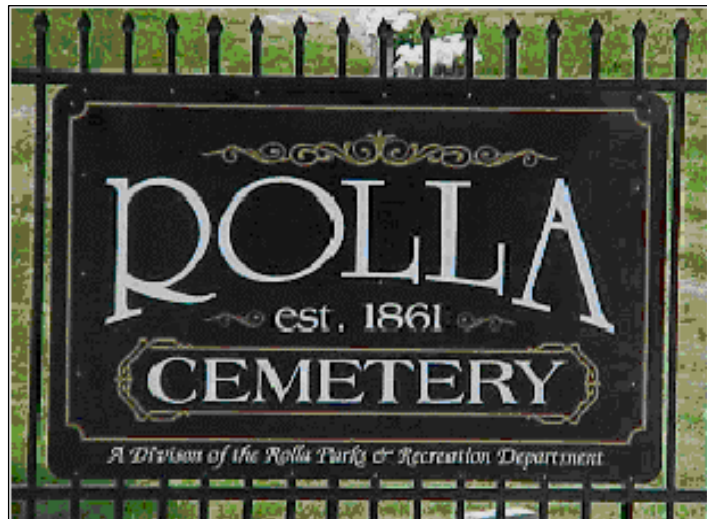


For further information contact:
Rolla Cemetery
901 N. Elm Street
P.O. Box 979
Rolla, MO 65402
Phone: (573) 426-6901
Fax: (573) 426-6947
E-Mail: parks@rollacity.org
Website: www.rollamoparks.org



Rules & Regulations For Rolla Cemetery



Effective Date:
January 1, 2022

SECTION I -- LOTS

- A. **Lots in Rolla Cemetery are conveyed by special deed and lot buyers are purchasing the right to use the land for burial purposes only, under contract law. The Cemetery retains ownership of the land.** Such contracts for burials are subject at all time to the Statutes of the State of Missouri, and all amendments thereto, now or hereafter at any time in force. Also subject to all laws, ordinances and regulations of the City of Rolla, and all municipal authorities having jurisdiction of said cemetery, now or at any time hereafter in force; and also subject to all bylaws, rules and regulations of Rolla Cemetery and all amendments thereto now or at any time hereafter in force.
- B. The City of Rolla reserves the right to sell to its lot and grave owners, any article, appliance, appurtenance, equipment, decoration, etc., used within the cemetery and in accordance with the accepted customs of burial and memorial perpetuation and maintenance.
- C. The City of Rolla reserves the right to prohibit the bringing into the grounds of all objects or articles of a nature not deemed proper, or articles of perishable nature.
- D. The City of Rolla reserves the right to do all work upon lots by its own workmen.
- E. The transfer of a lot is a privilege that may be extended in special cases. No transfer or assignment of a lot or any part of it shall be valid

unless approved and recorded by the City of Rolla and the Rolla City Clerk.

- F. All transfers must be made on approved forms and through the Parks and Recreation office and recorded in the cemetery records.
- G. No easement or right of interment is granted to any lot owner in any road, drive, alley, or walk within the cemetery, but such road, drive, alley or walk may be used as a means of access to the cemetery, to private lots, or buildings as long as the City of Rolla devotes it to that purpose.
- H. The City of Rolla reserves to itself and to those lawfully entitled thereto, a perpetual right of ingress and egress over all lots for passage to and from other lots.

PERSONS PERMITTED ON LOT DUTY TO TRESPASSERS

- I. Only the plot owner and his relatives shall be permitted on the cemetery lot. Lots are sacred and private property and must not be invaded. Any other person thereon shall be considered a trespasser, and the City of Rolla shall owe no duty to the trespasser to keep the property or the memorial thereon, in a reasonably safe condition.
- J. Rolla Cemetery perpetual care funds are deposited in an interest-bearing account, with such interest income being used solely for the continual upkeep,

care, maintenance, and beautification of the Rolla Cemetery.

- K. Rolla Cemetery only maintains the grounds (grass, earth, trees and any other city-installed structure or plants).

SECTION II – DISCLAIMER

- A. The City of Rolla will take reasonable precaution to protect persons properly within the cemetery, and to protect the property of lot and grave owners, properly within the cemetery, from injury, loss or damage; but it distinctly disclaims responsibility for injury, loss or damage, whether direct or collateral, from the acts of thieves, vandals, rioters, strikes, and malicious mischief-makers; from all acts of providence including wind, tornadoes, cyclones, hail, snow, frost, explosion, or lightning; and from all causes beyond its reasonable control.
- B. Persons remaining after the closing time do so at their own risk and will be subject to trespassing charges. (City of Rolla Codes Sec. 7-2 (Ord. 2217, §§ 1, 2).
- C. The City of Rolla will use reasonable care in examining trees and removing those apparently in unsound and dangerous condition or unsound and dangerous limbs and branches of trees, but it expressly disclaims responsibility for damage

either to person or property resulting from falling trees or parts of trees.

