

# AGENDA



---



**Casper City Council Pre-Meeting  
City Hall, Council Meeting Room  
Tuesday, June 5, 2018, 5:30 p.m.**

|    | <b>Presentation</b>                                       | <b>Allotted</b> | <b>Beginning Time</b> |
|----|---|-----------------|-----------------------|
| 1. | Distribution of May 15 & May 29 Executive Session Minutes |                 |                       |
| 2. | Cemetery Fee Increase (Tim Cortez)                        | 20 min          | 5:30                  |
| 3. | Agenda Review   | 5 min           | 5:50                  |
| 4. | WAM Summer Conference Voting Delegate Selection           | 5 min           | 5:55                  |
|    | Approximate Ending Time                                   |                 | 6:00                  |

May 24, 2018

MEMO TO: J. Carter Napier, City Manager   
FROM: Tim Cortez, Parks and Recreation Director   
Dan Coryell, Parks Manager  
Mike Leyba, Cemetery Supervisor  
SUBJECT: Proposed Cemetery Resolution and Fee Changes

Meeting Type & Date:

Pre-Meeting  
June 5, 2018

Action Type:

Resolution

Recommendation:

That Council, by resolution, adopt the proposed resolution regulating the operation and setting fees at Highland Cemetery.

Summary:

In April of 2016, resolution 16-99 was signed into effect adopting new fees for Highland Cemetery. These fee increases were expected to increase revenue approximately 13% (roughly \$16,000 per year), and gradually step the cemetery towards a better cost recovery rate. Final numbers in FY15 (prior to the fee increase), operating expenses totaled \$447,587 and revenues totaled \$118,246 for a cost recovery rate of 23%. As of April 16, 2018, revenues at Highland Cemetery were approximately \$98,000. Estimated revenues of \$130,000 by FY18 budget end will show a 10% increase in revenue, slightly off from our anticipated 13%. However, FY18 operating costs decreased to \$353,978 for a projected cost recovery rate of 36%.

The new fees being proposed for FY19 have the ability to increase revenues by approximately 15% to an estimated \$150,000. Proposed FY19 operating costs are \$354,639. Should the estimated revenue numbers be met, a new cost recovery rate for Highland Cemetery will be 42%.

Staff conducted a study and compared Highland Cemetery's pricing to other cemeteries that are City-owned throughout our region. The other cemeteries were Cheyenne, Pocatello, Rapid City, Missoula, and Bellevue. If the proposed fees are accepted, Highland Cemetery will be approximately 30% lower than the average of the highest comps in the study, this will allow for future increases, if necessary, and the ability to continue raising the cost recovery rate. There are no additional costs to the city on any of the proposed changes.

Other notable changes include the addition of the Mausoleum charges left out in the previous version of the resolution. This will reflect the proper charges for a Mausoleum entombment.

Financial Considerations:

By adopting the proposed fee changes, estimated revenues for Highland Cemetery will increase approximately \$20,000 annually.

Attachments:

Resolution

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION REGULATING THE OPERATION OF  
HIGHLAND CEMETERY AND ESTABLISHING FEES,  
SERVICES AND SALES POLICIES, RULES AND  
REGULATIONS.

WHEREAS, the City of Casper desires to regulate the operations of the Highland Cemetery and establish fees for services and sales related to these operations.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: Fees, services and sales policies, and rules and regulations for the Highland Cemetery are hereby established as follows, effective July 1, 2018:

Section 1.

It shall be unlawful for any person to be buried at any place within the limits of the City of Casper, Wyoming, other than in a lawfully established cemetery.

Section 2 - Definitions.

Glossary of Terms. Terms included and referenced in this resolution:

- *Cemetery* – Unless otherwise specified all sections of this resolution with the word "cemetery" shall apply to all current and future City-owned cemeteries.
- *City Manager* – Whenever the words "City Manager" are used in this resolution it shall be construed to mean the City Manager, or other duly authorized representative.
- *Burial* – The practice of opening a cemetery plot and interring a deceased body, followed by the closing of said plot.
- *Traditional Burial* – A standard burial of a person wherein the body has not been cremated.
- *Double Depth Traditional Burial* – The interment of two (2) traditional burials in a single plot, with the lower of the two remains at no less than seven and one-half (7 1/2) feet in depth.
- *Cremains* – A person's cremated remains (ashes).
- *Cremains Inurnment* – To bury the cremated remains of a person.
- *Cremains Position* – A space within a traditional or cremains plot allocated for an urn or cremains container.
- *Plot* – A piece of land allocated for one traditional burial.
- *Cremains Plot* – A piece of land allocated for the inurnment of cremated remains.
- *Double Depth Traditional Plot* – A piece of land allocated for two traditional full body burials, dug to appropriate depth to house one body on top of another.
- *Lot* – A piece of land comprised of several plots.
- *Block* – A piece of land comprised of several lots.
- *Infant Plot* – A piece of land allocated for the burial of a deceased infant.

- *Columbarium* – An above-ground room, building or structure with niches for urns to be stored.
- *Columbarium Niche* – Allocated space within a columbarium for an urn or container.
- *Mausoleum Space* – A piece of land allocated for the placement of an above ground mausoleum and not for burial.
- *Mausoleum* – A building, especially a large and stately one, primarily housing traditional casket burials.
- *Vault* – A lined and/or sealed outer receptacle that houses the casket.

