

Minturn Cemetery District
River View Cemetery and Mausoleum
Rules and Regulations

The River View Cemetery is a special district cemetery with in-district and out-of-district plot fees and services set by the Minturn Cemetery District Board of Directors.

Section I – Definitions

For purposes of these Rules and Regulations, the following terms shall have the following meanings:

"Authorized vendor" means a professional trained in interment services, whether a person, firm, company, corporation, or an employee or agent thereof, approved by Cemetery staff to perform work or services in the Cemetery.

"Cemetery" means the River View Cemetery and Mausoleum, including all property within its exterior wrought iron fence, the B'nai Vail internal gated area, and any other interior enclosures.

"Cemetery District" or "District" means the Minturn Cemetery District.

"Certificate of interment right" means the document by which the District conveys to a purchaser of interment rights the exclusive right of interment in a particular interment space.

"Crypt" means a space in the Mausoleum used, or intended to be used, for the permanent entombment of human remains.

"Grave" means a portion of ground within the River View Cemetery used, or intended to be used, for the burial of human remains, including cremains.

"Gravesite monuments" or "monuments" means all permanent structures erected or installed to memorialize a person such as headstones, memorials, statues, pillars, columns and memorial benches.

"Interment" means the final disposition of human remains in the Cemetery, including in the Mausoleum.

"Interment right" means the particular right to permanent disposition of human remains within a specific interment space in the Cemetery or Mausoleum.

"Interment services" means the opening and closing of a particular interment space in connection with an interment.

"Interment space" refers to the particular grave, crypt, or niche within the Cemetery or Mausoleum to which a particular interment right relates.

"Inurnment" means the placement of cremated human remains into a niche or grave.

"Mausoleum" means the River View Cemetery Mausoleum.

"Niche" means a space in the Mausoleum used, or intended to be used, for the permanent placement of human cremains.

"Plot" means a space in the ground within the Cemetery used, or intended to be used, for the interment of human remains, including cremains.

"Tribute" means any item left behind in the Cemetery or Mausoleum to honor or commemorate a person that is not a monument. A tribute includes without limitation wooden crosses, real or artificial wreaths, paper items, symbols, framed photographs, and arrangements of cut or artificial flowers.

"Urn" means any container used or intended for use to hold for human cremains.

Section II -- Conduct within the Cemetery

1. Children: Children under 12 years of age, unless accompanied by an adult, are not permitted in the Cemetery.
2. Notices and Advertisements: No signs, notices or advertisements of any kind are allowed in the Cemetery, unless placed by the Cemetery.
3. Animals: Only service animals are permitted in the Cemetery, and a leash must restrain them at all times. Dog owners are prohibited from allowing their dogs to litter in the Cemetery.
4. Hours: Without the prior written consent of Cemetery staff, no person shall be allowed in the Cemetery between the following times: 1 hour after sunset and continuing to 1 hour before sunrise.
5. Vehicles: All vehicles must stay on paved roads within the Cemetery.
6. Food and Beverages: No food or beverages are allowed in the Cemetery.

Section III – Work within the Cemetery

1. Vendors: Interments and interment services shall be exclusively performed by the Minturn Cemetery District or authorized vendors. Only authorized vendors are permitted to perform work or services in the Cemetery.
2. Damages: Any authorized vendor shall be responsible for any damages it causes within the Cemetery and shall be at all times supervised by Cemetery staff.

Section IV – Interment Standards

1. Interment rights are subject to the limitations set forth in an Interment Rights Agreement and these Rules and Regulations. An owner of an interment right does not, by virtue of such ownership, acquire or hold any ownership of the interment space or any land or improvements in the Cemetery and does not hold any interest in real property whatsoever.
2. Location of Interment: When instructions for opening a grave are indefinite or for any reason the grave cannot be opened in the location specified, Cemetery District staff will open the grave at such a place on the plot as is feasible under the circumstances to avoid delaying interment.
3. Interment Criteria:
 - a. Any coffin or other type of container for a corpse must be sufficiently sturdy and rigid so that it may be lowered into the grave by the Cemetery District's equipment without bending, cracking or breaking.
 - b. Multiple interments may be permitted in one grave at the discretion of Cemetery District staff according to the location of the grave and seasonal weather constraints. A maximum of 1 casket burial and 4 cremains interments may be permitted within a single plot.

c. The standard urn size for ground burial inurnment is 12 inches by 18 inches. Use of an oversized urn will require payment of the Oversized Cremains Burial Fee as set forth in the Cemetery Fee Schedule attached hereto as Exhibit A.

d. Vaults or other casket protective devices are not required for casket burials. If a vault is to be used for a burial, Cemetery District staff shall first determine whether there is enough space in the grave to accommodate the vault or other casket protective device, and a Vault Service Fee will apply. The Vault Service Fee shall be paid by the interment rights owner as set forth in the Cemetery Fee Schedule attached hereto as Exhibit A. Homemade vaults are not permitted under any circumstances.