- D. The City of Rolla will not be responsible for loss or damage to any portable articles left upon any lot, grave, or other part of the cemetery.
- E. Every effort will be made to finish work ordered at the time promised for completion, but the City of Rolla will not be responsible for the completing of work of any nature whatsoever if delayed by unfavorable weather conditions, strike, riots, or other causes beyond its control.
- F. Persons within the cemetery grounds shall use only the avenues, walks, alleys, blacktop and chip & seal roads, and any person injured while walking on the grass, unless that be the only way to reach his/her plot, or while on any portion of the cemetery including avenues, walks, alleys, or roads, shall in no way hold the City of Rolla liable for any injuries sustained.

SECTION III -- OVERVIEW

- A. The rules herein are necessary for the protection of lot and grave owners, and for the proper conduct and good order of the cemetery. These rules and regulations may sometimes seem arbitrary but they are written for the protection of all lot owners and there are invariably excellent reasons for each.

- B. The management of every cemetery desires to have the finest cemetery under its charge and it constantly works toward that end. Therefore, it must view the cemetery as a whole whereas the lot owner is apt to see only his lot. The individual lot must be in harmony with the whole and it is the City of Rolla's duty to blend each lot into such a plan.
- C. Frequent management problems of concern are: who has the right of interment on a lot, who has the right to direct interments on a lot, and who has the right to sell or transfer the unused portions of a lot. Rules concerning these issues are necessary, because often lot owners give this no consideration until death occurs and a grave must be opened. To follow the normal procedures of law concerning inheritance rights after a death has occurred, is impossible because of the time element, because strip or fractional division of a cemetery lot would often make the lot unusable or undesirable, and because often it would not accomplish the desires of the purchaser. The rules herein concerning this simply carry out the wishes of the owner in nearly all cases. If a purchaser or owner has desires contrary to this portion of these rules, they need simply record them with the cemetery office. For the small percentage of lot owners within whose family there is disagreement, the rules clearly establish the rights of its various members. They allow the cemetery to inter in

spite of the disagreement, and when the rules are fairly written, they are actually doing a service for these families.

- D. It is indeed noteworthy that only a small percentage of the cemetery's lot owners will ever become too involved with these rules. For most lot owners, they simply provide protection. For the cemetery, they provide a legal basis of procedure.
- E. These rules and regulations, as well as cemetery prices, are subject to change without notice. Rolla City Council action, as recorded in their minutes, is authorized for change or amendment. Memorandums prepared and distributed by the Parks & Recreation Department to funeral homes, monument dealers, etc., concerning prices and policy, are a part of the rules and regulations of the Rolla Cemetery.
- F. The rules and regulations herein contained are effective April 1, 2009.

SECTION IV -- THE MANAGEMENT

- A. It shall be the duty of the Parks & Recreation Department to control and supervise all work; to plat and landscape; to purchase or contract for such work or materials as they deem necessary; to appraise from time to time all unsold lots; to expend cemetery funds as necessary; to establish rules and regulations deemed necessary; to

properly maintain and perpetuate the cemetery in the best possible manner; and, to cause to be removed any unsightly or improper enclosure, monument and fixtures.

- B. The Rolla City Council shall have the control, charge, and superintendence of the cemetery and its appurtenances.

LOCATION

- C. The cemetery business office is at Rolla City Hall (901 N. Elm Street.) The cemetery's mailing address is P.O. Box 979, Rolla, MO. 65402. The phone number is (573) 426-6901.
- D. Rolla Cemetery is at the corner of Highway 72 and Rolla Street in Rolla, Missouri.
- E. The main cemetery entrance located at Elm Street and Highway 72 will remain open at all times.

HOURS

- F. The cemetery shop office, located in the Rolla Cemetery, is open only upon request. These requests and all correspondence will be handled at Rolla City Hall, 901 N. Elm. Office hours are Monday through Friday, 9:00 a.m. - 5:00 p.m.; except for legal holidays. For burial permit fee assessment purposes, the following hours and days are defined below.

