

RESOLUTION NO. 08-042

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAFFORD, GRAHAM COUNTY, ARIZONA AMENDING THE POLICY AND REGULATIONS FOR THE SAFFORD MUNICIPAL CEMETERY AND ESTABLISHING FEES.

WHEREAS, the City of Safford (“City”) is authorized by Section 9-240 (B) (11) Arizona Revised Statutes, to establish and maintain cemeteries and has by prior resolutions numbered 1090, 1091, 98-032, and 01-008 established certain rules, regulations and fees for the operation of the City of Safford Cemetery (“Cemetery”); and,

WHEREAS, it is desirable to revise the rules, regulations, and fees to establish guidelines for the operation of the Cemetery.

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council that the following rules, regulations, guidelines, policies, and fees regarding the Safford Cemetery are adopted effective immediately, and all previous regulations, policies and fees inconsistent with this Resolution are rescinded.

I. BURIAL REQUIREMENTS

- A. Prior to all burials, City *personnel shall receive a City of Safford Cemetery Burial Slip from the funeral home/excavator.*
- B. *Upon receipt of the burial slip, City personnel shall verify burial space is available, mark site, and route ~~the~~ burial slip to City Hall.*
- C. *Interment Right holders shall receive authorization for any burial from the City of Safford prior to burial.*
- D. Prior to all burials, a City burial permit, and Arizona disposition transit permit shall be obtained pursuant to *Arizona Revised Statutes §36-326* for the transportation and disposition of human remains.
- E. The City shall not be responsible for persons other than City staff who may damage curbs, waterlines, plantings or other improvements by excavations for burials. The party responsible for the damage must repair or replace any damaged property.
- F. The City reserves the right to approve any excavation or digging by hand or backhoe within the Cemetery by non-City staff.
- G. A single space gravesite shall have dimensions of 6 feet by 12 feet except for designated cremation spaces outlined in Section IV.

Resolution No. 08-042

- H. Only one casket or body may be placed in a gravesite, except that subject to the approval of City staff, double burials will be allowed if at the time of the first burial, appropriate means are taken to accommodate the double burial, such as a double vault, and adequate depth of the first burial.
- I. Burials in lots **previously sold** with spaces smaller than allowed by this resolution will be allowed provided no more than eight (8) spaces or gravesites are in the regular size lot.
- J. Cemetery personnel shall inspect burial spaces prior to opening and closing to approve burials in lots which have been divided into spaces smaller than 6 feet by 12 feet. If caskets have not been properly placed or if the smaller space cannot be opened safely due to caving conditions, Cemetery personnel may in their reasonable judgment disapprove of additional burials in the lot. The family of the deceased shall be informed of the conditions preventing additional burials on the lot.
- K. Certain areas of the Cemetery are currently undeveloped without curbs or lots. No burial spaces will be sold in these areas until and unless they are developed and mapped as lots.
- L. Existing Certificates of Interment Right to undeveloped spaces will be honored. However, improvements including curbs and water lines will not be installed at City expense. The City will provide other services on such lots, such as watering, weed control, or grading roads the same as provided on improved lots.
- M. In order to maximize the number of burials in the Cemetery, the sale of several spaces to one family is no longer permitted. As a general guideline, only four spaces will be sold to a Certificate of Interment Right holder.
- N. In the "old" section of the Cemetery, which is poorly mapped, existing Certificates of Interment Right will continue to be honored. Prior to new burials, the Cemetery maintenance crew will continue to investigate burial spaces to determine if a space has been filled previously.
- O. In an area designated as "Potter's Field/Free Section" indigent persons are buried as a service through Graham County. The area is not curbed. The City will not charge for the spaces. Graham County provides for burial at its expense.
- P. City employees, employee dependents, and active City firemen must purchase Cemetery spaces, unless the cost of the space is waived by the City Council. However, as a benefit to City employees, employee dependent(s), and active City firemen, the City shall provide free opening and closing of the grave of any such individual in the Cemetery. The space must be purchased, unless the cost of the space is waived by the City Council.

Employee dependents are limited to spouses and dependent children. This benefit does not apply to retired or former employees.

- Q. Except for burials in Potter's Field/Free Section an outer burial container is required for all burials in the Safford Cemetery unless the requirement is waived by the City Manager upon recommendation from City staff. The outer burial container shall be constructed of materials approved by City staff.