4. Gravesite Monuments: Gravesite monuments are permanent when consistent with the integrity and historical aspect of the Cemetery, as determined by Cemetery District staff. Cemetery District staff must approve and supervise the placement of all gravesite monuments. Any type of monument that is not approved by Cemetery District staff is subject to removal.

a. All monuments shall stand no higher than 36 inches in height including the tablet, base and foundation, and must be no more than 48 inches in length unless the foundation will apply to two adjoining graves (see (c) below).

b. Single monuments shall be no wider than 48 inches. No copings, cement walls or boundaries of any kind are allowed. Only 1 vertical monument marker per plot is allowed. One flat marker per burial is allowed for military service recognition and for cremains burials. No single burial plot shall have more than 1 vertical headstone and 4 flat markers. Flat markers must be flush to the ground and may not extend beyond the plot. Exceptions may be considered and require prior approval by Cemetery District staff.

c. A monument applying to two adjoining graves ("double headstone") is allowed for side-by-side plots only. A double headstone must not exceed 60 inches in length and 36 inches in height including the tablet, base and foundation. A double headstone may be placed during the summer months and can be installed prior to the interment of cremains burials on the respective adjoining plots. A double headstone may not be placed prior to the interment of traditional casket burials that are planned for the respective adjoining plots. Plot owners must wait until casket burial interments are in the ground, and the ground has settled, before installing a double headstone.

d. All monuments shall be placed and installed by either an authorized vendor or Cemetery District staff. Installation fees will apply. Wooden crosses are not considered monuments and are permitted only as temporary tributes. The placement of tributes is temporary, and these items may be removed at the discretion of Cemetery District staff without notice.

e. Cemetery District staff shall be notified at least 24 hours in advance of the placing of a headstone so the grave can be properly laid out. Placement must be made by Cemetery District staff or an authorized vendor. Headstones may be placed approximately one year after a casket burial interment during the months of June through September.

f. Memorial benches shall be pre-approved by the District. Cemetery District staff and the donor of the memorial bench must agree to the placement location.

g. Monuments that are free-standing and upright must be secured to a concrete base. Only pre-cut stone or pre-poured concrete slabs may be used. Concrete mixing and pouring is prohibited in the Cemetery.

5. Cemetery Grounds: There shall be no digging or movement of headstones in the Cemetery without written approval of and supervision by Cemetery District staff.

6. Cemetery Parking: Parking is permitted on the road only. No parking is allowed on the grass. Cemetery patrons are not allowed to open and close drive-in gates. During interment, all attendees must park vehicles where directed by Cemetery District staff.

7. Interments: All interments must be scheduled, performed and supervised by Cemetery District staff. To ensure the safety, the Cemetery District reserves the right to determine the appropriate standing distance and other safety parameters for individuals viewing the opening and closing of graves.

Section V – Care of Graves within the Cemetery

1. Tributes: All tributes left in the Cemetery are temporary and subject to removal without notice. Cemetery District staff has the right to remove, alter, or change tributes at any time within in their discretion. Individuals leaving tribute items in the Cemetery do so at their own risk with no guarantee that the items will remain. No alcohol containers, beverage containers, food or candy may be left as tributes. No food or beverages are allowed in the Cemetery.

2. Cemetery improvements and alterations: All improvements or alterations made to the Cemetery property and grounds shall be made under the direction of and subject to the consent, satisfaction and approval of Cemetery District Staff.

3. Floral Decorations: Tributes in the form of floral decorations will be allowed on a plot only if they are placed in containers acceptable to Cemetery District staff. Containers holding flowers must be placed in line with headstones and must remain within the immediate area of the headstone not to exceed 6 inches directly in front of the headstone. Floral decorations shall not exceed a height of 36 inches and must not extend on to other graves. Containers for floral designs, such as glass vases, are allowed temporarily following a interment and during the 2 weeks before and after Memorial Day each year. All floral designs must be removed by Labor Day each year. The District is not responsible for the return of floral designs or their containers to the owners.

4. Plantings: Living flowers, plants, and shrubs may be planted within 8 inches of a headstone if the mature height of the planting will not exceed 36 inches. No trees may be planted without the approval of Cemetery District staff. Plantings are subject to removal by Cemetery staff at any time without notice.

5. Caretaking: The Cemetery grounds are maintained throughout the year with mowing, watering, tree care, maintenance of Cemetery-installed flower beds, clearing and leveling of monuments, and pest control. Cemetery roads are maintained, including snow removal, as needed. Cemetery District staff take pride in maintaining the Cemetery in the best possible manner. After interment, sod will be placed on a grave only after proper subsidence has occurred. The Cemetery District is not responsible for damage to tributes or monuments as a result of caretaking activities. The Cemetery District's caretaking activities do not include cleaning, care, or maintenance of tributes, including floral decorations, or plantings.

