

CITY OF HOMER

# HICKERSON MEMORIAL CEMETERY

## POLICIES AND GUIDELINES

Adopted April 23, 2018  
Resolution 18-042



City of Homer

491 E. Pioneer Avenue

Homer, AK 99603



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## **Cemetery Management and General Provisions**

1. The Hickerson Memorial Cemetery is owned by the City of Homer.
2. The City Manager or their designee shall manage the Hickerson Memorial Cemetery.
3. Hickerson Memorial Cemetery will remain open at all times to pedestrian visitors.
3. The Homer City Council reserves the right to amend the rules and regulations.

## Definitions

Administrator – the person who administers the cemetery records and cemetery policy.

Block – An area consisting of one or more cemetery plots.

Burial Transit Permit – The Burial Transit Permit is issued by the Alaska Bureau of Vital Statistics and must accompany the dead body, fetus, or cremains until its final disposition. The permit must be endorsed and retained permanently in the City's files.

Cemetery Office – The office for cemetery records and Administration. The Cemetery Office located in the Homer Clerk's Office at 491 E. Pioneer Avenue, Homer, Alaska. Phone 907-235-3130.

Columbarium – A structure containing niches for the interment of cremated remains.

Columbarium Niche – A recessed compartment in a columbarium, designed to hold urns.

Contractor - The funeral home, licensed by the State of Alaska that provides services in the Hickerson Memorial Cemetery.

Cremains – The cremated remains of a deceased person.

Cremains Plot- A plot two feet by two feet to be used for interment of one human's cremains.

Disinterment – The legal removal of a deceased person's remains from an interment site. A permit by the State of Alaska Department of Vital Statistics is required.

Hickerson Memorial Cemetery – A cemetery for interment of human remains.

Interment – The burial of the remains of a deceased person and/or the placing of an urn in the Columbarium wall.

Interment lot, plot, space, or site – A specific location in the cemetery designated as being used or to be used for the interment of human remains.

Internment/Reservation Application Permit- A valid city permit allowing the interment of a deceased person in the Hickerson Memorial Cemetery or reservation of an interment lot(s) in the cemetery.

## Definitions - continued

Lot Marker – A marker used by cemetery personnel to locate corners of a lot.

Maintenance Office – The office for maintenance of the cemetery grounds. Public Works Department is located at 3250 Heath Street, Homer, Alaska. Phone 907-235-3170

Memorial - A marker, monument, or headstone placed on an interment plot to identify or in memory of the interred.

Reservation holder – Any person holding a valid reservation for an interment site for future interment, with all reservation fees paid in advance.

## Interment Spaces (other than Columbarium)

1. The City Clerk shall assign and sell plots upon request and shall preserve the interment records for the City.
2. Only human remains are permitted to be buried in the Hickerson Memorial Cemetery.
3. Reservation of an interment space in the cemetery may be made by applying to the City Clerk, being assigned a plot or plots by the purchase of same. It is prohibited for the purchaser of said plots to re-sell or assign the plots except to the City, unless legal assignment is passed to another individual through inheritance. Hickerson Memorial Cemetery maps are available from the City.
4. The reservation of a plot conveys the right to use the plot for interment purposes and not ownership of such real property. Reservations shall include a 30-year sunset clause, requiring renewal at no fee to the permit holder. At the expiration of 30 years, if an interment has not taken place, the plot returns to the City if the permit holder fails to renew or the City cannot locate the permit holder. Any marker left on the plot will be removed and disposed of as the City in its sole discretion deems appropriate.
5. One casket and up to two cremains may be interred in a standard plot. Up to three cremains may be interred in a standard plot when there has been no casket interment on the site. Two caskets may be interred in a standard plot, the second casket being placed on top of the first casket. Only one person's cremains may be interred in a cremains plot.
6. Interments in the Cemetery will only occur in geo-referenced plots according to an overall Hickerson Memorial Cemetery GIS plan. Plots shall be platted in five-foot (5') by ten-foot (10') plots and cremains plots shall be platted in two-foot (2') by two-foot (2') plots.
7. Family plot sections are permitted to install one family monument in addition to the markers on the individual plots and must be placed within the boundaries of the combined plots.

8. A plot reservation may be transferred to another person if requested in writing by the permit holder and approved by the City Manager. If the plot is surrendered, 75 percent of the reservation fee paid for the plot shall be refunded to the reservation permittee listed in the Cemetery interment records as determined by the City Manager.

9. Interment sites may be reserved on a first come, first served basis by any person for himself or family members to a maximum of ten interment sites. In order to encourage family interment plot use and to discourage institutional speculation, funeral homes, and other similar corporate or business entities are excluded from acquiring interment sites, except for a specific, immediate interment.

