

**BYLAWS, RULES AND REGULATIONS**

**Adopted 5/3/2004**

**Edited: 11/2/2023**

**Edited: 1/14/2025**

**BLUE MOUND CEMETERY**

**1-101 CEMETERY NAME**

That the tract of land described as follows, to wit;

The Northeast Quarter of the Northeast Quarter of the Southeast Quarter (NE ¼ NE ¼ SE ¼) of Section Eleven (11), Township Nine (9), Range Three (3), East of the 6<sup>th</sup> P.M. in Seward County, Nebraska, heretofore acquired by the City of Milford, Nebraska together with any other ground adjoining the above tract of land that may hereafter be acquired by the City of Milford for cemetery purposes shall be known as “Blue Mound Cemetery”.

**1-102 AUTHORITY**

The Blue Mound Cemetery and any other ground that may hereafter be acquired by the City of Milford, Nebraska may be used for cemetery purposes shall be under the control and management of the Mayor and City Council of the City of Milford, Nebraska.

**1-103 CEMETERY PLAT**

The City Clerk shall keep in his/her office a plat showing the burial lots and interment spaces for sale in each of the blocks in said cemetery. All sales shall be for cash and the name of the purchaser shall be recorded on said plat, but not before full payment has been made. The Clerk shall provide deed for all sales. A duplicate cemetery plat shall be held at Lauber Cremation Services, Milford, Nebraska and updated on an annual basis.

**1-104 PAYMENT OF BILLS**

Bills shall be presented to the office of City Clerk and approved by the City Council. Payment will be made by the Clerk/Treasurer following such approval.

### **1-105 SUPERVISOR; DUTIES**

The Maintenance Superintendent of the City of Milford shall have general charge of the cemetery and general supervision and care of the grounds under the direction of the Mayor and Council. The Governing body is empowered to refuse to permit the opening of a grave on a lot against which there is a debt until the same has been satisfied and paid. The Maintenance Superintendent or those under his supervision shall upon request from the City Clerk mark the grave site in order that it be opened by someone hired by the mortuary.

### **1-106 LOT CONVEYANCE**

The Mayor and City Council may convey lots in the Blue Mound Cemetery by Deed signed by the Mayor and countersigned by the City Clerk under the Municipal Seal, specifying that the person to whom the deed is issued is the owner of the lot or part of the lot described therein by number as shown on the plat for the sole purpose of interment. Such deed shall vest, in the person to whom it is issued and his heirs and assigns, title to said lot for the sole purpose of interment under the rules and regulations adopted by the City Council. No deed shall be issued until the cost for said lot has been fully paid. Deed may then be recorded in the office of the County Clerk by the purchaser.

### **1-107 LOT PRICES, INTERMENT FEES, INTERMENT SUPERVISION**

Lots in Blue Mound Cemetery shall be sold by the office of the City Clerk at a cost of \$300 per space. The cost of cemetery lots shall be fixed by the Mayor and City Council upon recommendation from the Cemetery Board. A lot shall hereafter be defined as a tract of ground approximately five feet by fourteen feet upon which a person is to be buried. Only one whole-body burial is allowed for each space (5' x 14') conveyed. A maximum of two persons can be interred in one grave space if cremation was chosen as final disposition for both interments. The second interment of cremated remains shall be at an additional cost of \$300 over and above the original grave space purchase and shall be payable to the City of Milford at the time of the second interment. No one shall be buried on any lot except the person to whom the deed is issued and his heirs and assigns. The interment of any body or cremains shall be performed under the direct supervision of a licensed funeral director.

### **1-108 LOTS NON TRANSFERABLE**

No lots shall be transferable or assignable, unless authorization for such transfer or assignment is in writing and approved by the Mayor and City Clerk of Milford, Nebraska. Said deed may then have to be re-recorded at the office of the County Clerk.

## **1-109 MAINTENANCE**

The Municipal Clerk/Treasurer shall deposit monies from sale of lots, interest and annual transfers from General Fund into the City Cemetery Fund for cemetery maintenance.