### Section 3 - Operating Hours.

- A. Dates and Times Cemetery will be Open. The cemetery will be open between 8:00 a.m. and sunset year round. It shall be unlawful for any person to be in the cemetery during any other hours without the permission of the City Manager. Violators will be prosecuted as trespassers.
- B. Cemetery Office Hours. The Cemetery Office shall be open from 10:00 a.m. to 2:00p.m. Monday through Friday. The Cemetery Office will be closed on all City-observed legal holidays except Memorial Day.

### Section 4.

- A. Duties of the City Manager as to Management of the Cemetery. Duties of the City Manager shall be as follows:

The City Manager shall establish rules and regulations for the management, operation, and maintenance of the cemetery, which rules will be filed in the Office of the City Clerk and at the cemetery office, and which rules and regulations must be approved and adopted by the City Council by resolution action and shall be subject to any limitations and restrictions set forth herein.

The City Manager shall manage, operate, and maintain the cemetery and see that no plot or niche therein is used or occupied in violation of this resolution or any rule or regulation promulgated under this resolution.

The City Manager is charged with the duty of collecting all monies due and payable to the City for plots or niches in the cemetery and other monies due and payable by reason of the operation and maintenance of the cemetery.

The City Manager is charged with the duty of issuing all burial permits in the cemetery and seeing that graves are open and excavated in the proper plots of ground, keeping a record showing when the plots were sold, to whom sold, the time of sale thereof, the price paid or to be paid therefor, by whom and to whom a permit is issued, or monies received by him/her under the provisions of this article and such other information as shall be deemed advisable by the City Council.

- B. Right to Replat, Regrade and Use Property. The right to enlarge, reduce, replat and/or change the boundaries or grading of the cemetery or a section or sections, from time to time, including the right to modify and/or change the locations of or remove or regrade roads, drives and/or walks, or any part thereof, is hereby expressly reserved. The right to lay, maintain and operate or alter or change pipelines and/or gutters for sprinkling systems, drainage, lakes, etc., is also expressly reserved; as well as the right to use the cemetery property, not sold to right of interment owners, for cemetery purposes, including the interring and preparing for interment of human bodies, or for anything necessary, incidental or convenient thereto. The City reserves itself, and to those lawfully entitled thereto, a perpetual right to ingress and egress over plots for the purpose of passage to and from other plots.
  
- C. No Interment Rights Granted In Roadways. No interment rights are granted to individuals in any road, drive, or walk within the cemetery. Roads, drives or walks shall be used as a means of access to or within the cemetery during normal operating hours.

Section 5 - Plot and Niche Sales.

- A. Cemetery Plot Certificate. No cemetery plot certificate for any plot in the cemetery shall be issued and no title for same shall pass until a full purchase price has been paid to the City nor until other expenses and charges payable to the City have been paid, and all such certificates shall be issued by the City Manager under the seal of the City, signed by the Mayor and attested by the City Clerk. Columbarium niches at Highland Cemetery will be issued a Right of Interment Certificate once full purchase price has been paid.

At the time each burial is scheduled, the mortuaries must notify the cemetery office of payment responsibility for the City's charges. Any billing to the mortuary or funeral home is subject to the terms and conditions of the City of Casper billing system. Delinquent notes bear interest at the rate of one and one half percent (1 ½%) per month or eighteen percent (18%) per year. No further credit shall be extended to the maker of any note which has not been paid within six (6) months from the date of execution.

- B. Infant Burials. The purchase plot price and other fees will be waived for infant burials. Infant plots will only be provided upon receipt of a death certificate.
  
- C. Purchase Price of Plots. The purchase price of plots in any cemetery shall be:

|                                       |               |
|---------------------------------------|---------------|
| Adult Traditional Plot (4' x 10'):    | \$ 600-700    |
| Columbarium Niche:                    | \$ 300-450    |
| Cremaains Plot (4' x 4'):             | \$ 300-375    |
| Indigent Cremaains Plot (4' x 4'):    | \$ 155        |
| Indigent Traditional Plot (4' x 10'): | \$ 340        |
| Infant Plot (3' x 5'):                | No Fee        |
| Mausoleum Plot (12' x 14'):           | \$1,500-2,100 |

D. Perpetual Care. Those plots which were sold prior to 2012 and the institution of a perpetual care charge will be assessed the perpetual care fee at the time of interment, deed transfer, additional remains interment, or recording of burial information when the recording fee is assessed. The perpetual care fee is included in the price of plots purchased after 2012.

|                                  |           |
|----------------------------------|-----------|
| Adult Traditional Plot (4'x10'): | \$150-175 |
| Infant Plot (3' x 5'):           | \$-70-125 |
| Cremaains Plot (4' x 4'):        | \$-70-125 |

E. Change of Address of Plot or Niche Owners. It shall be the duty of the plot or niche owners to notify the City of Casper of any change in its mailing address. Any notice sent to property owner's last address on file in the Cemetery Office shall be considered sufficient and proper legal notification in correspondence matters.

F. Transfer or Assignment must be filed With the City Manager. No transfer or assignment of any plot or niche shall be valid unless filed in writing in the Cemetery office. Only plot or niche owners of record shall be recognized by the City Manager. A recording fee of Forty Dollars (\$40.00) (paid by the seller) will be charged for any transfer or assignment. Outstanding fees must be paid prior to any transfers or assignments.

