



# Cemetery Rules and Regulation

Effective February 2015



**Mt. View Cemetery**

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In compliance with ORS 97.710, the Oregon City Commission has adopted these Rules and Regulations for the use of Mountain (Mt.) View Cemetery.

These Rules and Regulations are intended as a protective measure for all who use this facility. The nature of all improvements, good appearance of the grounds and buildings, and respectful observance of the sacredness of the place, requires adherence to rules in which the right of an individual is secondary to the needs of others.

Anything that mars the general beauty of Mt. View Cemetery shall be avoided and lot owners shall consider that the one lot is but a part of the whole and seek to improve it only with regard to its surroundings.

Cemetery office hours are 8:00 a.m. to 4:00 p.m., Monday through Friday.

Cemetery grounds are open for visitation seven days a week from dawn to dusk.

The office is closed all legal holidays and weekends.

Cemetery maps and burial records are available on our website or at the cemetery business office.

## Visitors

All persons are welcome to visit the cemetery grounds while the gates are open; however, all persons entering the cemetery grounds shall respect the rules and regulations of the cemetery provided herein.

- Loud, boisterous and profane language is prohibited.
  - No person will be permitted to disturb the quiet or good order of the grounds.
  - To act in any unseemly, irreverent or boisterous manner.
  - Employees are instructed to see that proper decorum is maintained at all times.
  - Children are not allowed to run at will over the grounds.
  - Cemetery Staff shall exclude or eject all those who persistently disregard cemetery rules.
- Visitors are forbidden to:
  - Cut, pick or remove flowers or plants without permission.
  - Break or injure any trees or shrubs.
  - Injure or deface any monument, vault, structure or other cemetery property.
- Firearms:
  - No persons with firearms, or weaponry of any kind will be allowed to enter any part of the grounds, except in the case of a military funeral.
  - For military funerals, only active duty military personnel who are participants in the funeral shall be allowed to carry firearms.
- Dogs are not allowed on the cemetery grounds.
- Visitors who are not part of a funeral in process shall not congregate around the grave while the interment service is in progress.
- Anyone violating the Cemetery Rules Regulation is liable for arrest and prosecution.

## Graves, Lots and Improvements

- All lots are sold subject to the rules and regulations of Mt. View Cemetery and subject to free right-of-way for all water drainage pipes as may be located in any lot, walk or avenue.
- Pricing:
  - The price of lots vary and do not appreciate in value once purchased.
  - Prices are fixed according to the size and location.
  - All lots include the endowed care cost of the same.
  - All lots include the perpetual care cost of the same.
  - The price shall be paid in full before any interment is permitted; or within 12 months of purchase, whichever occurs first.
  - If additional adjoining lots are desired, they must be paid for in full before the end of one year from date of first purchase.

- **Outstanding Balance:**
  - Owners with an outstanding balance at the end of 12 months will be sent a letter requesting payment in full within 30 days.
  - If payment is not received within the 30-day grace period, the owner will receive a refund of all monies paid on account, less a 10% handling fee.
- **Sale of Grave Sites:**
  - Graves cannot be sold, except back to Mt. View Cemetery. The Cemetery will buy the grave back at the original purchase price.
  - The owner of the grave has a right to transfer or assign their grave to another family member or individual by written permission.
  - Owners also have the right to give permission for the burial of the cremated remains of another individual on their grave.
  - Check with the cemetery office for a list of proper documentation and associated fees.
- Lot owners should advise the cemetery office of any change of address or contact information.

name or date, either on memorial or on the container for cremated remains.

