



CITY OF
Boca Raton

Resolution No. 97-2026

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August 10, 2026

TO: Mayor and City Council

FROM: Mark Sohaney
City Manager

A handwritten signature in blue ink, appearing to be "MS", is written over the name "Mark Sohaney".

SUBJECT: Revision of Boca Raton Cemetery and Mausoleum Rules and Regulations

RECOMMENDATION: I recommend approval of the attached Resolution which authorizes the City Manager to adopt a revised version of the Rules and Regulation for the Boca Raton Cemetery and Mausoleum.

BACKGROUND: The Rules and Regulations for the Boca Raton Cemetery and Mausoleum have not been updated since 1996. Since the last revision many changes have taken place, including updates to overall cemetery operations as well as the addition of four mausoleum buildings with contrasting standards of adornment. The revised Rules and Regulations significantly amend the decoration policy, deletes outdated practices, clarifies standards, and reorders the flow information making it streamlined and easier for the public to understand.

FISCAL IMPACT: The City anticipates no fiscal impact from the adoption of this resolution.

STRATEGIC PRIORITY: This resolution supports the Strategic Focus Area of World Class Services.

Originated by: Greg Stevens, Recreation Services Director



CITY OF Boca Raton

RECREATION SERVICES DEPARTMENT
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July 22, 2026

TO: Andy Lukasik
Deputy City Manager

THRU: Gregory Stevens, CPRP
Recreation Services Director

THRU: Ryan Reckley, CPRP
Recreation Services Superintendent

FROM: Julia Shelton, CPRP
Cemetery / Mausoleum Manager

**SUBJECT: UPDATES TO THE RULES AND REGULATIONS OF THE BOCA RATON
MUNICIPAL CEMETERY & MAUSOLEUM**

The purpose of this memo is to show that the Rules and Regulations for the Boca Raton Municipal Cemetery and Mausoleum have undergone a comprehensive modernization to improve clarity, reflect current operational practices, align with legal guidance, and incorporate standards used by Boca Raton Mausoleum Inc. The updates reorganize the document for better flow, expand definitions, eliminate outdated or unenforceable rules, and introduce new procedures supporting safe and consistent cemetery and mausoleum operations.

Key Changes

1. **Expanded and Modernized Definitions**
A significant number of new definitions were added, including Burial Authorization, Committal Service, Columbarium, Emblem, Entombment Encapsulation, Legally Authorized Representative, Second Right of Interment or Entombment, and others. Several outdated terms were removed or renamed. These changes increase precision and improve administrative consistency.
2. **Reorganized Rule Structure**
Several sections were relocated to improve logical flow. For example, "Rules Governing Use of the Cemetery" and "General Rules" were previously separate or differently numbered and are now grouped to better reflect operational needs. Outdated rules such as mandatory vehicle stops at the entrance and overly restrictive access rules were removed.



3. Updated Visitor and Conduct Rules

Rules were expanded to cover modern conveyances (e-bikes, motorbikes) and provide clearer expectations for decorum, including noise, behavior, and interaction with memorials. Restrictions on firearms were removed due to current state law.

4. Clarified Interment and Entombment Procedures

New requirements address casket construction, embalming or required encasements, burial authorization verification, notification timelines, and funeral home responsibilities. Additional clarity was added regarding error correction, identity verification responsibilities, and weather-related delays. Traditional graveside service expectations were also defined.

5. Revised Plot Purchase and Transfer Policies

Plot purchase rules were moved to a more logical section. The previous "indigence" clause was removed because residency alone determines eligibility. Transfer rules were simplified, including shifting approval authority from the City Manager to the Cemetery Manager and eliminating certain cost differential policies. The option for owners to sell interment rights to other residents was removed.

6. Strengthened Memorial and Marker Standards

Marker, monument, and mausoleum memorial specifications were greatly expanded, including dimensions, foundation requirements, allowable designs, and standardized inscriptions. Previous rules tied to staff-installed markers were removed since staff no longer perform installations.

7. Updated Decoration Regulations

Decoration rules were reorganized into clear lists, removing outdated time-specific allowances. Mausoleum decoration standards were updated for new buildings and include specific rules for vase materials, dimensions, allowable items, and removal timelines.

8. Operational Clarifications

Additional operational duties were reassigned for accuracy, such as control of work responsibilities and notification timelines. The section on fees, gratuities, and commissions was removed as it no longer reflects current procedures.

Overall Impact: the updated rules modernize cemetery governance, clearly define operational and visitor expectations, reduce ambiguity, and protect the City and families by aligning procedures with current legal, safety, and industry standards. The restructuring creates a document that is easier to understand, more enforceable, and better suited to the needs of staff, funeral directors, and the public.

A more detailed comparison of the 1996 vs. 2026 Rules and Regulations is attached for further review.



RESOLUTION

097 -2026

A RESOLUTION OF THE CITY OF BOCA RATON ADOPTING
THE REVISED RULES AND REGULATIONS OF THE BOCA
RATON MUNICIPAL CEMETERY AND MAUSOLEUM IN ITS
ENTIRETY; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Boca Raton deems it necessary and appropriate to revise the
Rules and Regulations of the Boca Raton Municipal Cemetery and Mausoleum; and

WHEREAS, such revised Rules and Regulations have been prepared and a copy is
included as exhibit A; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOCA RATON:

Section 1. That the City Council of the City of Boca Raton hereby adopts the revised
Rules and Regulations of the Boca Raton Municipal Cemetery and Mausoleum, a copy of which
is attached as exhibit A.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Boca Raton this ____ day
of _____, 2026.

CITY OF BOCA RATON, FLORIDA

ATTEST:

Andy Thomson, Mayor

Mary Siddons, City Clerk



COUNCIL MEMBERS	YES	NO	ABSTAINED
MAYOR ANDY THOMSON			
DEPUTY MAYOR MICHELLE GRAU			
COUNCIL MEMBER YVETTE DRUCKER			
COUNCIL MEMBER JON PEARLMAN			
COUNCIL MEMBER STACY L. SIPPLE			

**RULES AND REGULATIONS
OF
THE BOCA RATON MUNICIPAL CEMETERY AND MAUSOLEUM**

**RULES AND REGULATIONS
OF
THE BOCA RATON MUNICIPAL CEMETERY AND MAUSOLEUM**

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**RULES AND REGULATIONS
OF
THE BOCA RATON MUNICIPAL CEMETERY AND MAUSOLEUM**

INTRODUCTION

These rules and regulations ("Rules") are adopted by the City to provide for the protection of all purchasers and the City and for the preservation of all lots, plots, crypts and niches in the Boca Raton Municipal Cemetery and Mausoleum Complex ("Cemetery"). These Rules shall also govern the Certificate of Interment and Entombment, defined herein, as well as the ownership and use and control of all said lots, plots, crypts, and niches. These Rules are incorporated by reference into the Certificate Ownership, Certificate of Entombment, and all other applicable signature documents, whether existing now or issued in the future.

SECTION I

Definitions

Articles - Including, but not limited to: boxes, pictures, cards, books, shells, toys, dolls, stuffed animals, trinkets, mementos, ornaments, figurines, flowers, floral containers, floral pieces, chairs, settees, crosses, statues, benches, vases, rocks, stones, pebbles, fencing, borders, windchimes, pinwheels, spinners, whirligigs, helium balloons, flags, banners, globes, solar lights, candles, candle holders, plants (potted or otherwise), shrubs, trees or herbage of any kind.

Burial Authorization - An internal cemetery form that identifies the name of a deceased person and the burial location in which they will be interred.

Cemetery Manager - A City of Boca Raton employee who is responsible for the operations, maintenance, and administration of Boca Raton Municipal Cemetery and Mausoleum.