G. Private Space Sale by the City. If, for any reason, it becomes necessary for the plot or niche owner to dispose of his or her interest in any plot or niche, the owner may list with the City to broker said plot or niche. The City will receive twenty percent (20%) of the sale price for the plot or niche only as compensation for expenses associated with the sale, including advertising, personnel costs, and other costs. The buyer of the plot or niche will be responsible for payment of all costs incurred by the City at the time of the transfer. Listing of plot or niche will be done in the Cemetery office. If the perpetual care fee has not been paid on such plot, the fee will be paid by the buyer at the time of transfer.

H. Correction of Errors. The City reserves the right to correct any errors made by it in the description of the location of the plot or niche to which the right of interment is conveyed, either by canceling the sale and substituting in lieu thereof other burial plot(s) or niche(s) of equal value and in a similar location, or in the sole discretion of the City, by refunding the amount of money paid for said right of interment.

Section 6 - Burial Charges.

Prior to grave opening, the purchaser shall pay to the City for complete interment service, with all necessary equipment, as follows:

*Adult Traditional*

|   |           |
|---|-----------|
| Burial Fee                                    | \$500-600 |
| Evening Fee (Charged after 4:00PM weekdays)   | \$100-150 |
| Weekend and Holiday Fee                       | \$450-500 |
| Double Depth:                                 |           |
| Bottom/Lower Remains of a double depth burial | \$1,000   |

*MOUSOLEUM*

|   |       |
|---|-------|
| ENTOMBMENT FEE                              | \$210 |
| EVENING FEE (CHARGED AFTER 4:00PM WEEKDAYS) | \$150 |
| WEEKEND AND HOLIDAY FEE                     | \$200 |

*Columbarium*

|   |           |
|---|-----------|
| Burial Fee                                  | \$50-150  |
| Evening Fee (Charged after 4:00PM weekdays) | \$100-150 |
| Weekend and Holiday Fee                     | \$180-200 |

*Cremaains*

|  |           |
|--|-----------|
| Burial Fee                                       | \$200-300 |
| Evening Fee (Charged after 4:00PM weekdays)      | \$100-200 |
| Weekend and Holiday Fee                          | \$200-300 |
| Additional Cremaains (In Addition to Burial Fee) | \$75-85   |

*Indigent Cremaains*

|            |      |
|------------|------|
| Burial Fee | \$75 |
|------------|------|

*Indigent Traditional*

|            |       |
|------------|-------|
| Burial Fee | \$115 |
|------------|-------|

*Infant*

|   |           |
|---|-----------|
| Burial Fee                                  | \$120-150 |
| Evening Fee (Charged after 4:00PM weekdays) | \$100-150 |
| Weekend and Holiday Fee                     | \$300-350 |

|               |         |
|---------------|---------|
| Recording Fee | \$35-40 |
|---------------|---------|

Section 7- Burial Procedures.

Only the interment of human remains is allowed in the cemetery.

Only persons or firms authorized by the City Manager shall be allowed to open or excavate any plot, for any purpose.

The procedure to be followed before interring human remains in any cemetery shall be as follows:

- A. Location of Burial Plot. When instructions regarding the location of a burial plot cannot be obtained or are indefinite, or when, for any reason, the burial plot cannot be opened where specified, the City Manager may, upon his/her discretion, open it in such location on the plot as he/she deems best and proper; and the City shall not be liable for damages resulting from any such change.

- B. Graveside Services. Customers may host formal graveside funeral services for the deceased. Cemetery personnel will prepare for such graveside services by cleaning the grave or columbarium area, providing burial canopy when appropriate, providing chairs and similar funerary furnishings as appropriate, and similar services. The preparation of the gravesite for formal services and the provision of related graveside services by Cemetery personnel will require the payment of a One Hundred Dollar (\$100.00) graveside service fee.
- C. Responsibility and Control. Once in the cemetery, the deceased, the burial container and/or other related equipment are considered under the responsibility and control of the attending funeral director or their assistant until Cemetery personnel arrive at the gravesite for the purpose of closing the plot. Until then, the funeral director may perform any service required by them or the family of the deceased as they deem appropriate.
- D. Adult Burial. Traditional adult burial will be in an area four (4) feet wide by ten (10) feet long, and no less than five (5) feet in depth. A traditional infant burial will be in an area three (3) feet wide by five (5) feet long, and from three (3) to four (4) feet in depth. For double traditional burials, the lower of the two remains shall be confined in a double depth certified vault. Double traditional burials will only be allowed if a plot was purchased prior to 2013 and arrangements were made at that time for a double depth burial.
- E. Creminans.
1. No surface scattering of cremains shall be allowed. All cremains must be interred (or enclosed in a container previously approved by Cemetery Management) within a designated and recorded plot or columbarium niche. ~~All disposition of remains are to be recorded with the cemetery office.~~ Individual interred cremains shall be allocated a designated cremains position of no less than two (2) feet by two (2) feet.
  2. No more than four (4) cremains in containers (urns) may be interred in a single traditional adult plot (four (4) feet by ten (10) feet), in addition to one (1) traditional burial beneath the urns, unless otherwise noted or assessed by the City Manager. Urns or urn vaults shall not exceed a cremains position of approximately two (2) feet by two (2) feet. No more than two (2) cremains in containers may be interred in a designated cremains plot (four (4) feet by four (4) feet).
  3. In order to inter cremated remains in the cemetery, either in the ground or in a monument foundation, an interment permit must be obtained from the Cemetery office or the applicable fee(s) paid to the Cemetery office. The Additional Remains Fee shall be applicable when an additional set of cremains is added to a cremains position within an Adult Traditional plot. The person(s) requesting interment of cremated remains may choose any adequate container for the cremated remains approved by the City Manager. The City shall not be liable for the protection of the cremated remains. In the event that the cremated remains must be relocated for any reason, the City shall not be responsible for any damage to the cremated remains or the container.