Section VI – Paperwork and Procedures

1. Business Dealings: All Cemetery business must be conducted through the Cemetery office. Visits at the Cemetery to view interment spaces or for purchase of interment rights shall be arranged in advance by appointment only. Purchases and other transactions must occur at the Cemetery office or be conducted through a funeral home.

2. Interment Rights: Cemetery District records are maintained by the Cemetery District in traditional format and by computer. No interment will be conducted without adequate proof of interment rights, such as a copy of an interment agreement, certificate of interment right, or

transfer of interment rights form. If documents cannot be presented, interment rights will be determined according to the Cemetery District's records.

3. **Transferring Interment Rights:** Interment rights may be transferred by a purchaser to a relative by blood or marriage, and such transfer shall be recorded with the Cemetery District by the filing of a transfer of interment rights form. All other transfers shall be conducted through the Cemetery District. The Cemetery District will not recognize or honor any interment rights transfer unless and until it is first recorded with the Cemetery District, and no use of an interment space may be made without the Cemetery District's consent. Purchased but unused interment rights may be resold to the District, but the District will pay no more than the purchase price actually paid for the original interment rights.

4. **Burial Permits:** No interment will be allowed without a proper burial permit. The owner of the interment rights, or a representative of said owner if the owner is deceased, must also sign a burial authorization permit.

5. **Burial Arrangements:** Cemetery District staff provide interment in every season, including winter, when possible. Casket burials, cremains burials, interior and exterior niche and crypt inurnments require notice to Cemetery District staff of at least 3 business days. Winter burials require notice to Cemetery District staff of at least 5 business days, and more time may be required depending on the need for snow removal. Delays are possible due to adverse weather and winter conditions.

6. A maximum of two hours is allowed for a grave burial service, and backfilling will begin immediately at its conclusion.

7. All graveside preparations and staging shall be executed by Cemetery District staff or the Cemetery District's approved contractors. Cemetery District staff reserves the right to establish safety parameters for any burial service, including setting a maximum number of burial service patrons who may gather at the burial site and at what distance. Logistics and safety precautions are at the discretion of Cemetery District staff. All means and methods of burial, including shoring devices, platforms, lowering devices, and snow removal, are within the exclusive discretion of Cemetery District staff.

Section VII – Mausoleum

The Mausoleum is a lasting memorial to deceased family members who are entombed within its granite walls. The dignity of this memorial will be maintained at the highest standards possible. The following rules have been established for reasons of neatness, uniformity, maintenance and also to prevent damage to the building itself.

1. The Mausoleum is governed by all Rules and Regulations set forth in this document, when applicable.

2. Access to the interior of the Mausoleum is available during Cemetery hours by appointment only.

3. Interments conducted in the Mausoleum shall be under the supervision of Cemetery District staff.

4. The Mausoleum chapel is available only for use only by owners of niche and crypt interment rights. Cemetery District staff must approve and schedule all chapel events no less than 72 hours in advance.

5. All entombments or inurnments in the Mausoleum must be performed by Cemetery District staff. Work in the Mausoleum by vendors, including otherwise authorized vendors, is not permitted.
6. The standard urn size for a niche inurnment for an adult is 6.5 x 4.25 x 8.25 (L x W x H). Use of an oversized urn will require payment of the Oversized Cremains Burial Fee as set forth in the Cemetery Fee Schedule attached hereto as Exhibit A.
7. No entombment shall be made in an above ground crypt unless the remains of the deceased to be entombed therein have been embalmed.
8. All remains entombed in the Mausoleum shall be in a casket.
9. Nothing shall be placed on crypt fronts. No tributes are allowed in the Mausoleum; provided, however, the temporary use of decorations or flowers placed on the floor, on freestanding easels, on wrought iron stands, or on tables is allowed in the Mausoleum at the time of an interment service and then once per year thereafter. Advance notice of placement is required and must be approved by Cemetery District staff.
10. It is strictly prohibited to attach any item to crypts or niches by wire, tape, glue, or such other similar method. The District has the right to remove and discard any items placed on crypt or niche fronts without notice. The interment rights owner is responsible for replacement of crypt or niche fronts, if needed due to defacement.
11. One standard bronze plaque is allowed to mark crypts and niches. No additional monuments are permitted. Plaque inscription must be performed by the Cemetery District.

Section VIII – Liability

1. The Cemetery District and its staff disclaim all liability for thefts of tributes or other items left in the Cemetery and are not responsible for damages caused to gravesite monuments.
2. The Cemetery District will not accept instructions for interment services by phone; instructions must be in writing.
3. The Cemetery District is not responsible for any delay in interment, or for any delay in the fulfillment of any contractual obligations under any Interment Agreement that arise from causes beyond the District's reasonable control, including without limitation delays caused by acts of God, common enemy, thieves, vandals, strikes, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority.
4. The failure of the District to enforce or apply a Rule or Regulation does not serve as a waiver against any future enforcement or application of a Rule or Regulation.