Certificate of Ownership/Entombment - The original conveyance document provided by the City or Boca Raton Mausoleum, Inc., to a purchaser with interment/entombment rights to the space provided.

City - The City of Boca Raton.

Committal Service - The final portion of the funeral service at which time a deceased is interred or entombed, and remarks or prayers are said in a graveside service.

Columbarium - A standalone structure used to the inurnment of cremains.

Crypt - An above ground space of sufficient size to accommodate at least one casket holding remains.

Declaration of Reservation - An internal Cemetery form signed by the plot owner, which assigns future burial rights to another person.

Disentombment - The removal of the remains or cremains of a deceased person from a crypt, columbarium, sarcophagus, or niche within a mausoleum.

Disinterment - The removal of the remains or cremains of a deceased person from an in-ground burial space.

Double Depth Plot - A space of equal surface area as a single plot with the depth to accommodate the interment of two deceased with one atop of the other.

Emblem – A symbolic image or design, cast in bronze and affixed or etched, onto a crypt or niche face to represent a specific meaning, identity, belief or affiliation of the deceased.

Entombment - The permanent disposition of a deceased person in a crypt, columbarium, or sarcophagus within a mausoleum building.

Entombment Encapsulation - The permanent disposition of a deceased person's casket that is placed on a tray or is either encased and sealed within a protective cover or encapsulated within a casket in a sealed protective cover.

Grave - An in-earth burial space.

Infant - A human child less than one (1) year of age.

Interment - The permanent disposition of remains or cremains of a deceased person in an in-earth burial space.

Inurnment - The permanent disposition of the cremains of a deceased person in a mausoleum crypt or niche.

Legal Holidays - The annual holidays the City provides its employees.

Legally Authorized Representative - The person designated or authorized by a decedent as of the time of death to direct disposition of the decedent.

Lot - A numbered division on the Cemetery map, which consists of more than one plot.

Marker - A memorial, which does not extend vertically above the ground, and is constructed of metal or stone, approved by the Cemetery staff, that contains the names, dates, or other engraved lettering to be used to identify one or more deceased persons.

Mausoleum - A building or structure that is above ground in the Cemetery and used for Entombment in its vaults, crypts, niches, columbariums, sarcophagus, or a combination of such methods of Entombment.

Memorial - A monument, marker, tablet, headstone, private mausoleum, or tomb for family or individual use. Also, an urn, floral container, affixed/incised emblem, crypt, and niche plates with bronze or incised letter on crypts or niches.

Merchandise - Any item, product, or memorial authorized for sale by the City and sold by the City or Boca Raton Mausoleum Inc., the City's exclusive agent for such sale, for use in connection with a funeral, lot, plot, crypt, niche, memorial/cremains, final disposition, memorialization, or interment/entombment of human remains, but which is exclusive of interment/entombment rights.

Monument - A tombstone or memorial of granite or other approved materials, which shall extend

vertically above the surface of the ground.

Niche - An above ground space within a mausoleum building of sufficient size to accommodate at least one urn holding cremated remains.

Opening and Closing - The process of performing an interment or entombment, including, but not limited to, administrative, clerical, legal, and mechanical services performed by the Cemetery in conjunction with disposition on human remains. This also includes the subsequent closing of the interment or entombment space after the interment / entombment has been performed. This process also includes opening and closing of disinterment or reinterment or disentombment / re-entombment and removals for relocation to another property outside this cemetery.

Plot - A space of sufficient size to accommodate a single casket in earth interment.

Removal - The transporting of disinterred/disentombed remains, including cremated remains, from Boca Raton Municipal Cemetery/Mausoleum property to another location.

Resident - A person who has established a domicile within the boundaries of the City and intends it to be their permanent home.

Sarcophagus - A type of mausoleum crypt, that may stand alone, where remains are placed horizontally into the space, as opposed to head or foot first.

Scatter Garden - A specially designated and maintained area set aside for the exclusive purpose of disseminating cremated human remains on its surface.

Second Right of Interment or Entombment - A written agreement between the City or Boca Raton Mausoleum Inc. and the purchaser of a single cemetery plot or mausoleum crypt that permits a second deceased to be interred or entombed.

Trays - Plastic, fiberglass, or chemically hardened constructed fiber board upon which a casket is placed for entombment in a mausoleum crypt.

Vault - An encasement or container constructed of concrete, concrete and steel, stone or other suitable material used to encapsulate a casket, cremains, or other burial containers in order to maintain the shape and integrity of the plot (also termed as an "outer box").

SECTION II

Rules Governing Use of the Cemetery

- (1) **Management of the Cemetery and Enforcement of the Rules** - The Cemetery Manager shall enforce these Rules and may exclude from the Cemetery grounds any person who, after notice, continues to be in violation of the Rules. The Cemetery Manager shall supervise the grounds and buildings, funerals and traffic in, around, and out of the Cemetery, and shall also supervise the operations of the Cemetery, and all funeral processions that enter the Cemetery grounds.
- (2) **Use of Roads** - Persons within the Cemetery grounds shall use only the paved roads when operating motorized vehicles.
- (3) **Flora and Fauna** - No person within the Cemetery shall pick/gather flowers (either wild or cultivated), disturb trees, shrubbery, or plants, or feed or disturb the wildlife that are located

in the Cemetery.

- (4) **Refreshments** - No person shall be permitted to sell food or refreshments within Cemetery or Mausoleum grounds, except for people authorized to do so at City sponsored or co-sponsored special events.
- (5) **Littering** - Littering is prohibited anywhere within the Cemetery or Mausoleum grounds.
- (6) **Vehicular Traffic Requirements** - No person shall drive any motor vehicle within the Cemetery at a speed greater than ten (10) miles per hour. All motor vehicles shall be driven on the right side of the Cemetery roadway and shall at all times remain on the paved portions of such roadways. No motor vehicles shall be parked, or driven on or upon any pedestrian paths, walkways, or unpaved areas, nor parked or stopped adjacent to any open grave, except for attendance at a funeral service.
- (7) **Prohibited conveyances** - No roller skates, inline skates, skateboards, bicycles, e-bikes, or motorbikes shall be used in or about the Cemetery.
- (8) **Sale of Flowers or Plants** - The sale of flowers or plants is prohibited in the Cemetery or Mausoleum.
- (9) **Notices and Advertisements** - No commercial signs, notices or advertisements shall be posted in the Cemetery or Mausoleum, other than those posted by the City.
- (10) **Pets** - Pets are prohibited in the Cemetery and Mausoleum with the exception of service animals.
- (11) **Cemetery Hours** - The Cemetery shall be open during daylight hours (dawn to dusk).
- (12) **Decorum** - Behavior that is respectful, dignified and considerate to others shall be observed at all times within the Cemetery and Mausoleum grounds, whether or not such conduct is specifically set forth in these Rules. This includes refraining from: loud talking, laughter, playing of loud music, yelling, screaming, cursing or making other disruptive noises, touching, moving or disturbing any memorial, flower or decoration, damaging property, or blocking walkways or other areas where people may be visiting.

SECTION III

General Rules

- (1) **Admission to Cemetery** - The City reserves the right to refuse the use of any Cemetery or Mausoleum facilities, at any time, to any person or persons whom it determines has violated the Rules.
- (2) **Cemetery Manager in Charge of Funeral** - All funeral processions, upon entering the Cemetery grounds, shall be under the direct control and supervision of the Cemetery Manager. A funeral director shall be present to supervise interment or entombment services in accordance with the applicable Florida Statutes and these Rules.
- (3) **Casket Handling** - Once a casket containing human remains is transported into the Cemetery, it is prohibited from being opened by any individual with the following exception:
 - a. A casket may be opened if an examination of the deceased is required by the Medical Examiner or other law enforcement agency.
- (4) **Funeral Directors Responsible for Transporting Deceased's Remains** - Funeral directors or the funeral director's staff shall be responsible for the transportation of the remains of a deceased person from the funeral vehicle to a grave or crypt. The funeral director or the funeral director's staff shall be in attendance as a witness during interment or entombment of the deceased's remains.
- (5) **Entombment** - The casket for each entombment in the mausoleum must fit within the dimensions of the crypt. A Funeral Director is responsible for informing the Mausoleum if an oversized casket will be used.

