument, then the two parties shall have equal space, otherwise plantings may be allowed from monument to monument if the adjacent burial space owner chooses not to plant. Plantings in estate or cremation garden areas shall be determined in the field by the Cemetery Services Director or Cemetery staff.

No plantings that exceed the boundaries of the burial space shall be permitted and may be removed without notice by the Cemetery staff. If any flowers growing on any burial space shall become detrimental, in the sole discretion of the Cemetery Services Director, they will be removed without notice and the City will not be responsible. The City will not be responsible for damage or provide additional care to anything planted unless additional care fees have been paid by the burial space owner(s).

12.3 CERTAIN ORNAMENTS PROHIBITED

The placing of boxes, shells, stones, boulders, toys, metal designs, ornaments, statues, chairs, settees, unattached vases, glass, urns, fences, wood or metal cases and similar articles upon lots or burial spaces which create a maintenance burden shall not be permitted.

12.4 DONATIONS

Any tree, shrub, or plant donated to or planted in the Cemetery becomes the property of the City and shall be subject to these rules and regulations.

12.5 BORDERS

Fences, railings, curbs, hedges and other bordering of lots or burial spaces are not allowed. Only flowers, vases containing flowers, wreaths, approved flags and other temporary decorations shall be permitted. Decorations attached to trees or shrubs shall not be permitted and may be removed by the Cemetery Services Director, or designee, without notice.

12.6 DECORATION REMOVAL

Decorations will be removed by Cemetery staff in their sole discretion, when they become dead, faded, broken or anything of a similar nature (particularly artificial flowers). They will be returned to the owners only if prior arrangements have been made at the Cemetery Office. Holiday decorations will be permitted from December 11 through

February 1, at which time they shall be removed by the Cemetery Services Director or designee.

The Cemetery Services Director, or designee shall, without notice, remove decorations from any burial space which may create a safety hazard or cause additional maintenance burdens. This shall apply particularly to multiple decorations placed on a grave site.

One metal (shepherd) hook shall be permitted per burial space in the upright sections in lieu of flowers. Hook shall be painted black or dark green and powder coated. It must not exceed 5' in height and contain no more than one basket. Attachment of any other item to the hook is not permitted. Hooks are only allowed between April 1 and September 30. The hook location, basket and flowers are to be reviewed and approved by the Cemetery staff. The hook location will be limited to 6” on either side of marker. The City will not be responsible for damage or provide additional care to anything planted, unless additional care fees have been paid by the burial space owner(s).

12.7 RIGHT TO REGULATE

The City reserves the right to regulate the method of decorating burial spaces and the right to regulate decoration so that ease of maintenance and a uniform beauty may be maintained.

13.0 MEMORIAL WORK IN CEMETERY

13.1 MONUMENTS AND MARKERS

13.1.1 No monument or marker will be permitted on any burial space until the space has been fully paid for and a certificate conveying rights of interment or inurnment has been delivered to the purchaser. No foot stones will be permitted.

13.1.2 A temporary burial space marker will be provided by the City. This temporary marker will remain on the burial space for one year. After this time, the space will be unmarked until the burial space owner has placed a permanent memorial.

13.1.3 No lot or burial space owner shall erect or place or cause to be erected or placed, any monument, memorial or marker without approval of the City. Specific information on size, material, design, etc. shall be submitted to the City for approval prior to ordering the memorial. (Memorial Approval Form) Special monument requests must be submitted to the Cemetery Services Director for review.

13.1.4 Only one monument, marker or foundation for each burial space shall be permitted, except to identify a cremation buried in the same burial space. In such case one additional flush marker shall be permitted. The flush marker and foundation shall not exceed 32” in length and 26” in width, set 12” front and center of existing memorial.

13.1.5 Any monument or marker needing to be moved to open a burial space

shall be the responsibility of the owner of record of the lot or burial space or the owner may chose to have the City move and reset the memorial. The Memorial Removal/Reset fee must be paid in full prior to any memorial removal.

13.1.6 Only monuments or markers made of first-grade granite or bronze shall be permitted on any lot or burial space. The only exception would be marble memorials in the veteran section.

13.1.7 The bottom surface of all monuments or markers shall be cut level and true.

13.1.8 Upright single monuments or markers shall not exceed 48" in height, 44" in length, and 22” in width, including foundation. Upright double monuments shall not exceed 48" in height, 80" in length and 22" in width, including foundation. No upright monument shall exceed 48” in height, measured from the ground to the top of the monument.

13.1.9 Flush markers in flat only areas shall be at ground level. Single flush markers shall not exceed 44" in length and 22" in width, including foundation. Double flush markers shall not exceed 80" in length and 22" in width, including foundation.

13.1.10 While the City will endeavor to exercise due care to protect raised lettering, carving or ornaments on any memorial or other structure on any burial space in the Cemetery; it disclaims any responsibility for damage thereto.

13.1.11 No coping, curbing, hedging, grave mound, border, enclosures of any kind or walks of any kind shall be allowed on any burial space in the Cemetery. The City reserves the right to remove the same without recourse, if so planted, erected or placed.

