



Wamego City Cemetery Rules and Regulations

July 1, 2021

(Revised 10/13/2021)

2021 CITY OF WAMEGO CEMETERY REGULATIONS

CEMETERY; DEFINITIONS. For the purposes of this chapter, the following words and phrases shall mean:

- (a) Cemetery means a burial park for earth interments, or tomb interments.
- (b) Interment means the permanent disposition of the remains of a deceased person by burial, by cremation, interment and burial, or by entombment.
- (c) Lot means numbered tracts within the cemetery as shown on the record plat, consisting of one or more spaces and grouped into a cemetery section.
- (d) Lot marker means a concrete post used by the cemetery to locate the corner of a lot.
- (e) Monument means a tombstone or memorial of granite or marble.
- (f) Opening/closing means removal of earth for an interment and replacing of earth over the burial vault or urn, as specified in this article.
- (g) Section means the primary subdivision of the cemetery, composed of a collection of numbered lots.
- (h) Space means an area for one interment (usually 4 feet by 11 feet) grouped with other spaces to form a cemetery lot.

CEMETERY; NAME. The City Cemetery heretofore established shall be known as the “Wamego City Cemetery”.

SAME; SURVEY, PLAT OF. The survey and plat of the Cemetery into lots, blocks, parking, roadways and walks, as recorded in the Office of the Register of Deeds of Pottawatomie County, shall be the official survey and plat of the cemetery.

CITY CLERK’S RESPONSIBILITIES. The City Clerk shall be responsible for maintaining official records of conveyances, owners and interments in the Wamego City Cemetery. He or she shall collect and account for cemetery funds from the sale of lots, permanent maintenance charges or other charges, and shall issue all cemetery deeds, permits and licenses as authorized by this article.

CITY STAFF RESPONSIBILITIES. The duties of City staff shall be assigned to an employee or employees of the City by the City Manager. He or she shall be responsible for maintaining the Cemetery, including fencing, gates, grounds, streets, buildings and all other parts *thereof*, in good condition, and shall take such means as may be necessary to protect the Cemetery from damage and depreciation of any kind. He or she shall cause all persons within the Cemetery to observe the rules and regulations pertaining to conduct therein and the care and adornment of Cemetery lots. He or she shall mark all graves for opening/closing and shall secure persons to perform the opening/closing. He or she shall also mark out locations for monuments and inspect all new monument installations to ensure compliance with City specifications.

SAME; LOTS; SALE; CONDITION. Regulations relating to lots in the Cemetery and the sale of the lots shall be as follows:

- (a) The charge for sale of all spaces in the City Cemetery shall be determined by resolution adopted by the Governing Body. [See pg. 9.]
- (b) All unsold lots or fractions of lots, surveyed and platted for grave spaces in the Cemetery, shall be sold by lots, fractions thereof or single grave spaces by the City for such sum or sums as the Governing Body shall prescribe by resolution [pg.9];
- (c) All lots and grave spaces shall be used solely for the purpose of interment of human bodies; or other approved use.
- (d) No lot or grave space shall be used for the purpose of burial, nor a deed issued until the purchase price therefore shall have been paid in full to the City (or until the City Clerk shall have satisfactory guarantee of such payment);
- (e) Upon the full payment of the purchase price for any lot, fraction thereof or grave space owned by the City, plus full payment of the cost for permanent maintenance thereof, a Cemetery certificate shall be issued by the City Clerk which shall be signed by the Mayor and attested by the City Clerk under the seal of the City.
- (f) A portion of the moneys received from the sale as defined by policy of lots, fractions thereof and grave spaces shall be deposited by the City Treasurer into the general operating fund for the permanent maintenance of the lot/space. All permanent maintenance funds received must be used in accordance with the provisions of 12-125.

- (g) Babyland. Lots 1, 8 & 9 of section 7 of the City Cemetery shall be reserved for interment of infants 18 months and younger. Owners of Babyland grave spaces are subject to the regulations found elsewhere in this article, unless exceptions are specified.