- A **regular city weekday burial** is a burial that takes place on a regular city weekday - Monday through Friday - between the hours of 8:00 a.m. and 3:30 p.m. Any grave not closed before 3:30 p.m. will pay a burial fee determined by the Parks & Recreation Department not to exceed the maximum burial rate (holiday/holiday). If any staff members are needed to act as pallbearers an additional charge of \$75 per person will be administered.
- A **weekend burial** is a burial that takes place on a Saturday or Sunday that does not contain or is not adjacent to a legal city holiday.
- A **holiday or holiday weekend burial** is a burial that takes place on a legal city holiday or on a weekend that contains or is adjacent to a legal city holiday. The following is a list of legal city holidays:

New Year's Day
Martin Luther King Day
President's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans Day
Thanksgiving Day & the Friday after
Christmas Eve
Christmas Day

4. No burials will be made December 24 & 25.
- G. The cemetery is open to the public from 7:00 a.m. to dusk. Anyone who enters the cemetery after dusk without written permission from the Parks & Recreation Department will be subject to trespassing charges. (City of Rolla Codes Sec. 7-2 (Ord. 2217, §§ 1, 2))

SECTION V -- GENERAL REGULATIONS

- A. The certificate of ownership, rules and regulations, and any amendments thereto shall be the sole agreement between the City of Rolla and the lot owner. A verbal statement of any sales agent or employee shall in no way bind the City of Rolla to that verbal statement.
- B. Rolla Cemetery is non-sectarian and is maintained for every race, creed or color.
- C. The Parks & Recreation Department is responsible for the development, good order and conduct of the cemetery. The Parks & Recreation Department may take such action as it may deem to be necessary to protect the property of lot and grave owners, or to preserve peace and good order and for the safety of all persons within the cemetery.
- D. The City of Rolla shall always have supervision and control of all persons in the cemetery, including

the conduct of funerals, traffic, employees, visitors, lot and grave owners, employees or workers to whom the privilege has been extended of conducting work on the ground, and all other persons within the grounds.

- E. The City of Rolla reserves to itself the right to alter or change any walk, entrance, fence, drive, street, alley, grade, drain, lake, or unsold vacant lot.
- F. If anything is placed on or in any lot or grave deemed offensive, improper, injurious, or unsuitable, or not in keeping with the rules of the City of Rolla, it will be removed without notice and the City of Rolla assumes no responsibility for the return of such articles.
- G. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardships. The City of Rolla, therefore, reserves to itself the right, without notice, to temporarily suspend or modify any rule or regulation, and such temporary suspension or modification shall not be construed as effecting the general application or enforcement of such rule.
- H. It is the duty of each lot owner to notify the Parks & Recreation Department of any change in address. Notice sent to a lot or grave owner at the last address on file in the cemetery will be considered sufficient and proper legal notification. (See Section III. - Paragraph C.)

**SECTION VI -- THE RIGHT OF INTERMENT, OR
DIRECTION, SALE OR TRANSFER**

- A. Normally there is no problem when the owner is living or is to be interred. When the owner is deceased, however, it becomes important who has the right of interment, the right of designation, and the right to sell or transfer the unused portions of the lot. The most difficult problems arise in the cases of remarriage or a surviving spouse when there is discord between the second spouse and children by the first marriage, or when two or more of the most direct heirs (with equal kinship) want to use the remaining spaces for their burial and for members of their family. To avoid being a party to family feuds, we herein set out who will be recognized as having the right of interment, the right to direct interments, and the right to sell or transfer unused graves on a family lot.
- B. The cemetery will assume, at all times, that the lot owner (or owners) acquired the lot for interment of himself and members of his family unless he has otherwise stipulated by "Will," by "Notarized Affidavit," or by indicating "Exceptions in the Deed." The cemetery will also assume that it is proper for a husband and wife to be buried on the same lot should this be the desire of the survivor, so that the surviving husband or wife of any individual interred on a lot has the right of interment if space is available, whether the

survivor is a direct heir or an in-law. Unless this office is legally directed to act otherwise by an owner or owners or by the legal heirs or personal representative of any owner or owners after death, the cemetery will allow interments at the request of any interested person or any funeral home in accordance with the foregoing and the following rules and regulations.

- C. **RIGHTS OF OWNER AND SPOUSE:** All plots conveyed to an individual are presumed to be the sole and separate property of the owner named in the instrument of conveyance and the owner shall have the first right of interment, he shall have the right of direction for relatives or friends, and he shall have the right of sale or transfer, except that the spouse of an owner of any plot containing more than one interment space has a vested right of interment of his (or her) remains in the plot, and any person thereafter becoming the spouse of the owner has a vested right of interment of his (her) remains in the plot if more than one interment space is unoccupied at the time the person becomes the spouse of the owner, and no conveyance or other action of the owner without the written consent or joiner of the spouse of the owner divests the spouse of a vested right of interment; provided, however, that a final decree of divorce between owner and spouse terminates the vested right of interment of said spouse unless otherwise provided in the decree, but the cemetery is obligated to reserve graves for those

parties with a vested right of interment only when notified by a notarized affidavit signed by the party with the vested right which affidavit shall state the kinship and the space desired.