## **1-110 GRAVE MARKER FOUNDATIONS, MONUMENTS**

The foundations for all head stones, foot stones and monuments shall be prepared and made by the monument or marker company with approval of the Maintenance Superintendent subject to the following rules:

1. The City Clerk must be contacted before any marker or monument installation or repair is made. A staking fee of \$50.00 must be paid prior to the setting of the Marker or Monument.
2. Where an interment has been made on a lot or part of a lot, the lot owner, or person to whom the deed has been issued, or to the owners rightful heirs, must purchase a permanent marker to identify the grave within three (3) years from date of interment. An exception may be allowed for individuals interred on a County assisted basis.
3. Grave space or spaces must be paid for before any memorial can be installed.
4. All monuments and markers must set on an approved concrete foundation with a minimum apron on all four sides of four inches. Foundations must have a minimum depth of eight inches. The bottom of the bases of all monuments must be anchored as follows:

A double row of eight inch diameter concrete anchors spaced not more than eighteen inches between centers to the depth of three feet. The Maintenance Superintendent shall have supervision of setting of all bases.
5. Monuments and markers must be a standard granite or marble of any color, or bronze, unless special permission is granted.
6. Corner post of any lot or plot shall be placed flush with the grade.
7. Only vases of a permanent type are allowed and must be set on the granite base on the end of the memorial (in line), never in front or behind the memorial.
8. Surface vaults and covers will not be permitted (curved cement covers covering

entire graves). Granite ledges may be used only on normal depth burials and must conform with regular monument setting as to cement apron, etc. No graves are permitted to be covered with cement slabs, brick or any material except earth.

### **1-111 BURIAL VAULT REQUIREMENT**

No one shall be buried on any lot without a rigid outer burial container (burial vault). This container shall surround the casket and must be made of concrete, galvanized steel or of other heavy-duty materials. The minimum required container shall be a concrete grave liner or sometimes referred to as a concrete grave box. Cremated remains must be placed in an Urn made of permanent material suitable for burial. No temporary container that holds the cremated remains can be buried in a grave. All urns must be made of permanent materials, such as granite, marble, or a permanent synthetic material.

### **1-112 ENFORCEMENT OF RULES**

The Maintenance Superintendent and his/her employees are hereby empowered to enforce all the rules and regulations made by the Mayor, City Council and Cemetery Board. The Maintenance Superintendent shall have charge of the grounds and the buildings and at all times shall have supervision and control of all persons in cemetery including the conduct of funerals, traffic, employees, lot owners and visitors. No plantings of trees, shrubs or flowers may be made without the specific permission of the Maintenance Superintendent. All flowers or decorations not in permanent containers will be removed fourteen (14) days after Memorial Day. No fire arms shall be permitted on cemetery grounds except for military services and Law Enforcement Officers.

### **1-113 AUTOMOBILE REGULATIONS AND OPEN HOURS**

Automobiles and other vehicles must not be driven within the grounds of the cemetery at speeds greater than ten miles per hour. All vehicles of any kind, except for maintenance equipment and grave opening and closing equipment, are restricted to the plated roads of the cemetery. The Cemetery grounds shall be open from 7:00 o'clock A.M. until sunset. Any person found in the cemetery outside of these hours shall be subject to trespassing charges.

### **1-114 TREES AND SHRUBBERY**

No trees or shrubbery shall be planted, removed, cut down or destroyed within or without the border of any lots in Blue Mound Cemetery without the consent of the Maintenance Superintendent or City Council.

## **1-115 INJURY TO CEMETERY PROPERTY, PENALTY**

Any person who shall willfully destroy, cut, break or injure any tree, shrub, plant or flower; injure grave stones, monuments or markers; remove or attempt to remove grave stones, monuments or markers without the consent or knowledge of the Maintenance Superintendent, injure any other cemetery property either public or private within the Blue Mound Cemetery; excavate graves; bury or attempt to bury a deceased person without proper permission; remove or attempt to remove remains already interred without obtaining proper permit from the State of NE; trespass upon lots, permit livestock owned by him or in his charge to enter said cemetery and do damage therein; or otherwise violate any other provisions of the Cemetery By-Laws, Rules and Regulations or any Ordinance published by the City of Milford, NE shall be guilty of a misdemeanor and upon conviction thereof shall be deemed to be guilty of a misdemeanor.

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