

**Article 4-4****CEMETERY****Sections:**

- 4-401 City Cemetery.**
- 4-402 Dead Must Be Buried in Cemeteries.**
- 4-403 Record of Lots Sold in the City Cemetery to be kept.**
- 4-404 Price of Lots.**
- 4-405 Duties of City Sexton.**
- 4-406 Adoption of Regulations.**
- 4-407 Rules and Regulations to be Enforced.**
- 4-408 Who May Dig Graves.**
- 4-409 Depth of Graves.**
- 4-410 Charge For Digging Graves.**
- 4-411 Removal of Bodies.**
- 4-412 Charge For Exhuming Bodies.**
- 4-413 Injury To Graves, Tombstones, or Property.**
- 4-414 Records, Report of Sexton, and Disposition of Funds,**
- 4-415 Penalty.**
- 4-416 Minors in the Cemetery.**
- 4-417 Maximum Dimensions.**

**4-401 City Cemetery.**

The burial ground of this City shall be known and designated by name as Rock Springs Municipal Cemetery. The different sections of said Rock Springs Municipal Cemetery shall be known and designated by name as St. Joseph's Section, Number 1, St. Joseph's Section, Number 2, Mountain View Section, and Paul J. Wataha Perpetual Care Section. (Ord. No. 81-14, 4-7-81).

**4-402 Dead Must Be Buried in Cemeteries.**

No person or persons shall be allowed to bury their dead within the limits of the City, except in cemeteries, and no cemeteries shall be established unless by permission of the City Council. (Ord. No. 18-2, Rev. Ord.

1938; Rev. Ord. 1963).

**4-403 Record of Lots Sold in the City Cemetery to be kept.**

It shall be the duty of the City Clerk to keep an accurate record of all conveyances of lots in the Rock Springs Municipal Cemetery, showing to whom conveyed, with the number of lots conveyed, in a book provided by the City for that purpose. When any person shall select a lot, the Sexton shall give him or her a description of the same, which shall be presented to the City Clerk, together with the value of said lot in money, whereupon the Clerk shall give such person a certificate of conveyance for the sole purpose of interment, which said person shall show to the City Sexton before anybody can be interred upon said lot. No cemetery lot or grave space in the City cemetery shall be conveyed to anyone for the purpose of resale. (Ord. No. 81-14, 4-7-81).

**4-404 Price of Lots.**

The price of lots in the City Cemetery shall be determined from time to time by resolution of the Governing Body of the City of Rock Springs. The price of Cremation and Infant Lots shall be determined from time to time by resolution of the Governing Body of the City of Rock Springs. (Ord. No. 81-14, 4-7-81; Ord. No. 95-06, 5-16-95; Ord. No. 95-20, 12/19/95; Ord. No. 2005-11, 7/5/05).

**4-405 Duties of City Sexton.**

The City Sexton shall have the general supervision of the City cemetery. He shall keep in repair the alleys, walks and ditches, and do all such work about the cemetery as the cemetery shall require, and devote all of his time in the care of the cemetery. He shall hold himself in readiness to dig graves for all who may apply with proper certificates of death and certificates of conveyance, and shall have graves in readiness for the appointed time of burial, provided he shall have notice of burial at least twenty-four (24) hours previous to the time of burial. (Ord. No. 81-14, 4-7-81).

**4-406 Adoption of Regulations.**

In addition to the provisions of this article, certain detailed regulations which are now in force shall continue in force, and the same may hereafter be revised, amended or added to upon approval by the City Council. Said regulations, revisions, amendments, and additions are hereby made a part of this article by reference, the same as though incorporated herein at length. Copies of such regulations shall be kept on file in the office of the City Clerk. (Ord. No. 81-14, 4-7-81).

**4-407 Rules and Regulations to be Enforced.**

The following rules and regulations of the Rock Springs Municipal Cemetery are to be enforced:

**(a) Use of Water.**

The use of water for sprinkling in the cemetery shall be under the supervision of the Sexton.

**(b) Animals Prohibited.**

No animals shall be allowed in the cemetery.

**(c) Advertising Prohibited.**

No advertising of any kind shall be placed within the City Cemetery.

**(d) Trees, Shrubs and Grass.**

The City Sexton shall be in charge of planting of all trees, shrubs and grass in the City cemetery. No such plantings shall be made except with the approval of the Sexton of the cemetery.

**(e) Enclosures Around Lots Prohibited.**

Fences, railings, hedges, coping or other enclosures around lots, parts of lots or burial spaces in the City cemetery are prohibited.

**(f) Ornaments, Floral Designs on Lots Restricted.**

No person, with the exception of duly authorized City personnel, shall place upon any burial space, lot or grave anything other than flowers, wreaths, flags or other temporary decorations, and such receptacles therefor as may be required. All floral designs and pieces will be removed as soon as they become unsightly. The Sexton of the cemetery will not return such floral designs

to the owners of the lots, unless previous arrangements have been made.

**(g) Placement and Size of Monuments and Bases.**

On all lots conveyed after the passage of this Ordinance, the monument bases shall be placed flush with the ground level and shall extend at least four inches (4") beyond the stone at all points on the perimeter of the stone. The maximum size for monument bases on single lots shall be twenty inches by thirty-six inches (20" x 36"). The maximum size for monument bases on double lots shall be twenty inches by sixty inches (20" x 60"). All monuments shall be centered at the head of the lots, and shall be so placed as to allow at least six inches (6") of open space between the edge of the monument base and the exterior boundaries of the lot. Monuments on double lots may be centered across the common boundary line of said lots.