- D. **RIGHTS OF SURVIVING SPOUSE:** After interment of the owner, the surviving husband or wife shall have the first right of interment, the right of direction and the right to sell or transfer unused grave spaces; provided, however, that when there are surviving children of the owner by a previous marriage, the surviving husband or wife shall only have the first right interment, and all surviving children of the owner will equally control all other unused graves in accordance with Section III. - Paragraph E.
- E. **RIGHTS OF DIRECT CHILDREN ON DEATH OF OWNER AND SPOUSE:** After the interment of an owner and spouse, the direct children of the owner shall have the right of interment, the right of direction for members of their family, and when unanimously approved by all, the right to sell or transfer; and interment requests from any direct child, or for any direct child, will be honored in the order received until all grave spaces have been used, except that, a second wife or husband of the original owner or the surviving wife or husband of any direct child (or in-law) interred on the lot may designate one vacant grave space to be reserved for herself (or himself), but the responsibility for so designating a grave rests with the individual,

and failure to do so divests the surviving wife or husband of this privilege if grave spaces are no longer available.

- F. When more than one of the nearest living direct heirs (of equal kinship) make requests for the reservation of the same grave space or grave spaces, the order of need (or death) establishes which party or parties will use the reserved grave space or spaces, and a surviving wife or husband has a first right if space is available although it is reserved for other individuals.
- G. **JOINT TENANTS - RIGHTS OF INTERMENT AND DESCENT:** In a conveyance for two or more people as joint tenants, the owners may individually direct burials for relatives or friends if spaces are available in excess of the number needed to accommodate all owners and their spouses who have a vested right of interment. The cemetery has the right to recognize the order of any owner. Any owner may be interred without the consent of the surviving owner or owners and the husband or wife of an owner may be interred without the consent of the surviving owner or owners. Upon the death of a joint tenant, all rights are immediately vested in the surviving owner or owners, subject to the vested right of interment of the remains of the deceased joint tenant and his/her husband or wife.

- H. **ORDER OF SUCCESSION**: Upon the death and interment of joint tenants or owner and spouse, the nearest living kin shall have the right of interment, the right of direction for members of their family, and when acting jointly, the right to sell or transfer. The nearest living kin in different situations may be parents, brothers, and (or) sisters, nieces and (or) nephews, grandchildren, great-grandchildren, etc. Any party making a request with our office may be asked to sign a notarized affidavit indicating that he or she is the nearest living kin, or one of the nearest living kin. The policy as outlined for “direct children” in Rule IV – Paragraph E also applies for direct heir (or the husband or wife of a direct heir) is interred, this automatically gives the cemetery City of Rolla approval for the interment of the surviving husband or wife, and that this is a first right if the cemetery City of Rolla is properly notified by the survivor that this is his or her desire.
- I. **DEVISE BY LAST WILL AND TESTAMENT**: A lot owner not having direct heirs may dispose of his or her lot or lots in their Last Will and Testament and specify who may be interred therein or who shall receive the title thereto. The legal document stating this, however, must be on file in our office before being valid and binding upon the Rolla Cemetery.
- J. **RIGHT OF INTERMENT, DIRECTION OR SALE BY AGREEMENT OF HEIRS**: The most direct heirs of

a deceased owner may, by a properly executed legal agreement, state who among them shall have the right of interment, direction, and of sale or transfer, which agreement must bear the signature of all the most direct heirs of equal kinship, and which must be recorded in the office of the cemetery before being valid. When there are several owners of a lot, they may designate one or more persons to represent the plot by filing a written notice of designation with the cemetery office which notice must bear the signatures of all owners. In the absence of a properly executed notice, the cemetery is not liable to any owner for interring or permitting an interment in the plot in accordance with these rules.

- K. **AFFIDAVITS**: An affidavit properly executed shall remain in force unless a subsequent affidavit is submitted to the cemetery office that must bear the signatures of all the living parties that properly signed and executed the first affidavit. An affidavit by a person having knowledge of the facts setting forth the fact of the death of the owner and the name of the person or persons entitled to the use of the plot, authorization for the cemetery to permit the use of the unoccupied portions of the plot by the persons entitled to the use of it. An affidavit by any person having knowledge of the facts setting forth the fact of the death of one joint tenant and establishing the identity of the surviving joint tenants named in the deed to any plot when filed with the cemetery, is complete

authorization for the cemetery to permit the use of the unoccupied portion of the plot in accordance with these rules.