II. MAINTENANCE

- A. Watering: a) The Cemetery maintenance crew shall water a maximum of every other week in the hot season and only as required in the winter season. If funerals and weed control problems require extra time, watering will be done as time permits. b) Others may water plantings on their own. c) The City is not responsible for replacement of plantings or trees that suffer due to lack of water or care. d) Watering is scheduled by cemetery personnel.
- B. Trimming: a) The Cemetery maintenance crew will trim trees as required upon request up to two times annually. Shrubs and bushes may be trimmed up to four times annually upon request. If burials or weed control requires additional time, the City reserves the right to delay, reschedule, or delete trimming. b) The City is not responsible for damage to trees or shrubs from trimming or for the satisfaction of the person requesting the trimming. c) Individuals, descendants or relatives may trim trees or shrubs. The Cemetery maintenance crew will clean up and haul trimmings to the landfill. Piles of trimmings must be stacked neatly. d) The Cemetery maintenance crew will remove dead plantings from lots upon request as time allows. The City reserves the right to remove dead plantings that are deemed a safety hazard.
- C. Grading: The Cemetery maintenance crew will grade and maintain roads and alleys within the cemetery as required. Grading will increase during rainy months. Other grading activity must be authorized by Cemetery personnel.
- D. Filling Settled Graves: The Cemetery maintenance crew will restore settled graves. Restoration will include water compaction, placing dirt, and leveling the area. Any improvements on the lot such as gravel, plantings, plastic, or concrete must be removed by the Purchaser or the Beneficiary.
- E. Repairing Water Lines and Curbs: a) The Cemetery maintenance crew shall repair water lines and spouts as needed. b) The City will repair curbs bordering the lots as required. Those installed by private parties between spaces or lots are not required and will not be maintained by the City.

- F. Additional Care: The Cemetery maintenance crew shall perform other care activities when authorized by cemetery supervisory personnel.

**III. RULES AND REGULATIONS WHICH APPLY TO THE
NEW SECTION OF THE CEMETERY**

- A. Only evergreen trees and desert-type plants may be planted in any gravesite.
- B. Grass or colored stone covering is permissible.
- C. No animals shall be buried on any gravesite.
- D. All burials must be in the gravesite.
- E. There shall be no changes in the existing curbing.
- F. Any improvements in the nature of extra curbing must be approved by cemetery personnel.
- G. No mausoleums shall be permitted in this portion of the cemetery.
- H. Headstone types shall be optional.

IV. CREMAINS

- A. Designated cremains spaces shall be 6 feet by 6 feet, *one-half* the size of regular burial spaces and the cost shall be *one-half* of the price for a space. Double burial (cremains) will be allowed if at the time of the first burial, appropriate means are taken to accommodate the double burial, such as a double vault, and adequate depth of the first burial.
- B. No more than four (4) cremation urns shall be buried in a single 6 foot by 12 foot space. Urns and headstones shall be spaced such that there is a minimum of 24 inches between headstones. Double burial (cremains) will be allowed if at the time of the first burial, appropriate means are taken to accommodate the double burial, such as a double vault, and adequate depth of the first burial.
- C. The Cactus Garden west of the flagpole is designated as a scattering area for cremains with no charge.

V. CHARGES

Graduated fees are established to compensate for the increasing costs of improving, operating and maintaining the Cemetery as follows: Year 2009, \$435.00 per space; year 2010, \$450.00 per space; and year 2011 and thereafter until amended by the City Council, \$465.00 per space

VI. GENERAL

- A. Evidence of the purchase of a lot or space shall be identified by A Certificate of Interment Right. Such certificate shall be issued by the City Clerk. A copy of the certificate will be filed with the Office of the City Clerk and a copy of the certificate will be provided to the Purchaser.
- B. *Purchaser name, address, and phone number is required on all Certificates of Interment Right.*
- C. *Beneficiary contact name, address and phone number is required on all Certificates of Interment Right.*
- D. *Certificate of Interment Right holders have the option of selling their Certificate, which is valid only if the Quit Claim is recorded at the City of Safford Clerk's Office.*
- E. Administrative rules may be prepared to implement the intent and provisions of this resolution. Fees may be changed only by resolution of the Council.
- F. Plats and maps of the Cemetery shall be maintained for public examination and planning. Plats approved by the City Manager shall be prepared by City staff to accommodate the vehicles and equipment used for grave preparation and to accommodate the persons attending the grave side services.

PASSED, ADOPTED AND APPROVED by the Mayor and City Council of the City of Safford this 10th day of November, 2008.

Ronald M. Green, Mayor

ATTEST:

APPROVED AS TO FORM:

Georgia Luster, MMC
City Clerk

William J. Sims
Interim City Attorney