TRANSFER OF LOTS. No sale, transfer or conveyance of any lot, fraction thereof or grave space shall be made by the owner thereof until first approved by the City Manager. The City Manager may authorize the purchase by the City of any unused or unsold lot or fraction thereof from the legal title holder at no more than the current price. No space, lot or portion thereof may be transferred if containing a monument or part of a monument or if explicit or implied reference is made to it by the monument. The charge for transfer of deeds shall be as established under 12-112.

INTERMENTS. Regulations relating to interment requirements for the City Cemetery are as follows:

- (a) Only one interment shall be made in any standard grave space, with the following exceptions:
1. An adult and infant or infants interred in the same casket.
 2. Two infants or children interred in the same casket.
 3. Only two interments in the same adult grave space.
- (b) A non-sealed two (2) piece concrete box is the minimum requirement for containing a casket, for all interments in the City Cemetery except cremains interments.
- (c) No interment shall be made for other than a relative or heir of any lot owner without the written permission of the lot owner, filed with the City Clerk, and no lot owners shall allow interments to be made in their lots for remuneration.

GRAVE OPENING; FUNERALS.

- (a) No grave shall be opened in the City Cemetery by anyone other than City of Wamego employees or contract workers.
- (b) Standard graves shall be excavated to a depth of at least five (5) feet, except that the excavation required for an infant interment shall be not less than three and

one-half (3 1/2) feet. No part of the container or vault shall be closer to the ground surface than twenty- four (24) inches.

- (c) Cremaains graves shall be excavated to a depth of three (3) feet, and shall have a width of at least seven (7) inches. Encasement of cremaains in concrete shall be required for all non-permanent containers which are not contained in a vault. Three (3) inches concrete shall be allowed under the container and concrete shall not be closer than one (1) foot from the surface.
- (d) All services must be concluded by 3:00 P.M. There will be no burials on Sunday, New Year's Day, Memorial Day, July 4th, Veteran's Day, Thanksgiving, Christmas Eve, Christmas. Additional fees will apply for Saturday and city observed holidays.

SAME; NOTIFICATION. Before any grave shall be excavated, notification shall be made to the City Clerk requesting such work to be done. Such application shall be made not less than sixteen (16) working hours before the time of interment, except as required under 12-111. The application requesting a grave to be opened or dug may be made by:

- (a) The owner of the lot or his or her duly authorized agent;
- (b) The Funeral Director or person in charge of interment; or
- (c) Some other authorized person.

SAME; IMMEDIATE INTERMENT. If an immediate interment (within twenty-four (24) hours of death) is required the application for grave opening shall be made as specified under 12-110 except that such application shall be made not less than 8 working hours before the time of interment. Charges for immediate interment opening and closing shall be as set out under 12-112.

OPENING, CLOSING, OTHER CHARGES AND FEES. The Governing Body shall fix by resolution the charges for opening and closing of graves or for inurnments in the cemetery, and shall also establish charges and fees for other services associated with the cemetery. [See pg. 9.] All such charges and fees shall be paid in full to the City Clerk, who shall issue a general receipt for all monies received. All monies shall be deposited to the general operating fund of the City Treasury, for use in maintenance of the City Cemetery.

REOPENING OF GRAVES; DISINTERMENT. Any person desiring to reopen any grave in the cemetery to disinter or remove any body therefrom, or for any other purpose shall make written application to the City Clerk requesting such work to be done. A charge for said service shall be set at twice the amount charged for opening and closing graves as set out in Section 12-112, except that, if it is determined that the disinterment will correct an error of the City of Wamego, no charge shall be required. The following rules shall apply:

- (a) Reopening of a grave and removal of a body shall be under the supervision of City staff.
- (b) All markers designating the interment shall be removed at the time of disinterment.