## Interments and Funerals

- **The City and its Cemetery Staff:**
  - Will open graves only when they have been given sufficient notice to complete the work, typically, three business days.
  - No interment or disinterment will be permitted without an order from the proper authority and without the permission of the lot owner and/or the next of kin of the deceased.
    - No grave on any lot shall be opened, filled or sodded except by the cemetery personnel.
    - Every full body earth interment shall be enclosed in an appropriate vault or liner that meets the approval of cemetery management. A list of interment charges is available in the cemetery office.
    - For sanitary reasons, graves will not be opened for inspection after interment, except for official investigation.
- **Graveside Services and Safety:**
  - Graveside services are not permitted. This is to ensure the safety of our patrons and to observe the safety guidelines of Mt. View Cemetery.
  - Family services may be held in one of our two Mausoleum Courtyard areas.
  - Only immediate family may be allowed to watch placement after the service from outside the established safety zone.
- **Burial of the Remains of Contagious Diseases:**
  - Advance notice must be given to the cemetery office of the intention to bury the remains of any person who died of smallpox or other virulent contagious disease.
  - Proper time must be appointed and suitable arrangements made for the safety of the employees and the public.

## City of Oregon City and Cemetery Staff

- The City and its Cemetery Staff reserve the right to correct any errors that may be made, either in making interments, disinterments or removals, or in the description, transfer or conveyance of any interment property, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal or greater value and similar location as far as possible, or as may be selected by the cemetery, or by refunding the amount of money paid on account of said purchase.
- In the event such error involves the interment of the remains of any person in such property, the cemetery reserves, and shall have, the right to remove and/or transfer such remains so interred to such other property of equal or greater value location as may be substituted and conveyed in lieu thereof.
- The City and its Cemetery Staff shall also have the right to correct any errors made by placing an improper inscription, including an incorrect

- Remains of persons having died of any contagious disease shall not be disinterred.
- Multiple Burials on Grave Sites:
  - Burial of more than one full body in the same grave is strictly prohibited.
  - One grave will accommodate:
    - a maximum of one full body burial.
    - no more than four cremated remains.
    - only four cremated remains without one full body.
    - two cremated remains and two bronze inscription vases.
  - A full body burial must take place prior to the burial of any cremated remains, or take place second, after the first set of cremated remains are placed under the headstone area.
- Funerals, upon reaching the cemetery, will be under the charge of the cemetery personnel only and shall obey all directions provided by cemetery Staff.

## Disinterments and Removals

- Remains of persons having died of any contagious disease shall not be disinterred.
- When disinterments are to be made and remains taken from the cemetery, the consent of the Cemetery Manager, as well as, a permit from the State Registrar of the Center for Health Statistics shall be obtained.
- In addition, written consent of the owner of the lot or grave, and the surviving wife, husband, children (of legal age), or parents of the deceased shall be obtained.
- If consent of any such person cannot be obtained, the consent of the State Registrar of the Center for Health Statistics shall be sufficient.
- On a full body earth disinterment, cemetery personnel shall remove the earth down to the vault or liner. After that, the vault company or funeral home shall be responsible for the final removal of the remains.

## Trees, Shrubby and Flowers

- Cemetery personnel will have charge of planting of trees and shrubs in accordance with the general plan for the landscaping of the grounds.
- Planting of shrubs, flowers and trees may be allowed within certain areas of the cemetery with the proper approval by the Cemetery Manager.
- No plantings of any kind will be permitted on graves.
- If any tree, shrub, vine or plant shall, by means of its roots, branches, or otherwise, become detrimental to lots or avenues, dangerous, inconvenient to walks or roadways, or interfere with the general design of the cemetery, cemetery staff shall have the right and it shall be their duty to remove the same, when in their professional judgment it seems best.
- The determination of when a tree, shrub, vine or plant becomes detrimental is subject to the discretion of cemetery staff.

## Objectionable Articles

- Prohibited Items:
  - The cemetery management prohibits enclosures of any kind including ornaments, frames, chairs, benches, vases, glass cases or any other articles on cemetery grounds.
  - Cemetery management reserves the right to remove such items without notice to the lot holder.
- Seasonal Decorations:
  - Seasonal decorations, excluding benches, vases, glass items or toys, will be allowed beginning three days prior to any holiday recognized by the City which includes Memorial Day, Independence Day, Veteran's Day, Thanksgiving, Christmas Eve, Christmas Day, New Year's Day, Valentine's Day, Mother's Day and Father's Day.
  - Seasonal decorations must be removed within seven days after the holiday or the property will be deemed abandoned property and removed.

