

SCHEDULE B

RULES AND REGULATIONS of the BROOKSVILLE CEMETERIES

CITATIONS

The following rules and regulations applicable to the operation and management of the Brooksville Cemeteries are hereby enacted pursuant to the provision of Chapter 18 of the Codes of the City of Brooksville and Resolution No. 2014-09, adopted by the City Council in regular session on June 16, 2014.

These rules and regulations as herein enumerated are intended to supplement the provisions of Chapter 18 of the Codes of the City of Brooksville, and should there now or ever be any conflict with any provisions contained therein, then the codes of the City of Brooksville shall prevail.

DEFINITIONS

The term “*Cemeteries*” means the Brooksville Cemeteries, owned and operated by the City of Brooksville, and/or the Cemetery Management and its personnel.

The term “*burial*” or “*interment*” means the permanent disposition of the remains of a deceased person by earth burial or mausoleum/crypt entombment.

The term “*burial space*” or “*grave*” is used interchangeably and means a single space within a platted lot designed for the interment of one body or cremated remains.

The term “*lot*” means a platted lot within the cemetery and may consist of more than one burial space.

The term “*lot owner*” means any person who has purchased the right to use a lot or grave space for burial purposes only, or the heirs, personal representatives or successors of such owners.

The term “*memorial*” is used to designate a monument, marker, tablet, headstone or footstone for a family or individual.

The term “*headstone*” means a memorial placed at the head of a grave site.

The term “*footstone*” means a memorial placed at the foot of a grave site.

The term “*Green burial*” means a person can only be buried in a biodegradable container or shroud.

LOT DECORATIONS AND IMPROVEMENTS

1. Artificial, natural or fresh cut flowers will be permitted at any time. The pots, baskets or vases containing such plants must be placed in close proximity to the front or side of the headstone so they do not interfere with the mowers. Flowers will be removed when they become withered, faded or otherwise unsightly.
2. Flower beds of spring bulbs or summer annuals planted immediately to the front of or between headstones are permitted with the permission of the Cemetery. Plantings must be cared for by the lot owner. Should a flower bed become unkept or interfere with the care of burial lots, the Cemetery reserves the right to trim or cut such plantings.
3. Except in the green burial areas, trees, bushes, shrubs, etc., cannot be planted on graves. If any existing tree, bush or shrub situated in any lot shall become detrimental to the adjacent lots or walkways, the Cemetery will be forced to remove or trim said trees or shrubs.
4. In order to maintain the attractiveness of the cemetery and to prevent unsightly clutter, grave decorations must consist only of approved materials such as flower baskets, unbreakable flower pots or vases, wreaths and in-ground plantings where allowed. Toys, shells, crushed rock, decorative stones, and similar articles cannot be placed on lots.

5. Fencing, hedging, trellises, and other borders or enclosures cannot be installed around lots so that unobstructed maintenance can be performed. Coping will be allowed in certain areas of the older sections of the cemetery but must be mounted flush with the soil surface.
6. No lot in the cemetery may be raised above the established grade without prior permission of the Cemetery Sexton.
7. Any decorations placed on a lot which do not conform to the Cemetery's policies will be removed in order to maintain the necessary standards of appearance set forth in this regulation.
8. The Cemetery cannot be held responsible for loss or damage from causes beyond its reasonable control and, especially, due to thieves, vandals, explosions, unavoidable accidents or acts of God.