**(h) Unmarked Graves.**

All unmarked or abandoned graves shall be appropriately marked by the City.

**(i) Mausoleums, Vaults, and Non-Conforming Monuments.**

No mausoleums, vaults, or monuments which do not conform to the provisions of Section (g) above shall be erected on any lot in the City cemetery until the owner of said lot has obtained a special permit therefor from the Director of Public Works of the City of Rock Springs. (Ord. No. 81-14, 4-7-81).

**4-408 Who May Dig Graves.**

No person other than the Sexton shall be allowed to dig graves in the City Cemetery, unless he or she shall have a special permit from the Mayor. (Ord. No. 47, Art. I, Sec. 7, 8-18-04; 18-8, Rev. Ord. 1938; Rev. Ord. 1963).

**4-409 Depth of Graves.**

All graves dug shall not be less than six (6) feet deep. (Ord. No. 47, Art. I, Sec. 6, 8-18-04; 18-9, Rev. Ord. 1938; Rev. Ord. 1963).

**4-410 Charge For Digging Graves.**

The charge for digging graves, service of the Sexton at the time of burial, filling in of the grave, digging of graves on weekends and holidays and a winter rate to cover the cost of operating the gas burner during winter months, shall be determined from time to time by resolution of the Governing Body of the City of Rock Springs. (Ord. No. 47, Art. I, Sec. 2, 8-18-04; Ord. No. 163, Sec. 2, 8-15-18; 18-10, Rev. Ord. 1938; Ord. No. 807; Ord. No. 1269, 12-16-57; Rev. Ord. 1963; Ord. No. 76-14, 5-18-76; Ord. No. 90-05, 6-19-90; Ord. No. 95-06, 5-16-95; Ord. No. 95-12, 8-1-95; Ord. No. 2005-11, 7/5/05).

#### **4-411 Removal of Bodies.**

It shall be unlawful for any person to disinter any body buried in the City Cemetery, except under the direction of the City Sexton, and before disinterment, the City Sexton shall require a written order from the owner of the lot authorizing such removal; and all such permits, whether for burials or removals, shall be filed by him with his monthly report to the City Clerk. It shall be unlawful to remove the body of a person that has died of a contagious disease within two years from the date of burial, except when such body has been buried in an hermetically sealed coffin and is found to be encased. (Ord. No. 18-11, Rev. Ord. 1938; Rev. Ord. 1963).

#### **4-412 Charge For Exhuming Bodies.**

The charge for exhuming bodies from the City Cemetery shall be determined from time to time by resolution of the Governing Body of the City of Rock Springs. The charge for reburial of bodies in the City Cemetery shall be determined from time to time by resolution of the Governing Body of the City of Rock Springs. (Ord. No. 47, Art. I, Sec. 3, 8-18-04; 18-12, Rev. Ord. 1938; Rev. Ord. 1963; Ord. 76-14, 5-18-76; Ord. No. 90-05, 6-19-90; Ord. No. 95-06, 5-16-95; Ord. No. 95-12, 8-1-95; Ord. No. 2005-11, 7/5/05).

#### **4-413 Injury To Graves, Tombstones, or Property.**

It shall be unlawful, for any person to injure, molest or deface any headboard, tombstone, curbing, fence, monument, tree, shrub, or flowers, or any other property in said cemetery. (Ord. No. 18-13, Rev. Ord. 1938; Rev. Ord. 1963).

#### **4-414 Records, Report of Sexton, and Disposition of Funds,**

(a) The Sexton shall keep a record of all persons buried in the cemetery, stating their names, their ages, their sex, their nationality and color, in a book kept for that purpose to be furnished by the City, and he shall make a report at the end of each month to the Mayor and Council, which report shall be filed with the other papers belonging to the City, and he shall also file a statement of the death record with the Clerk of the City, who shall record the same in a book to be furnished him by the City. Said book shall be open to the inspection of all who desire to find proof of death of anyone recorded therein.

(b) The City Clerk and City Sexton shall turn over to the City Treasurer all funds derived from the conveyance of lots, the digging and filling of graves, and all other fees, moneys and charges as may be collected by them in the operation of the City cemetery, and all said moneys shall be exclusively applied, appropriated or used in improving, preserving and embellishing such cemetery, and its appurtenances, and to paying the necessary operating expenses thereof. The Sexton shall, on or before the first Monday of each and every month, render a full, true, correct and accurate report to the City Council of all graves dug, fees received and/or receivable, etc., during the preceding month, to which report shall be attached a receipt from the City Treasurer for all fees, moneys and charges collected by said Sexton for said preceding month. (Ord. No. 81-14, 4-7-81).

#### **4-415 Penalty.**

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum

not more than One Hundred (\$100.00) Dollars, to which may be added the costs at the discretion of the Court. (Ord. No. 18-15, Rev. Ord. 1938; Rev. Ord. 1963).

**4-416 Minors in the Cemetery.**

It shall be unlawful for any minor to be in the City Municipal Cemetery unless attending a funeral, accompanied by his or her parent(s) or an adult member of his or her family, or in the possession of a permit issued by the City of Rock Springs, Wyoming.

Persons violating this Ordinance shall be fined in a sum not less than Five Dollars (\$5.00) nor more than Two Hundred (\$200.00) Dollars. (Ord. No. 2112, 7-2-73).

**4-417 Maximum Dimensions.**

Repealed. Ord. No. 81-14, 4-7-81.