

RULES & REGULATIONS



**Oak Hill and Laurel Hill
Burial Parks
U.S. 98 South
Lakeland, Florida**

**Owned and Operated by:
CITY OF LAKELAND**

I. INTENT

The City of Lakeland has adopted Rules and Regulations as a protective measure for all who use the City cemeteries. It is the intent of these rules to protect and preserve the beauty of Lakeland cemeteries for the collective benefit of lot owners. All visitors and lot owners, funeral directors or their employees, shall abide by the Rules and Regulations. The City of Lakeland may amend these rules from time to time.

II. GENERAL RULES

- 2.01. These rules and regulations have been adopted by the City Commission of The City of Lakeland as the official rules and regulations for the administration and operation of Oak Hill Burial Park and Laurel Hill Cemetery, hereinafter collectively referred to as the “cemetery.”
- 2.02. The exclusive use of the cemetery is for the burial of human remains and shall only be used for cemetery purposes.
- 2.03. The cemetery has perpetual care and the City will maintain the cemetery as a well-preserved burial park including the cutting of grass and trimming of shrubs and trees at reasonable intervals.
- 2.04. The superintendent of cemeteries of the City of Lakeland is responsible for the administration of the cemetery and for the enforcement of all laws, ordinances, rules, regulations, policies and procedures pertaining thereto. The superintendent shall also supervise all workers within the boundaries of the cemetery. The superintendent may expel or have removed from the cemetery any person who violates

these rules and regulation or whose conduct is contrary to appropriate decorum in the cemetery.

- 2.05. The cemetery will be open from sunrise to sundown, unless otherwise posted by the superintendent. The cemetery office will be open from 7:30 a.m. until 4:00 p.m., Monday through Friday, excluding official City holidays.
- 2.06. The City may at any time, with or without notice, adopt new rules and regulations, or amend, alter or repeal any of these rules and regulations.
- 2.07. The City may without prior notice, make exceptions or modifications in any rule when deemed necessary and in the public interest.
- 2.08. The City may replat any part or parts of the property within the cemetery not sold for burials, and may open, close, or change the location or grade of any road or walk.
- 2.09. The City is not responsible for any order or information given or provided by telephone, or for any mistakes occurring from the lack of precise written instructions from lot owners, funeral directors, or their representatives.
- 2.10. The City may correct any error made in good faith in making interments, disinterments, or removals, or in the description, transfer, or conveyance of any interment property or right of interment.
- 2.11. The City shall not be liable for any loss or damage to markers, monuments, corner markers, vases or other items in the cemetery, or the rights of lot owners arising from causes beyond its control and from any damage caused by the elements, acts of God, thieves, vandals, or other action.

- 2.12. The City reserves the right of ingress and egress on or over any lot.
- 2.13. The cemetery employees are prohibited from receiving any payment, tip, or other compensation in any form from lot owners or their representatives for work during regular working hours.

III. LOT SALES & TRANSFERS

- 3.01. The superintendent or his designee shall show available spaces to prospective purchasers and handle the sale of such spaces. An agreement of sale or certificate of right to burial shall be completed at the time of purchase. A certificate of interment for the space will be issued by the City upon receipt of full payment. The sales agreement, deed or certificate and any applicable ordinance shall constitute the agreement between the City and the purchaser, and no other agreement will be recognized by the City. For the purposed of these rules, a person having a perpetual right of burial in a space evidenced by a certificate of interment is a “purchaser,” and shall be an “owner” so long as the certificate is retained.
- 3.02. The City will sell spaces in the cemetery only for the prices approved by the City Commission.
- 3.03. The City may require evidence of the residence of a purchase of a space, and may charge a higher fee to a non-resident than a resident. For the purpose of this rule, “resident” means a person residing within the corporate limits of the City, and “non-resident” means a person not residing within the corporate limits of the City.