- (6) **Inurnment** – A legally authorized representative or funeral director is responsible for providing Boca Raton Mausoleum Inc. The dimensions of the urn that will be used no less than forty-eight (48) hours prior to an inurnment into the Mausoleum, to ensure the niche will accommodate it.

SECTION IV

Purchase of Cemetery Plot Sites

- (1) **City Residency Required** - The existing plot sites in the Cemetery are hereby reserved for purchase by the residents of the City only.
- (2) **Plot Site Charge** - The charge for plot sites in the Cemetery are set by City ordinance and listed in the City's annual fee schedule.
- (3) **Veterans Plot Sites** - In a reserved area of the Cemetery designated for such purpose, and to the extent that such space is available, all honorably discharged service men and women of the armed forces of the United States who were residents of the City at the time of their death shall be permitted to be interred in the Cemetery at a reduced charge set by City ordinance and listed in the annual fee schedule. The plot site for a veteran shall be selected by the Cemetery Manager. Any veteran interred in a plot outside the designated area will be charged the standard plot charge.

SECTION V

Interments and Burial Rights of Owners

- (1) **Right of Interment Under Owner's Certificate of Ownership** - The interment rights of an owner shall be presumed to be the sole and separate property of the person named in the Certificate of Ownership. If more than one plot has been purchased, the purchaser shall designate, using a Declaration of Reservation form, who should be interred in the remaining plots.
- (2) **Right of Interment in Absence of Owner's Declaration of Reservation** - In the absence of a Declaration of Reservation for a cemetery plot by the registered owner of a burial space, the order of interment shall be in the following order:
- a. The owner and the owner's surviving spouse, if any.
 - b. Lineal descendants of the owner and respective spouses.
 - c. Parents of the owner.
- (3) **Second Right of Interments for Cremated Remains** - The purchaser or owner of interment rights, may purchase a second interment for cremated remains using a Declaration of Reservation and payment of the applicable fee, designating the cremated remains of a deceased person entitled to be interred in an occupied plot.

SECTION VI

Transfer of Assignment

- (1) **Transference or Assignment of Lots or Plots** - A cemetery lot or plot may be transferred by the original owner provided that the City is paid the transfer fee as well as the difference in cost between the original charge for the lot or plot and the current charge for such lot or plot. No Cemetery lot or plot may be transferred or re-assigned to any person who is not a resident of the City of Boca Raton.

- (2) **Consent for Transference or Assignment of Lots or Plots** - No transfer or re-assignment of any lot or plot shall be valid without the written consent of the Cemetery Manager. Such a transfer or re-assignment must be made using a form provided by the Cemetery. The original Certificate of Ownership must be surrendered to the City at the time the application for transfer or re-assignment is made.
- (3) **Transfer/Re-assignment Fee** - A fee shall be charged for transfer/re-assignment of ownership in a lot or a plot, which shall be paid when the transfer/re-assignment paperwork is completed.
- (4) **Repurchase by the City** - In the event the person who purchased a lot or plot moves their residence from the City permanently and does not wish to transfer/re-assign their lot or plot, the City may decide, in its sole discretion, to repurchase the lot or plot at the price paid when it was originally purchased.

SECTION VII

Change in Address of Plot Owners

The owner of a lot or plot shall notify the Cemetery Manager of any change in his/her current mailing address within two (2) weeks of the change, as notices are sent to a lot or plot owner at the address on file in the Cemetery.

SECTION VIII

Entombments and Interments, Generally

- (1) **Subject to Law** - In addition to these Rules, all interments, entombments, disinterments and disentombments are subject to the laws of applicable governmental authorities.
- (2) **Holidays** - No interments, entombments, disinterments, disentombments, removals shall be permitted on Thanksgiving, Christmas Day, or Easter Sunday. Services on a Saturday, Sunday, or on any other legal holidays may be permitted by the Cemetery Manager upon the payment of applicable fees, provided the services do not interfere with a scheduled holiday event (i.e., Veteran's or Memorial Day services) hosted at the Cemetery.
- (3) **Notice of Interment or Entombment** - The Cemetery Manager shall be notified at least twenty-four (24) hours prior to the date of any interment or entombment and at least one (1) week prior to any disinterment or disentombment. No in-ground burials will be permitted to begin after 2:00 p.m.
 - a. Upon request by any person for interment in a given plot, the burden of proof as to the identity of the person to be interred rests upon the funeral home or legally authorized representative. The Cemetery Manager is authorized to rely on the representations as provided by the requestor.
 - b. Upon receiving a request or court order to disinter or disentomb human remains, the Cemetery Manager will direct the removal and final disposition of said human remains only in the presence of a funeral director or based upon said court order.
- (4) **Burial Authorization Forms** - Information entered on a burial authorization form should be verified with a family member or legally authorized representative before said person signs the form. Signing a burial authorization form confirms the identity of the deceased to be interred and burial location information. In the event that burial information is unknown to the family or legally authorized representative, a site visit should be scheduled/made to confirm burial location.
- (5) **Casket Requirement at the Mausoleum** - A casket for entombment must be a minimum of 20-gauge steel metal and must be able to be sealed.
- (6) **Preparation of Remains at the Mausoleum** - All remains to be entombed at the Mausoleum

shall be embalmed. Any family who wishes their loved one to not be embalmed will be required to have a Zeigler encasement placed inside the casket before entombment, paid for by the family.

- (7) **Vault Required** - Remains for interment in the ground shall be enclosed in a vault. A vault provided by a funeral director shall be of a type approved by the Cemetery Manager and installed by the Cemetery staff.
- (8) **Location of Interment Spaces** - In the event that an interment space cannot be opened where specified, the Cemetery Manager at his/her discretion, may open it in a location of the lot as he/she deems best and proper, so as not to delay the funeral.
- (9) **Errors in Location** - The City, the Cemetery and Cemetery staff shall not be responsible in any way or fashion for any errors made by Cemetery staff in the interment or entombment location or method of performing all services at the Cemetery.
- (10) **Communication by Telephone** - The City, the Cemetery and Cemetery staff shall not be responsible for any information given by telephone, or for any error resulting from imprecise or improper instructions that are provided by telephone regarding the particular space, size, location or memorialization in a lot, plot, crypt, or niche where interment or entombment is desired.
- (11) **Correction of Errors** - Cemetery staff may correct any error made in the sale or transfer of any interment property, by cancelling the certificate of ownership and reissuing it with corrected information provided that the new interment property is of equal value and similar location, or by refunding the amount of money paid for the purchase.

If an error involves the interment of the remains of any person in a different location than is listed on the certificate of ownership, the Cemetery Manager shall have the right but not the obligation to move the remains to the designated location or to issue a certificate of ownership for the substituted location.

The Cemetery Manager shall also have the right but not the obligation to correct any errors made in the placing of a vault, memorial, monument, marker, bench, or other embellishment within the cemetery.

