

SUTTER CEMETERY DISTRICT

S U T T E R C E M E T E R Y R U L E S & R E G U L A T I O N S

S U T T E R C E M E T E R Y I S A N E N D O W M E N T C A R E

C E M E T E R Y

WE GRACIOUSLY INSIST THESE RULES AND REGULATIONS BE RESPECTED

and

ENFORCED

The Board of Trustees and its Employees take a great deal of pride in the appearance and operations of the District cemeteries. Be assured that every effort possible will be made to care, maintain and secure, for you, the people, a beautiful place of final rest.

Any questions or suggestions will be received in the Administration/
Business Office, located on the cemetery grounds. Office hours are from
8:00 A.M. until 4:30 P.M.

MONDAY THROUGH FRIDAY

CLOSED HOLIDAYS

SUTTER CEMETERY IS AN ENDOWMENT CARE CEMETERY

Article X-General Rules and Regulations

Section 1. Interments

- a. Interment Rights in Sutter Cemetery District shall be limited to residents(physical address), taxpayers of the district, former residents(physical address), taxpayers who purchased interment rights in Sutter Cemetery District before leaving the district, relatives of residents(physical address), taxpayers, and relatives(physical address) of someone who is already interred in the District cemeteries. Health & Safety Code(9060). Common law marriages are not recognized by California law, therefore a common law or putative spouse is not qualified to have interment rights in Sutter Cemetery District, unless they are qualified under Health and Safety Code (9060) or registered as domestic partners with the county.
- b. Anyone not living in the District who wishes to be interred in the District's cemeteries and who is otherwise eligible, will be, at the time of death, required to pay a non-resident fee before interment can be made. Health & Safety Code (9061). The lead administrative officer has the right to waive the non resident fee for a non resident who had previously purchased interment rights and had to move out of the District due to medical reasons. (Health & Safety Code(9061).
- c. No interment will be made without an "Authorization for Interment Order" signed by an authorized legal member of the family of the deceased. If prior to his death, the decedent had signed custody of his remains to someone other than his family, then said custodian will sign the authorization. If the family requests the Funeral Director to make the interment arrangements, the family will fill out the authorization stating the services they wish the District to provide, and the location of the grave they wish to use for the interment. If there are no known survivors or in the case of the indigent dead, the County Coroner will give the authorization. Health & Safety Code (7111 & 7104).

For all interments, the person responsible for the disposition of the remains must come to the Office of the Sutter Cemetery District to make the arrangements and sign the authorization, unless they have given the funeral director authorization to do so.

- d. No interment shall be made until all cemetery charges are paid in full. The mortuary may assume financial responsibility for the family.
- e. All arrangements shall be conducted through the

administration/business office of Sutter Cemetery District at 7200 Butte Avenue, Sutter, California.

- f. An approved receptacle, either a concrete or metal vault, lawn crypt, or urn vault (excluding cardboard), shall be used for every interment.
- g. Sutter Cemetery District shall be given at least 24 hours notice for any planned interment.
- h. The remains of the deceased shall be brought to the cemetery in a closed casket or urn. In some cases where a person has been disinterred from another cemetery and will be re-interred in a district cemetery, and is in a container, this container must be an approved concrete, metal or urn vault.
- i. No opening or closing of a grave or the placement of any lawn crypt, vault, setup, or device shall be made by anyone except employees of this district.
- j. On all double depth interments, the casket will be placed in the concrete vault prior to being lowered.
- k. At no time shall an employee of this District be allowed to open a casket.
- l. No more than one cremain will be permitted in a cremain niche and no more than two cremain interments will be permitted in a cremain grave.
- m. Up to six cremain interments or one full interment and five cremain interments permitted in a full-size grave. Once two cremain interments or one full size interment and one cremain interment have been made in a full-size grave, each cremain interment after that will be charged a multiple burial fee in addition to other applicable fees.
- n. No more than two full size interments per full size grave.
- o. One child, with casket not to exceed 22" X 55", or one child's cremation shall be interred in a child's grave.
- p. Interments, with mutual agreement, may be permitted between graves which are at double depth and shared with two common owners. However, the endowment fee must be paid on both graves prior to the interment.
- q. No disinterment will be made without a "Disinterment Form" signed by the person or persons who have the legal right to control the remains.
- r. In Section O, only veterans and their spouses can be

interred.