- Signs:
  - No signs indicating that a lot or crypt is “for sale” nor signs, cards or advertisements of any kind will be permitted.
- Funeral Flowers:
  - Funeral designs and floral pieces will be removed from graves, niches or crypts when they become wilted or unsightly.
  - Persons desiring to retain any funeral designs or floral pieces must remove the same within forty-eight hours after interment.
- Damages:
  - Any damage caused by use of glues, tapes, or other products to affix or secure items to mausoleum faces or markers, and the processes, chemicals or tools employed to remove those products, is not the responsibility of Mt. View Cemetery or the City of Oregon City.
  - Unsightly decorations affixed and/or secured to the mausoleum face, or those encroaching onto another person’s property, including, but not limited to, flowers, cards, pictures, stuffed animals, etc., will be removed by cemetery personnel without notice.
  - If the damage caused by the use of glues, tapes or other products to affix or secure items to the mausoleum face is excessive and needs repair, the cemetery reserves the right to seek reimbursement of those costs of repair from the party that caused such damage.
- Artificial Flowers:
  - Artificial flowers do not fit in the general theme of the cemetery where natural plantings are the basis of its park-like effect.
  - Artificial flowers, wreaths, etc., will not be allowed during the period beginning March 1st and ending October 31st of each year, which are the normal period of lawn mowing and maintenance and the normal growing season of the year.
  - All such artificial floral arrangements present during these months will automatically be removed.
  - During the remainder of the year, artificial arrangements will be allowed so long as they do not become unsightly and are placed in approved receptacles.
  - At no time will the cemetery assume any responsibility for the care, preservation or safekeeping of artificial floral arrangements.
- Flower Vases:
  - Flower vases that protrude above the level of the ground will not be permitted.
  - All flower vases must be installed by cemetery personnel, and such flower vases must be of a material, design and size that meet the approval of the cemetery.
  - Temporary flower vases are available in the cemetery office.
  - The Cemetery will not be responsible for vases that are damaged or stolen from graves lots or mausoleums.

## Floral Arrangements

- Flower Receptacles:
  - No flower receptacles may be placed on any plot or in the mausoleum, unless made of approved material, size and design. Glass is not acceptable.
  - The cemetery shall not be liable for floral pieces, baskets or frames in which or to which such floral pieces are attached, beyond the acceptance of such floral pieces for funeral services held in the cemetery.

## Automobiles

- No driving or riding will be allowed on lots or upon the lawns or walks; this applies to bicycles, skateboards, rollerblades and scooters, etc.
- All persons driving any vehicle in the cemetery will be held responsible for any damage done by them.
- No U-turns are allowed. Vehicles shall proceed to the next cross street and proceed through the cemetery to exit the grounds.
- Speed of automobiles shall not exceed posted limits.

- Automobiles shall be parked so that traffic is not obstructed.

## Monuments

- Permanence is essential in any monumental work. Therefore, any monument or marker must be constructed of a durable material, as determined by cemetery personnel.
- Monuments will only be allowed on those family lots purchased with monument privileges. Check with cemetery personnel for further information regarding upright monuments.
- Only one marker will be allowed on each grave and must be of required size.
- Only borderless markers will be allowed.
- No monuments are allowed in Sections G, L, M or N.
- The following are the standard marker sizes allowed:
  - Single Cremation Marker (Section M, N & Cascade Memorial Garden): 16" x 8" x 4"
  - Double Cremation Section M & Baby Section J K & L Marker: 24" x 12" x 4"
  - Single Full Body Marker: 30" x 18" x 4"
  - Companion Full Body Marker: 48" x 18" x 4"
- Markers will be set at the head of each grave.
- Companion markers, intended to embrace two or more graves, shall be permitted.
- Outside Contractors/Vendors:
  - Delivery of monuments and markers by outside vendors may be made only during the normal working days and hours of the Cemetery.
  - All fees associated with monuments or markers by outside vendors must be paid in full prior to placement.
  - Please obtain a copy of our Marker Rules and Regulations from the cemetery office or on our website prior to purchasing a monument or marker from an outside vendor.
  - Monument and marker firms will be held responsible for any damage done to other

monuments, grass, trees or any other object whatsoever in the cemetery. They are subject to the control and direction of cemetery personnel.