## Interments and Disinterments

1. The City Clerk shall be provided with all required state interment and transit permits before interment will be permitted. The City must be notified a minimum of 72 hours in advance of the time of interment and all fees must be paid prior to interment.
2. Interment or disinterment shall be made in compliance with all state and city laws and regulations. Any interment workers used to excavate, fill, or modify an interment site must be approved by the Contractor.
3. All openings, closings, plot preparation, interments, disinterment, marker placement and removals shall be overseen by the City and under the supervision of the City Manager or their designated representative. Openings, closings, and disinterment shall not be allowed without the required State of Alaska disinterment permit(s). No modification or adjustment may be made to monuments or markers without written approval of the City.
4. The ceremonial participation by family members or friends in the excavation or backfilling of an interment site is permitted upon approval by the Contractor.
5. It is the intention of the City to accommodate the interment of deceased individuals in a timely manner. However, the physical condition of the Cemetery (snow, weather, frozen soil, saturated ground and other reasons) may make timely interment difficult. The City reserves the right to delay interment if necessary for the maintenance of the Cemetery grounds.
6. No disinterment shall occur without prior receipt by the City of a duly executed Court Order for such disinterment, which is issued in a district court for the State of Alaska, or the issuance of a State of Alaska disinterment permit.
7. The Contractor licensed by the State of Alaska must be present at all disinterment.

## Columbarium

1. Interment. Only human cremated remains in an urn may be placed in a columbarium niche. A separate interment application shall be required for each urn to be interred. A maximum of two urns may be placed in a columbarium niche.
  
2. Opening/Closing. The initial opening and closing of the niche is included in the cost of the niche. If it is necessary to reopen a niche at a later date, for interment of a second or subsequent urn or other reasons, an additional fee will be incurred. The City Manager, City Clerk or a specific designee are the only personnel permitted to authorize opening, closing and documentation of such.
  
3. Decorations.
  - a. Natural fresh flower arrangements are permitted at the columbarium during the summer months between May 1 and September 30th. Plastic or silk flowers shall be discouraged at the Hickerson Memorial Cemetery. The City reserves the right, on the first day of each month, to remove flower arrangements.
  - b. Glass or ceramic containers are not allowed in the columbarium area.
  - c. No arrangements, flags, or decals, etc. shall be taped, wired, glued or pasted to a niche plaque or front.
  - d. All unsightly arrangements shall be removed at the discretion of City personnel.
  - e. Potted plants may be placed at the base of the columbarium in front of the niche space of a friend or loved one on holidays, birthdays, anniversaries or dates of death. Such decorations are subject to removal under section (a) above.
  
4. Purchase. The cost of the niche shall include the niche itself, one opening and closing, and perpetual care. A single niche shall also include a granite niche plaque with appropriate lettering. Reservations shall include a 30-year sunset clause, requiring renewal at no fee to the permit holder. At the expiration of 30 years, if an interment has not taken place, the niche returns to the City if the permit holder fails to renew or the City cannot locate the niche permit holder.
  
5. Refund. The niche may not be transferred to any other person other than a family member upon the approval of the City Manager. If the niche is unused and surrendered, 75

percent of the fee shall be refunded to the niche permittee listed in the Cemetery interment records, or as determined by the City Manager.

6. Right to remove urns, niche plaques, and cremains. In the event repairs, natural disasters or other events require maintenance to the columbarium, the City retains the right, in its sole discretion, to remove urn(s) and niche plaques, or to relocate all or any part of the cremains, as it deems necessary. The City will make every attempt to contact the permittee or the responsible party should such action become necessary.

7. Personal property. The City is not responsible for any items placed or left on or around any interment. Any items placed or left on or around any interment that does not qualify as a decoration under subsection 3 above, shall be deemed abandoned property and may be removed and disposed of as the City deems appropriate.

## Records

1. The City shall keep records of all interments and disinterment in the Hickerson Memorial Cemetery and Columbarium wall. The records shall include a register for each plot containing an alphabetical index of the names of the persons interred or disinterred from the plot and other vital information. Information will include the deceased's place and date of birth, date of death, date of interment or disinterment and interment site location as may be available. An official map of the Hickerson Memorial Cemetery shall be maintained by the City so that the exact place of interment or disinterment by section and plot can be ascertained.