- (12) **Delays in Interments or Entombments** - The City shall not be liable for any delay in an interment resulting from a protest against the interment, inclement weather, an act of God, common enemy, thieves, vandals, strikers, intentional malicious action, explosions, invasions, insurrections, riots, civil disturbances, or order of any military, civil or judicial authority, dangerous turf conditions, or from noncompliance with these Rules. Under such circumstances, the Cemetery Manager has the authority to place the deceased person in a receiving vault until full rights have been determined, or the conditions have improved.
- (13) **Traditional Graveside Ceremonies** - The Cemetery encourages traditional graveside interment ceremonies on outdoor property except when weather and/or terrain conditions are severe, hazardous, or dangerous. For safety reasons, tents and chairs will not be permitted during severe weather conditions, high winds, or if the terrain is not level. During severe weather, the Cemetery reserves the right, in its sole discretion, to delay an interment until weather conditions are determined to be safe. In an inclement weather situation, the Cemetery Manager may offer to hold the funeral service in one of the mausoleum chapels.
- (14) **Permits** - The Cemetery and Cemetery staff shall not be responsible for obtaining permits for interment or entombment for any person to be interred or entombed, or for the embalming of a body.
- (15) **No Interment/Entombment Permitted** - No interment or entombment shall be permitted on any plot or mausoleum space if the purchase price thereof has not been paid in full.
- (16) **Interment in Single Depth Plot** - Not more than one (1) deceased person shall be interred in

any single in earth plot except for a mother and her infant. The purchaser of a plot or should the purchaser be deceased, a lineal descendent or legal representative may inform the Cemetery of their intention to have a second right of interment for cremated remains using a Declaration of Reservation form so long as the original contract was written without second interment rights. Proper identification of those interred shall be made for each interment on one (1) regulation size marker, not to exceed thirty (30) inches by eighteen (18) inches.

(17) Interment in a Double Depth Plot - Not more than two (2) deceased persons shall be interred in any double depth plot (DD). Proper identification of those interred shall be made on one regulation sized marker not to exceed thirty (30) inches by twenty-eight (28) inches. The agreement shall also provide the name of the legally authorized representative authorized to designate the person(s), whose remains will be interred in the double depth plot.

(18) Interment for Cremated Remains - The Cemetery Manager shall designate an appropriate section of the Cemetery for the interment of cremated remains and shall establish a standard size cremation plot. Plots within this section shall be of appropriate size, and the cremated remains of only one (1) deceased person may be interred in each plot. Proper identification shall be made for each interment on one (1) regulation size marker, not to exceed thirty (30) inches by eighteen (18) inches.

(19) Interment for Infant Remains - The Cemetery Manager shall designate an appropriate section of the Cemetery for interment of infant remains. Plots within the reserved section shall be of appropriate size to permit the interment of infants less than one year of age. Marker size will vary based on where the infant plot is located.

SECTION IX

Removals

The Cemetery Manager shall exercise reasonable care in the removal of all human remains, but assumes no liability for damage to any casket, burial case, vault, or urn should damage occur during the removal process.

SECTION X

Memorials, Monuments and Markers

(1) Placement of Memorials and Monuments - The placement, location, erection and construction of all memorials, monuments, and markers within the Cemetery shall be subject to the approval and under the supervision of the Cemetery Manager.

- a. The Cemetery Manager shall approve the format for Mausoleum Crypt plates or face inscriptions and may limit the number and style of designs allowed and their dimensions to maintain the established standard.
- b. Whenever possible, all new in-ground memorials shall be placed in line with those previously established, and all placements shall conform to the size of the plot or lot for which it is intended.
 1. Marker dimensions on a single plot shall not exceed thirty (30) inches by eighteen (18) inches in any section other than in Sections A and DD of the Cemetery.
 2. Monuments are only allowed in Section A of the Cemetery and may not exceed thirty-six (36) inches in height including the base.
 3. Marker dimensions for the DD section shall not exceed thirty (30) inches by twenty-eight (28) inches.

(2) Restrictions on Above Ground Memorials and Monuments - No memorials or monuments, shall be permitted above ground in any section of the Cemetery grounds, except in Section A of

the cemetery. Stone or bronze markers that are level with the ground surface are permitted in all other sections.

- (3) **Foundations May Be Required** - When necessary, due to weight, a monument's foundation shall be at least as wide as the monument and made of poured concrete at least four (4) inches thick. For stability, all benches must be set on a foundation at least as wide as the bench and at least four (4) inches thick. All foundations must be placed before or at the time of installation by the company furnishing the monument or bench.
- (4) **Limited Liability on Markers, Memorials and Benches** - Due to the necessity of continuous maintenance and control of the Cemetery grounds, the City shall not be liable for any damage to markers, memorials or benches.
- (5) **Mausoleum Memorials**
 - a. **Approval by Cemetery Manager Required** - The Cemetery Manager shall approve the format for mausoleum crypt/niche plates, face inscriptions, and affixed bronze emblems and limit the number and style of designs allowed as well as their dimensions in order to maintain an established standard.
 - b. **Inscriptions - permitted as follows:**
 - 1. Crypt front inscriptions or lettering shall be limited to the number of all deceased persons therein and shall include only the name, year of birth and year of death of each deceased person. Crypt inscription font sizes shall not exceed 2 inches for family name, 1 ½ inches for given name, 1 ¼ inches for birth and death dates.
 - 2. Niche front inscriptions or lettering shall be limited to the number of deceased persons inurned and shall include the name, year of birth and year of death. Niches designed for three urns shall be limited to three (3) inscriptions per niche front and shall also be limited to the names, year of birth and year of death. Niche inscription font sizes shall not exceed 1 ¼ inches for family name, 1 inch for given name and birth and death years. Due to limited space for multiple names and dates, no emblems will be allowed on double and triple niche spaces.
 - 3. Only one emblem will be permitted on crypt and niche fronts.

SECTION XI

Decoration of Cemetery Plots and Mausoleum Crypt or Niches

- (1) **General Decoration Regulations** - The Cemetery Manager is authorized to enforce these rules regarding the methods for decorating plot, crypts, and niches so that a uniform standard will be maintained.
- (2) Floral containers other than those built into a marker provided by a monument company for in ground burials or purchased from Boca Raton Mausoleum Inc. for use in the mausoleum are not part of the approved cemetery memorial design and shall not be permitted.
- (3) Flower receptacles and/or articles placed in the grass of a plot or surrounding the marker shall not be permitted. The planting of flowers, shrubs, trees, plants, or herbage of any kind shall not be permitted.
- (4) The Cemetery Manager shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants, or herbage of any kind, from the cemetery or mausoleum as soon as, in the judgment of the Cemetery Manager, they become unsightly, or diseased.
- (5) The Cemetery Manager reserves the right to prohibit the removal of any flowers, floral designs, trees, shrubs, plants, or herbage of any kind.
- (6) **Articles Prohibited** - The placing of article(s) of any kind upon plots or in front of crypts and niches shall not be permitted. Articles should only be placed in approved

containers. The Cemetery Manager reserves the right to remove and dispose of unauthorized articles without notice. Articles will be removed if they interfere with the maintenance of the Cemetery, accessibility to another plot, crypt, or niche that is in the process of preparation for an interment, disinterment, entombment, or disinterment, or that are in violation of these rules and regulations.

