

RULES AND REGULATIONS

Effective April 13, 2021

RIO VISTA-MONTEZUMA CEMETERY DISTRICT

- A. **DEFINITIONS**—As used in these Rules and Regulations, the following terms shall have the following meanings:
1. “Board” shall mean the Board of Trustees of the Rio Vista-Montezuma Cemetery District.
 2. “District” shall mean the Rio Vista-Montezuma Cemetery District.
 3. “Manager” shall mean the District Manager of the Rio Vista-Montezuma Cemetery District.
 4. “Lot Owner” shall mean one who has purchased Interment Rights.
 5. “Vases” shall mean floral receptacles installed by the District flush to the ground or in the marker foundation.
 6. “Marker Foundation” shall mean a permanent cement foundation pad for the marker/headstone.
 7. “Base” shall mean what the marker or die resides or sets upon on the marker foundation.
 8. “Niche” shall mean the receptacle or space in a wall or bank of spaces for the purpose of inurnment or cremated human remains.
 9. “Niche Fascia or Niche Front” means the cover plate over the space that the cremated remains reside within.
 10. “Niche Plate or Scroll Plate” shall mean the bronze marker on the fascia that designates the person who resides within the space.
- B. **CARE OF GRAVES, NICHEs, AND CEMETERY GROUNDS**—the absolute control of the Cemetery grounds in every particular is vested in the Board. Lot owners, niche owners and others are entitled only to such privileges within the grounds as are provided by these Rules and Regulations. Subject to the control of the following shall be the rules regulating the general care of the graves, niches, and Cemetery grounds.
1. Lots in the Cemetery are conveyed for interment purposes only.
 2. No person not employed by the District shall plant, maintain, or adorn any trees, shrubs or flowers on the Cemetery grounds. If any tree, shrub, plant or vine

situated on any plot shall by reason of roots, branches, height, shade or otherwise become detrimental the Manager or any authorized District personnel may enter upon such plot and remove or trim such trees, shrubs, plants or vines as deemed necessary. Donations for trees are acceptable, but trees must be selected and planted under the direction of the Manager.

3. Except in excavation for the completion of a burial, no person not employed by the District shall remove any earth or in any way damage the Cemetery grounds.
4. Flowers may be placed only in the vases provided in the ground or marker foundations, or, if not yet installed, in unbreakable containers placed at the head of the grave. Not more than two (2) vases/containers shall be permitted on any one (1) plot. Both fresh and artificial flowers, may be removed at the sole discretion of the Cemetery District personnel as they become withered, faded or otherwise unsightly. Any flowers or items for disposal by the Lot Owner should be placed in trash receptacles provided for that purpose. Unauthorized containers will be removed by the District personnel.
5. While the cemetery employees will take care not to damage any grave decorations, there is no guarantee that all decorations will remain free from damage or loss and the cemetery is not responsible for any items, personal or decorative, left at the cemetery or on gravesites. (Adopted 4-13-2021)
6. The removal of all Christmas Decorations will commence the first Monday in February. Items that do not get picked up prior to that will not be stored by the cemetery and will be discarded. (Adopted 4-13-2021)
7. The Board reserves the right to remove from any lot, headstone, monument or other structure, trees, flowers or plants (plastic or real), or other objects which may conflict with the Rules and Regulations, or which may be considered a safety hazard or maintenance obstruction to the grounds, lawns, plots, or person.
8. No person shall burn any combustible material within the Cemetery grounds.
9. The Board reserves the right to make improvements to any lot, niche, or to any public portion of the Cemetery grounds at any time at the cost of the District, always remembering: safety for all, respect for others, and courtesy of the American flag.
10. Each day, the cemetery will be examined by 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. (Adopted 6-4-2013)
11. No animals, with the exception of guide or service dogs which must be accompanied by their owners, are allowed in the cemetery. (Adopted 7-1-2013)

12. The Cemetery is open to visitors from sunrise until sunset, seven days a week. Any unauthorised persons loitering on the Cemetery grounds or on graves shall not be permitted. The Board reserves the right to remove any person(s) from the Cemetery after hours or for cause. (Adopted 4-13-2021)

C. **MARKERS**—Subject to the Rules and Regulations, grave markers may be placed on interments in the Rio Vista Cemetery, Shiloh Cemetery and Collinsville Cemetery. However, any marker placed in the Cemetery is and shall remain the property of the person, family, or descendant(s) thereof who purchased and caused the marker to be placed, who shall also be responsible for the repair and maintenance of any such marker.