2. Upon the death of a reservation holder of a site (interment site or columbarium niche), the heirs or assigns of the deceased shall file satisfactory proof with the City of their heir status for the purpose of establishing the new permit holder on the records of the City. In the event an apparent heir may have the desire to use or assign a family site prior to the settlement of the estate of the deceased, the executor or personal representative of the original reservation holder will become the reservation holder.

## Maintenance and Landscape Regulations

1. The City of Homer reserves the right at any time to enlarge, reduce, re-plat or change the boundaries of the Cemetery or any part thereof; to modify, change location, move or regrade roads, drives, walks or any part thereof; to lay, maintain, operate, alter or change pipelines, gutters, sprinkler systems or drainage; and to relocate interment sites or allow disinterment upon proper legal authority. The City reserves for itself the perpetual right of ingress and egress over all plots for the purpose of maintenance, operations or any emergency work necessary to the operation of the Cemetery.
  
2. The City of Homer reserves the right to move the remains in any interment sites which are located in the Cemetery when and if such sites are in imminent danger of destruction by natural elements. The City shall make every attempt to notify relatives of the deceased whose interment sites are in danger if such relatives can be identified on the City's records.
  
3. The City of Homer is responsible for the maintenance of the Hickerson Memorial Cemetery and shall be administered by the Public Works Department.
  
4. The City of Homer shall take reasonable precaution to protect all interment markers within the Hickerson Memorial Cemetery from loss or damage yet expressly disclaims any responsibility for loss or damage from causes beyond reasonable precautions. Damages incurred directly or collaterally and caused by or resulting from thieves, vandals, malicious mischief, or unavoidable accidents shall be excluded from the City of Homer's responsibilities. Severely damaged markers must be repaired or replaced at the expense of the family, the permit holder, or the responsible party.
  
5. Planting of trees, shrubbery, plants or turf within the Hickerson Memorial Cemetery shall be with the written consent of the City Manager or his designated representative. Failure to get prior authorization may result in removal of plant material.
  
6. The City will maintain a one lane driveway in winter as conditions allow. The City or the Contractor will clear the path to the interment site as conditions allow when a winter funeral is scheduled.

7. The City shall maintain Cemetery grounds at reasonable intervals, as well as raking, cleaning, grading and landscaping.
  
8. All grading of lots shall be done by City personnel. No person shall do any grading causing the surface of the ground to be raised above the existing height of the surrounding area. Only City approved personnel shall discharge any chemical or organic fertilizer, herbicide or other substance on any lot.
  
9. The Contractor will provide, place, and remove greens, decorations or seating used for an interment and must provide necessary lowering devices.
  
10. No work utilizing any type of power tools shall be done during an interment service. No work of any kind may be performed within 200 feet of an ongoing interment service.
  
11. No person shall perform any work in the Cemetery in such a manner as to interfere with the walks, decorations, or general arrangement of the Cemetery, except through the written permission of the City Manager and under his/her supervision.
  
12. Preparation of interment sites shall be the responsibility of the Contractor.

## Plants and Decorations

1. Family members may place natural flowers on interment sites immediately adjacent to the marker for any holiday, birthday, and date of death or anniversary.
2. The City reserves the right, on the first day of each month, to remove all decorative items from interment plots and dispose of them. The City is not liable for damages caused to, or the disappearance of flowers, plants or shrubs and assumes no responsibility for their return. Items disposed by the City will not be recoverable.
3. Any decoration placed by any individual is the responsibility of that individual. The City does not guarantee that any items placed on any interment site or columbarium niche will be protected in any way from the elements, thieves, or vandals. All items placed are at the risk of the individual and subject to disposal on the first day of each month.
4. When a holiday (such as Memorial Day) occurs at the end of the month, the flowers placed for that holiday will not be removed until the first day of the second subsequent month (July 1st for Memorial Day). Likewise, if an interment takes place at the end of a particular month, the city will make every effort to leave flowers until the first day of the second subsequent month.
5. Live plants, freshly cut flowers, wreaths, or flower baskets may remain on a plot no longer than 30 days. Flowers shall not be placed in or attached to trees, shrubs, or gate. The City is not responsible for damage or liable for the return of such items.
6. Digging holes or the removal of grass or sod for any purpose, the construction or placement of concrete slabs, or the placement of rocks or any other coverings over interment sites is prohibited.
7. Glass containers of all types and unattended lit candles are prohibited.
8. No person shall pluck or remove any flower, plant, or shrub, either wild or cultivated from the Cemetery grounds or move such items from one interment site to another.
9. Permanent raised obstructions such as mounds and fences are prohibited.

## Memorial Markers

1. All interment sites shall have a temporary marker immediately installed upon interment and a permanent marker installed within 24 months after interment. Design and dimensions of markers must meet the requirements established within this policy.