- L. **VESTED RIGHT OF INTERMENT:** A “vested right” or “first right” of interment may be waived. A “vested right” or “first right” of interment is terminated upon the interment elsewhere of the remains of the person in whom vested. No vested right of interment gives to any person the right to have his/her remains interred in any interment space in which the remains of any deceased person have been interred, nor does it give any person the right to have the remains of more than one deceased person interred in a single interment space in violation of these rules and regulations.

SECTION V -- INTERMENTS OR REMOVALS

INTERMENTS

- A. No burial will be scheduled or cremains accepted prior to full payment.
- B. All interments must be made in crypts or vaults of concrete or metal. Cremains must be placed in a non- biodegradable container (i.e. – plastic), a cremation vault or urn and interred, not scattered. Cremains require the same process (interment order, burial permit) as a full burial.
- C. All interments shall be made at such depth as to allow approximately two feet of earth cover.
- D. When instructions for opening a grave are indefinite, or, for any reason, the grave cannot be

opened in the location specified, the Parks & Recreation Department may order it opened at such location in the lot as may seem best, under the circumstances. The management will not be responsible for any mistakes occurring in orders for the opening of a grave or, similar work, unless order is made in writing over the signature of the lot owner.

- E. The management will not be responsible for any mistakes occurring where orders are given by telephone. In the absence of contrary instructions to the cemetery, it is understood that funeral directors are acting in the capacity of agents for the lot owner and with full authority in placing orders with the management for interments.
- F. An additional charge may be made in special or unusual cases. Any grave not closed before 3:30 p.m. will pay a burial fee determined by the Parks & Recreation Director not to exceed the maximum burial rate (holiday/holiday). If any staff member is needed to act as pallbearer, an additional charge of \$75 per person will be administered.
- G. The funeral home or individual in charge of the funeral will schedule a time for the grave side service to begin. A fee will be charged for every 30 minutes past the declared time and this payment will be the responsibility of the funeral home or individual in charge of the funeral. The charged

time must be approved by the Parks & Recreation Director.

- H. The management, upon request, may allow the burial of cremated remains in the same grave with another body. Two cremains are allowed on a full burial lot if there is no other burial in the lot. Only one marker per grave is allowed unless management gives approval after determining space is available. (See Section VI).
- I. Interments in crypts of mausoleums must be made in hermetically sealed cases; to facilitate the burial a licensed and bonded private agency shall be retained to open the mausoleum for the burial. At the end of the burial the same agency shall close and seal the mausoleum. In a lot where a mausoleum is erected, no burial outside the mausoleum will be permitted.
- J. No interment of any body, other than the remains of a human, will be permitted.
- K. **ADVANCE NOTICE OF INTERMENT OR DISINTERMENT:** The management reserves the right to insist upon at least forty-eight (48) hour advance notice before any cremation or interment will be permitted, and in the event that a weekend or holiday intervenes between the date of application for service and the date of interment or cremation, to require at least sixty (60) hour advance notice. A minimum three (3) days notice shall be given the Parks & Recreation Department prior to any disinterment or removal. In addition

to the foregoing notices, all service and/or other charges incurred or to be incurred thereby shall be paid at least three (3) days in advance. The Parks & Recreation Department may refuse such services for any violation of this rule.

- L. **CORRECTION OF INTERMENT ERRORS:** In the event of errors related to the improper placement of the remains of any person, the City of Rolla reserves, and shall have the right to remove and re-enter the remains in such other property of equal value and similar location as may be substituted and conveyed in lieu of the mistaken property.
- M. **SELECTION OF INTERMENT SPACE BY CITY OF ROLLA UPON OWNER'S FAILURE:** When instructions from the plot owner regarding the location of an interment space in a plot cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened where specified, the City of Rolla may, in its discretion, open it in such location in the plot as it deems best and proper, so as not to delay the funeral; and the City of Rolla shall not be liable in damages for any error so made.
- N. **INTERMENT IN LOT FOR REMUNERATION FORBIDDEN:** Lot owners shall not allow any interment to be made in their lots for remuneration, and no lot holder will be permitted

to demand or receive any compensation for interment in his or her lot.

- O. The management will be in no way responsible for damage or delay in making interment where satisfactory proof of heirship has not been established.
- P. **CASKET OPENING AFTER FUNERAL**: Once a funeral service is completed and the casket is placed on the lowering device, the Parks & Recreation Department reserves the right to refuse permission to anyone to open the casket or to touch the body without the consent of a legal family member of the deceased or the funeral director.