|   |   |
|---|---|
| <b>HEADSTONE</b><br><b>4'W X 2'L</b>          |   |
| <b>2' X 2'</b><br><b>POSITION</b><br><b>1</b> | <b>2' X 2'</b><br><b>POSITION</b><br><b>2</b> |

*4' x 4' Cremains Plot and Allotted Cremains Positions*

|   |   |
|---|---|
| <b>HEADSTONE</b><br><b>4'W X 2'L</b>          |   |
| <b>4' X 2'</b><br><b>POSITION</b><br><b>1</b> | <b>4' X 2'</b><br><b>POSITION</b><br><b>2</b> |
| <b>4' X 2'</b><br><b>POSITION</b><br><b>3</b> | <b>4' X 2'</b><br><b>POSITION</b><br><b>4</b> |

*4' x 10' Adult Traditional Plot and allotted Cremains Positions over a casket burial*

- F. Delays in Interment. The City shall in no way be held responsible for any delay in the interment of a body where a protest to the interment has been made, or where these rules and regulations have not been complied with; and, further, the City reserves the right under such circumstances to either not receive the remains, or to place the remains in a receiving vault until the full rights have been determined. The City shall be under no obligation to recognize any protests of interments unless they are made in writing and filed with the Cemetery office.
- G. Permit. The purchaser shall secure from the City Manager a permit showing the provisions of Section 7 have been complied with, the lot and block number in which the plot is to be opened, which permit shall entitle him to the services rendered by the City relative to the opening and closing of the grave, furnishing grass, and lowering device; provided, however, in case of any burial on lands in the cemetery owned by or reserved by Natrona County or any lodge organization, an additional permit must be obtained from the County, lodge, or other organization.
- H. Vital Statistics. The burial certificate, or permit, issued by the registrar, under the provisions of vital statistics of the vital statistics laws of the State, shall be deposited with the City Manager.

- I. Double Traditional Burial Plots. In the case of double traditional burial plots, the lower of the two remains shall be confined in a double depth certified vault.
- J. Removal of Shrubs and Trees. The City, when deemed necessary by the City Manager, in order to provide for an adequate plot opening, may remove shrubs and trees without notification to the adjoining grave owners. Replacement will be at the discretion of the City Manager.
- K. Notice of Burials. It shall be the responsibility of each person or firm to make necessary arrangements for burials at least twenty-four (24) or forty-eight (48) hours prior to such burials, all as further described below. Neither the City nor any of its employees shall in any way be liable for any delay of burial services when ~~twenty-four (24) hour~~ THE REQUIRED notice is not given. In addition, the person or firm making the arrangements must clear them through the Cemetery Office before final burial details and arrangements are made.

The cemetery, in order to provide sufficient time for the opening of plots or niches, requires that all FUNERAL ORDERS for funerals scheduled for Saturday or the first day of a working week be in the Cemetery Office by Noon (12:00) Friday of the preceding week. Funeral orders brought in after 12:00 Noon on Friday (or the last regular working day) can be scheduled no earlier than Noon (12:00) on Monday of the next work week. TO BE SCHEDULED AS FOLLOWS:

1. TRADITIONAL BURIAL

**A (48) FORTY-EIGHT HOUR NOTICE IS REQUIRED.** ALL ORDERS FOR FUNERALS SCHEDULED FOR SATURDAY OR THE FIRST DAY OF THE WORK WEEK MUST BE IN THE CEMETERY OFFICE BY 11:00 AM THURSDAY OF THE PRECEEDING WEEK. FUNERAL ORDERS BROUGHT IN AFTER 10:00 AM ON FRIDAY (OR THE LAST WORKING DAY OF THE WEEK) CAN BE SCHEDULED NO EARLIER THAN 11:00 AM TUESDAY OF THE FOLLOWING WEEK.

2. FOR CREMAINS INURNMENT/BURIAL

**A TWENTY-FOUR (24) HOUR NOTICE IS REQUIRED.** For funerals scheduled for Saturday or the first day of a working week, all orders must be in the Cemetery Office by 12:00 pm Friday of the preceding week. Funeral orders brought in after 12:00 pm on Friday (or the last regular working day) can be scheduled no earlier than 12:00 pm on Monday of the next work week.

- L. Orders Given by Telephone. The City of Casper shall not be held responsible for any order given by telephone nor for any mistake occurring from the conversation as pertaining to instructions as to the particular plot or niche, size, and location where the interment is desired. Telephone instructions shall be followed immediately by written instructions from the funeral director or family, prior to the making of burial arrangements by the City.