13.1.12 The use of tiles, bricks, gravel, crushed rock, oyster shells, cinders or other material on any lot in the Cemetery is prohibited. If used, such materials may be removed by the City without notice to the burial space owner.

13.1.13 Markers for in-ground cremation areas have specific requirements depending on where the space is located and what type of marker is allowed in that area. Owner or Memorial Company shall contact the Cemetery Services Director for those specific requirements prior to ordering the memorial.

13.2 FOUNDATIONS

13.2.1 All foundations for memorials, markers, vases monuments, mausoleums, crypts, etc. shall be installed by an approved memorial company. The charge for foundations shall be set by the approved memorial company. The approved memorial company shall assume responsibility for the proper installation and construction of such foundation.

13.2.2 Foundations for all upright markers shall be made of granite, at least 4" in depth and shall extend at least 4" in all directions beyond the base of the memorial, monument or marker. No foundation shall exceed the size of 44” in length and 22” in width.

13.2.3 Foundations for flush granite markers may have a concrete or granite border of no more than 4” extending in all four directions around the marker.

13.2.4 Single foundations shall not exceed 44” in length and 22” in width. Double foundations shall not exceed 80” in length and 22” and width.

13.2.5 Foundations for in-ground cremation areas have specific requirements depending on where the space is located and what type of marker is allowed in that area. Owner or Memorial Company shall contact the Cemetery Services Director for those specific requirements prior to installing the foundation.

13.3 PRODUCERS AND RETAIL DEALERS

13.3.1 In order to procure approval of the City, producers of monumental materials, including quarriers, who also manufacture memorials, and manufacturers of memorials who are not quarriers or anyone else wanting to provide a monument for installation at the Cemetery shall use first-grade granite or marble (veteran section only) for memorial purposes approved by the City.

13.3.2 In order to procure approval of the City, retail dealers must agree to use only granite or marble from producers pre-approved as provided above, and guarantee the memorial to be executed in first grade workmanship.

13.3.3 Memorial dealers are required to furnish a description, blue print or sketch of the proposed memorial or marker, specifying the size, material, inscription, and number of burial spaces the monument indicates. City approval is required prior to ordering the memorial, (Memorial Approval Form)

13.3.4 The Cemetery Services Director, or designee, shall have the power to reject any plan or design for any memorial, which, on account of size, design, inscription, or kind or quality of granite is unsuited to the burial space on which it is to be placed.

13.3.5 The City reserves the right for the Cemetery Services Director, or designee, to stop all work of any nature whenever proper preparations therefore have not been made; or when tools or machinery are insufficient or defective; or when the work is intruding on other spaces; or when work is being executed in such a manner as to threaten life or property; or when any reasonable request on the part of the Cemetery Services Director, or designee, has been disregarded; or when work is not being executed in accordance with specifications; or when any person employed on the work violates any of the Cemetery rules and regulations.

13.3.6 Workers employed in erecting or placing monuments or other structures or bringing materials into the Cemetery shall, as to the City, operate as independent contractors but shall be subject to the general supervision of the Cemetery Services Director, or designee.

13.3.7 The completed work is subject to the approval of the City, and if unsatisfactory, it may be removed by the City.

13.3.8 The name or inscription on each monument or marker must correspond with the name on record in the Office of the City Clerk, and no changes shall be made thereon except upon request of the proper parties and by permission of the City.

13.3.9 No memorial showing drill or tool marks, or straining from rubber mat used for sand engraving, shall be considered as first grade workmanship.

13.3. 10 The coloring, painting, enameling, lacquering or bronzing of letters on other parts of stone or bronze work is prohibited, except on signed order of the burial space owner.

13.4 MAUSOLEUMS, CRYPTS AND COLUMBARIUMS

13.4.1 Mausoleums or crypts, either wholly or partially above ground, shall be constructed only in lots so designated and shall be built of granite similar in all respects to granite used for approved memorials in the County Commons Cemetery. Plans, specifications and location on the burial space shall be subject to the approval of the City. All parts of the mausoleum above ground shall be of granite from approved producers. Relevant policies in 13.3 as noted above also apply.

13.4.2 When an interment is made in a private mausoleum, the casket shall be metal lined, and the crypt shall be hermetically sealed.

13.4.3 Columbariums shall be permitted only in burial spaces so designated by the City. All columbariums must be manufactured by an approved company, reviewed and approved by the Cemetery Services Director. Plans, specifications and location on the burial space shall be subject to the approval of the City.

13.4.4 The placement of decorations on or attached to the columbarium is not permitted.

13.5 MISCELLANEOUS

13.5.1 Should any memorial, monument, mausoleum, crypt, etc. become unsightly, dilapidated or a menace to the safety of visitors, the City shall have the right to either correct the condition or to remove the same at the expense of the lot owner.

13.5.2 No monument or memorial shall be removed from the Cemetery, unless the written order or permission of the burial space owner is presented to the City and permission is granted by the City.