- 3.04. Subject to the approval of the superintendent and the execution of a promissory note, a purchaser may pay the cost of buying a lot in monthly payments over a period of time not to exceed five (5) years at 12% per annum interest which would begin upon execution of the promissory note. Any outstanding balance shall be paid in full prior to interment.
- 3.05. If an owner wants to sell or transfer a space to someone not a member of his or her immediate family, the owner must first offer the space to the City of Lakeland for purchase at a price equal to the original purchase price. Immediate family means spouse, parent, child, grandparent, grandchild, brother, sister, mother-in-law or father-in-law. If the City elects to purchase the space, it shall so notify the owner within ten (10) days after receipt by the City of satisfactory evidence of title to the space. If the City declines to purchase the space, the owner may sell the space to any purchaser; provided, however, no such sale is valid unless and until the City endorses the certificate or deed to the effect that the City has declined to exercise its right to purchase the space.
- 3.06. The owners of spaces shall keep the City informed of their current mailing address. Notices or other correspondence mailed to owners or their legal representatives or heirs at the last known address on file with the City shall constitute actual delivery and notification.

IV. DECLARATION OF RESERVATION

- 4.01. An owner may present a certificate of burial rights to the cemetery superintendent designating the person or persons entitled to be buried in the space or spaces. In the event the owner fails to designate such persons, the right of interment in the space or spaces shall be in the following order:
- a) one space, niche or crypt shall be reserved for the owner, and if there is a spouse, one for the owner's surviving spouse;
 - b) any person to whom a space is bequeathed in the owner's will, provided, however, no right to a space shall pass pursuant to residual clause in a will; and
 - c) intestate heirs or lineal descendants of the owner.
- 4.02. The burial right in any space shall be the sole and separate property of the person or persons to whom the space is conveyed. A husband or wife shall have a vested right of interment in any burial space conveyed to the other, which continues so long as he or she remains the spouse of the owner, or is his or her spouse at the time of the owner's death. No conveyance or transfer shall divest the husband or wife of an owner of a vested right of interment without that person agreeing to the conveyance or transfer.
- 4.03. Any space which has been conveyed is indivisible. In the event of an interment of the owner, or a member or a relative of a member of the immediate family of the owner, the space become inalienable and shall be held as the family space of the owner, unless otherwise provided in the owner's declaration of reservation.

V. INTERMENTS & DISINTERMENTS

- 5.01. All interments, disinterments, and removals shall be done pursuant to the laws or ordinances of the State, City, and County, and any judicial order.
- 5.02. Any interment in a lot for remuneration or compensation to the owner is prohibited.
- 5.03. Fees for services by the City are approved by the City Commission and posted in the cemetery office.
- 5.04. One traditional burial per adult space and one cremated remains will be allowed with an adult burial or two cremated remains per adult space.
- 5.05. All interments must be made in either a steel or reinforced concrete vault or a reinforced concrete liner. All liners and vaults must have the prior approval of the superintendent, and shall be installed under his supervision.
- 5.06. Arrangements for the payment of any past due indebtedness, interment fees, or other charges must be made prior to any interment, disinterment, or removal.
- 5.07. If a request for the specific location of the interment within a lot is unavailable or is indefinite, or if for any reason the interment space cannot be located where requested, the City may, in its discretion, place it in such location within the lot as deemed best.
- 5.08. Conveyance of a lot to a purchaser is not valid until the full amount of the purchase money, plus any interest or other charges, has been paid. The City may remove any remains interred in a lot to a single space section in the cemetery if the amount owed has not been paid.

- 5.09. The City is not liable for any delay in interment if a protest has been made by the legal representatives or heirs, or these rules and regulations have not been complied with. A protest of interment must be in writing and filed with the superintendent.
- 5.10. No interments or disinterments will be scheduled on New Year's Day, 4th of July, Thanksgiving Day or Christmas Day.
- 5.11. To insure proper preparation of the grave, a notice of not less than eight (8) regular working hours must be given to the superintendent. Funeral Directors shall have the reinforced concrete liner or vault at the burial site not less than two hours before interment.
- 5.12. A proper interment cannot be disturbed, except upon the written approval of the owner or owners of the lot or heirs thereof and written consent of the City. Heirs may not remove the remains of anyone interred, except when all of such heirs consent to the exchange the lot for another in the cemetery. This rule also applies to interments in private vaults, be they under or above the ground.
- 5.13. The City shall exercise reasonable care in making removals, but shall not be liable for any damages resulting from such removal.
- 5.14. If two or more funerals arrive at the same time, and the representatives of the cemetery are unable to handle all, the funerals shall be handled in the order they entered through the cemetery gates, and the others must wait until the superintendent of the cemetery, or his representative, arrives to direct the funeral procession.