- M. Saturday, Sunday and Holiday Burials. Saturday burials are permitted. No burial shall be permitted on Sunday or other designated legal holiday, except with the express, written permission of the City Manager for religious or other reasons, or when certified by the Registrar of Vital Statistics to be necessary because of contagious disease or other extreme emergency for health reasons. All approved Saturday, Sunday and holiday burials must be scheduled to arrive in the cemetery no later than noon (12:00 pm) and are subject to defined fees. (Legal holidays will be defined as per current City Personnel Rules affecting cemetery employees.) Funerals that occur on weekends or City recognized holidays will be subject to a weekend and holiday fee.
- N. Funeral Corteges. It is required of all funeral directors that they inform those attending funeral services in the cemetery that, whether or not they are arriving individually or in the funeral cortege, they must abide by all traffic and parking regulations. No automobile shall park on the grass at any time. Livestock in the cemetery is strictly prohibited at Highland Cemetery.

#### Section 8 - Disinterring Bodies

- A. Disinterment. The removal of the body of any deceased person, or disinterring or opening of the plot of any deceased person buried in the cemetery, shall not be done, except under order by a court of competent jurisdiction or a removal permit properly executed by the Registrar of Vital Statistics, or under order of the City Council with a removal permit properly executed by the Registrar of Vital Statistics; and then, only by the City and under the supervision of the City Manager, provided a fee is paid as provided herein, and a disinterment affidavit has been properly completed and filed with the Cemetery office. There is no requirement for the removal of cremated remains container of any deceased person, except with written consent in the form of an affidavit from the owner or legal heir of the plot. The removal of such remains shall only be performed by City staff or persons or firms preapproved by the City Manager. Witnesses to such removal, opening, or disinterment shall not be allowed, except where required by law, provided further that such disinterments shall be done in conformity with Wyoming State Law.
- B. Traditional Double Burial Disinterment. In cases of double traditional burials in a single plot, no disinterment will be allowed for the lower of the two remains, unless removal is approved by the City Manager, or ordered by a court of competent jurisdiction. In the event a court order is issued, disinterment will then only be allowed with a pre-payment for additional costs associated with hiring a contractor, and/or leasing of the appropriate equipment to remove the vault from the deeper trench, all in compliance with Occupational Safety and Health Act (OSHA) standards for workers in confined spaces. The cost of this disinterment will be the contractor's cost, plus ten percent (10%).
- C. Services Provided. The services provided in connection with disinterments include removing the remains of the deceased, the casket if any, and the burial receptacle, placing the same on top of the ground, and backfilling the empty burial space in the plot. The party responsible for removal of the disinterred remains from the cemetery grounds must do so forthwith.

D. Disinterment Liability. The City shall endeavor to exercise reasonable care in carrying out a disinterment but it assumes *no liability* for damage to any casket, burial receptacle, the remains of the deceased, or any other property during the disinterment process.

E. Disinterment Fees: Fees for disinterment services shall be as follows:

*Adult Traditional/Indigent Traditional/ Mausoleum*

|              |               |
|--------------|---------------|
| Disinterment | \$1,000-2,000 |
| Reinternment | \$500-600     |

*Columbarium*

|              |          |
|--------------|----------|
| Disinterment | \$50-150 |
| Reinternment | \$50-150 |

*Cremains/ Indigent Cremains*

|              |           |
|--------------|-----------|
| Disinterment | \$215-250 |
| Reinternment | \$215-250 |

*Infant*

|              |           |
|--------------|-----------|
| Disinterment | \$570-600 |
| Reinternment | \$95-300  |

Section 9 - Abandoned and Unoccupied Cemetery Plots or Niches.

A. Abandoned and Unoccupied Cemetery Plots or Niches. The City of Casper reserves the right to reclaim abandoned and unoccupied cemetery plots or niches where there has been no contact or knowledge of the owners, heirs, or assigns for more than fifty (50) years. These plots or niches shall be declared abandoned by giving notice served by registered mail to such owners, heirs, or assigns. If an address cannot be ascertained, a notice shall be given by publication allowing owners, heirs, or assigns thirty (30) days in which to advise the City Manager of their identity, address, and to provide documentation establishing their legal claim. In such event, the City will not declare the plots or niches abandoned. So long as the plots or niches remain unsold, the owners, heirs, or assigns may reclaim them by identifying themselves and establishing their right to such plots or niches.

B. Failure to Communicate. Upon failure of the owners, heirs, or assigns to communicate with the City of Casper, the City Council shall, by resolution, declare such plots or niches abandoned. Thereafter, the City may resell such plots or niches, but shall place in trust an amount of money equivalent to the original selling price for such plots or niches for payment to the owners, heirs, or assigns. Said trust fund shall be placed in legal investments and the earnings or interest therefrom shall annually be deposited to the City of Casper general fund. The owners, heirs, and assigns shall not be entitled to any interest or earnings of these monies. Money received from the resale of such plots or niches and deposited in such trust fund may be withdrawn by the City Clerk/Treasurer and placed in the general fund if not claimed by the owners, heirs, or assigns within twenty-five (25) years after being deposited.

Section 10 - Monuments and Mausoleums.