1. Niche Plates

- a. All niches shall have a Scroll Plate.
- b. The Niche Scroll Plates can have up to four (4) lines of print with no more than seventeen (17) characters per line including spaces. They are required on all niches.
- c. Pictures are allowed on the Niche Fascia per the Manager’s instructions. The diagram will be provided when inquiry is made regarding pictures. Any authorized person or family wishing to put a picture on the Niche Fascia needs to let the District know of their intentions prior to ordering the Scroll Plate. If a picture is desired, the family will be provided a Niche Fascia that they will take to the marker dealer with whom they choose to install their picture. The District relinquishes responsibility to the person or family for proper and safe care of the Niche Fascia while not in the possession of the District. If lost it is the person’s or family’s responsibility to pay the cost for replacing the Niche Fascia.
- d. The District is not liable for damage, theft, vandalism, or deterioration of markers or benches.

2. Outside Workers

- a. The Board reserves the right to give or deny authorization to any workers before they may perform work on the Cemetery grounds. Plot holders may have certain work done in accordance with the Rules and Regulations at their own expense. Only bond-insured companies or individuals can set markers and must provide a Certificate of Liability Insurance naming the Rio Vista-Montezuma Cemetery as additional insured \$1,000,000.00 (combined single limit for each occurrence) in bodily injury, liability and property damage insurance. (Adopted 4-13-2021)

- D. **INTERMENTS**—Lot owners, funeral directors and other authorized persons shall comply with the following regulations in the use of lots and plots for burial purposes.
1. Eligibility to purchase Interment Rights in the Rio Vista-Montezuma Cemetery District will be in compliance with the California Health & Safety Code sections 9060, 9061, and 9062.
 2. All interment arrangements shall be conducted through the administration/ business office of the Rio Vista-Montezuma Cemetery District, 1016 Hwy, Rio Vista, CA 94571.
 3. A Record shall be kept of every interment showing the date the human remains were received, the date of interment, the name and age of the person interred (when these particulars can be conveniently obtained), and the plot in which the interment was made.
 4. No interment will be permitted in the Cemetery without an “Authorization for Interment Order” signed by an authorized legal member of the family of the deceased. If prior to his/her death, the decedent had signed custody of his/her remains to someone other than his/her 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. In accordance with the California Health & Safety Code, Sections 7104 and 7111, if there are no known survivors or in the case of the indigent dead, the County Coroner will give the authorization. Interment orders must be signed by the person ordering burials before graves are opened.
 5. The Rio Vista-Montezuma Cemetery District shall be given at least seventy-two (72) hours of notice for a planned interment.
 6. No Lot Owner shall allow any interment to be made in his/her plot for remuneration. No burial right may be purchased for investment or speculation.
 7. No services in connection with an interment will be made until charges for such services, as fixed by the Board, have been paid in advance to the Manager or authorized employee of the District, with the exception of Public Administrator or Welfare burials.
 8. All interments will be made after 9 a.m. and completed prior to 3 p.m. except on Saturday, when interments will be made after 9 a.m. and completed prior to 2 p.m.
 9. No interment shall be made on Sunday, a three day weekend or any of the following holidays: 1st of January, Martin Luther King, Jr.’s Birthday, Lincoln’s Birthday, President’s Day, Memorial Day, 4th of July, Labor Day, Columbus Day,

Veteran's Day, Thanksgiving Day, Thanksgiving Friday, and Christmas Day unless interment is ordered by a public health officer or in case of an extreme emergency. In that case, such basis is to be determined jointly by the District Manager and the Funeral Director. No Saturday burials will be made on holiday weekends. An additional fee shall be charged for all Saturday interments except those ordered by a public health officer. (Adopted 4-13-2021)

10. The remains of the deceased shall be brought to the Cemetery in a closed casket or urn. A minimum container of a cloth covered wood casket with handles is required for all interments except for cremated remains. In some cases, when a person has been disinterred from another cemetery and will be re-interred in the District, and is in a container, this container must be an approved concrete, metal, or urn vault.
11. No opening or closing of a grave or the placement of any lawn crypt, vault, set up, or device shall be made by anyone except employees of the District.
12. At no time shall an employee of the District be allowed to open a casket.
13. Graves and niches:
 - a. All single adult graves shall be dug to a depth of five (5) feet at the center.
 - b. The lower tier of a double interment grave shall be dug to a depth of seven (7) feet at the center.
 - c. Infant graves for domed liners shall be dug to a depth of thirty-six (36) inches at the center.
 - d. Minimum of 3 groundskeepers required for digging full- body graves at all times.
 - e. Cremation sites shall be dug to a depth of twenty-four (24) inches.
 - f. No more than two (2) cremains will be permitted in a single cremains niche.
 - g. No more than two (2) full-size interments are allowed per grave.
 - h. No more than 4 cremains will be permitted per grave. (Adopted 4-13-2021)
14. Standard vaults and liners of steel or concrete must be used for all full-body interments. For interments of cremated remains, the vaults must be made of steel, concrete, fiberglass, or plastic.
15. No grave shall be graded or mounded and the top of the grave shall be level with the lot when the surrounding ground is fully settled.
16. Except when ordered by a Court, disinterments will be at the discretion of the Board. No disinterment will be made without a "Disinterment Form" signed by the person or persons who have the legal right to control the remains. When allowed, District personnel will open the grave and remove or open the vault. The District

shall not be responsible for removal of the casket or for any damages to the vault, casket or remains.