- s. Final committal services shall not begin before 10:00 A.M. and not later than 3:00 P.M. except daylight savings standard time, the hours are 1:00 p.m. chapel and 2:00 p.m. graveside.
- t. No interment will be made on Sundays or Legal Holidays unless ordered by the Sutter Board of Health, or County Coroner with concurrence by the Board of Trustees.
- u. Saturday services may be held between the hours of 10:00 A.M. and 12:00 P.M. An additional fee will be collected to cover overtime cost.
- v. Flowers, whether **fresh or artificial**, may be placed on graves, provided they are placed in the vases that are set in the cement aprons around the markers. If said flowers start to fade, discolor, or deteriorate, cemetery employees will remove and dispose of them.
 - 1. **Flowers & items may be placed in the vases that are in the concrete pad or vases that are on the headstone. All other items that are not in the flower vases will be removed will be removed and disposed of.**
- w. In co-operation with the Sutter Yuba Mosquito and Vector Control (due to West Nile Virus) and due to safety precautions for our customers, office staff, and grounds crew, the following new policy is in effect immediately: The Sutter Yuba Mosquito and Vector Control has asked that we co-operate with the effort to minimize the breeding of mosquitoes. Vases with standing water are the perfect breeding ground for mosquitoes, therefore they recommend drilling holes in the vases to allow the water to drain and percolate back into the soil.
- x. No one shall place or pour sand, gravel, rocks, cement, casting plaster, wax, or any metal of any type in the vases or around the apron. **Any of the above items found will be removed and disposed of.**
- y. Jars, glass containers, ceramic vases, or cans, may not be used in place of marker vases. **Any of the above items found will be removed and disposed of.**
- z. Sutter Cemetery District or any of its employees shall not be responsible for anything of moveable character that may be lost, stolen, or misplaced on cemetery property.
- aa. The cemetery will be examined periodically by the staff for possible dangerous conditions. The results will be

- noted in a written inspection log. The log will include: (1) the date the inspection was performed; (2) the person(s) who performed the inspection (verified with their initials or signature); (3) the findings (if any) of the inspection; and (4) any action taken to remedy any conditions found and the date such action was completed.
- bb. No planting will be allowed by the public, as certain areas are not conducive for this purpose. **Any planting done by the public will be removed and disposed of.**
 - cc. **Prohibited on cemetery grounds but not limited to: intoxicating beverages, drugs or narcotics, weapons of any type, barbecuing, recreational use of the cemetery or recreational activities such as Frisbee or sports, loud music, motorized recreational vehicles (with the exception of cemetery personnel).**
 - dd. The management team shall decide when and where improvements are needed. However, personal requests will be considered.
 - ee. Special contributions for the beautification of the cemetery will be accepted. These may be used for future planting, landscaping, and other beautification needs.
 - ff. **A FULL SETUP WILL BE REQUIRED FOR ALL REQUESTED GRAVESIDE SERVICES AND ANY COMMITTAL SERVICES.**
 - gg. Sutter Cemetery District, under no circumstances, shall have the authority to give Interment Rights to anyone. Ref: State Constitution-Article #16 Section #6.
 - hh. Eligibility to purchase Interment Rights in Sutter Cemetery District will be in compliance with the Calif. Health & Safety Code as specified in #kk. of these Rules and Regulations.
 - ii. No more than two graves will be sold to any one individual.
 - jj. An Interment Rights Certificate, signed by the Board of Trustees, will be issued for every interment right sold. A payment into the endowment fund shall be made for each interment right sold and/or opening and closing. All fees are to be paid in full at the time of the interment, including the endowment fee. Health & Safety Code(9065.b).
 - kk. No interment rights in Sutter Cemetery District will be held for anyone unless a 90-day hold agreement is signed, and the endowment fee paid at the time of the agreement.