REMOVALS

- Q. No disinterment will be allowed without written permission from the Parks & Recreation Director, and then only upon signature(s) of the next of kin of the person whose body is to be removed.
- R. Disinterment or removal may be allowed with the filing with the Parks & Recreation Department of a sworn affidavit(s) by the next of kin of the decedent whose body is to be removed setting forth the kinship of the affiant and the desire of said affiant to disinter or remove the body of the deceased.

- S. The removal, by the heirs, of the bodies of their deceased relatives for profit to themselves or change in the expressed or implied wish of their deceased kin, is repugnant to the ordinary sense of decency and is absolutely forbidden.
- T. The City of Rolla will exercise the utmost care in making a removal but assumes no liability for damage to any burial case of any nature whatsoever in making the removal.
- U. A body removed from the cemetery may require a permit from the Health Department.

SECTION VI – MONUMENTS

- A. Rolla Cemetery specifically does not maintain monuments of any type. Monuments belong to the individual.
- B. Monuments must be in alignment at the foot or head of previously placed monuments on the lot. Only one marker or monument will be allowed per grave. The only exception is a family marker may be installed in accordance with the rules on an eight grave lot owned by one individual.
- C. Placement of monuments must be approved by the management. Placement of said monument will only be done by bonded and insured personnel of an approved private monument company. The Parks & Recreation Director reserves the right to

stop any work it deems unsafe or improper. Any monument placed in the Rolla Cemetery shall have a concrete footing at least 2 feet in depth and the concrete pad placed beneath the monument shall be at least 6 inches wider than the monument. This will help prevent the monument from settling, leaning and frost heave. Flat markers used as headstones are to be placed on a concrete pad larger than the stone by 2 inches on all sides.

- D. The management of the Rolla Cemetery reserves the right to remove any hazardous or severely damaged monument with notification and documentation to the owner of said monument, if possible.
- E. The Parks & Recreation Department retains the right to move any monument to facilitate the completion of any task or work. After that task or work is completed, the monument shall be placed back to its original location as soon as feasible. If the city damages a monument when it is moved, the city will repair or replace it.
- F. If the Parks & Recreation Department decides that a monument will interfere with a grave opening or will become a hazard due to the opening of the

grave, the individual authorizing the burial will be financially responsible for moving the monument to simplify the grave opening. Movement of said monument will only be done by bonded and insured personnel of an approved private monument company. The Parks & Recreation Director reserves the right to stop any work it deems unsafe or improper.

- G. All monument companies must have a City of Rolla business license as well as a permit issued by the Parks & Recreation Department to do work within Rolla Cemetery.
- H. The City of Rolla is not responsible for the protection or maintenance of any temporary grave marker. Temporary markers which become damaged, broken or hazardous will be removed from the cemetery. Temporary grave markers should be replaced with a permanent marker, stone, monument or plaque within 60 days from the grave opening. (See Paragraph G above).
- I. When a cremation burial is authorized for a burial at either the foot or head of an existing grave, the monument for that cremation burial must follow all existing requirements listed above. Location of the marker must be approved by cemetery staff. The size of the cremation vault must be no more than 8 inches tall.

SECTION VII -- GROUNDS IMPROVEMENTS

TREES AND SHRUBS

- A. The City of Rolla reserves the right of determination on every tree, shrub, vine or plant within the cemetery, whether planted by the lot owner or otherwise.
- B. Before any section of lots is placed on sale; trees are planted in accordance with the general plan for landscape work.
- C. Written permission from the Parks & Recreation department shall first be obtained before planting of any kind. The purchase and planting is on the lot's responsible party but location of the planting must be approved in advance.
- D. No person shall trim or prune or remove any branches from any tree or shrub in the cemetery, whether on his lot or not without written permission from the Parks & Recreation Department.
- E. Trees/shrubs will not be removed unless the City of Rolla deems it advantageous to the appearance of the grounds or for reasons determined by the city. No tree or shrub growing within the cemetery shall be removed without the City's consent.

PLANTING, LANDSCAPING AND SIDEWALKS

- F. If any planting is done without the written permission of the Parks & Recreation Department,

it shall be his duty to have the same removed without notice to the lot holder.

- G. If a lot owner wishes to build a sidewalk, enclosure or walkway around his lot, all plans must be submitted to the Parks & Recreation Department and approval given before any work is done. Any addition must not encroach on an adjacent lot.
- H. All sidewalks will be constructed of concrete a minimum of 6 inches thick. Sidewalks will be a minimum of 8 inches wide and will have a minimum of 6 inches of gravel below the concrete. All work must be approved in writing by the Parks & Recreation Department. All work must be completed by a contractor who has a City of Rolla business license or the lot owner with a written permit from the Parks & Recreation Director.
- I. Lot owners may have plans prepared by landscape architects other than those employed by the City of Rolla, but such plans must be approved by the Parks & Recreation Director; and, all work must be done under the supervision of the Parks & Recreation Department.