17. The Rio Vista-Montezuma Cemetery District does not permit the interment of animal remains, unless interred with human remains. Animal remains will be permitted only if interred in the same grave, and within the accompanying deceased's casket or burial vault. All such animal remains must be contained within a separate container. Only cremated remains of animals will be permitted to be interred with human remains—whole body animal interments will not be permitted or accepted.

E. FEES AND CHARGES

1. In accordance with the California Health & Safety Code, Section 9068, the Board shall establish the prices at which Interment Rights shall be sold, the fees for the opening and closing of graves, the additional fees for performing such services other than during the normal times established by these Rules and Regulations, and the fees for all other services performed by the District in connection with the use of the Cemetery grounds. Note that Saturday services require additional fees and that a weekday service must be complete by 3 p.m. to avoid any overtime charges. A schedule of the current fees shall be available for inspection at all reasonable hours in the office of the Board.
2. In accordance with the California Health and Safety Code, Section 9061, non-resident fees shall be charged for the interment of a person who is not a resident of or paying taxes in the District at the time of death, but who is otherwise eligible for interment in a Cemetery of the District.
3. In accordance with the California Health & Safety Code, Section 9065, the Rio Vista-Montezuma Cemetery District shall create an Endowment Care Fund. In accordance with the California Health & Safety Code, Section 8738, the Board shall establish the amount to be paid by purchasers for deposit into the Endowment Care Fund. Such amount paid into the Endowment Care Fund is not refundable. In accordance with California Health & Safety Code, Section 9065(b) the District shall require a payment into the Endowment Care Fund for each interment right sold.
4. **ALL FEES ARE TO BE PAID IN FULL PRIOR TO THE INTERMENT, INCLUDING THE ENDOWMENT FEE.** When the plot fee and the endowment care are paid in full, an Interment Rights Certificate will be issued for every interment right sold.

- F. **LEGAL PROVISIONS**—In addition to the provisions established by the California Health & Safety Code for the operation of the District's cemeteries, the following Rules and Regulations shall apply:

1. Interment in the District's cemeteries shall be limited in accordance with the California Health & Safety Code, Section 9061, as the same now exists or may be hereafter amended.
2. The California Health & Safety Code, Section 9062, defines "family member" of a resident or taxpayer of the District as any spouse, by marriage or otherwise, child or stepchild, by natural birth or adoption, parent, brother, sister, half-brother, half-sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or any person denoted by the prefix "grand or great" or the spouse of any of these persons.
3. Each purchaser of an Interment Right shall be issued a Certificate of Purchase. The interest acquired by such purchaser shall not be an interest in real property, but shall be simply the revocable right granted to the Certificate holder to use said lot, plot, or niche for interment purposes in accordance with these Rules and Regulations. An assignment may be made of Interment Rights by the purchaser to a Family Member of the purchaser's family, as defined in the California Health & Safety Code, which assignment will be recognized by the District, whether said assignment is made during the purchaser's life time or is made by will or device. The use of any such Interment Right shall be permitted only in accordance with the California Health & Safety Code. In the event the owner of such Interment Right does not qualify for interment in the District's Cemetery or does not wish to use the lot, plot, or niche, such Interment Right may be transferred only to the District and not to any other person or entity. If a Certificate holder desires to sell his/her Interment Right to the District, the District will pay the holder the original purchase price, as near as can be determined, less any Endowment Care Fund deposit, if paid.

G. **LIABILITY**—Please use caution when entering and using the Cemetery. The Rio Vista-Montezuma Cemetery District, its Trustees and employees, are not responsible for any injury or damage suffered by any persons, including children, while on Cemetery grounds. Every person entering the Cemetery does so at his/her own risk. The 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.

H. **THE BOARD** shall employ a District Manager and such other employees as it may determine to be necessary or useful in the operation of the Cemetery District.

I. **ALL RULES AND REGULATIONS**—Any previously adopted Rules and Regulations that are inconsistent with the foregoing are hereby repealed. The Board reserves the right of passing other Rules and Regulations, or amending these Rules and Regulations, at any time the occasion arises.

PASSED, APPROVED AND ADOPTED by the Board of Trustees of the Rio Vista-Montezuma Cemetery District in a regular meeting held at its regular place of meeting the 13th day of April, 2021.

I HAVE RECEIVED A COPY AND AGREE TO ABIDE BY THE RULES AND REGULATIONS OF THE RIO VISTA-MONTEZUMA CEMETERY DISTRICT.

PRINTED NAME _____

SIGNATURE _____ DATE _____

DISTRICT AUTHORITY _____
DATE _____