

**RULES AND REGULATIONS FOR MUNICIPAL CEMETERIES  
OPERATED BY THE CONSOLIDATED PUBLIC WORKS BOARD OF THE  
CITY OF BUCKHANNON**

The Consolidated Public Works Board of the City of Buckhannon does hereby adopt and enact the following rules and regulations to govern the operation of all municipal cemeteries owned by the City of Buckhannon and operated by the Consolidated Public Works Board of the City of Buckhannon.

**INTERMENT RIGHTS**

1. Effective with the adoption of these rules and regulations, interment rights only, rather than title to lots, shall be sold in all cemeteries and title to the lots shall remain vested in the City of Buckhannon.
2. Persons who reside inside and outside of the corporate limits of the City of Buckhannon may acquire interment rights in any cemetery. Preference, however, shall be given to bona-fide residents of the City of Buckhannon.
3. No person shall be denied the right to purchase interment rights due to race, religion, or creed.
4. Only interment rights for human dead shall be sold, and it shall be improper and not allowed to bury other than human dead in any cemetery.

**DEEDS**

5. All deeds for interment rights shall specify that the conveyance is subject to such rules and regulations as have been adopted by the Consolidated Public Works Board of the City of Buckhannon, or as may be adopted by the Consolidated Public Works Board of the City of Buckhannon at any time in the future.
6. All deeds for interment rights shall specify that the interment rights shall not be resold to any person without first offering the interment rights for sale to the Consolidated Public Works Board of the City of Buckhannon at the price that the grantee paid to the City of Buckhannon. All ownership documentation will be the responsibility of the person offering the interment rights for sale.
7. It is the policy of the Consolidated Public Works Board to prohibit speculation in the buying and selling of interment rights in cemeteries. Therefore, the Board reserves the right to refuse to sell interment rights in cemeteries in excess of what may be required for the use of the purchaser and their family.

## BURIALS AND MARKERS

8. No more than one casket or two urns shall be buried upon any cemetery lot space.
  - 8.a. Permit single or side-by-side crypt in Old Heavner Cemetery
  - 8.b. Permit two infant graves and one cremation on single grave space.
  - 8.c. Permit no more than two cremations on any one grave space.
  - 8.d. Permit ashes sprinkled on family lots as long as no federal or state laws are violated.
9. Except in designated areas, if there are less than four grave spaces owned, there shall be no above ground monument placed.
10. In the event the owner of said lot is deceased, or otherwise not available, written permission from a relative or otherwise authorized person must be given to the City that shall contain an agreement saving the City harmless from any liability in connection with the burial.
11. Grave openings shall be made only by employees of the City of Buckhannon.
12. All monuments in the cemeteries shall be placed only with the permission of and under the supervision of the City of Buckhannon. Monuments may be placed above ground in the Baptist Cemetery, the Heavner Cemetery, and the Second Addition to the Heavner Cemetery. All other monuments shall be placed flush with the ground in the other cemeteries. No corner stone or foot marker shall extend above the ground.
13. Applications for placing of monuments must be made to the Consolidated Public Works Board of the City of Buckhannon in writing at least three days prior to the date on which the applicant desires to place the monument.
14. All monuments that stand above the ground or monuments sometimes referred to as "upright monuments" shall have a minimum of 24 inches of concrete poured under the base of monument.
15. All markers shall have a minimum of 18 inches of concrete except those markers referred to as "grass markers," and these markers shall have a footer of 18 inches in depth with 13 inches of concrete and approximately 1 inch of sand placed between concrete and marker.
16. Corner stones or lot markers shall have at least 4 inches of concrete under the marker and shall not be placed above ground.
17. Footers shall not exceed 24 inches in width to allow for burial of vaults on lot spaces.
18. All concrete shall be left to dry for at least 48 hours before placement of monument of marker. This will be supervised by superintendent of cemetery and will be strictly enforced. Anyone not obeying these rules may be forced to dig up the old footer and replace with a new footer.
19. In areas of the Second Addition Heavner Cemetery designated, allowing upright monuments on two (2) space lots, the base shall be no larger than four (4) feet and centered on the lot. (These are located in Section B, Lots 37R to 60R of the Second Addition Heavner Cemetery.)

## OPERATION OF CEMETERY

- 20.** Only approved markers or monuments that are referred to under the Burials and Markers section of these rules with the exception of the following. Cut flowers or other decorations may be placed upon graves; however, holders containing flowers or other decorations will be removed as soon as flowers fade or wither or in the event that the same may interfere with maintenance of the cemeteries, which will be conducted on the first week of the month during mowing season. The Consolidated Public Works Board of the City shall not be liable for any holders of flowers or other decorations placed upon graves, and the Consolidated Public Works Board shall have the right to dispose of all holders or flowers or decorations at any time.
- 21.** Maintenance of cemeteries shall be the responsibility of the Consolidated Public Works Board of the City of Buckhannon, and no person shall do anything in the cemeteries which in anyway interferes with the maintenance of the cemeteries by the Consolidated Public Works Board of the City of Buckhannon.
- 22.** All cemeteries shall be opened and closed at such hours as may be designated by the Consolidated Public Works Board of the City of Buckhannon, and no person shall enter the cemeteries without permission of the Board except during hours designated by the Board. Until otherwise specified by the Board, all cemeteries shall be open to the public from 8:00 a.m. to 6:00 p.m. From November 1 through April 30, and from 8:00 a.m. to 9:00 p.m. from May 1 through October 31.

## FEES

- 23.** The Consolidated Public Works Board of the City of Buckhannon shall maintain fees for services rendered in connection with the operation of cemeteries. Until otherwise changed, these fees shall be as follows.
- A.** Purchase of cemetery spaces shall be \$500.00 each.
  - B.** Grave openings and closings:
    - A charge of \$400.00 shall be made for openings and closings from Monday through Friday, and a grave opening and closing charge of \$600.00 shall be made for weekends or holidays. (A list of holidays may be obtained at City Hall.)
    - A charge for opening and closing of an infant grave (infant to one year old) from Monday through Friday shall be \$150.00 and a charge of \$200.00 on weekends and holidays.
    - A charge for openings and closing for cremations or a limb shall be \$75.00 from Monday through Friday and a charge of \$100.00 shall be made for weekends or holidays.
  - C.** A charge of \$20.00 shall be made for supervision of proper placement of lot markers and foot and head stones. This fee covers the cost of locating and surveying the lot and its' corners. The permit will enable the

purchaser (after meeting with the cemetery representative) to set any number of markers on the aforementioned lot for a period of thirty (30) days. The permit must be presented, when asked for, any time work is being done on the lot. After the 30 days, a new permit will be needed for any additional settings. This permit should be obtained by the person responsible for placement of marker.

**D.** All fees shall be paid at the time the application is made for the services desired.

24. The Consolidated Public Works Board reserves the right to amend, change and add to these rules and regulations without notice to any lot owner or owners of internment rights.

**Notes:**

A rate increase was recommended by the Cemetery Board of the City of Buckhannon at a regular meeting held on February 28, 1991, and approved by City Council of the City of Buckhannon at a regular meeting held on March 7, 1991.

A rate increase was recommended by the Consolidated Public Works Board of the City of Buckhannon at a regular meeting held on January 26, 1995, and approved by City Council of the City of Buckhannon at a regular meeting held on February 2, 1995. Rate increase effective July 1, 1995.

A rate increase was recommended by the Consolidated Public Works Board and approved by City Council effective January 1, 2006. Ordinance No. 319.

Section 19 was amended from a maximum 3 feet base to 4 feet base 4/24/2008.