DECORATIONS

- A. Only two arrangements per grave are allowed on the ground from November 1st to February 28th. All decorations, live or artificial, shall not exceed beyond the width of the monument and must be in-line with the monument. Winter ground

decorations will be allowed from November-February. Solar lights, trellises, arbors, glass jars and tin cans are not allowed. Toys and other miscellaneous trinkets are permitted only if placed on the monument or the monument foundation itself. Note that the City of Rolla is not responsible for the protection or maintenance of any these trinkets, lights, toys, flowers, decorations, wreaths, emblems or other placements of any kind that are not a permanent part of the monument itself.

- B. All decorations placed in the ground and not on the grave markers are subject to immediate removal during the months of March, April, May, June, July, August, September and October (see prior item J). If any person sets out plants or trinkets on a lot in an unsightly manner, or fails to properly care for them, they will be removed without notice.
- C. Funeral designs and floral pieces will be removed as soon as they become unsightly. A formal cemetery pickup will be done four (4) times a year:
 - A. The last full week of February
 - B. The last full week of April
 - C. The last full week of July
 - D. The last full week of October

Employees will decline to attempt finding them after so removed and the City of Rolla has no responsibility to return such items.

- D. Fences, coping, hedges, chairs, bricks, or other enclosures around or within lots or graves will not be allowed. Benches will be allowed in Rolla Cemetery if they conform to the standards set by the City of Rolla (similar to monuments). The bench must have the approval of the lot owner, the parks superintendent or parks foreman, and the parks director. Benches must not block other monuments. A Special Use Permit is required.
- E. No plant, flower, slip, or cutting shall be removed from anywhere in the cemetery without written permission from the Parks & Recreation Department.

SECTION VIII -- IMPROPER CONDUCT

- A. Visitors must keep to the walks and drives, and shall not cross over, occupy or otherwise trespass on any lot or grave, or other property not their own.
- B. Boisterous or unseemly conduct will not be permitted in the cemetery, or in any of the buildings.
- C. All persons are prohibited from gathering flowers, either wild or cultivated, or breaking trees, shrubbery, or plants, or feeding or disturbing the birds, fish or other animal life.
- D. Soliciting or passing out of pamphlets, literature, etc., by dealers, salesmen, or others, will not be permitted within the cemetery. No signs, notices, or advertisements of any kind shall be allowed in

the cemetery, unless placed by the City of Rolla. Peddling of flowers or plants, or soliciting the sale of any commodity, other than by employees of the association under its direction, is prohibited within the confines of the cemetery.

- E. Persons within the cemetery grounds shall use only the avenues, walks and roads. Walking on the grass is permissible to visit cemetery plots. Children under 16 years of age should be accompanied by a parent or guardian when visiting cemetery plots. Children at play, attended or unattended, are not allowed on cemetery grounds, and they shall in no way hold the City of Rolla liable for any injuries sustained.
- F. Sod, soil, manure, spades, shovels, tools, etc., will not be removed from any place in the cemetery without special permission.
- G. Picnic parties, refreshments, liquor, ATVs, go-carts, pets and bicycles are not allowed in the cemetery.

FIREARMS

- H. No firearms shall be permitted within the cemetery except on special permit from the City of Rolla or duly constituted authorities.

THROWING OF RUBBISH

- I. The throwing of rubbish on the drives and paths, or on any part of the grounds, or in the buildings,

is prohibited. Receptacles for waste material are located at convenient places.

LOITERING

- J. Persons other than plot owners or relatives will not be permitted to loiter in the cemetery, or in any of the buildings.

AUTOMOBILES

- K. **SPEED AND PARKING OF AUTOS:** Automobiles shall not be driven through the grounds at a greater speed than ten (10) miles per hour, and must always be kept on the right-hand side of the cemetery roadway. Automobiles are not allowed to park or to come to a full stop in front of an open grave unless such automobiles are in attendance at the funeral. The City of Rolla reserves the right to exclude automobiles and motorcycles when necessary.

CONSEQUENCES FOR IMPROPER CONDUCT

- L. State laws subject the offender to severe penalties for the violation, disturbing, destruction, injury to or removal of any property of whatsoever nature within the boundaries of the cemetery.

