

EAST PROWERS CEMETERY DISTRICT

HOLLY, HARTMAN, MT HOPE (AMITY), GARBER, AMERINE AND FT HOLLY

Bylaws of the East Prowers Cemetery District

Declaration of Policy:

The Cemetery Board of Directors hereby ordains that the following bylaws be established to govern the proper operation and use of all cemeteries in the East Prowers Cemetery District, now or hereafter established. The district desires to have its cemeteries maintained and firmly believes that these policies are necessary for the protection of lot and grave owners, and for the proper conduct and good order of the cemeteries. The Board is appointed by the County Commissioners, and must reside within the boundaries of the cemetery district.

Application of the Rules and Regulations:

The board of Directors upon majority vote of the trustees at any regular meeting may modify, suspend, repeal or amend the provision of these policies in whole or in part.

General Regulation:

The following shall be the general rule and regulation for the use of all district cemeteries.

Conduct in Cemeteries: No Person Shall:

1. Enter a cemetery except through an established gate or entrance way. No motorized vehicles other than the equipment owned by East Prowers Cemetery District are allowed on the grass at any of the cemeteries.
2. Pick or mutilate any flowers, either wild or domestic. Disturb any trees or shrubs. Mowing or planting of any grass. Deface any monument, stone, fence, or other structure or property within any cemetery.
3. Use the cemeteries as a picnic ground. Use any form of advertising on cemetery property.
4. Discharge firearms in any cemetery. This prohibition shall not apply to authorized volleys at burial services conducted by military organization or association of the United States of America.
5. Allow dogs or other domestic animal to run at large (must be on a leash) within a cemetery.
6. Ride horseback within or through any cemetery, except in conjunction with burial services conducted by the funeral director. Must stay on roadway.

Traffic Regulations: No Person Shall:

1. Operate or cause to operate any vehicle within a cemetery except on roads designed for that purpose. No vehicle shall be driven in excess of ten (10) miles per hour within a cemetery. All vehicles must stay on the roads.
2. Enter a cemetery with any vehicle to unload any stone, dirt or other material from trucks unless permission has been received from the East Prowers Cemetery Board.

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3. Operate a snowmobiles, ATV's or go carts or a vehicle that is not abiding by all traffic laws of the State of Colorado. Within the boundaries of any cemetery.

Establishment of cemeteries:

The Board of Directors will vote on the establishment of Cemeteries.

Existing Cemeteries:

The following named existing cemeteries shall be deemed to have been established as district cemeteries at their present location, Holly, Hartman, Mt Hope (Amity), Garber and Amerine.

Planning Board of Review:

The board of directors will obtain cemetery property in accordance with all state and federal laws that are applicable.

Lot Size Established:

Unless otherwise expressly designated, standard lot size for all cemeteries is hereby established as being. Space is five (5) feet by ten (10) feet. Lot which is 4 (four) spaces is ten (10) feet by twenty (20) feet.

A standard size lot is broken up into four (4) single burial plots; each burial plot will be subject to a maximum of one (1) casket/vault.

In the case of cremation internment the following guidelines shall apply.

1. Minimum conveyance is one (1) per single space.
2. Maximum number of cremation internments shall be two (2) per single space.

Purchase and Conveyance of Lots:

No lots will be sold at Mount Hope or the original sections of the Holly Cemeteries.

Lots purchased in any additions of cemeteries under the care of East Prowers Cemetery District shall be conveyed by a special deed for human burial purpose only, and shall be subject at all times to the provisions of the East Prowers Cemetery District bylaws, along with any articles or agreement or applicable state laws. Purchase of lots or spaces shall be selected and purchased from one of the following, grounds keeper, recorder/bookkeeper, or a board member. Such purchases shall be evidenced by a deed prepared and signed by the record bookkeeper and one board member. Such deed shall give the following information: Name, purchase price, name of the cemetery, section of cemetery, lot and space numbers. All payments for purchase of lots or space shall be by personal check or money order.

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Transfer of Ownership of lots or spaces:

Transfers or other conveyance of any space shall be made by a transfer deed from East Prowers Cemetery District. All transfer deeds will be signed by the owners of the said lots or space and by the record/bookkeeper, groundskeeper or a board member of East Prowers Cemetery District and be recorded in the official records of the Cemetery District.

Cost of Lots or Spaces:

The following prices are hereby established for cemetery spaces. Perpetual care is included automatically and defined herein.

1. \$200.00 for 1 space
2. \$400.00 for 2 spaces
3. \$600.00 for 3 spaces
4. \$800.00 for 4 spaces or 1 lot.

Perpetual care is defined as, The general upkeep of lots to include mowing, trimming, reseeding where necessary, trimming of any trees or shrubs, repairing sunken graves and sinking stones.