2. Monument Foundations. Any monument that exceeds 48" in height shall require a foundation analysis.

4. No more than one upright marker per plot will be allowed. Family plots with more than one interment may have a single family monument with flat markers on individual plots. One marker may mark up to two plots in all sections of the Cemetery.

5. Flat Markers/Headstones. All flat markers/headstones shall be constructed of sandstone or limestone, marble, granite, or concrete and will be a minimum 24" x 12" x 4" in dimension, not to exceed 48" x 24" x 4" in dimension and set flush with the ground.

6. Memorial Wall/Columbarium Inscriptions: a. The inscription on the memorial wall/rail plaques will include the first name, middle initial (if desired), and last name together with the year of birth and the year of death up to 40 characters. Additional phrases may be added if they meet the maximum characters per plaque of 40 characters. b. The inscription on the niche plaque will include the name(s) of the deceased and/or family name and year of birth and of death. The cost of the niche includes an initial engraving of up to 40 letters. Engraving in excess of 40 letters will incur additional charges as specified by the Contractor. c. All inscriptions will be of a standardized font and size dictated by the City. No additional carvings will be added to any niche plaque.

NOTE: - Inappropriate language, as determined by the City Manager or their designee, will not be permitted on any of the markers, plaques or emblems at the Hickerson Memorial Cemetery.

7. Upright or Slanted Markers/Headstones. All upright or slanted markers/headstones must be set on and affixed to a single poured concrete or granite base, installed at the head of the interment site, centered and inside the plot area and must not exceed a height of 48" above 16 grade. The base shall extend 3" beyond all sides of the marker/headstone, shall be at least 4" thick and set flush with the ground. The City must be notified prior to any plot preparation,

construction, or placement of headstone or marker. Markers/headstones must not exceed 48” in width, excluding below grade base or foundation and must not exceed 24” in depth.

8. Family Monuments. The Hickerson Memorial Cemetery will permit upright monuments in specified areas. All reference to “Monuments” is to mean family monuments that protrude above the lawn surface requiring a foundation. The intent of this section is to allow a maximum of one above-ground monument per family plot. Any work correcting deficiencies will be at the cost of the permit holder of the plot or the responsible party.

## Prohibited Acts

1. No person other than authorized Cemetery personnel shall be allowed to perform any work on any interment site or lot within the grounds without written permission from the City.
2. Alcoholic beverages or controlled substances are strictly prohibited within the confines of the Hickerson Memorial Cemetery with the exception of special Cemetery events, which must be approved in writing and in advance by the City Manager or their designee.
3. No money shall be paid to the attendants at the Cemetery and visitors/plot permit holders must not otherwise engage City or Contractor employees to perform work. All orders, inquiries, and complaints must be filed with the City Manager.
4. No skateboards, roller blades or private off-road recreational vehicles shall be allowed on Cemetery property. Bicycles are restricted to Cemetery roadways only. Trucks over one ton, buses, tractors, trailers, and oversized vehicles are strictly prohibited from the Cemetery property unless approved in writing by the City Manager. Maintenance vehicles and equipment owned by the City or the Contractor are exempt from this provision.
5. A person shall not drive a hearse, pick-up or automobile on Cemetery lawn areas.
6. No person shall deposit waste or other hazardous or unsightly substances in the Cemetery.
7. Except as authorized in writing by the City Manager or their designee for the operations of the Cemetery, it is unlawful for any person to operate or drive any motor vehicle off of gravel roads. Snow machines or off-road motorcycles are prohibited in the Cemetery. Vehicles must not exceed 10 mph.
8. No person shall plant or set any tree, shrub, flower, grass, or other plant of any kind in the Cemetery without the written approval of the City.

9. It is unlawful for any person, except a City employee or the Contractor in the performance of their Cemetery duties, to willfully make any unnecessary noise or disturbance within the Cemetery.

10. Horseback riding or horse carriages within or through the Cemetery is expressly prohibited unless part of a ceremony.

11. It shall be unlawful for a person to sell or offer for sale any article of merchandise or any fruit, drink, or beverage within the limits of the Cemetery unless a specific activity is approved in writing by the City Manager.

12. No person shall pick or mutilate any flowers, either wild or domestic, or disturb any trees, shrubs, or other planted material.

## Violation – Penalty.

Any person, firm or corporation who violates or maintains any violation of the provisions of this chapter shall, upon conviction thereof, be fined in an amount not to exceed three hundred (\$300.00) dollars or the direct cost of replacement or repair of damaged Cemetery property, whichever is greater. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.