All persons refusing to be guided by or violating any of the rules and regulations may be expelled from the grounds and thereafter excluded from the cemetery.

SECTION IX -- THE NATIONAL FLAG

- A. The City of Rolla believes the flag should be used in the cemetery only on the graves of those who have served in the armed forces of the United States, and then only on Memorial Day and other days of special remembrance.
- B. The leaving of the flag in the open overnight, unless the flag is illuminated is a desecration of the flag and is improper. Flags placed in the cemetery will be removed at once if they become in the least soiled or damaged condition, and all flags will be removed in any case immediately after the first Sunday following Memorial Day.
- C. Private flag poles &/or banners will not be permitted.

SECTION X -- ORDERS AND COMPLAINTS

- A. All orders for work of any description, and all complaints concerning errors, improper care, etc., must be made at the Parks & Recreation office at the Centre (1200 N. Holloway.) Employees are forbidden to accept orders or instructions except as issued through the Parks & Recreation office.

EMPLOYEE CONDUCT

- B. Employees of Rolla Cemetery are forbidden to accept any gratuity or tip. Visitors and lot owners are requested to assist in enforcing this rule by not offering money to employees.

- C. Employees are forbidden to loan watering cans, tools or to sell or to give away soil, sod or seed.

All bills are payable at the Parks & Recreation office at the Centre (1200 North Holloway, Rolla, MO 65401.) All bills are payable in advance.

Removal Dates

Cemetery workers will remove funeral designs, floral pieces and any decorations on the ground four (4) times a year listed on the dates below or as they become unsightly:

- A. The last full week of February
- B. The last full week of April
- C. The last full week of July
- D. The last full week of October

If you have artificial pieces or decorations you wish to keep, they need to be removed before these dates. This procedure enables cemetery personnel to rid the cemetery of old and unsightly arrangements and those decorations on the ground and not on the monument, thus enhancing the appearance of the Rolla Cemetery.

Sec. 7-9 Prices of grave lots, portion of proceeds designated to eternal care fund.

- (a) (1) Single-grave lot \$1,000.00
- (b) There is hereby established for use in the sale of grave lots situated in Rolla Cemetery, the following price list:
(1) A single-grave lot \$1,200.00
- The above listed grave lot prices include the following amounts to be placed in the eternal care fund:
- (c) Payment of the eternal care fee shall relieve the lot owner of any future liability for annual maintenance payments. These eternal care fees shall be placed in the eternal care fund which will be invested in a manner to earn the highest interest return on the investment consistent with city fund investment policies. Interest earned from the investment shall be used only for maintenance purposes at the Rolla Cemetery. At no time shall any portion of the principal of the eternal care fund be used for any purpose other than investment (Ord. 2234, §§3, 4; Ord. 2319, §1; Ord. 2777, §2; Ord. 2965, §2)
- (d) This ordinance shall be in full force and effect from and after January 1, 2020. **PASSED**
BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 2nd DAY OF DECEMBER, 2019.

ORDINANCE _____

AN ORDINANCE REPEALING SECTION 7-26 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING A NEW SECTION 7-26 RELATING TO CEMETERY BURIAL PERMIT FEES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AS FOLLOWS:

Section 1: That Section 7-26 of the Code of the City of Rolla, Missouri is hereby repealed and a new Section 7-26 is enacted in lieu thereof:

Sec. 7-26 Fees

Before the burial permit shall be issued, the applicant therefore shall pay the following

fees:

- (a) If the person to be buried is under the age of six years, the fee shall be:
- | | | |
|----|-----------------|----------|
| 1. | Weekday | \$240.00 |
| 2. | Weekend | \$480.00 |
| 3. | Holiday/Holiday | \$720.00 |
- (b) If the person to be buried is of the age of six years and over, the fee shall be:
- | | | |
|----|-----------------|------------|
| 1. | Weekday | \$600.00 |
| 2. | Weekend | \$990.00 |
| 3. | Holiday/Holiday | \$1,400.00 |
- (c) If the person to be buried has been cremated, the fee shall be:
- | | | |
|----|-----------------|----------|
| 1. | Weekday | \$240.00 |
| 2. | Weekend | \$440.00 |
| 3. | Holiday/Holiday | \$660.00 |
- (d) If the person to be buried is going to be placed in a crypt, mausoleum or crematorium the fee shall be:
- | | | |
|----|-----------------|----------|
| 1. | Weekday | \$240.00 |
| 2. | Weekend | \$440.00 |
| 3. | Holiday/Holiday | \$660.00 |

Section 2 – This ordinance shall be in full force and effect from and after January 1, 2022.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 20th DAY OF DECEMBER, 2021.