

PLATTSMOUTH CEMETERY BYLAWS

Terms of Purchase

1. Lots may be purchased during regular business hours at the Cemetery Office or Plattsburgh City Hall, Monday through Friday.
2. All grave sites must be paid in full at the time of purchase and/or prior to any interment.
3. Upon full payment of the purchase price of a lot the City of Plattsburgh will convey a cemetery deed under its seal. .
4. All lots are exempt from taxation, cannot be mortgaged, and cannot be seized for any debts other than those encumbered to the Oak Hill Cemetery.
5. Markers or monuments shall not be placed on any grave site until the grave site is paid for in full and the owner has received the deed from the City of Plattsburgh.

Ownership Rights of Interment

1. The terms "Lot Owner" or "Ownership" shall mean the right to use a lot, or part of a lot, as purchased from the City for burial purposes only as prescribed by existing or subsequent regulations of Oak Hill Cemetery.
2. The City of Plattsburgh shall have the right to assume that the lot owner acquired the lot for the interment of himself or a member of the family. Unless otherwise directed in writing by the owner, their devisee or heirs, the Cemetery Sexton will permit the interment of a member of the family at the request of any person upon proof of the eligibility for burial, as follows:
 - a. The surviving spouse of the lot owner shall have the first right to interment or to direct the right of another interment.
 - b. When there is no surviving spouse, the devisee or heirs of the owner may, by written agreement, determine among them who shall have the right of interment or direction for interment. Any such agreement shall be filed in writing with the City of Plattsburgh.
 - c. In the event the owner, his devisee or heirs, shall not have arranged for future interments, then the devisee or the heirs of such owner shall have the right of interment in the order of their need.
3. All burial rights in Oak Hill Cemetery occupy the same position as real estate at the death of the owner. Only such persons as named in the cemetery records will be recognized as the owner(s) or part owner(s) of lots. In the event of the death of the lot owner, and the cemetery lot is disposed of by will, a certified copy of the will must be delivered to the Cemetery before the City will recognize the change in ownership. If the deceased lot owners left no will, a certified copy of the proof of heirship made in the Cass County Court must be presented.
4. The Deed to a cemetery lot allows the owner the right to use such lot for burial purposes for any person he may choose, provided such admission is in the form of a legal document, is free of charge and without compensation, and in accordance with the Cemetery Regulations.
5. Lot owners may sell their lots or parts thereof to any third party. Transfer may be made only by surrender of the original deed to the City of Plattsburgh, and issuance of a new deed to the new

- owners. The City of Plattsmouth assumes no responsibility for satisfactory resale. The City of Plattsmouth will not buy back any lot(s) from lot owner(s).
6. There will be a fee for all transfers/duplicate deeds which is set by the Plattsmouth City Council through Ordinance.
 7. Lot owners will be sent a certified letter if a balance remains at the end of two years from the date of purchase, and will have ten days to contact the Cemetery Office or the City of Plattsmouth to pay the balance in full. If this is not done, the lots will be forfeited to the City of Plattsmouth and made available for resale.
 8. It shall be the duty of the lot owner to notify the Cemetery Office of any change of address until paid in full. Notice sent to lot owner(s) at the last address on file at the Cemetery Office shall be considered sufficient and proper lead notification.

Interment

1. Interment will not be made on Sundays, or locally observed holidays, except by order of the local Board of Health. Interment on Saturday is an additional \$200.00
2. All graves shall be dug by contractors under the direction of the Cemetery Sexton. Depth of graves shall conform to Nebraska Board of Health standards, or other applicable state statutes. The applicable form will be filled out completely and signed by Sexton and Digger and submitted to the City Clerk's Office
3. Refilling of the grave, and seeding will be done by the contractor after the grave has settled.
4. The interment of persons who have died of a contagious disease shall be in strict accordance with rules of the Nebraska Board of Health.
5. Using the deed and/or cemetery plot map, the funeral director and family member(s) shall communicate with the Cemetery Sexton to identify the appropriate grave site for the deceased. Once determined, the Sexton will identify the correct site at the Cemetery. An additional charge may be appropriate if a change of location is subsequently made.
6. The Sexton shall be given a twenty-four hour notice, or thirty-six hour notice when the ground is frozen from November 14 through March 15 for the opening and preparation of the grave for burial.
7. The remains of not more than one body or the remains of more than one body, shall be interred in one grave, or vault. When burial is cremation, the family of the decedents shall be allowed to use one grave space for the burial of cremated remains of two persons if those two persons were related to each other as husband and wife or parent and child. Graves already containing cremated remains cannot be used for burial of a vault or casket.
8. The casket in every interment shall be enclosed in a concrete box or vault. Vaults are to be of a non-deteriorating material.

Disinterment

1. The City of Plattsmouth will require one week's notice prior to any disinterment.

2. The City of Plattsmouth and/or contractor shall exercise due care in making a disinterment, but shall assume no liability for damage to any casket, burial case, urn or the contents thereof.
3. Opening and closing shall be the cost set by the grave digger, plus \$200.00.