MONUMENTS, MARKERS. Requirements for placing monuments or markers are given below:

- (a) All grave spaces must be marked with a temporary marker by the funeral home immediately after interment, if a monument does not exist.
- (b) A permanent marker is required within one (1) year of interment.
- (c) Monuments in the cemetery must be made of granite, marble or bronze, except that the City Clerk may give written permission to install monuments of other durable materials. Markers shall be made of permanent materials (except temporary markers may be placed until such time as their appearance warrants removal).
- (d) Government markers must be installed by monument companies or contract workers.
- (e) Monuments and markers shall be installed in accordance with specifications approved by the Governing Body and on file in the office of the City Clerk. [See pg. 10 & 11.] Said specifications shall include provisions for monuments in Babyland.
- (f) Maintenance of monuments, footstones and private markers is the responsibility of the lot owner. The City has the right to require removal of monuments at the owner's expense if needed. For interment on the 1st

space. And or remove monuments that have fallen into an unsafe state of despair.

FOOTSTONES. All footstones shall be installed flush with the ground level except for those lots where existing footstones have been installed above ground.

MONUMENT WORK; PERMIT; FEE. All monument and marker installations in the City Cemetery shall be performed by professional monument installers. Before working in the City Cemetery, installers must submit to the City Clerk proof of public liability insurance in the amount of \$50,000, and pay a permit fee as provided under 12-112. The City staff shall mark out the location for monuments or markers. If, upon inspection by City staff, a monument or marker is determined to be improperly installed, the City reserves the right to require the installer to correct the deficiency. The City requires 5 business days' notice for a monument setting and the permit will expire 10 business days after the setting date.

ENCLOSING LOTS, COVERING GRAVES PROHIBITED. Any fence, hedge, coping, curbing, or other means of enclosure of a lot is prohibited. Any covering for a lot or grave except turf is prohibited.

PERMANENT MOUNDING OF GRAVES PROHIBITED. The permanent mounding up of a grave is prohibited.

PERMANENT PLANTINGS.

- (a) Permission to Plant. Prior to planting, City staff shall approve all permanent plant materials and shall approve planting locations, which must be within eight inches (8") of the headstone or as otherwise approved. In no event shall planting be permitted adjacent to foot stones.
- (b) Care. Cemetery personnel shall trim, prune and otherwise care for plant materials, as provided under 12-126. Neglected, misplaced, dead, unkempt, unauthorized or hazardous plantings, including trees, may be removed by City staff as necessary to maintain the attractive, safe and neat appearance for interment and gravesites of the Cemetery.
- (c) Additional plant material may be installed at the discretion of the City.

FLOWERS, OBJECTS:

Lot owners are prohibited from placing on and around graves all toys, glass, shepherd hooks, chinaware, decorative or other commemorative articles of any kind, with the exception that memorial markers from the armed services or nationally recognized clubs shall be permitted.

Flowers and/or foliage in a permanent floral display container of a type specified in the Wamego City Cemetery Regulations are permitted adjacent to grave monuments year-round unless they become faded, broken or deteriorated.

Flowers and/or foliage not in a pre-approved permanent floral display container of a type specified in the Wamego City Cemetery Regulations [See examples - pg. 14.] may be placed adjacent to grave monuments only during the period of October through March, with clean up on April 1st or thereafter.

Flowers and/or foliage and vegetative wreaths shall be permitted on the entire grave space area for ten (10) days immediately following the date of interment on said grave. They may also be permitted on the entire grave space for a period commencing five (5) before Memorial Day and ending five (5) days following Memorial Day.

Flowers and/or foliage not in a container of a type specified in the Wamego City Cemetery Regulations shall be removed by the City staff, June 5th and/or thereafter.

Prohibited articles, faded, broken or deteriorated flowers, arrangements, wreaths and foliage shall be removed regularly and disposed of by the Cemetery Supervisor or crew, without notice to the owner.