(7) Floral Regulations - Artificial and real flowers are permitted in integrated memorial/marker vases only. No flowers shall be attached to or placed upon monuments, markers or mausoleum memorials that do not have an integrated component for such use. Temporary floral containers may be available, upon request from the Cemetery and, if available, may be used prior to installation of monuments/markers. **Containers that are glass, ceramic, or clay are not permitted.**

(8) Decoration Regulations for the Mausoleum

- a. No flowers of any kind (fresh, silk, or otherwise artificial) are permitted any time during the year inside the Remembrance and Reflections chapels or in the Rotunda building, except for private family rooms.
- b. Flowers are permitted in and around mausoleum buildings but must be displayed in containers that are made of non-breakable material such as marble, granite, or metal and heavy enough that they do not tip over. **Glass containers of any kind are not permitted.**
- c. No vases or articles of any kind are permitted in front of any crypt or niche in the Grace, Heritage, Dignity and Repose buildings or any future buildings.
- d. No potted plants containing soil, perlite or other loose materials shall be permitted on walkways in the mausoleum except for holidays. Such plants shall be removed five (5) days after the holiday.
- e. Crypt and niche front vases for the Grace, Heritage, Dignity and Repose buildings are specifically designed and constructed for the placement of flowers. Only one vase will be permitted on crypt and niche fronts.
- f. Funeral floral pieces may remain near the interment location for five (5) days after an outside mausoleum funeral service. These items will be removed after five (5) days without notice to the crypt or niche owner.
- g. Pole lifters are available for visitors to place and remove flowers from crypt and niche front vases that are out of reach. The pole lifters are located in the columned area between the Heritage and Dignity buildings. Poles should be returned to their location after use.
- h. Temporary vases may be available for use but **should not be used for artificial flowers.**
- i. Vases of not more than one foot in height and eight inches in width are permitted, provided that they are not made of glass, ceramic, clay or other breakable material. **Vases that do not meet this requirement shall be removed and disposed of without notice.**
- j. All flowers inside a mausoleum building, except as noted above in (a), should be made of silk and must be placed in an approved vase. No live flowers or plants are permitted inside any mausoleum building.

(9) City Shall Not Be Liable for Loss or Damage - The City shall not be liable for anything lost or stolen in the cemetery or mausoleum or for loss or damages caused by environmental elements, maintenance, operations, theft, vandalism, or by other causes.

SECTION XII

Control of Work by City

- (1) **City Responsibilities** - All structural maintenance, repairs, grading, grounds maintenance, landscape work, and improvements such as planting, trimming, cutting and removal of trees, shrubs and herbage as well as the care of plots, lots, crypts and niches, mausoleum amenities shall be completed by the City. Additionally, all opening and closing of plots, lots, crypts and niches, and all interments, entombments, disinterments and disentombments shall be performed by the City or a designated contractor under the supervision of the Cemetery Manager.
- (2) **Direction, Alterations and Removal of Improvements** - All improvements or alterations of lots, plots, crypts and niches in the Cemetery or Mausoleum shall be performed under the supervision of the Cemetery Manager. If any improvements (including landscape materials such as trees, shrubs, flowers, and herbage), or alterations are made without the Cemetery Manager's written consent, the Cemetery Manager may remove, alter, or change the improvements or alterations at the expense of the owner. The Cemetery Manager may also remove or change any improvements or alterations, at the owner's expense, if at any time, the Cemetery Manager determines they are in violation of these Rules or they become unsightly.
- (3) **Benches** - Outside public convenience benches shall not be placed on, or adjacent to, any lot, plot, grave, or any other location not approved by the Cemetery Manager. Plot, crypt and niche owners or any other person wishing to donate a bench to the City to provide seating for outside cemetery or mausoleum use, must contact the Cemetery Manager for approval. The Cemetery Manager shall determine the location of the bench and upon installation, the bench shall become the sole property of the City and may be relocated or removed at the City's discretion. The City reserves the right to limit the number of benches installed.

SECTION XIII

Protection Against Loss

The City shall take reasonable precautions to protect owners, and the burial rights of owners, within the Cemetery from loss or damage. However, the City expressly disclaims all liability for any loss or damage from causes beyond its control, such as those caused by the weather, an act of God, common enemy, thieves, vandals, strikers, intentional malicious action, explosions, invasions, insurrections, riots, civil disturbances, or order of any military, civil or judicial authority.

UPA/CR&R

Resolution No. 119-96, adopted 07/23/96

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**RULES AND REGULATION
OF
THE BOCA RATON MUNICIPAL CEMETERY AND MAUSOLEUM**

AUGUST 1996

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**RULES AND REGULATIONS
OF
THE BOCA RATON MUNICIPAL CEMETERY AND MAUSOLEUM**

INTRODUCTION

For the mutual protection of all purchasers, and for the preservation of all lots, plots, crypts and niches in the Boca Raton Municipal Cemetery and Mausoleum, these Rules and Regulations shall govern the ownership, use and control of all said lots, plots, crypts and niches. Reference to these Rules and Regulations in the Certificate of Ownership or Deed, or in the recorded plot shall have the same force and effect as if these rules and amendments were set out therein in full.

SECTION I

Definitions

(1) **Articles** - Including, but not limited to, boxes, shells, toys, ornaments, chairs, settees, crosses, statues, benches, vases, rocks, fencing, borders, windchimes, candles, candle holders, plants, shrubs, trees or herbage of any kind.

(2) **Cemetery** - The Boca Raton Municipal Cemetery and Mausoleum.

(3) **Certificate of Ownership** - The original conveyance given by the City of Boca Raton or the Boca Raton Mausoleum, Inc., to the original purchaser with burial rights to the spaces listed.

(4) **Crypt** - A space of sufficient size to accommodate at least one casket holding remains entombed above ground.

(5) **Entombment** - The permanent disposition of a deceased person in a crypt, columbarium, sarcophagus, or niche within a mausoleum.

(6) **Disentombment** - The removal of a deceased person in a crypt, columbarium, sarcophagus, or niche within a mausoleum.

(7) **Grave** - A plot containing an in earth burial.

(8) **Interment** - The permanent disposition of the remains or cremains of a deceased person in earth burial.

(9) **Disinterment** - The removal of the remains or cremains of a deceased person in earth burial.

(10) **Legal Holidays** - Those annual holidays which are given by the City of Boca

Raton to its employees.

(11) **Lot** - A numbered division as shown on the Cemetery map, which consists of more than one plot.

(12) **Lot Marker** - A concrete or suitable material used by the City to locate corners of the lot or plot.

(13) **Marker** - A memorial which does not extend vertically above the ground and is constructed of approved metal or stone containing names, dates, or other engraved lettering used in identification of one or more persons and placed at the head of a lot or plot.

(14) **Mausoleum** - A building or structure above ground for entombments in vaults, crypts, niches, columbariums, sarcophagus or a combination of any one or more than one thereof.

(15) **Memorial** - A monument, marker, tablet, headstone, private mausoleum or tomb for family or individual use, tombstone, coping, lot enclosure, and surface burial vault, urn, crypt and niche plates or bronze lettering on crypts or niches.

(16) **Monument** - A tombstone or memorial of granite or other approved materials, which shall extend vertically above the surface of the ground.

(17) **Niche** - A space of sufficient size to accommodate at least one urn holding cremated remains above ground.

(18) **Plot** - A space of sufficient size to accommodate a single depth in earth burial.

(19) **Plot, Double Depth** - A space of equal surface area as a single plot with the depth capacity to accommodate two in earth interments, one atop the other.

(20) **Resident** - A natural person having his or her place of residence within the City of Boca Raton, and having the intention to continue residing in Boca Raton for an indefinite period of time.

(21) **Scatter Garden** - A specially designated and maintained area set aside for the exclusive purpose of disseminating cremated human remains.

(22) **Vault** - Also termed as an "outer box," is an encasement or container constructed of concrete, concrete and steel, stone or other suitable material used to encapsulate the casket, cremains or other burial containers in order to maintain the shape and integrity of the plot.

SECTION II

General Supervision

(1) **Admission to Cemetery and Mausoleum** - The City of Boca Raton, a municipal corporation of Florida, reserves the right to compel all persons driving motor vehicles into Boca Raton Municipal Cemetery to bring their vehicles to a full stop at the entrance and further reserves the right to refuse admission to the Cemetery grounds, and to refuse the use of any of the Cemetery or Mausoleum facilities at any time to any person or persons whom the Cemetery Manager determines is unwilling or incapable of abiding by these rules or the rules of general decorum.