13.5.3 Notwithstanding any provision herein to the contrary, the City, its elected and appointed officials, and its employees do not waive any immunity it or they may have pursuant to law. Any liability of the City, its elected and appointed officials, and its employees hereunder shall be subject to the provisions of the Colorado Governmental Immunity Act, as amended, and any other provision of law providing for immunity or limitation of liability.

13.5.4 Notwithstanding any provision herein to the contrary, the City may enforce all applicable provisions of the Broomfield Municipal Code.

13.5.5 All financial obligations to the City are subject to the appropriation of funds to discharge such obligations. Nothing in these rules shall be deemed to pledge the City's credit or faith, directly or indirectly, to any party.

14.0 FEE SCHEDULE

Broomfield County Commons Cemetery (BCCC)
Cemetery Fees

	Resident	Non-Resident
Single Full Burial: Upright/Flush Marker		
Space Fee[1]	$1,100 / $900	$2,200 / $1,800
Perpetual Care[1]	$400	$800
Opening & Closing	$900	$1,800
Vault[2]	$675	$675
Total Single Burial	**$3,075 / $2,875**	**$5,475 / $5,075**
Double Depth Full Burial: Upright/Flush Marker		
Space Fee[1]	$1,925 / $1,575	$3,850 / $3,150
Perpetual Care[1]	$400	$800
Opening & Closing (cost per each instance)	$900	$1,800
Vault[2] (cost per each instance)	$675	$675
Total Double Burial	**$3,900 / $3,550**	**$7,125 / $6,425**
Miscellaneous Burial Fees		
VA Memorial Installation	$140	$140
Monument Moving Fee[4]	$100	$100
Disinterment – Full Burial	$1,350	$2,700
Transfer Fee	$25	$25
Services after 12 noon on Saturdays, and City-recognized holidays: add	$300	$600
Cremation Options at BCCC		
Columbarium Niche; Single – 8x8		
Space Fee[1]	$900	$1,800
Perpetual Care[1]	$300	$600
Opening & Closing	$400	$800
Engraving – At Need/Pre-Need[1]	$125 / $200	$125 / $200
Total Single 8x8 Niche Wall Cremation	**$1,725 / $1,800**	**$3,325 / $3,400**
Columbarium Niche; Single – 10x10		
Space Fee[1]	$1,100	$2,200
Perpetual Care[1]	$300	$600
Opening & Closing	$400	$800
Engraving – At Need/Pre-Need[1]	$150 / $225	$150 / $225
Total Single 10x10 Niche Wall Cremation	**$1,950 / 2,025**	**$3,750 / $3,825**
Columbarium Niche; Companion – 10x10		
Space Fee[1]	$1,925	$3,850
Perpetual Care[1]	$300	$600
Opening & Closing (cost per each instance)	$400	$800
Engraving – At Need/Pre-Need[1]	$200 / $275	$200 / $275
Total Companion Niche Wall Cremation	**$2,825 / $2,900**	**$5,450 / $5,525**

Broomfield County Commons Cemetery (BCCC)
Cemetery Fees

	Resident	Non-Resident
In-ground Cremation; Single		
Space Fee[1]	$600	$1,200
Perpetual Care[1]	$300	$600
Opening & Closing	$400	$800
Vault[2]	$200	$200
Total Single In-ground Cremation	**$1,500**	**$2,800**
In-ground Cremation; Companion		
Space Fee[1]	$900	$1,800
Perpetual Care[1]	$300	$600
Opening & Closing (cost per each instance)	$400	$800
Vault[2] (cost per each instance)	$250	$250
Total Companion In-ground Cremation	**$1,850**	**$3,450**
Miscellaneous Cremation Fees		
Cenotaph – Memorial only/ with interment	$250/$500	$500/$1,000
Family Cremation Estate	Prices available upon request	Prices available upon request
Disinterment – Cremation	$600	$1,200
Transfer Fee	$25	$25
Services after 12 noon on Saturdays, and City recognized holidays: add	$300	$600

Lakeview Cemetery
Cemetery Fees

Lakeview Cremation Option	Resident	Non-Resident
Space Fee[3]	$600**	$600**
Bronze Plate/Engraving – At Need Only	0	0
Transfer Fee	$25	$25
Services after 12 noon on Saturdays, and City recognized holidays: add	$300	$600

[1]Pre-Need Burial and In-ground Cremation sales include the space and perpetual care only.
[1]Pre-Need Niche Wall sales include the space, perpetual care and engraving only.
[2]This fee is subject to change without notice subject to vendor pricing.
[3]Lakeview fee includes opening and closing, perpetual care and engraving.
[4] Section 13.1.5 – Markers and Memorials

Veterans' will receive a 50% discount on the purchase of a single burial or cremation space or a 25% discount on a double-depth or companion space at Broomfield County Commons Cemetery only. All other services will be charged at the current full rate.

**New resident and non-resident fees for Lakeview Cemetery to be determined based on actual costs for purchase and installation of the new columbarium.