

Cemetery Use and Rules By-Laws

Cedar Rapids Sunset Cemetery is owned and managed by Cedar Rapids Sunset Cemetery Association Inc.

The management of the cemetery shall be under the direction of the Association President, who in turn shall be responsible to the Cemetery Association Board for direct and complete supervision of the cemetery in all matters.

All applications for purchase, transfers, assignments or repurchase of the cemetery grave spaces, shall be made to the Association President. Only the President or the Association Treasurer is empowered to receive any and all monies or payments and to issue receipts for the same in any and all transactions involving cemetery property or service.

It is the desire of the Association to make the Sunset Cemetery a quiet, beautiful place for the deceased and their families. It is to this end that these rules and regulations have been implemented.

These rules govern the use and operation of the Sunset Cemetery located in Cedar Rapids, Boone County, Nebraska and whose mailing address is PO Box 75, Cedar Rapids, NE 68627

ARTICLE 1

GENERAL RULES

1. The cemetery is open every day of the year weather permitting.
2. No person shall:
 - A. Permit any pets to enter the cemetery unless such pet is under owner's control. All pet excrement shall be picked up and properly disposed of off-site.
 - B. Erect a marker, monument or permanent vase without first contacting the Cemetery Association President and obtaining the necessary authorization.
3. The Association President has the general oversight of the cemetery
4. The Sunset Cemetery and/or Cemetery Association shall not be financially responsible for any damage to grave spaces, monuments, vases or structures thereon or for flowers or articles removed from any grave space or lot.
5. The Sunset Cemetery Association or its employees assume no liability for property or physical damage or mental anguish caused or alleged to be caused in the performance of normal operations or of loss or damage by vandals or any third party.
6. No vehicle shall be operated in any manner so as to cause damage to the roads, monuments, grass, graves or any other part of the cemetery.
7. The Cemetery Association Board shall have the right at any time to amend or change these rules and regulations.

ARTICLE 2

INTERMENTS, DISINTERMENTS AND REMOVALS

1. All interments, dis-interments and or removals in or from the cemetery are subject to these rules and the Statutes of the State of Nebraska, Boone County, the State Board of Health and in the presence of a Licensed Mortician (except in the case of a cremation interment or disinterment).
2. The President shall be given a minimum of twenty-four (24) hour notice for the opening and preparation of the grave prior to interment.
3. The President shall be given notice of the intention to disinter or remove a body from the cemetery or to another part of the cemetery.
4. The interment of two bodies in one grave space will not be permitted except in the following cases:
 - A. Two infants.
 - B. One infant and one cremation.
 - C. One cremation and one adult burial (where sufficient space is available).
 - D. Two cremations.
 - E. One adult and one infant.
 - F. Pioneer graves removed and reinterred where multiple remains are placed in one container due to age and minimal volume of remains.
5. All cremations shall be buried pursuant to Nebraska Department of Health Regulations.
6. No interments will be permitted until such grave space or spaces have been paid for or other arrangements made.
7. The Lot Owner and Cemetery President shall designate the location of the graves on the lot. Any change of location made after the opening of the grave has begun shall be at the expense of the Lot Owner/Funeral Director.
8. The cemetery shall be in no way liable for any delays in the interment of a body where a protest to the interment has been made or where the rules or regulations have not been followed.

9. Interments are not required to be in a vault or concrete box. Any casket, purchased or homemade and of any material, may be used. Cremation containers may be of any type.
10. Dis-interments by heirs of a body so that the grave space or lot may be sold for profit to themselves or to any other persons, or disinterment contrary to the written directions of the original grave space or lot owner, shall not be allowed.
11. The Cemetery and/or its employees shall not be liable for any damages to any casket, vault, or box incurred in making a removal.

ARTICLE 3

BLOCKS, LOTS, AND GRAVE SPACES

1. Generally, the existing cemetery is divided into blocks, which are in turn subdivided into lots, each ranging from four (4) to sixteen (16) grave spaces. New additions may be divided differently. Graves in the existing cemetery will be placed East/west and the marker/stone will be placed at the West end of the grave. There will be one stone/marker per person or family. There will be no foot stones. (The Cemetery President MAY make an exception to the placement of the stone to the East end if the other stones in that row are set in the same manner.)
The Edwin Cox addition will have all graves facing north and all stones/markers will be on the south end of the grave. There will be no foot stones.
The Cemetery President will mark the location of the stone/marker for the monument company/funeral home before the stone is set. The monument company shall make sure the marker/stone is level, square and in line with others to facilitate mowing.
2. All arrangements to purchase a lot or grave space shall be coordinated with the President, after which the purchaser shall make payment to the Cemetery Association for such purchase. The purchaser shall receive a Cemetery Deed from the President for the lot or grave spaces purchased. A purchaser acquires no right, title, or interest and may not inter a body or cremation in any grave space in the cemetery, until all costs are paid in full.
3. A lot owner may sell their grave space, or spaces, however the Cemetery shall have no obligation to recognize the transfer unless the President is notified in writing.
4. The Cemetery shall have the right to refuse to consent to a transfer or any conveyance of said grave spaces as long as there is any kind of indebtedness due to the cemetery by a recorded lot or grave space owner.
5. If there are no heirs at law of a lot owner and he or she has not provided by will for the disposal of lots, the remaining space or spaces escheat back to the Sunset Cemetery after normal inquiry of any known relatives and in accordance with State laws pertaining to the above.
6. A single interment may not be buried so as to occupy more than one grave space.