(2) **Cemetery Manager in Charge of Funeral** - All funeral processions, on entering the Cemetery grounds, shall be under the direct control and supervision of the Cemetery Manager, provided that the funeral director for the funeral shall be present to conduct the burial services in accordance with the applicable Florida Statutes and these rules and regulations.

(3) **Casket Not to be Disturbed** - Once a casket containing human remains is transported into the Cemetery, a funeral director, or his embalmer, assistant, employee or agent, is prohibited from opening the casket with the following exceptions:

(a) The legal representatives of the deceased at the time of interment or entombment, pursuant to a court order or a valid disinterment or disentombment permit, may cause the casket to be opened in the event that an item(s) was not removed or placed with the deceased.

(b) The casket may be opened if an examination of the deceased is required by the medical examiner's office or other law enforcement agency.

Cemetery or Mausoleum staff shall not open any casket. Viewing of the deceased is prohibited at the Cemetery or Mausoleum.

(4) **Funeral Directors Responsible for Transporting Deceased's Remains** - All funeral directors, their representatives, and aides shall be responsible for transporting the remains of a deceased person from the funeral coach containing the deceased's remains to the grave or crypt. At least one person from the funeral director's staff shall be in attendance as a witness during interment or entombment of the deceased's remains.

(5) **Supervision of Disinterment or Disentombment** - Upon receiving an order from the owner of record to disinter or disentomb human remains from a cemetery plot or Mausoleum crypt or niche, the Cemetery Manager will direct the removal and final disposition of said human remains in the presence of a licensed funeral director. The Cemetery Manager or Cemetery staff shall not perform removal or transfer of human remains in the absence of a licensed funeral director unless under order of court.

SECTION III

Entombments or Interments and Disinterments or Removals Generally

(1) **Subject to Law** - In addition to these rules and regulations, all interments, entombments, disinterments and removals are made subject to the orders and laws of the applicable governmental authority.

(2) **Holidays** - No interments, entombments, disinterments, disentombments, removals or interments services shall be permitted on Thanksgiving, Christmas Day or Easter Sunday. Services for Saturday, Sunday, or on any legal holidays may be permitted by the Cemetery Manager upon the payment of applicable charges, provided those services do not interfere with a scheduled holiday event such as Veteran's or Memorial Day services hosted by the Cemetery.

(3) **Notice for Interment or Entombment** - The Cemetery Manager shall be notified at least twenty-four (24) hours prior to any interment or entombment and at least one (1) week prior to any disinterment or disentombment or removal, or except in case of emergency or court order. The Cemetery Manager may refuse to make an interment or entombment until a more expedient time if the remains arrive at the Cemetery gate after 3:00 p.m., or if more than one funeral arrives at the same hour. No service may continue after 4:00 p.m. unless granted by the Cemetery Manager under extenuating circumstances and applicable fees are paid.

(4) **Application for Interment or Entombment** - The Cemetery Manager reserves the right to refuse interment or entombment in any plot, niche or crypt and to refuse to open any burial or entombment space for any purpose if a written application by a qualified plot, crypt or niche owner of record is not submitted to the office of the Cemetery Manager prior to the close of normal business hours defined as Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding holidays.

(5) **Vault or Outer Box** - Every earth interment, including cremated remains, shall be enclosed in an encasement or container constructed of concrete, concrete and steel, stone or other suitable material used to encapsulate the casket, cremains or other burial container in order to maintain the shape and integrity of the plot. An outer vault or outer box provided by the funeral director shall be of a type approved by the Cemetery Manager and be installed by the Cemetery staff or a designated vault manufacturer under the supervision of the Cemetery Manager.

(6) **Location of Interment Spaces** - When instructions regarding the location of an interment space in a lot cannot be obtained, or are indefinite, or when the interment space cannot be opened where specified, the Cemetery Manager may at his discretion, open it in such location of the lot as he deems best and proper, so as not to delay the funeral.

(7) **Orders Given by Telephone** - The Cemetery Manager shall not be held responsible for any order given by telephone, or for any error resulting from imprecise or improper instructions regarding the particular space, size, location and memorialization in a lot, crypt or niche where interment or entombment is desired.

(8) Errors May be Corrected - The City of Boca Raton may correct any error made by it in making interment, disinterment, or removal, or in the description, transfer or conveyance of any interment property, by cancelling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as selected by the Cemetery Manager, or by refunding the amount of money paid on account of said purchase. If the error involves the interment of the remains of any person in a different location, the Cemetery Manager shall have the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. The Cemetery Manager shall also have the right to correct any errors made by placing an improper inscription, including an incorrect name or date, either on the memorial, marker, crypt, niche or on the container for cremated remains.

(9) Delays in Interments or Entombments Caused by Protests - The City of Boca Raton shall not be liable for any delay in the interment of a body resulting from a protest against the interment or from noncompliance with these rules and regulations. Under such circumstances, the Cemetery Manager has the right to place the body in a receiving vault until full rights have been determined. The Cemetery Manager shall be under no duty to recognize any protests of interments or entombments unless accompanied by supporting documentation, including, where applicable, a court order.

(10) Cemetery Manager Not Responsible for Permits, Embalming or Identity - The Cemetery Manager shall not be responsible for obtaining interment or entombment permits or for the identity of the person sought to be interred, or the embalming of the body.

(11) No Interment Permitted Unless Property or Space has been Paid For in Full - No interment shall be permitted on, or memorial placed in or on, any lot or plot in Boca Raton Municipal Cemetery where the purchase price thereof has not been paid in full.

(12) Interment of More Than One Body or Cremated Remains in a Standard Single Depth Plot - Not more than one body, or the remains of more than one body, shall be interred in any one plot or single crypt, except in the case of a mother and her infant, unless the plot has been purchased with the written agreement that more than one body or the remains of more than one body shall be interred therein; provided that proper identification is made of such interment or interments on one regulation marker. The space required for the interment of cremated remains shall be standard plot size, established by the Cemetery Manager; however the remains of two (2) of such cremated decedents may be interred in one standard single depth plot.

(13) Interment of Two Human Remains in a Standard Double Depth Plot - Not more than two (2) human remains shall be interred in any one double depth plot. The plot shall be purchased with the written agreement that more than one (1) human remains or the cremains of more than one (1) body shall be interred therein, but not more than (2) remains in any combination may be placed, provided that proper identification is made of such interment or interments on one regulation sized marker. The agreement shall also provide the name of the person authorized to designate the identity of the person other than the purchaser of the plot whose remains may be interred in the double depth plot.

(14) **Interment in Church or Lodge Plot** - In instances in which the burial rights are owned by a church, lodge, or other society, interments shall be limited to residents who are members of the organization, husbands and wives, and to immediate members of the families.

(15) **Interment in a Section Reserved for Cremated Remains** - The Cemetery Manager shall designate an appropriate section of the Cemetery for interment of cremated remains. Plots within this section shall be of appropriate size, and the cremated remains of only one (1) deceased person may be interred in each plot.

(16) **Interment in a Section Reserved for Infants** - The Cemetery Manager shall designate an appropriate section of the Cemetery for interment of infant remains. Plots within the reserved section shall be of appropriate size to permit the interment of one (1) infant less than one year of age.

SECTION IV

Disinterments and Removals

(1) **Larger Plot May be Obtained** - A body or cremated remains may be removed from its original lot or plot to a larger or better lot or plot, crypt or niche in the Cemetery or Mausoleum, where there has been an exchange or purchase for that purpose and where all fees and additional charges have been paid in full.

(2) **Care in Removal** The Cemetery Manager shall exercise reason-able care in making a removal, but assumes no liability for damage to any casket, burial case, vault or outer box or urn incurred in making the removal.

SECTION V

Services Charges

Payment of Services Charges - The charges for services in connection with an interment must be paid by the funeral director prior to the closing of the grave. Charges for disinterments or removal must be paid at the time of issuance of the order for same.