INTERMENT PROCEDURES

1. Interments, entombments and inurments will be made only after obtaining approval of the Cemetery. The person arranging for burial must have the right to use of such lot.
2. An interment is not permitted on any burial space unless either said space has been paid in full or satisfactory documentation for payment in full has been made subject to approval of the Cemetery.
3. Only one (1) interments, or six (6) cremated remains shall be placed in a single grave. The Cemetery, at its option, may permit the secondary interment of the cremated remains of a spouse or immediate family relative in an adult lot, used or to be used for a regular burial, on the following conditions:
 - A. Any memorialization for the grave must be by way of a single memorial in the size approved for the section;
 - B. The appropriate charges for the secondary burial must be paid at the time of such burial.
4. In the green burial sections of the Cemetery only, the configuration of burials may be as follows:
 - A. Two full bodies, or two biodegradable cremation urns, (one centered in right half, one centered on the left half of the lot). **OR,**
 - B. One full body and one biodegradable cremation urn on each half of the lot. (Cremation at foot location). And one biodegradable cremation urn at the head, middle, and foot locations on the east / west axis line in the center of the 10' lot. **OR,**
 - C. One full body in the center of the 10'X10' lot, and up to seven biodegradable cremation urns interred in any combination as follows; one at the foot of the full body and three on either side of the full body, at head, middle, and foot positions. **OR,**
 - D. Up to nine biodegradable cremation urns. (One at head, middle, and foot of each half lot, and one biodegradable cremation urn at head, middle, and foot locations on the east / west axis line in the center of the 10'lot).
5. In the green burial sections of the Cemetery, cremated remains must be placed in a biodegradable container. In all other areas of the Cemetery, cremated remains must be placed in a permanent container of non-biodegradable material to allow for future probing.
6. The Cemetery cannot be held responsible for any order authorizing an interment given by telephone, nor for any mistake occurring because of inaccurate instructions.
7. The burial-transit permit required in all cases by the State Department of Health must accompany the remains to the cemetery. The Cemetery cannot be liable for the burial permit or responsible for the accuracy of the date contained in said permit, or for the identity of the person to be interred or entombed.
8. Flower arrangements may remain on the grave until they become withered, faded or otherwise unsightly.
9. A temporary grave marker is used to mark the grave following interment but may not remain on the lot for longer than one year from date of burial.
10. No disinterment or removal shall be allowed except with the permission of the Cemetery.

11. The vault company and/or contractor (grave digger) must remove all dirt from adjacent grave markers, monuments, etc., as he completes closing of grave sites. Surplus dirt will be hauled to a spoil site as designated by the cemetery and the graves left in as good a condition as found by these parties.
12. Contractors and workmen engaged within the cemetery on any class of work whatsoever will be held responsible for damage done by them to any cemetery property.

MEMORIALS

1. Grave spaces must be paid in full before installation of a memorial or marker.
2. Persons installing memorials must obtain permission and pay the necessary fees to the Cemetery prior to installation. The location and position in which a memorial is to be placed on a lot shall be entirely as directed by the Cemetery.
3. With the exception of funeral home temporary markers, memorials of cement, artificial stone, wood, tin or iron are prohibited. Only bronze, marble or granite memorials shall be allowed.
4. Footstones, slabs and corner posts must be set flush with the soil surface and not extend above the level of the ground so as to enable mowers with a half-inch cut to clear such.

GENERAL POLICIES

1. It is the responsibility of the lot owner to notify the Cemetery of any change in his or her address. Notice sent to a lot owner at the last address on file in the Cemetery office will be considered sufficient and proper legal notification.
2. The sale or transfer of a lot to another individual will not be recognized unless such transfer is first recorded by the Cemetery. This procedure is required in order that the Cemetery may have a complete and accurate record of all owners. If the lot owner desires, the Cemetery will refund the original purchase price of the lot, less the current transfer fee, providing no interments have taken place on said lot.
3. Lots may be purchased in advance of need with a small down payment and a maximum of 24 months to pay the balance, as per a written purchase agreement that will outline the terms of purchase and the rights of the purchaser and the Cemetery in case of default.
4. For the convenience of lot owners, and the general public, the cemetery gates will be open from sunrise to sunset 7 days a week. Cemetery personnel may not be on duty on weekends even though the cemetery is open to visitors. If information or assistance is needed, the cemetery office should be contacted during the hours of 8:00 a.m to 4:00 p.m. Monday through Friday, excluding holidays.
5. All work of any description should cease while a funeral or interment is being conducted nearby. Trucks and workmen must withdraw to a reasonable distance from the location of the funeral service.
6. A speed limit of 10 miles per hour within the grounds of the Cemetery must be observed to insure the safety of visitors and workmen. Every person driving a vehicle within the Cemetery will be held responsible for any damage caused by such vehicle.
7. All employees of any outside firm, who are working in any capacity within the Cemetery, whether as stone cutters or erecting memorials, making plantings, etc., will be subject to the direction and supervision of the Cemetery insofar as it may be necessary to cause them to comply with the rules and regulations of the Brooksville Cemetery.
8. With the exception of service animals, no pets of any kind are allowed on the Cemetery grounds.
9. The Cemetery reserves the perpetual right of ingress and egress over all lots when necessary.
10. The lot owner's Certificate of Ownership (Deed for Interment Rights) and the rules and regulations now in effect, or which may hereafter be adopted, shall be the sole agreement by and between the Cemetery and the lot owner. The reference to these rules and regulations in the Certificate of Ownership to a lot or burial space shall have the same force and effect as if these rules and regulations were set forth therein.