Lot Care

1. To prevent injury to adjoining lots and to preserve the beauty of the grounds, trees or shrubs shall not be planted, cut down, removed, or trimmed without permission of the Cemetery Sexton, and shall be done by Cemetery employees.
2. The City of Plattsmouth has the right and responsibility to care for every tree, shrub, or vine growing with the Cemetery, whether planted by the lot owner or otherwise. The City also has the right of removal when it considers such removal to be advisable. Trees will not be removed to make additional spaces.
3. Planting of borders around a lot, or on each corner of a lot, is prohibited.
4. Hedges, fences, or enclosures of any kind will not be permitted on or around lots. Wooden boxes, wreaths, glass jars, bottles, toys, cans, and other objects may be removed by Cemetery employees without notice, if considered inappropriate.
5. U.S. flags will be permitted year round. They are to be cloth, and are not to exceed 12"X18". Flags must be placed in a brass flag holder or a permanent marker on the headstone. When flags become worn or torn, they will be removed by Cemetery employees. Any replacements are the responsibility of the lot owner.
6. Artificial flowers will be permitted year round only in a permanent vase attached to the headstone, or a permanent vase concreted in the ground. If they become worn or unsightly, they will be removed by Cemetery employees.
7. Artificial wreaths and grave blankets will be permitted from November 15 through March 1. Such decorations may be removed by Cemetery employees after March 1.
8. There will be NO glass vases, jars, figurines, etc. Trellises, shells, toys, metal designs, and similar articles must be placed at the headstone. Articles inconsistent with the proper appearance of the grounds will not be permitted. The City of Plattsmouth will not be responsible for loss or damage to any portable articles left on any lot or grave.
9. Shepherd hooks with a single or double hook will be permitted, one on each grave, and must be placed at the headstone.
10. Vigil lights will be permitted, one on each grave, and must be placed near the headstone. No lighted candles are permitted.

Markers and Monuments

1. A marker or monument shall not be placed on a grave site until the grave is paid in full and owner has received a deed from the City of Plattsmouth.
2. The small metal marker put on the grave by the funeral director is considered temporary and will be removed and disposed of by Cemetery employees when a permanent marker or stone is put into place.
3. Maximum size of upright monuments shall be:

- a. Adult Single: 36" long X 20" wide base X 36" die and base overall height.
 - b. Adult Double: 72" long X 20" wide base X 60" die and base overall height.
4. Maximum size of flat markers shall be:
 - a. Adult Single: 36" long X 18" wide X 4" thick.
 - b. Adult Double: 60" long X 18" wide X 4" thick.
 - c. Infant; 18" long X 12" wide X 4" thick/
5. Flat or upright stones are to be approved by the Cemetery Sexton *before* they are placed. This will be determined by lot location.
6. Government flat markers or other memorials placed within the Cemetery on graves of eligible veterans will be installed by Cemetery employees and governed by veteran headstone and marker placement policy. Lot owner will be charged for the materials and labor.
7. Lot owners choosing government upright monuments shall contract with a private monument company for placement, after approval of the Cemetery Board of Sexton.

Cremation Niches

1. Cremation niches shall be governed by the Plattsmouth Cemetery with the following additions:
 - a. There shall be cremains of only one person per niche.
 - b. Cremains shall be sealed in an urn prior to placing in the niche.
 - c. Niches shall be opened and closed by Cemetery employees.
 - d. Placing or attaching items to any part of the niche must be authorized by Cemetery Sexton in advance.
 - e. Engraving of niches shall be done by the city of Plattsmouth.
 - f. The City of Plattsmouth will NOT buy back niches after a disurnment.

Maintenance and Responsibilities

1. The City of Plattsmouth shall be responsible for all grading, landscape work and improvements of any kind, all general care, planting, trimming, or removing of trees, shrubs, and herbage of any kind.
2. All improvements or alterations of individual property within the Cemetery grounds shall be under the direction of, or subject to, the consent, satisfaction, and written approval of the Cemetery Board or Sexton. The Sexton shall have the right to remove or alter such improvements or alterations at the owner's expense if they are made without written consent, or if they become unsightly or are found to cause additional maintenance expense.
3. The City of Plattsmouth reserves the right and privilege, at any time, to resurvey, replat, alter in shape or size, or otherwise change all or any part, portion, or subdivision of the unsold property hereby mapped and platted, including the right to lay out and establish roads, walks, drives, buildings or utilities.
4. Persons employed by the City of Plattsmouth shall not receive any fee, gratuity of commission, either directly or indirectly, under penalty of immediate dismissal.
5. The City of Plattsmouth distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control from damage caused by the elements, acts of God, common

enemy, thieves, vandals, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral.

Perpetual Care

1. The term "perpetual care" shall mean the City of Plattsmouth assumes to use the net annual income received from investment funds in furnishing care to all lots in the Plattsmouth Cemetery. Such care includes caring for avenues, alley, fences, buildings, and grounds in general.
2. It is understood that such expenditures shall be made at the discretion and direction of the Cemetery Board. The City of Plattsmouth shall not be bound to make a separate investment of the money set aside for perpetual care from a particular lot sale. Proceeds from the lot sale shall be added to the perpetual care fund of the City of Plattsmouth, and the proceeds shall be used by the City in the manner described above.

In accordance with Nebraska state laws (1903101, section 32-560), after notice and a hearing, any Cemetery Board Member that is absent from more than five consecutive regular meetings, unless the absences are excused by a majority vote of the remaining members, shall be dismissed from the board.