SECTION VI

Interments and/or Burial Rights of Owners - Cemetery Only

(1) **Right of Interment Under Owner's Certificate of Ownership or Deed** - At the time of purchase of a lot or plot, an owner shall, and at any time thereafter during the purchaser's lifetime, an owner may execute a Declaration of Reservation specifically designating the persons entitled to be buried in the plot or in any or all of the plots in a lot, or vesting the right of designation for unreserved plots in a named person.

Upon application by any person for interment of a body in a given burial space, the burden of proof as to the identity of the person to be interred rests upon the applicant. The Cemetery Manager is authorized to rely on the representations as provided in the application.

(2) **Right of Interment in Absence of Owner's Declaration of Reservation** - In the absence of a Declaration of Reservation by the registered owner of a burial space, the order of interment shall be:

(a) One burial space shall be forever reserved for the owner and for the owner's surviving spouse, if any.

(b) Lineal descendants of the owner, or owners, and their respective spouses.

(c) Parents of the owner, or owners.

(3) **Vested Rights of Owners** - The burial rights of an owner shall be presumed to be the sole and separate property of the person named as grantee in the Certificate of Ownership or Deed, provided, however, that the spouse of an owner shall have a vested right of interment of his or her body in any burial space conveyed to the other spouse, provided that such person shall remain the spouse of the owner or shall be the spouse at the time of the owner's demise. No conveyance or transfer of a lot or plot shall be made by a married owner without the joinder of the spouse.

(4) **Inalienability of Cemetery Plots** - All lots, the use of which has been conveyed in a Certificate of Ownership or Deed, are indivisible. Whenever an interment of the remains of the record owner, or of a member or a relative of a member of the family of the record owner, is made in a lot, the lot thereby becomes inalienable, and shall be held as set forth in the Declaration of Reservation.

SECTION VII

Transfers of Assignments - Cemetery Only

(1) **Cemetery lots or Plots may be Transferred and Assigned** - Provided that, upon such transfer, the City of Boca Raton shall be paid a transfer fee and the difference between

the original charge for the lot or plots and the current charge for such lots or plots. No cost differential shall be charged by the city upon a transfer to a resident of Boca Raton who is a lineal descendant or ascendant of the transferor. No Cemetery lot or plot may be transferred or assigned to any person who is not a resident of Boca Raton.

(2) **Consent of the City of Boca Raton** - No transfer or assignment of any lot or plot or interest therein shall be valid without the consent in writing of the City Manager. Transfer or assignment must be made upon forms provided by the City of Boca Raton for this purpose. The original Certificate or Deed must be presented at the time application for transfer is made.

(3) **Transfer Charges** - The approved transfer fee shall be charged for a transfer of ownership in lots or plots which shall be paid when the transfer is recorded.

(4) **City May Repurchase** - In the event the original lot owner moves his residence from Boca Raton permanently, and is not able to find a suitable buyer for his lot, the city may repurchase the lot at the original price.

SECTION VIII

Control of Work by City

(1) **Work to be Done by City of Boca Raton** - All grading, landscape work and improvements of any kind, the care of plots, lots, crypts and niches, all planting, trimming, cutting and removal of trees, shrubs and herbage, all openings and closing of plots, lots, crypts and niches, and all interments, entombments, disinterments and removals shall be performed by the City of Boca Raton or a designated contractor under the supervision of the Cemetery Manager.

(2) **The City of Boca Raton Must Direct and May Remove Improvements** - All improvements or alterations of lots, plots, crypts and niches in the Cemetery or Mausoleum shall be performed under the supervision of the Cemetery Manager; if any improvements, including landscape materials such as trees, shrubs, flowers or herbage, and alterations are made without his written consent, he may remove, alter or change the improvements or alterations at the expense of the owner. The Cemetery Manager may also remove or change any improvements or alterations, at the owner's expense, if at any time, in the Cemetery Manager's judgment, they become unsightly.

(3) **Benches** - Public convenience benches shall not be placed on any lot, plot, grave or any other location not approved by the Cemetery Manager. Plot owners or persons desiring to donate to the City for the purpose of purchasing benches for Cemetery use, must contact the Cemetery Manager for approval of a standard bench to be purchased by the City at the donor's expense. The Cemetery Manager shall determine the location of placement, and upon installation, the bench shall become the sole property of the City and may be relocated or removed at the City's discretion. The City reserves the right to limit the number of benches installed.

SECTION IX

Decoration of Cemetery Plots and Mausoleum Crypt or Niches

(1) Floral Regulations - No flower receptacles may be placed on any plot unless of approved material, size and design. Flower receptacles which are not an inclusive part of the marker design shall not be permitted. Flower receptacles placed in grass areas on the plot or surrounding the marker, are subject to damage by maintenance equipment and are therefore considered to be the sole responsibility of the plot owner. The planting of flowers, shrubs, trees, plants or herbage of any kind shall not be permitted without the expressed written consent of the Cemetery Manager. The Cemetery Manager shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind, from the Cemetery or Mausoleum as soon as, in the judgment of the Cemetery Manager, they become unsightly, dangerous, detrimental or diseased, or when they do not conform to the standard maintained. The City of Boca Raton 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 or Mausoleum. The Cemetery Manager shall not be responsible for frozen plants, or herbage of any kind, or for plantings, damages by the elements, thieves, vandals, maintenance operations or by other causes beyond his control. The Cemetery Manager reserves the right to regulate the method of decorating plots so that a uniform beauty may be maintained. The Cemetery Manager reserves the right to prevent the removal of any flowers, floral designs, trees, shrubs, plants, or herbage of any kind, unless consent is given.

(2) Certain Articles Prohibited - The placing of any articles of any kind upon plots or upon or in front of crypts and niches that are not specifically authorized under these rules and regulations shall not be permitted. The Cemetery Manager reserves the right to remove same. The placing of small articles on a headstone memorial after a sixty (60) day period from the date of burial shall be prohibited. The placing of small articles on a headstone memorial on the deceased's birthday, Mother's Day, Father's Day, the anniversary date of the deceased's death, and on national holidays may be permitted. The small articles may be permitted for a period commencing one (1) day before and ending five (5) days after such birthday, anniversary or holiday. The Cemetery Manager reserves the right to remove all articles which interfere with the maintenance of the Cemetery or Mausoleum, or interfere with the accessibility to another plot, crypt or niche in the preparation of an interment, disinterment, entombment or disentombment.

(3) Certain Flowers Prohibited in Mausoleum - No artificial flowers, except silk flowers, are permitted in or around Mausoleum buildings. Anything contained herein to the contrary notwithstanding, no flowers of any kind whatsoever, including, but not limited to, fresh flowers, artificial flowers and silk flowers, shall be permitted in the Rotunda Building and the Remembrance Chapel of the Mausoleum. No flowers can appear on front of crypts or niches unless the holder is installed by the City of Boca Raton. All remembrances (flowers) must be placed in front of or near a particular crypt or niche and fresh flowers can remain for a maximum period of three (3) days. After the third day, or in the case of silk flowers, when the Cemetery Manager determines that the flowers have become unsightly, said flowers and holder shall be removed and disposed of in a manner acceptable to the Cemetery Manager.

(4) Potted Plants Regulated in Mausoleum - No potted plants containing soil, perlite, or other loose materials are permitted in chapels or walkways in the Mausoleum except for the holidays of Easter, Mother's Day, Father's Day and Christmas; in those instances, the potted

plants shall be removed within 48 hours after the holiday or the posted holiday time frames.

(5) **City Shall Not Be Liable for Damage to Articles Placed on Grave Plots, Markers, Memorials or Monuments** - Articles placed on grave plots, markers, memorials or monuments which protrude or extend above ground level, except for approved floral containers, constitute interference to proper maintenance of plots and the City shall not be liable for damage to such articles.