- A. General. No monument shall be placed until all plot and interment fees have been paid, and a completed setting permit has been filed with the Cemetery office. Any person desiring to erect a monument or other improvement upon any plot in the cemetery shall do so under the supervision of the City Manager and in compliance with such rules and regulations governing the same as may be adopted and in force at the time. The City of Casper reserves the right to move or remove any monument or improvement not in compliance with resolution or supervisory guidelines. All costs associated with the relocation or movement of such improvement(s) may be billed to the owner(s) by the City of Casper.
- B. Completion Bond. Any contractor, person, or firm that sets one (1) or more mausoleums, or more than five (5) vaults, tombs, or any type of memorial or planter per year must be bonded for Ten Thousand Dollars (\$10,000.00) or post a cash bond of equal amount before the City Manager will authorize erection of such. A bond of Three Thousand Dollars (\$3,000.00) or cash bond of Three Thousand Dollars (\$3,000.00) is required for those setting five (5) or fewer memorials, planters, plaques, etc., per year before the City Manager will authorize erection of such. All bonds must be valid for and will be retained for a period of five (5) years for mausoleums and three (3) years for all others.
- C. Memorials. The interment owner shall not erect or place or cause to be erected or placed, on any plot(s) in the cemetery, a memorial that has not been approved by City Manager.
- D. Monument Placement. All monuments, memorials, mausoleum placements, and other improvements will be permitted and located by cemetery staff. The fee for such permit will be Thirty Dollars (\$30.00) for any raised marker purchased prior to 2015. The fee for such permit for a raised marker that stands up to twenty-four (24) inches in height, measured from the ground to the top of the marker, shall be Fifty Dollars (\$50.00). The fee for such permit for a raised marker that stands taller than twenty-four (24) inches in height will be One Hundred Dollars (\$100.00). The fee for such permit for a flush mounted marker that stands no taller than one half (1/2) inch in height will be waived. The appropriate fee is due prior to the setting of the stone. All monuments or headstones must be in line with surrounding monuments or headstones. Where permitted, footstones must be mounted flush with the ground. Monuments or headstones shall be placed so that the name can be read from the nearest road on outline plots and from the alley on all others (this will require some monuments being placed at the foot of the plots in Section E). Areas reserved for mausoleums are Blocks 4, 5, 13, 104, and 106.

Areas requiring flush markers are Blocks 126, 128, 129, 159, 160, the area adjacent to the South Boundary fence next to Blocks 215 through 221, the roadway between Blocks 7, 8, 9, 10, and all of Lot 22, Section E. All other blocks in Highland Cemetery may use upright markers. Any plot in areas of the cemetery originally converted from alleys must have flush markers only. All new areas developed in the cemetery will be designated for either "flush only" or "upright or flush" by the City Manager.

The City Manager is authorized to designate additional "flush only" blocks at any time. In flush marker areas, no upright obstacles (vases, wreaths, plantings, etc.) are allowed at any

time other than the one (1) week preceding and two (2) weeks following Memorial Day.

- E. Columbarium Engravings. Engravings will be allowed on columbarium's on the 10.5 x 10.5 inch wide niche panels. Designs are allowed in a 4 x 9 inch area within the panel only. The uniform fonts as listed on the engraving template are the Vermaco and Mon. Condensed. The last name is to be no taller than 1 inch, the first name no taller than .875 inches, and the dates of birth and death no taller than .75 inches.
- F. Mausoleums. No mausoleum may be erected without first submitting the plans and specifications to the City Manager for written approval. All plans and specifications must conform to the laws of the State of Wyoming, as well as all local regulations. Foundations for mausoleums, tombs, or vaults shall be of concrete poured to a depth of not less than six (6) inches below the frost line as is designated by the City Manager. Mausoleums, tombs, or vaults shall be constructed only on blocks designated for that purpose by the City Manager. Placement of mausoleums in other areas may be allowed with written permission from the City Manager. The seller from whom the mausoleum is purchased must guarantee that the stone used is of first quality and free from rust, stains, and natural faults which might cause chips or cracks to appear in the future. The guarantee shall be for a period of five (5) years minimum.
- G. Foundations. Where foundations for markers, monuments, and other like things are installed, they shall be constructed with five (5) inches extended on all sides of the base and shall contain sufficient base depth (minimum four (4) inches) for the solid support of item installed. Any deviations or exceptions to these requirements must have approval of the City Manager, and must be detailed on the completed permit. Mausoleums or tomb foundations must be in compliance with the specifications for such structures.
- H. The Right to Remove. Should any monument, mausoleum, or tomb, in the opinion of the City Manager, become unsightly, dilapidated, or dangerous to cemetery visitors, the City Manager shall have the right, at the expense of the monument, mausoleum, or tomb owners, either to correct the condition or to remove same. In the event a body is interred on any block so involved, the City Manager, at his/her discretion, shall have the right, after prior notice if such may be practically given, to remove any remains thus interred on the area, and to place the same in single plots to be chosen by the City Manager for temporary interment until the situation necessitating the removal is corrected, such to be done in conformance with Wyoming Statutes.
- I. Regulations for Cemetery Work. Persons erecting monuments or doing work of any kind in the cemetery will be held responsible for any damage done by them to trees, grass, or any property and shall conform to the following:
  - 1. Before doing work of any kind, it shall be necessary to obtain directions and consent from the City Manager, who shall have complete supervision.
  - 2. No person shall disturb the sod on any lot or plot or make or remove any plantings, except in accordance with the rules and regulations and with the permission of the City Manager.