- 5.15. Funeral Directors will be held responsible for the actions of all drivers and other employees within the cemetery. Automobiles may not be turned around in the avenues or parked on the grass. Work of any kind in the immediate vicinity of an interment must cease during the interment.
- 5.16. A burial permit must accompany the body to the cemetery before burial can take place. Neither the City nor any officer or employee thereof shall be liable for the interment permit or the identity of the person to be interred.

VI. DECORATIONS OF PLOTS

- 6.01. No flower receptacles may be placed on any plot unless it consists of galvanized iron, aluminum, bronze, or other rust-resisting material and of a size and design approved by the superintendent, and set wholly beneath the level of the grass, except for urns of marble or granite that are part of the monument. Flower receptacles may be purchased at the cemetery. All flower receptacles not placed by the City must be placed by monument dealers.
- 6.02. The City is not responsible for floral pieces, baskets, frames, or receptacles in or to which flowers are placed or attached.
- 6.03. The City may remove any flower, weed, shrub, or plant of any kind if the superintendent determines it is unsightly, diseased, or detracts from the dignity or appearance of the cemetery.
- 6.04. The City is not responsible for any planting damaged by the elements, thieves, vandals, or any other cause beyond the City's control.

- 6.05. No planting of flowers, shrubs, or herbage of any kind is permitted on plots in the cemetery.
- 6.06. Any item consisting of glass, brick, cement, wood, metal (except temporary metal markers), and any toys, souvenirs, or emblems are prohibited from being placed upon any lot.
- 6.07. Lot owners may place one bouquet of flowers on each grave, providing they are placed in an approved ground-level vase or in a vase that is part of the memorial. Any extra decoration placed on holidays or other special occasions will be removed in thirty (30) days.
- 6.08. The use of shepherd's hooks will be permitted. One shepherd's hook will be allowed per space or two shepherd's hooks per two and four grave lots.

VII. CONDUCT OF PERSONS WITHIN THE CEMETERY

- 7.01. The cemetery is sacredly devoted to the interment of the dead, and a strict observance of proper decorum will be required of all visitors.
- 7.02. Persons shall use only the walks and roads provided.
- 7.03. Children under fifteen years of age must be accompanied by an adult.
- 7.04. No person shall gather flowers, damage trees, shrubbery or plants, or feed or disturb the birds or other animal life. No person shall have refreshments within the cemetery. No person shall loiter in the cemetery.
- 7.05. Automobiles must not be driven in excess of fifteen (15) miles per hour or must remain on

the roadways. All traffic signs and directions must be strictly observed.

7.06. No soliciting is permitted in the cemetery.

7.07. No dogs are permitted in the cemetery.

7.08. No signs or notices of any kind shall be placed in the cemetery, other than those placed by the City.

VIII. MEMORIAL WORK

8.01. To avoid a congested appearance, family monuments may be erected only in areas designed for that purpose. To have an upright family monument a lot must contain four spaces. In other areas only flush markers are permitted. These memorials must be located so as to be in accordance with the general layout of the cemetery.

8.02. Memorials, consisting of cement, artificial stone, composition, wood, tin, or iron are not permitted.

8.03. Persons erecting, cleaning, or repairing memorials must obtain a permit to do so from the superintendent, and must comply with any directions of the superintendent. Any person requesting such a permit may be required to furnish satisfactory evidence of ability to properly perform the work proposed.

8.04. All work of any kind shall cease while a funeral or interment is underway nearby. Trucks and workers shall withdraw from the location of the funeral service to a reasonable distance designated by the superintendent.

