

## **Portales Cemetery Rules and Regulations**

1. All lots in Cemetery shall be used for human burial only. Adjoining lots may be purchased as a family plot.
2. All persons are reminded that the grounds are sacredly devoted to the burial of the dead and that the provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wanton injury, disturbance, and disregard of the rules.
3. No person will be permitted to use profane or boisterous language or in any way disturb the quiet and good order of the Cemetery.
4. Automobiles shall not be driven through the grounds at a greater speed than fifteen miles per hour and must always be kept on the right side of the Cemetery roadways. Automobiles are not allowed to park or to come to a full stop, in front of an open grave unless such automobiles are in attendance at a funeral.
5. Persons within the Cemetery grounds shall use only the avenues, walks, and roads. No one shall ride a bicycle, motorcycle or motorbike except on designated roadways.
6. The Cemetery is intended to be sacred; it is not a park.
7. No animals shall be permitted in the Cemetery.
8. Bringing lunches, beer, or intoxicating liquors within the Cemetery is strictly forbidden.
9. No person shall pluck or remove any plant or flower, either wild or cultivated, from any part of the Cemetery.
10. No person or persons shall be permitted to bring or carry firearms within the Cemetery unless expressly approved by the Cemetery Supervisor. No hunting is allowed within the Cemetery.
11. Trash containers have been placed in convenient places in the Cemetery for your use. Please use these to dispose of any trash, so the Cemetery is as neat and clean as possible at all times.
12. All persons are strictly forbidden to break or injure any tree or shrub or mar any landmark, marker, or memorial or in any way deface the grounds of the Cemetery.

13. Persons desiring to retain floral pieces or other material used at burials must remove them

within 48 hours after burial.

14. Use of rocks or metal to hold flowers is not permitted as they can damage equipment and

injure personnel. The digging of holes for any purpose whatsoever is strictly prohibited.

15. No enclosure of any kind, such as a fence, coping, hedge, ditch, or rocks shall be permitted around or on any grave or lot. Grave mounds will not be allowed and no lot shall be raised above the established grade.

16. Removable vases, containers of flowers, and other grave decorations may be placed on graves on holidays, however, owners must remove within one week following the holiday or items will be removed by the Cemetery personnel.

17. Five days after burial, floral pieces, artificial or otherwise, or any other kind of grave decoration must remain at the head of the grave.

18. Funeral designs and floral pieces shall be removed as soon as they become withered or unsightly, in opinion of Cemetery Supervisor, it is for the best interests of the Cemetery.

19. A small flag, less than two square foot, may be displayed on those days and occasions when it is customary to do so. The Cemetery personnel may remove such flag without liability for their safekeeping and or disposal. Metal pipes for displaying flags may not be left permanently unless approved by Cemetery personnel.

20. Other than a head marker, the placing of copings or curbs or any construction, wooden markers, concrete monuments, trellises, metal fixtures, frames or boxes, chairs or settees on graves or lots is prohibited.

21. All markers and other decorations must meet Cemetery requirements.

22. Before any marker or stone is placed at a gravesite, the Cemetery Manager must be contacted. It is the duty of the Cemetery Manager to direct the placement of markers and stones. Markers and stones will be placed so that footstones and corner markers are level with the ground. Head markers and Family stones must be placed in a manner consistent with existing survey plugs, markers, and stones.

23. All stones must have a 5-inch band of cement on each side. All stones must be centered with the grave and in line with established survey plugs. Only two stones may be placed on each grave space, one at the head and one at the foot (flat).

24. All stones, markers, and other decorations must be of earth tone in color, such as gray, white, brown, black, etc., no loud or gaudy colors. Stones, markers, or any other grave decoration not made professionally of marble or granite may not exceed (3 ft.) in width by 3 (ft.) in height. A design must be given to the Cemetery Supervisor for pre-approval and written permission of such an item before placement.

25. The City is not responsible for temporary markers after six months, nor the safe keeping of garden hoses.

26. Interments shall be permitted only between the hours of 7 a.m. and 4 p.m. Location must

be given to Cemetery Supervisor by noon Friday for a Saturday or Sunday burial, and by 4 p.m. Friday for a Monday morning burial. Written notice must be given to Cemetery personnel 24 hours prior to the announced time of funeral. If written notification is not possible, oral notification can be given if and only if it is followed by written notification. Exceptions will be made only in cases of death from contagious disease or when so ordered by the Board of Health or Officers of the Cemetery.