Fees Schedule:

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| 1. Opening and Closing of standard casket/vault grave. | \$300.00 |
| 2. Opening and closing Saturday standard casket/vault grave. | \$350.00 |
| 3. Opening and Closing Cremation | \$100.00 |
| 4. Opening and Closing Saturday cremation | \$150.00 |
| 5. Disinterment - standard casket/vault grave, | \$1,850.00 |
| 6. Disinterment - cremation | \$250.00 |
| 7. Moving of stone depending on size | \$350.00 up to \$650.00 |
| 8. Rental of Chairs and turf | \$100.00 |
| 9. Mt Hope burials will have additional fees as needed for any equipment that is needed to open and close the grave. | |

Payments for lots, spaces and fees:

All payment must be made by personal check, US postal money order or bank money order, made payable to, East Prowers Cemetery District. NO Cash will be accepted. Payment may also be made through the funeral home of your choosing.

Records:

The keeping of the record of the cemeteries of the East Prowers Cemetery District shall be the responsibility of the Record/bookkeeper. All records will be kept at the office at the Holly Cemetery shop located at 35500 Cemetery Road Holly, CO 81047. Records will include the following: Maps showing laid out sections with ownership and burials therein, copies of all deeds conveyed for purchases of lots or

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spaces and burial records of any interment or inurnment in any of the cemeteries located within the East Prowers Cemetery District.

Cemetery Maintenance:

The Board of Directors shall determine what acts are necessary to improve and maintain the appearance and condition of the cemeteries within the East Prowers Cemetery District.

The maintenance of the cemeteries and grounds shall be the responsibility of the grounds keeper of East Prowers Cemetery District which will include the following. Mowing, trimming, watering, replanting grass, repair sinking graves, maintain the roads, fences, upkeep on building, removing damaged or faded artificial flowers, or other articles placed at the graves, removing dead plants, trimming of all trees or shrubs and removing any broken or damaged yard art, solar lights, metal/plastic pipes, vases not attached to the stone base, or any object that could damage cemetery equipment in the upkeep of the cemeteries.

Planting of trees, shrubs or flowers:

No Trees or shrubs including rose bushes, cactus, decorative grasses, sage, or other type of grasses shall be planted in any cemeteries under the care of East Prowers Cemetery District. Existing trees or shrubs may be trimmed or removed by the cemetery District if deemed it is infringing into a walkway, adjoining space or in the way of an interment or inurnment.

Flowers

Artificial flowers are allowed at the head stone only and must be within 6 inches of the head stone. Live plants only if in a vase to the side of the head stone on the concrete pad. Iris, peonies, tulips or any bulb flowers can be planted in the ground beside the stone. No glass containers or glass items are allowed. No full grave covers are allowed except at Memorial Day and interment and will be removed after 14 days. Any live cut floral arrangements will be removed when they have become wilted or dried out.

Solar Lights and other decorations

Yard ornaments or solar lights are limited to two (2) each or a total of four (4). Total height of the ornaments or lights cannot be over 24 inches in height. They must be within 6 inches of the head stone. Any small items must be placed on the granite or concrete pad. If the small items are in the way or a danger to the groundkeeper while mowing or weed eating they will be removed. No steel, copper, aluminum, galvanized, brass, or plastic pipes, bricks, marbles, granite chips, rocks, items of clothing, paper documents, garland type materials, photos or planting of any type of grasses or cactus. All items can be removed by the grounds keeper when it becomes damaged, broken, or does not meet the requirements of the Cemetery District by-laws. No items may be placed at the foot markers or at the foot of graves.

The white military crosses that are for the American flag will be installed by the VFW under the supervision of the groundskeeper. No other type of items to hold the American flag will be allowed.

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Curbs, fencing or grading:

No curbs, fences, bricks, rocks or other similar barriers shall be permitted around or on any individual space or group of lots. Grading of a space or lot causing the surface of the ground to be raised above the existing height of the surrounding area will not be allowed. Planting or mowing of grass on the graves are not allowed by the family. No person shall discharge any chemical herbicide or other substance on any space or lot.

Monuments, Markers and Benches:

All head stones, monuments, or benches must be on the west end of the said space.

Monuments shall be of granite or marble. The military makers may be marble, bronze, or metal. All concrete pads, head stones, benches must have a life time warranty that it will not decay or deteriorate over time and must be installed by a monument company.

Corner stones are allowed if they are flush with the ground. All foot markers must be flush with the ground on a concrete pad.

Prior to placing a monument or concrete pad a permit must be obtained from the caretaker for all foundations and/or headstones to be placed within the East Prowers Cemetery District. If a monument or pad is placed without a permit it will be removed by the caretaker. Only a precast concrete pad (made with a minimum five sack concrete) or granite stone slab will be allowed for the monument foundation. The pad must be guaranteed by the monument company not to shift or break. A wet concrete will only be allowed for tall military markers. Benches may be installed on an additional lot as a headstone or as a head stone on a lot that has an internment. All benches must be on a precast concrete pad. All placements of markers, monuments, and benches must be under the supervision of the care taker, recorder/bookkeeper, or a board member and must be done by a monument company or vault company. East Prowers Cemetery District must be notified 3 days prior of setting of any headstones, benches, or foot markers and will be scheduled during regular business hours Monday thru Friday 9 AM to 5 PM and Saturday 8 AM to 12PM.