- ll. If at the end of the agreed time the interment right(s) has not been purchased, Sutter Cemetery District will retain the right to re-sell the interment rights to someone else, and the endowment fee will not be refunded.
- mm. It will be the responsibility of the representative of Sutter Cemetery District to carefully and clearly explain this procedure to the buyer.
- nn. If anyone owning interment rights in Sutter Cemetery District and wishes to dispose of their interment rights, Sutter Cemetery District, in most cases, will purchase the interment rights for the original selling price. This price is not to include any endowment that was paid, as these funds are not refundable.
- oo. Anyone who wishes to sell his/her interment rights to a qualified individual must notify the Sutter Cemetery District Administration/Business Office. Anytime Interment Rights in Sutter Cemetery District changes ownership, regardless of the circumstances, Sutter Cemetery District will be paid a "Transfer of Interment Right(s) Fee" and endowment fee.
- pp. Sutter Cemetery District will require an "Heir's Release" form signed by the seller.
- qq. If the endowment fee had not been paid prior to July of 1977, Sutter Cemetery District will require full payment at time of transfer or interment.

Section 2. Legal Provisions

- a. ***In addition to the provisions established by law for the operation of the District's cemeteries, the following rules and regulations apply:***
 1. ***Burial in the District's cemeteries shall be limited in accordance with Section 9060 of California's Health & Safety Code as the same now exists or may hereafter be amended. For the purpose of these rules and regulations, interments shall be limited to residents, and taxpayers of the District, their family members, and eligible non-residents, as provided in Sections 9060 and 9061 of the California Health & Safety Code.***
 2. ***The conveyance and succession of said interment rights shall be subject to the California Health & Safety Code Section 9069, chapter 5.5, Interment Rights and all the District's rules and regulations, which may be duly adopted in policies, rules, and regulations for governing the use, sale, or other transfer of interment rights.***

If buyer is deceased and said contract has not been used for interment, said rights will succeed in the order of Assignment Designation. If no assigned designee makes a claim on said interment rights, they shall pass according to the laws of intestate succession as set forth in Section 6400 to 6413 of the California Probate Code.

3. *Rights of Owner: The owner and successor owners are bound by the Rules & Regulations of the Sutter Cemetery District. The owner and successor owner(s) control the placement, design, wording and removal of memorial markers (in accordance with District Rules & Regulations), make all decisions regarding the interment of other remains (in addition to any designated User) in the plot (in accordance with District Rules & Regulations), may designate other successor owners.*
4. *Control and Use of Plots: If the original purchaser(s) designated a User for the interment right, no successor may change the designation unless:
 - aa. *The successor owner demonstrates that the User has, in fact been interred elsewhere, or*
 - bb. *The intended User surrenders, in writing, the right to use the interment right to the successor owner.**

Article XI-Rules & Regulations for Markers

Section 1. Marker Specifications

- a. Flat Sections are sections where only flat markers will be allowed in the following areas-section "K", "M", "H", "B", "G", section "J" lots 1-208, 214-219, 225-226, 232-237, 243-244, 250-255, 261-262, 268-273, 279-280, 286-291, & 297, cremain sections "01C", "JC", "LC", "SC" & "TC" and infant sections "LB" and "C", lots 1-126 of section "E", and all graves that were purchased for flat markers in section "N" & "P". All flat markers will be set flush with the surrounding lawn, with the installation of at least one and no more than two vases. The vases must be straight in design with no protruding edges. The markers must be at least 3" inches thick. A five-inch clearance from vase to edge of apron is required.
- b. Upright sections are where upright markers will be allowed. Upright markers cannot exceed 40" from ground level and may be used in sections 1 through 4, a portion of "J" "E" and "L", and all graves that have been purchased for monument use in "N", "O", "P", "Q", "R", "S", "T" & "U". All vases will have a five-inch clearance to edge of apron. However, the vases may be placed in the monuments base, but a five-inch clearance must exist between the edge of the base and the outside edge of the cement apron.
- c. All military markers in Section O must be the white marble upright for both the veteran and the spouse.
- d. **A marker setting permit must be purchased and signed by the contractor before any work can begin.**
- e. At no time will any marker opening be left unattended. The work will be completed the same day as it is begun and flags will be placed on each corner of the apron and left for a two-week period. When the forms are removed, the marker will be checked by the District. It will be the responsibility of the contractor to notify the foreman, or in his absence, the assistant foreman of the grounds when the forms are ready to be removed.
- f. No more than one marker per grave and no foot