27. Interments will not be allowed on the following holidays; they will also not be allowed on the day following the holiday unless, location is given to management, by noon, on the day preceding the holiday—New Year's Day, Martin Luther King, Jr. Day, Good Friday and Easter Sunday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day.

28. There shall be no more than one body interred in each grave in the Cemetery, except in the case of a parent and infant at the same time or two infants at the same time. Infants must be under 3 years old.

29. In the event any error shall be made in the interment or disinterment of any space in the Cemetery the City reserves the right to remove and transfer the remains to another space of same value.

30. If for some reason the gravesite is not ready, such as rock, acts of nature, or any other reason, the burial will be postponed until the grave is ready.
31. Neither interments nor disinterments will be allowed in any space where the ownership, in opinion of management, remains undetermined.
32. The disinterment from a burial space within the Cemetery shall be permitted only after approval of management, and then will be done at the earliest convenience of the Cemetery personnel. All requests for disinterment will be presented to the Cemetery Supervisor in writing with reason for disinterment stated on the request.
33. Cremations may be buried on top of graves with owner and Cemetery Supervisor approval. More than one cremation may be placed on a grave space with Supervisor approval. Cremations must abide by maximum stone rule.
34. The Cemetery Supervisor has the right to make anybody leave the area where a grave is being dug, covered, disinterred or interred. This is for safety reasons.
35. In the event the City shall determine any memorial, structure, marker, monument or inscription placed or to be placed within the Cemetery to be offensive, the City expressly reserves to itself the right to enter such lot or plot and remove, change or correct the same, after expiration of reasonable notice in writing given to the party or parties in interest therein. When a reasonable attempt has been conducted, and a suitable party has not been contacted, the City shall have the right to correct the problem accordingly.
36. The right to enlarge, reduce, replat or change the boundaries or grading of the Cemetery or of a section or sections, from time to time, including the right to modify or change the locations of/or any part thereof or remove or regrade roads, drives and walk, is hereby expressly reserved. The right to lay, maintain and operate, alter or change pipe lines or gutters for sprinkling systems, drainage, etc., is also expressly reserved, as well as is the right to use Cemetery property not sold to individual owners for Cemetery purposes. The City reserves, to itself and to those lawfully entitled thereto, a perpetual right of ingress and egress over lots for the purpose of passage to and from other lots, including the movement of heavy equipment.
37. If any tree, shrub, or plant standing upon any lot by means of its roots, branches, or

otherwise, be or become detrimental to adjacent lots or avenues, or if for any other reason its removal is deemed necessary, the City shall have the right and it shall be its duty to remove such tree, shrub, or plant, or any part thereof, or otherwise correct the condition existing as in its judgments seems best. The City shall have no obligation to replace the removed tree, shrub, or plant.

38. No objects, which in the opinion of Cemetery Supervisor, will be permitted on any grave space that could be a danger to the public, employees, or equipment. This may include boxes, shells, toys, crockery, glassware, cans, etc.

39. The Cemetery personnel shall have authority to enter upon any lot and to remove any objectionable thing or any erection that may have been placed there contrary to the regulations, and they may remove any dead or damaged tree, shrub, or vine.

40. The Cemetery personnel shall direct all improvements in the Cemetery. They shall have charge of all planting, sodden, surveying and improvements generally.

41. The City may establish from time to time the fees to be charged for spaces, opening and closing, weekend charges, and any other fee, which the City deems necessary.

42. The opening and closing of all graves shall be done only by direction of the Cemetery Supervisor.

43. Neither the City nor any employee shall be liable or responsible for any act of space owners, visitors, licensees or trespassers within the Cemetery premises. Nor shall they be responsible for theft or damage to anything placed on graves or spaces. Nor shall they be liable for any damage caused by the elements, an act of God, common enemy, thieves, vandals, malicious mischief makers, explosions, unavoidable accidents, invasion, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral.

44. The City has not always maintained the Cemetery records, or have had control of the purchasing of lots and spaces; therefore we cannot be responsible for records that have been lost, stolen, burnt, or for any other reason are not available.

45. These rules and regulations are subject to any provisions of applicable laws of New Mexico.

### **Rules and Regulations for Babyland**

- No stone or marker shall be taller than 3 feet or wider than 2½ feet.
- All temporary markers shall be bolted flat on a cinder or cement block and placed at ground level.
- Only infants and small children under the age of four shall be buried in Babyland.
- Babyland spaces are 3 feet in width and 5 feet in length.
- Lots in Babyland are to be taken in order starting with the designated row #1, space #1, then row #1, space #2, and etc.