11. A "Family Member" is an individual with any of the following relationships to those interred/inurned within the Historical designated section(s) of the Brooksville Cemetery will be considered a family member for purposes of additional burial sale/deed within the Historical designated section(s) of the Brooksville Cemetery: Such required family relationship does not apply to any/all current deed holders; nor would this requirements limit or affect the use or exercising of burial interment rights of current deed holders or their heirs.

Proper documentation of family relation should be provided to the Cemetery Sexton at the time request is made for burial within a Historical designated section of the Brooksville Cemetery. Determination of "family member" eligibility will be made by the Cemetery Sexton or designee. An appeal of this determination can be made to the City of Brooksville's City Manager, whose determination will be final.

A family member is:

- A. Spouse, and parents thereof;
- B. Sons and daughters, and spouses thereof;
- C. Parents, and spouses thereof;
- D. Brothers and sisters, and spouses thereof;
- E. Grandparents and grandchildren, and spouses thereof; and
- F. Any individual related by blood or affinity whose close association with the interred/inurned is the equivalent of a family relationship.

FURTHER CLARIFICATION OF FAMILY RELATIONSHIP

Parent

- A. A biological, adoptive, step, or foster parent of the interred/inurned within the historical area of the Brooksville Cemetery, or a person who was a foster parent of the interred/inurned within the historical area of the Brooksville Cemetery when the interred/inurned was a minor;
- B. A person who is the legal guardian of the interred/inurned within the historical area of the Brooksville Cemetery or was the legal guardian of the interred/inurned within the historical area of the Brooksville Cemetery when the interred/inurned was a minor or required a legal guardian; or
- C. A person who stands in loco parentis to the interred/inurned within the historical area of the Brooksville Cemetery or stood in loco parentis to the interred/inurned within the historical area of the Brooksville Cemetery when the interred/inurned was a minor or required someone to stand in loco parentis.

Son or Daughter

- A. A biological, adopted, step, or foster son or daughter of the interred/inurned;
- B. A person who is a legal ward or was a legal ward of the interred/inurned when that individual was a minor or required a legal guardian; or
- C. A person for whom the interred/inurned stands in loco parentis or stood in loco parentis when that individual was a minor or required someone to stand in loco parentis.

Brothers, Sisters or Grandparents

A biological, adoptive, step, or foster brother, sister or grandparent of the interred/inurned, or a person who was a foster brother, sister or grandparent of the interred/inurned when that individual was a minor.

12. To determine if an individual is a city resident to obtain the city residents pricing, they must provide two of the following documents as proof of residency/address with the final determination being made by the Cemetery Sexton or their designee. An appeal of this determination can be made to the City of Brooksville's City Manager. Subsequent appeals can be heard by City Council whose determination will be final.

- Driver's license or government issued ID issued in past six months
- Utility bill (gas/electric./cable), bank statement, or letter from a government agency that has your name and home address (not a P.O. Box)
- Letter, lease, rent receipt with home address from landlord/property owner
- Property tax records or mortgage statement
- Other acceptable ID with City address determined by Cemetery Sexton or their designee

The foregoing rules and regulations are hereby approved and adopted by administrative directive, as per Chapter 18 of the Brooksville Code, as the rules and regulation for the BROOKSVILLE CEMETERIES on this 16th day of June, 2014.