3. All work shall be done as rapidly as possible and any rubbish shall be immediately removed by those responsible. No rubbish or materials of any kind shall be scattered or placed upon any other burial space.
  4. In the erection of monuments, any necessary posts, ropes, or wires shall be secured in the alleyways. No ropes or wires shall be attached to other monuments or to trees. In unloading monuments, planks shall be used where necessary to protect the grass.
- J. Cemetery Responsibility. The cemetery will not be responsible under any circumstances for any loss or damage to any marker, monument, mausoleum, vase, or other fixture placed on any burial plot where such loss or damage is caused by thieves, vandals, accidents, or any act of God. Further, the City will not be responsible for mistakes made in the placement or engraving of any memorial.
- K. Prohibited Monument Materials. In the best interest and in the protection of plot owners, memorials of concrete, artificial wood, tin, iron, porcelain, glass, clay, composite, plastic or any other man-made material will not be permitted to be erected in any City-owned cemetery.
- L. Agreement. Monument builders and contractors erecting any monuments, markers, memorials, foundations, and other similar things in the cemetery, must do so in conformity with the cemetery requirements and in accordance with the Trade Standard of proper methods of handling and setting same. If any fault which results from any improper setting develops within five (5) years of the date of placement in the cemetery, such fault will be rectified by the builder or contractor without cost to the cemetery.
- M. Corner Markers. Lot corner markers or family plot markers shall be made of monumental stone of the same kind as the monument and placed flush with grade. All such items must be set by an authorized bonded contractor or dealer.
- N. Outside Workmen. All workmen employed by outside contractors or firms are subject to the regulations of the cemetery while working within the cemetery.

#### Section 11 - Decorations.

- A. Allowed Decorations. No person shall place upon any burial plot anything other than flowers, wreaths, flags, or other temporary decorations and such receptacles, except as provided in this section.
- B. Lost Decorations. The City shall not be held liable for lost, misplaced or broken decorations or flower vases or for damage caused by the elements, thieves, vandals, or by causes reasonably beyond its control. The City reserves the right to regulate the method of decorating lots and the right to regulate decoration so that a uniform beauty may be maintained.

- C. Prohibited Articles and Receptacles. Any fragile materials, tin cans, glass jars, ceramic figurines, and pottery, etc., or other temporary container that does not conform to the surroundings, are prohibited. The placing of any box, can, shell, toy, ornament, sign, plant hanger, pole or staff, card, or other similar article upon any grave shall not be permitted (without permission of the City Manager) to remain on a plot site longer than two (2) weeks, due to safety and maintenance concerns. These items are allowed only during Memorial Day, Thanksgiving, Christmas, Easter, or the deceased's birthday, and are limited to two (2) such items per plot at any time. If any of the above articles are placed on a plot not conforming to the above guidelines, or become unsightly or unkempt, the cemetery reserves the right to remove them without notice to the owner. Neither the City nor its employees shall be liable in any way for removal of any of the above articles. No concrete, gravel, stone, or brick paths, or artificial walks will be permitted. Copper, brass, aluminum, concrete, marble, fiberglass, redwood, or comparable material is acceptable for planters and vases. The cemetery reserves the right to regulate the decoration of plots to ensure that beauty can be maintained and proper maintenance can take place.
- D. Rubbish Receptacles Provided. The throwing of rubbish anywhere within the cemetery grounds is prohibited OTHER THAN INSIDE A TRASH RECEPTACLE.
- E. Erection of Fences, Copings, Hedges, Etc., Prohibited. No person shall erect a fence, coping, comer-post, hedge, or other boundary marker upon any plot, lot, or block.
- F. Potted Plants and Flowers. Potted plants will be allowed to remain as grave decoration as long as they remain in good appearance and as long as they are placed on or near the headstone and do not obstruct the general maintenance of the cemetery. Cut flowers are allowed at all times but must be in acceptable containers and will be removed when they become unsightly. The cemetery assumes no responsibility for the maintenance of private plantings and reserves the right to remove or modify these plantings at any time and for any purpose.
- G. Memorial Day Decorations. All temporary decorations and artificial flowers assembled on the grass or plots shall be picked up starting two weeks after Memorial Day. These flowers and decorations will be stored for two weeks at the Cemetery Garage before being discarded. Cemetery vases and cans sold by local florists and retailers will be allowed for this two-week period only. Neither the City nor its employees shall be liable in any way for removal of any of the above articles.
- H. Christmas Decorations. Winter decorations, Christmas wreaths and grave blankets placed on plots within the cemetery are permitted to remain from December 1<sup>st</sup> through March 1<sup>st</sup>. Neither the City nor its employees shall be liable in any way for removal of any of these articles.

#### Section 12 - Miscellaneous Restrictions.

- A. Improper Assemblages. The City Manager shall have the power to prevent improper



assemblages and boisterous and unseemly conduct. The City Manager shall have the power to enforce all ordinances, rules, and regulations pertaining to the cemetery and to exclude from the cemetery any person or persons found in violation thereof. The City Manager shall have charge of the cemetery grounds and buildings, and at all times shall have supervision and control over all persons in the cemetery.