ARTICLE 4

CARE OF THE CEMETERY

1. All grading, general landscape work and improvements, shall be made by the President or an approved delegate.
2. No plantings of trees, shrubs, bushes, plants, or flowers shall be allowed. The President may authorize the removal of any unauthorized plantings.
3. Floral arrangements and designs, flowers, shrubs, trees, weeds, or any herbage or any plastic or any other item may be removed by the President or employees whenever they are judged to be

unsightly, dangerous, detrimental, diseased or distracting from the general décor of the cemetery. The cemetery and its employees shall not be liable for flower pieces, baskets, frames or other objects left for or after a funeral service or for decoration of a grave.

4. Glass containers of any kind are not permitted in the cemetery.
5. Flowers (silk, plastic or real) are not permitted on lots or grave spaces unless contained in a permanent type of container approved by these rules except as follows;
 - A. Decorations or mementoes are permitted if attached to the headstone, the headstone base or an approved mat or tile that allows for unhindered mowing and trimming.
 - B. Weekend prior to Memorial Day Weekend until the Sunday after.
 - C. The Friday before Mother's and/or Father's Day to the Monday after Mother's and/or Father's Day at 6:00 p.m. Glass items of any kind are not allowed. The Cemetery and its employees are not responsible for any items that have been removed, damaged, or lost during this time, either in the performance of their duties or by other third parties.
 - D. Lot owner has permission to do all maintenance on their lot as explained in No.9.
6. The right to replat, re-grade, use property, change boundaries, remove, re-grade or pave roadways, change location of drives and walks, along with removing or planting trees, etc..., is expressly reserved by the Cemetery.
7. Curbing, fences, foot stones or hedges around any grave space, or lots are prohibited.
8. No elevated mounds shall be built over graves and no lots shall be filled above the level established by the cemetery.
9. All mowing and trimming is normally done by cemetery staff. In the event that a lot owner prefers to do their own mowing and trimming they must notify the President that such is the case. The lot owner then must maintain the grave area, including mowing, trimming, watering, etc. The cemetery maintenance staff will not touch that grave space unless or until the lot owner gives permission or fails to maintain it to minimum cemetery standards. If minimum standards are not met, then a 30-day notice will be given to the lot owner to remedy the maintenance issues or it will revert back to cemetery staff maintenance.

ARTICLE 5

MONUMENT AND MARKER REGULATIONS

1. Permanent flower vases, separate from the headstone or monument, must be placed on the concrete foundation base only.
2. The length of a marker or monument (this does not include grave slabs as they are not allowed in the cemetery) may not exceed 75% (3 ft) of the width of a single grave (4 ft) or when two (2) or more adjoining grave spaces are used, the length may not exceed 75% (6 ft) of the total width of those spaces (8 ft). This allows for a maximum 6 inch wash. Foot stones are not allowed and full cover grave slabs are not allowed. Lot sizes will be different in the Edwin Cox addition.
3. The Cemetery is not responsible for the replacement of any foundation damage to open a grave.
4. All fees shall be paid before any monuments, markers, permanent vase or foundation work can begin.
5. The wash for any monument or markers shall be level with the ground at least 4" thick and extend no more than 6" away from the monument or marker. The lot owner is responsible for maintenance and repairs of the wash.

6. All monuments or markers shall be set in a straight line with lot lines.
7. No foundation or vase shall extend outside the grave space or lot owned by a lot owner.
8. No cement shall surround the sides of a monument or marker.
9. All monuments or markers shall be constructed of granite, or bronze. Limestone, sandstone, marble, wood, steel, aluminum, or formed concrete plate, etc. shall not be used for markers or monuments.
10. Monuments or markers shall not be removed unless notice has been given to the President in writing.
11. In the event existing curbs become a maintenance hazard or become unsightly because of deterioration and/or disrepair, the Cemetery President shall notify the lot owner or heirs, if at all possible, that the curb must be repaired within 30 days weather permitting or it shall be removed. If no lot owner or heir can be located the Cemetery shall repair or remove the curbing at the President's discretion.

ARTICLE 6

FEES - CHARGES - PERMITS - PAYMENTS

1. The payment of all fees, charges, permits and payments are payable at the time of service and shall be made to the Cedar Rapids Sunset Cemetery Association and given to the President or Treasurer.
2. The Cemetery may repurchase grave spaces and may also accept donated and returned grave spaces.

APPENDIX A

CEMETERY RATE AND FEES

Grave Openings

1. To be charged by the grave opening company that the Funeral Home uses, and in most instances collected by the Funeral Home.
2. Cremations may be buried by the family without an official grave opening company being involved. The Cemetery President will mark the correct spot.

Grave Space Purchases

1. One Burial Plot cost is \$300.00 as of 6/2022, but subject to change at any time, and is payable to the Cedar Rapids Sunset Cemetery Association, Inc., PO Box 75, Cedar Rapids, NE 68627

Updated July 2022