REMOVAL OF ENCLOSURES OR OTHER MATERIALS. The City of Wamego reserves the right to remove any enclosure which has fallen into a state of disrepair or any other material which is deemed detrimental to the general good appearance of the grounds, or which

shall, in the opinion of City staff prevent the easy or proper care of the Cemetery.

CONDUCT IN THE CITY CEMETERY. All persons within the City Cemetery shall conduct themselves in a manner consistent with the solemn nature of a public cemetery. No persons, without specific authority from the City shall:

- (a) Deposit rubbish or debris on any part of the Cemetery grounds, except in receptacles provided.
- (b) Remove objects not belonging to them, pick flowers, shrubs or plants or injure anything on any part of the grounds.
- (c) Permit any dog to enter or remain in the Cemetery.
- (d) Consume or carry any type of liquid or alcoholic refreshments.
- (e) Carry firearms, except as permitted for military funerals.

PERMANENT MAINTENANCE FUND; ESTABLISHED. There is hereby established a permanent maintenance fund as authorized by Sections 12-1408 to 12-1411 of the Kansas Statutes Annotated and any amendments thereto.

SAME; CHARGES; DEPOSIT. The permanent maintenance charge for each lot, fraction thereof, or grave space sold shall be determined by resolution adopted by the Governing Body. [See pg. 9.]

SAME; USE; INVESTMENT. All moneys received from these charges shall be deposited to the credit of the Permanent Maintenance Fund and shall be used only for the maintenance and operation of the Cemetery

PERMANENT MAINTENANCE CARE; DEFINITION. Permanent maintenance care entitles a lot, fraction thereof or grave space to normal maintenance, including cutting of grass and weeds; trimming, pruning and providing other care to permanent plant materials; and removal of rubbish and trash. Such care does not include special care or cultivation, of flowers, bushes, shrubs or plants on lots, fractions thereof or grave spaces. Repair of shifting or damaged monuments is the lot owner's responsibility unless damaged by City personnel.

CEMETERY HOURS. The City Cemetery shall be open to the public each day from sunrise. until sundown. It shall be unlawful for any person, other than Cemetery personnel or persons so authorized by the City Manager, to be upon the Cemetery grounds at any other time.

SPECIFICATIONS FOR SETTING GRAVE MARKERS IN THE WAMEGO CITY CEMETERY

(1) FOUNDATION: Width All monuments, grave markers, or footstones placed in the Wamego City Cemetery shall be set in the center of a concrete foundation which shall be not less than four and (4) inches longer and four (4) inches wider on all sides than the base of the monument, marker or footstone; and such foundation shall be so placed that the top thereof is level with the surrounding ground. The top of the foundation shall be formed and finished smoothly with a trowel unless at least three (3) inch reinforced precast concrete of the same length and width as the poured foundation is employed. See diagram (pg. 13).

(2) FOUNDATION: Construction for poured in place. The foundation for all monuments shall have a minimum depth of six (6) (6) inches underpinned by concrete piers at least four (4) inches in diameter and extending to a minimum of 24 inches below grade.

The foundation for all markers or footstones shall have a minimum depth of six (6)(6) inches underpinned by concrete piers at least four (4) inches in diameter and extending to a minimum of 24 Inches below grade.

The number and locations of the piers shall conform to the following schedule;

Monuments: Length of base from two (2) feet to 3 feet 1 pier center 2 piers (1) on each end over 5 foot may require additional piers.

Markers, Headstones, or Footstones: length-one additional pier for each additional foot in base length. Reinforcement steel shall be used when the weight of the monument warrants such use.

(3) FOUNDATION: Materials Concrete for all foundations shall be mixed in the proportions of not less than one part Portland cement to five parts of clean, sharp sand. The concrete shall be thoroughly mixed.