- B. Intoxicating Liquors Prohibited. Bringing intoxicating liquors or alcohol of any kind into any cemetery is strictly forbidden.
- C. Children Restrictions. Children under fifteen (15) years of age will not be permitted in the cemetery unless accompanied by an adult, or unless given prior permission by the City Manager.
- D. Traffic and Safety Regulations. It shall be unlawful for any person to drive at a greater speed than fifteen (15) miles per hour in the cemetery. No heavy trucks or vehicles with heavy loads will be permitted in the cemetery without first obtaining the permission of the City Manager.
- E. Damaging Cemetery Property Prohibited. The penalty for any person who shall injure, deface, or otherwise damage or remove any headstone, urn, monument, tree, shrub, flower, funeral flowers, floral pieces, vase, or other property in any cemetery shall be as provided by any applicable laws.
- F. Notices or Advertisements. No signs, notices or advertisements, other than those created by the City related to cemetery business, shall be permitted within the cemetery grounds.
- G. Noise Restrictions. During funeral services, all construction, loud talking, or other activity on cemetery property that might interfere with services is prohibited.
- H. Improprieties. All persons in the cemeteries shall conduct themselves with a level of decorum appropriate to the solemnity of the purposes and uses of the cemeteries, and with respect for other persons and for property within the cemeteries.
- I. Firearms. Except for firearms used in connection with the ceremonies of the military burial, none shall be permitted in the cemetery without special written consent of the City Manager.

#### Section 13 - Errors, Amendments, Exceptions

- A. Errors. The City Manager shall have the right to correct any errors that may be made by him, or his employees, either in making interments, disinterment's and removals, or in the description, transfer, and conveyance of any interment property. This may be done either by directing the canceling of such conveyance and substituting a conveying in lieu thereof other interment property of equal value or by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property, the City reserves the right to

remove and transfer such remains so interred to such other property of equal value and similar locations as may be substituted in lieu thereof. The City Manager shall, in no way, be liable for any delay in the interment of a body where a protest to the interment has been made, or where there has been a failure to comply with the ordinance or these rules and regulations. The City Manager shall be under no duty to recognize any protest of interment unless they are in writing and filed in the Office of the City Manager.

- B. Amendments. The City may choose, and hereby expressly reserves the right to adopt new rules or regulations or to amend, alter and/or repeal any rule, regulation, article, section, paragraph or sentence in these rules and regulations. Such new or amended rules and regulations shall be binding on the right of interment owners of all lots and burial spaces regardless of the date such right of interment owner acquired the right of interment. These rules and regulations, having been adopted by resolution of the City Council, may only be amended by adoption of a subsequent resolution.
  
- C. Hardship Exceptions. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The City, therefore, reserves the right for the City Manager to, without notice, make exceptions, suspensions or modifications in any of these rules or regulations, when, in his/her judgment, the same appear advisable; and such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application or enforcement of these rules and regulations.

BE IT FURTHER RESOLVED: That this resolution shall become effective \_\_\_\_\_.

BE IT FURTHER RESOLVED: That resolution No. 16-99 is hereby rescinded.

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

APPROVED AS TO FORM:

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Fleur D. Tremel  
City Clerk

CITY OF CASPER, WYOMING  
A Municipal Corporation

\_\_\_\_\_  
Ray Pacheco  
Mayor



Wyoming  
Association of  
Municipalities  
Building Strong Communities

TO: **All Mayors**

FROM: Earla Checchi, Finance Manager

SUBJECT: **Voting Delegates for the 2018 WAM Summer Conference**

DATE: March 9, 2018

We are requesting that your municipality's governing body appoint its **Official Voting Delegate** and **alternate** to WAM's Summer Conference Business Meeting, held Thursday, June 14, 2018 in Pinedale. Items that your Voting Delegate will be voting on are: By-law changes, Resolutions, Membership Dues. **Any** individual member of the association is entitled to speak during the June business meeting. However, when a vote is taken on any action the official voting delegate, or the alternate, is the **only one allowed to vote** for the city or town. Any elected or appointed official/staff may be designated by the city/town as its official voting delegate.

**Please complete the attached form and mail/fax it to WAM by Friday, May 11.** We appreciate your cooperation and prompt action on this matter to ensure that each municipality is represented by a person who has been duly authorized by your governing body to take an active role in the business meeting.

If you find your official delegate is not able to attend the conference at the last moment, you may re-appoint someone else. For this change to be accepted we do need the change **in writing**. You may send/fax it to the WAM office by Friday, May 11 or your voting delegate may bring the written change/authorization to the conference and submit it to the WAM registration desk **by Wednesday, June 13 before 12:00n.** After that time, changes will not be accepted.

Please contact us with any questions.

***Ensure YOUR community has a VOICE and a VOTE at the June business meeting!***

**WYOMING ASSOCIATION OF MUNICIPALITIES  
2018 WAM SUMMER CONFERENCE  
OFFICIAL VOTING DELEGATE FORM**

The following person has been selected as the *Official Voting Delegate* for the 2018 WAM Summer Conference Business Meeting in Pinedale, Thursday, June 14, 2018.

**City/Town:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

*Alternate Delegate will be:* \_\_\_\_\_

*Title:* \_\_\_\_\_

Date Approved by the City/Town Council: \_\_\_\_\_

Attest: \_\_\_\_\_ (City/Town Clerk)

**PLEASE MAIL/FAX TO WAM NO LATER THAN MAY 11, 2018**

315 West 27 Street, Cheyenne, WY 82001

Phone (307) 632-0398, Fax (307) 632-1942 or

Email to Earla Checchi at: [checchi@wyomuni.org](mailto:checchi@wyomuni.org)