SECTION X

Conduct of Persons Within the Cemetery and Mausoleum Grounds

(1) **Must Use Walks** - Persons within the Cemetery and Mausoleum grounds shall use only the avenues, walks, alleys and roads.

(2) **Persons in the Cemetery and Mausoleum** - Only authorized personnel, and visitors, owners and relatives shall be permitted on the Cemetery and Mausoleum grounds.

(3) **Children** - Children under fifteen (15) years shall not be permitted within the Cemetery or its buildings unless accompanied by an adult.

(4) **Flowers, Etc.** - All persons are prohibited from gathering flowers, either wild or cultivated, or disturbing trees, shrubbery or plants, or feeding or disturbing the wildlife, within the Cemetery or Mausoleum grounds.

(5) **Refreshments** - No person shall be permitted to bring food or refreshments within the Cemetery or Mausoleum grounds.

(6) **Lounging on Grounds** - No one shall be permitted to sit or lounge on any of the grounds, graves or monuments in the Cemetery or Mausoleum.

(7) **Littering** - Littering is expressly prohibited anywhere within the Cemetery and its buildings.

(8) **Vehicular Traffic Requirements** - No persons shall drive any motor vehicle within the Cemetery grounds at a speed greater than is reasonable in light of any activity then occurring within the Cemetery, provided that no motor vehicle shall be operated at a speed greater than ten (10) miles per hour. All motor vehicles shall be driven on the right side of the Cemetery roadway, and shall at all times remain on the paved portions of such roadways which are specifically provided for motor vehicle usage. No motor vehicles shall be parked or driven on or upon any pedestrian paths, walkways, or unpaved areas, nor parked or stopped adjacent to any open grave except in attendance for the services in connection therewith.

(9) **Bicycles and Motorcycles** - No bicycles or motorcycles shall be admitted to

the Cemetery except such as may be in attendance at funerals or on official business.

(10) **Skates and Skateboards** - No roller skates, inline skates or skateboards shall be admitted to the Cemetery.

(11) **Peddling or Soliciting** - Peddling of flowers or plants or soliciting the sale of any item is prohibited within the boundaries of the Cemetery.

(12) **Firearms** - Possession of firearms is prohibited within the Cemetery except by duly authorized law enforcement agencies.

(13) **Notices and Advertisements** - No signs, notices or advertisements of any kind shall be allowed in the Cemetery unless placed by the City of Boca Raton.

(14) **Pets** - Pets shall not be allowed on the Cemetery grounds except in the case of service animals used to assist disabled patrons or visitors.

(15) **Time Grounds Open** - The Cemetery grounds shall be open during normal daylight hours.

(16) **Decorum** - Strict decorum shall be observed at all times within the Cemetery grounds, whether set forth in these rules or not.

(17) **Cemetery Manager to Enforce Rules** - The Cemetery Manager shall enforce these rules and regulations, and may exclude from the Boca Raton Cemetery and Mausoleum any person whose actions are not in compliance with the rules and regulations. The Cemetery Manager shall be in charge of the grounds and buildings, including the conduct of funerals, traffic, employees, plot owners and visitors, and shall supervise and control all operations of the Cemetery or Mausoleum.

SECTION XI

Fees, Gratuities and Commissions

Gratuities Not To Be Accepted by Employees - No person, while employed by the City of Boca Raton shall receive any fee, gratuity or commission, except from the City of Boca Raton, either directly or indirectly.

SECTION XII

Protection Against Loss

The City shall take reasonable precaution to protect owners and the burial rights of owners within the Cemetery or Mausoleum from loss or damage; but it expressly disclaims all liability for any loss or damage from causes beyond its control, damages caused by the weather, an act of God, common enemy, thieves, vandals, strikers, intentional malicious action, explosions, invasions, insurrections, riots, civil disturbances, or order of any military, civil or judicial authority.

SECTION XIII

Change in Address of Plot Owners

It shall be the duty of the lot or plot owner to notify the Cemetery Manager of any change in his post office or current mailing address. Notice sent to a lot or plot owner at the last known address on file in the office of the Cemetery Manager shall be deemed sufficient legal notice.

SECTION XIV

Memorials, Monuments and Markers

(1) **Approval by Cemetery Manager Required** - The placement, location, erection and construction of all memorials, monuments, and markers within the cemetery grounds shall be done subject to the approval and under the supervision of the Cemetery Manager. The Cemetery Manager shall approve the format for mausoleum crypt plates or face inscriptions and limit the number and style of designs allowed and their dimensions in order to maintain the established standard. No variations or alterations will be permitted without written permission from the Cemetery Manager. Whenever possible, all new memorials shall be located in line with those previously established, and all placements shall conform to the size of the plot or lot for which it is intended.

(2) **Restrictions on Above Ground Memorials and Monuments** - No memorials, monuments, or enclosures shall be permitted above ground in any section of the Cemetery grounds except in Section "A". Stone or bronze markers are allowed in all other sections provided that they are level with the ground surface.

(3) **Foundations Required** - A foundation of suitable size and material must be placed, when necessary, for a memorial or markers at the time of installation by the company furnishing the memorial or marker.

(4) **Limited Liability on Markers and Memorials** - Due to the necessity of

continuous maintenance and control of the Cemetery grounds, it is understood that unavoidable damage may occur to the borders and edges of memorials and markers. The City shall not be held liable for such damages except for the defacing or obliteration of names, dates, or engraved emblems on the face of the markers or memorials.

(5) **Sales and Service Charges Must Be Paid** - All installation charges, inspection and placement fees, marker sales charges and other fees or charges applied by the City to memorials, monuments, or markers must be paid in full prior installation.

SECTION XV

Purchase of Plot Sites

(1) **Reservation Unto City Residents** - The existing plot sites in the Boca Raton Municipal Cemetery remaining unsold are hereby reserved for purchase only by the residents of the City of Boca Raton, Florida.

(2) **Plot Site Charges** - The charge for plot sites in the Boca Raton Municipal Cemetery shall be set by ordinance of the City of Boca Raton and included in the Code of Ordinances.

(3) **Veterans Plot Sites** - In a reserved area of the Cemetery designated for such purpose, and to the extent that such space is available, all honorably discharged service men and women of the armed forces of the United States of America who were residents of the City of Boca Raton at the time of their death, shall be permitted to be interred in the Boca Raton Municipal Cemetery at a reduced plot site charge as set forth by ordinance of the City of Boca Raton and included in the Code of Ordinances. This fee may be paid to the City of Boca Raton by the funeral director or the family of the deceased.

In each case, the plot site to be used for interment shall be selected by the Cemetery Manager and the specific location of a veteran's plot site cannot be reserved. Any veterans preferring burial in a family lot outside the reserved area will be charged the standard plot price.

(4) **Indigence** - Any resident of the City of Boca Raton who is declared indigent at the time of his or her death shall be interred in a burial plot to be designated by the Cemetery Manager.

SECTION XVI

General Provisions

(1) **Exceptions And Modifications** - Special cases may arise for which the literal enforcement of any rule may impose unnecessary hardship. The Cemetery Manager, after consultation with the Recreation Services Department Director, reserves the right to make temporary exceptions, suspensions and modification of any rule or regulation, when in the

Cemetery Manager's discretion such modification seems advisable. Such temporary exceptions, suspensions and modifications shall in no way be construed as effecting the general enforcement of these rules and regulations nor as eliminating the authority of the City Council in approving or disapproving all permanent changes in rules or policies of the Cemetery/Mausoleum.

q:mis/CR&R

Resolution No. 158-96, adopted 8/27/96

Resolution No. 119-96, adopted 07/23/96

Resolution No. 182-88, adopted 09/13/88

Resolution No. 185-82, adopted 11/09/82