- 8.05. Before a permit for installation is issued any manufacturer or finisher, including quarrier manufacturers, wholesalers, and retailers, shall warrant to the City that monuments, markers, mausoleums, and tombs are of first quality granite or marble, and will be finished in accordance with the industry standard of craftsmanship.
- 8.06. Monument builders shall set monuments and markers in conformity with cemetery requirements and in accordance with the industry standard for proper methods of handling and setting.
- 8.07. All foundations for monuments, markers, mausoleums, and tombs shall be installed by the City or licensed dealers. The foundation is to be the full size of the base of the memorial and finished 1" below grade at top. A reasonable charge will be assessed for such installations, and the charge must be paid prior to the installation.
- 8.08 In special sections designated by the superintendent, including the Veteran's Section, only one 24" x 12" x 4" flush granite or bronze marker is permitted.
- 8.09. The size of a family memorial is determined by the ration of its face area to the area of the lot and the ratio of its length to the average width of the lot. The face area of one side of the memorial may not exceed 12 percent of the area of the lot and its length may not exceed 75 percent of the width of the lot. Some examples are:
- 1 Lot (4 spaces) 8'6" x 18'6" area 160 sq. ft.
Monument – 19.2 sq. ft. 6'4" length
 - 2 Lots (8 spaces) 19" x 18'6" area 350 sq. ft.
Monument – 42 sq. ft. 14' length

No memorial shall be more than five (5') feet in height from the foundation, and no die-stones shall be less than 4" thick or more than 14" thick. Monument bases shall not exceed 18" in width or be less than 10". No monument base shall be less than 36" in length.

- 8.10. If a base and die-stone are used, the base shall be the same material as the die-stone.
- 8.11. Individual grave markers of only one piece shall not exceed 24" x 12" x 4" in size and shall be placed at the end of the grave farthest from the center of the lot. All single markers will be set flush with the ground level.
- 8.12. Double type markers not exceeding 48" x 16" x 4" may be placed on double grave lots. These must be flush with the ground level. All double markers will be placed at the end of the grave farthest from the center of the lot and will be installed by the cemetery for a reasonable fee.
- 8.13. Markers in the infant sections and cremation sections shall be 20" x 10" x 4" and installed flush with ground level.
- 8.14. The bottom of every stone must be dressed in an even level bed so that it will stand plumb, resting firmly and level on foundation. All joints on memorials must be sealed against moisture and with non-staining material.
- 8.15. Lot corner marker posts must be of monumental stone placed level with grade. Initials must be incised, not raised. All corner posts will be set by the City and a reasonable charge will be made for this work, however, the City will not maintain corner posts.
- 8.16. No slabs are permitted on any grave, except if it is a duplication of another slab upon the same plot.

- 8.17. The cemetery superintendent may reject any plan or design for a memorial that is unsuitable to the lot on which it is to be placed. The approval of the material, style, and size of the material must be obtained before installation.
- 8.18. Should any monument, mausoleum or tomb become unsightly, dilapidated, or a menace to safety, the City may at the expense of the lot owner repair, improve, or remove it.
- 8.19. Symbols of faith, hope, and love, as well as religious symbols, and emblems of fraternal and military organizations may be used.
- 8.20. Mausoleums or tombs, wholly or partially above ground, may be constructed only in lots designated by the superintendent.
- 8.21. Plans, specifications, and the location of the mausoleums or tomb in a lot must be approved by the superintendent.
- 8.22. Upon such approval a mausoleum permit will be issued for a fee determined by the area of the plot upon which the mausoleum is to be erected. This permit must be obtained before commencement of construction.
- 8.23. The cemetery is not responsible for damage by the elements, thieves, vandals, or by other causes beyond its control to the mausoleum or the surrounding plantings.

RESOLUTION NO. 5141

PROPOSED RESOLUTION NO. 14-039

A RESOLUTION RELATING TO CEMETERIES; ADOPTING RULES AND REGULATIONS FOR LAUREL HILL CEMETERY AND OAK HILL BURIAL PARK; REPEALING RESOLUTION 2620 AND ANY PREVIOUS RULES AND REGULATIONS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 22.4 of the Code of the City of Lakeland allows the City Commission to establish Rules and Regulations for the operation of the Laurel Hill Cemetery and Oak Hill Burial Park; and

WHEREAS, City Commission of the City of Lakeland has been advised by staff who have reviewed the current Rules and Regulations for the operation of the Laurel Hill Cemetery and Oak Hill Burial Park and recommended certain revisions.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. The Rules and Regulations for the Laurel Hill Cemetery and Oak Hill Burial Park as set forth in Exhibit "A" attached hereto are hereby adopted in their entirety.

SECTION 3. Resolution 2620 is hereby repealed, together with any other existing cemetery rules and regulations.

SECTION 4. This resolution shall take effect immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 4th day of August, A.D. 2014.