Surface Mausoleums:

A written plan must be submitted to East Prowers Cemetery District Board. In determining the acceptance, the board will consider the location and type of constructions.

Burials:

Conditions of Burial: No burial shall take place without first a burial permit. The burial of human remains shall be under the direction of a licensed funeral home. Burial placement will be under the direct supervision of the East Prowers Cemetery District. The minimum requirements, for a casket/vault burial is a two (2) piece concrete vault.

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Cremated remains may be brought to a cemetery for burial by any person, with prior consent together with a crematory certificate from the respective crematory identifying the remains. Burial will be under the direct supervision of the East Prowers Cemetery District.

The opening and closing of the graves shall be the responsibility of the ground keeper to East Prowers Cemetery District. Set up of ceremonial material shall be the responsibility of the Vault Company or Funeral Home. If a cremation is taking place and chairs and turf is rented from East Prowers Cemetery District the grounds keeper will set up the ceremonial material.

There will be no burials on Sundays, the weekend of the Holly Gateway fair, the day of and the weekend of observed holidays.

Dis Interment must be done in accordance with state of Colorado policy and fee will be set by the Board of Directors of East Prowers Cemetery District.

Burial Vaults and outer containers:

For traditional earthen burials, burial vaults and outer containers will be a minimum of a constructed two (2) piece concrete vault, and be placed in the grave by the vault company that the funeral director has hired.

For cremated remains no vault container is required.

Relocations: The board of directors may at the expense of the district, disinter all the remains of persons buried in such cemetery and re-inter the same in the unoccupied part of any other cemetery within the district per Colorado Revised statute.

Veterans Section Procedures and Guidelines

Located at the south end of Block 6 on the east side of the Holly cemetery

- Factors that will prohibit burial in the Veterans Section.
 1. Persons unable to produce a DD Form 214
 2. Persons convicted of a felony as evidenced by an internet background check through the Colorado Bureau of Investigation
 3. Persons convicted of a sex offense or is a registered sex offender pursuant to current Colorado law.
- Procedures and Guidelines that must be followed.
 1. Must be a "Verified Resident" of the East Prowers Cemetery District.
 - Follow the Holly School District RE-3 in district zoning area.
 - A veteran who does not live within the zoning area may appeal to the board in regards to the aforementioned residency requirement.
 2. Must follow all current rules of the East Powers Cemetery District.
 3. First come first serve

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- Stay in order
- 4. Max of 2 burials per plot
- 5. 1 headstone
 - Granite only and must be upright.
 - Veterans information on front side/spouses information on back.
 - Any information to be placed on the tombstone must be reflected on the veterans DD 214
- 6. If a spouse is being buried with Veteran they will be stacked on top of each other.
 - If both spouses are Veterans then they will have the choice of being buried in the same plot (stacked on top) or each one could have their own plot next to each other but must reserve that spot at the time of their spouse's death.
 - Must provide proof of marriage.
 - Marriage license

Hold Harmless

Neither the East Prowers Cemetery District, the grounds keeper, Record/Bookkeeper or Board of Directors, now their agents shall be responsible for any damages that may occur as a result of the respective funeral director leaving the cemetery prior to the vault cover being placed.

East Prowers Cemetery District, the grounds keeper, Record/Bookkeeper or Board of Directors, or their agents shall be held responsible for errors in the location of graves and lots resulting from improper instructions from persons making the arrangements.

Board of Directors Powers and Duties:

1. Adopt by laws and regulation for their transaction of business and the establishment and management of all municipal cemeteries within their responsibility.
2. Prepare an annual budget indication what support and maintenance of cemetery districts will be required out of public funds for submission to the appropriate agency.
3. Expend all moneys raised and appropriated by the district for cemetery purposes.
4. Expend income from all trust funds for cemetery purposes in accordance with the conditions of each donation or bequest accepted by the district, such funds shall be held in the custody and under the management of the Trustee of Trust Funds, Pursuant to Colorado revised statute.
5. All Board members are listed on the checking account, savings account, certificate of deposits and safe deposit box of the East Prowers Cemetery District financial institution. With the requirement that two (2) signatures are required to transact any business.

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Penalties

East Prowers Cemetery District may enforce the observance of these bylaws by penalties not exceeding \$1,000.00 for each offense, to ensure compliance as the district may direct.

Change of Bylaws

These bylaws may be changed or amended as the East Prowers Cemetery District Board see fit, after having been posted in three public locations for a period of 30 days prior to a regular board meeting. Then being passed by a majority vote at a regular meeting.

Approved and put into place this 9th day of August in the year of 2021.

Judy Dorenkamp Judy Dorenkamp, President

Douglas J. Melcher Doug Melcher, Secretary

Rella Ann Steele Rella Ann Steele, Board Member