(4) MONUMENTS, HEADSTONES OR FOOTSTONES:
Attachment to Foundation The base of all monuments, headstones or footstones must be adequately secured to the foundation by use of sealer, dowelling, or by casting into the foundation.

(5) BABYLAND SECTION MONUMENTS: Specifications for all monuments and grave markers in Babyland are the same as for other sections of the Wamego City Cemetery, except that the width of the foundation shall not exceed two (2) feet, and only one (1) concrete pier is required. Footstones are not permitted in Babyland.

(6) CREMAINS SECTION MONUMENTS: The foundation for monuments in cremains sections in the Wamego City Cemetery shall be no larger than 48 inches in length and 30 inches in width, if placed on a single space. Monuments in cremains sections shall be subject to all other specifications contained herein and shall be placed consistent with other cremains monuments as directed by the City staff.

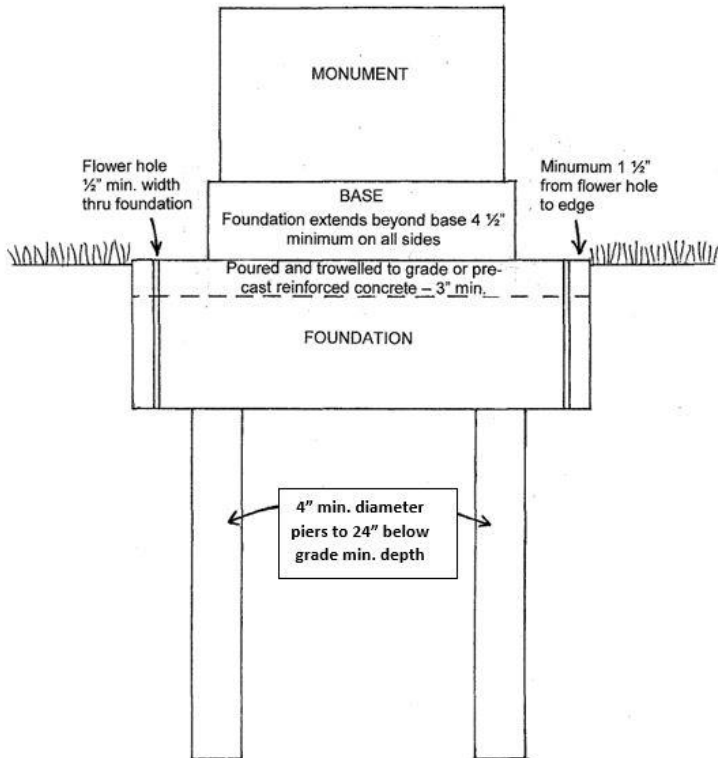
(7) SUPERVISION: All monument work done in the Wamego City Cemetery shall be under the supervision of City staff. Any work done which does not meet the above specifications shall be re-done on order of City staff. Any company or individual which refuses to comply with the above specifications will be prohibited from doing any further monument work in the Wamego City Cemetery.

WAMEGO CITY CEMETERY SERVICE CHARGES AND FEES

Cemetery Space	\$ 125
(Lot purchase \$50 & Permanent Maintenance \$75)	
Monument Work Permit Fee	\$ 50
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<u>Columbarium</u>	
Niche Purchase	\$ 1,000
Open/Close	\$ 50
Standard Opening/Closing	\$ 300
Cremaains Opening/Closing	\$ 150
Cremaains Opening/Closing with concrete	\$ 200
Disinterment	\$ 800
Additional Fees	
Saturday/City Observed Holiday (not excluded)	\$ 400
24 Hour Interment fee additional fee	\$ 400
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Babyland Space	\$ 100
Babyland Opening/Closing	\$ 100

MONUMENT SPECIFICATIONS

WAMEGO CITY CEMETERY



**EXAMPLES OF CITY OF WAMEGO APPROVED
PERMANENT FLORAL DISPLAY CONTAINERS**

Other similar styles may be allowed upon review and approval by the City.