- Workmen must suspend their labors within the immediate vicinity of a funeral until the conclusion of all the services.

## Foundations

- Cemetery personnel shall do excavations and foundations for any monument or marker and all cement work only, except if an outside vendor has been approved to do so by the Cemetery Manager. See our Marker Rules and Regulations.
- No foundations will be put in during freezing or inclement weather.

## Prices for Foundations

- The cemetery management has established and published prices for the construction of all sizes of foundations, which is contained in our Marker Rules and Regulations, of which a copy can be obtained in the cemetery office or on our website.

## Peddling and Soliciting

- Soliciting the sale of any commodity, soliciting of donations or distribution of any printed material, other than by cemetery personnel, is strictly prohibited.

## Rights of Lot Owners and Heirs

- All rights of lot owners shall be consistent with ORS 97.510 or 97.650.

## Employees

- All the employees of the cemetery are instructed to give respectful and courteous attention to lot owners and visitors. Any violation of this rule should be reported to the Director of Parks and Recreation.
- Employees are also instructed to afford equal and courteous attention to all funeral directors,

and contractors who may have business on the grounds.

- No money shall be paid to any of the employees of the cemetery as a fee or reward for any service performed.
- Employees are forbidden to take orders or instructions for work unless issued by the Cemetery Manager.

## General

- All full body human remains intended for interment shall be received at the cemetery in a suitable casket or container and will not be placed in the grave, crypt or moved about without being in an acceptable container.
- An “acceptable container” is defined to mean:
  - One that will ensure protection to the health and safety of the cemetery personnel.
  - Provide a proper covering for all remains.
  - Meet minimum requirements for the maintenance of appropriate respect and consideration.
- Human remains, other than cremated remains, interred in the Mausoleum shall be embalmed.
- Ground burial does not require embalming of human remains.

- The cemetery shall take reasonable precaution to protect lot owners and the property rights of grave owners, within the cemetery, from loss or damage; but it distinctly and expressly disclaims all responsibility for loss or damage caused by the elements, acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or order of any military or civil authority, whether the damage be direct or collateral, other than has been herein provided.
- The Cemetery Manager reserve, and shall have the right to correct any errors.
- The foregoing rules and regulations are subject to change whenever the City Commission deems it necessary. They are also subject to any changes that may occur through legislative act of the State of Oregon.
- The Cemetery Manager will review prices on labor, lots, crypts and niches annually and make his recommendations to the Director of Parks and Recreation for approval as part of the annual budget process.

## DEFINITIONS

**Cemetery:** The term “Cemetery” is hereby defined to include a burial park for earth interments, a community mausoleum for crypt entombments, for cremated remain inurnments, or a combination of one, or more than one, thereof.

**Cemetery Grounds:** The area described in OCMC 12.20.010 as constituting Mt. View Cemetery.

**Lots, plot or burial space:** The term “lot,” “plot,” or “burial space” shall be used interchangeably, and shall apply with like effect to one, or more than one, adjoining graves; to one, or more than one, adjoining crypts or vaults; or to one, or more than one adjoining niches.

**Interment:** The term “interment” shall mean the permanent disposition of the remains of a deceased person by inurnment, entombment or burial.

**Memorial:** The term “memorial” shall include a monument, marker, headstone, vase, crypt and niche plates or name engraved on the Memorial wall.

**Monument:** The term “monument” shall include a tombstone or memorial of granite, which shall extend above the surface of the ground.

**Memorial Wall:** A granite wall bearing engraved names.