- markers. Pre-Cast will be allowed at our pioneer cemeteries when authorized and inspected by the foreman or assistant foreman.
- g. Six inches of concrete will be used for all aprons, plus two lengths of one half-inch steel rebar will be used running full width and length of each apron.
 - h. No markers, other permanent ornaments, or devices shall be permitted on any grave. The exception would be an approved marker, meeting specified requirements according to the Rules and Regulations for the placement of said markers. In the older sections I thru IV, special consideration will be given by the management.
 - i. All markers remain the property of the family. The District neither owns nor controls markers. The owner of the burial plot and/or the person who purchases the headstone is obligated to maintain it; and they shall defend and indemnify the cemetery district for any injuries arising therefrom.
 - j. The management must be notified before the removal of any marker.
 - k. Markers or fixtures of any type cannot be removed by anyone other than Sutter Cemetery District personnel with written permission from the family, or with a court order. The Board of Trustees shall request a copy of the order and reserve the right, if necessary, to bring action against it.
 - l. Any apron or marker that cracks due to poor workmanship, or inferior materials shall be replaced by the contractor. If replacement is not made within 15 days of notification, Sutter Cemetery District will arrange to do the work and all expenses will be incurred by the contractor.
 - m. The contractor shall be permitted to set as many markers in any one day as he can complete in that same day. There will be no outstanding permits.
 - n. Placement of markers will be allowed Monday through Friday 8:00 A.M. - 3:00 P.M. The setter will be finished and prepared to leave the grounds at 4:30 P.M. Any company working

- on markers must notify the office prior to doing any work.
- o. The dimensions of the markers shall comply with the diagrams provided by the cemetery.
 - p. The contractor shall not be permitted to clean his tools or equipment on the cemetery grounds. All gravel, concrete, or any debris must be cleaned off the cemetery property.
 - q. Failure to comply with these rules and regulations shall result in the following: First offense, a three-month probation period will be enforced. Second offense, the offender will be banned from setting markers in the Sutter Cemetery District.
 - r. All upright markers set by contractors, other than Sutter Cemetery District personnel, shall be inspected by the foreman or designated personnel. It is the contractor's responsibility to notify the office or foreman when they are ready to set the marker.
 - s. A headstone bench is used to mark a grave or graves of a person or persons buried there. It usually contains the name of the person who is buried there, the date of birth, the date of death, etc.
 - t. A memorial bench is used to mark a grave or graves of a person or persons who are not buried there. It usually contains the name of a person or persons, the date of birth, the date of death, etc. A memorial bench may also be placed in other areas as designated by the management team.
 - u. All headstone and memorial benches will be considered upright markers and cannot be placed in flat sections.
The maximum bench size is 48" Long X 16" Wide X 28" High. Bench legs will be set into concrete 1" to 3".

All benches must be approved by the manager prior to installations.
 - v. Single grave marker:
Minimum size 24" X 12" with two vases.
Maximum size 26" X 16" with two vases.

Maximum size 32" X 16" with one vase.

A smaller marker can be considered in some areas with the approval of the management team.

- w. The maximum size for a double marker is 60" X 16" with two vases.
- x. Infant Section only- Minimum size 16" X 8" with two vases.

Maximum size 20" X 10" with two vases.

- y. Cremain Section LC, JC, SC, & TC only-Minimum size 20" X 10" with two vases.
Maximum size 24" X 12" with two vases.

Cremain Section 01C only-Minimum size 20" X 10" with two vases.

Maximum size 26" X 14" with two vases.

- z. At least one flower vase is required for a single marker and two for a double marker.
- aa. Grave sizes: Adult 10' X 4'
 Infant 60" X 37"
 Cremain 48" X 48"
 Niches 6" X 6" Rose Garden
 Niches 9" X 9" Memorial Wall & all other similar sites.
- bb. All plaques or pictures that are attached to any markers will be set below the surface of the marker.
- cc. **The District will no longer set bases and/or upright markers with the exception of the white marble and granite veteran upright markers.**
- dd. **All headstones must be made of marble or granite material. No other material for a headstone will be allowed unless approved by the District Manager.**