

# *Eloy Memorial Park*

## *Rules & Regulations*



*5836 Milligan Road*  
*Eloy, Arizona 85131*

## GENERAL CEMETERY GUIDELINES

1. Plots in the Cemetery shall be used solely for the interment or inurnment of human remains.
2. Besides being subject to these rules and regulations, all interments, disinterments and removals made subject to the orders and laws of the properly constituted authorities of the city, county and state.
3. Eloy Memorial Park visitation hours shall be Monday through Sunday from sunrise to sunset. The administrative office shall be open from 7:00 a.m. to 6:00 p.m., Monday through Thursday and closed on all City observed holidays. -11/16/11
4. The City of Eloy, hereafter referred to as the "City," is responsible for the continuing care and maintenance of the Cemetery. The City reserves the right to correct errors upon family notification.
5. All interments, inurnments, disinterments, marker installations, and removals must be made at the time and in the manner and subject to the payment of such charges as fixed by the Committee.
6. The City has the right and privilege at any time to resurvey, enlarge, diminish, re-plat, alter in shape or size, otherwise to change all or any part, portion, or subdivision of the property hereby mapped and platted (including the right to lay out, establish, close, eliminate, or otherwise to modify or change the location of roads, walks, alleys or drives) and to file amended maps or plats thereof, and to use the same for the erection of buildings or for any purpose of uses connected with, incident to or convenient for the care, preservation or preparation for the disposal or interment of human bodies or other cemetery purposes, together with easements and rights of way over and through said premises for, and the right and privileges of installing, maintaining and operating pipelines, conduits or drains

for sprinklers, drainage, electric or communication lines, or for any other purpose, is hereby expressly reserved.

7. The City will make all improvements within the ground and upon all plots and graves before and after interments.
8. Cemetery staff or contracted personnel have authority to perform work on any grave within the grounds. General grooming by the public is prohibited.
9. The City may trim or remove any tree, shrub, or plant standing upon any grave if its roots, branches, or other characteristics are detrimental to adjacent graves or walkways, or if for any other reason its removal is deemed necessary.
10. The speed limit through the Cemetery is 10 miles per hour.
11. Vehicles are allowed in the Cemetery only when their use is associated with Cemetery business such as visiting a grave site or attending a funeral.
12. Children younger than 12 years of age are permitted on Cemetery grounds and in Cemetery buildings only when accompanied by an adult.
13. Only dogs aiding visually or hearing-impaired persons are permitted on the Cemetery grounds.
14. Cemetery visitors should conduct themselves in a respectful manner. Visitors are requested to refrain from loud talking or disruptive activities. Loud and/or offensive music is strictly prohibited on or around Cemetery grounds. *-4/27/10*
15. Litter should be discarded in the receptacles provided.
16. Only non-alcoholic beverages are permitted to be consumed on Cemetery grounds. *-4/27/10*

17. Only pre-packaged and/or pre-cooked food will be permitted on Cemetery grounds. -4/27/10
18. Expectorating or smoking on cemetery grounds and buildings is prohibited.
19. No bicycles or motorcycles shall be permitted in the cemetery except as such may be in attendance at the funeral or on business.
20. Peddling of flowers or plants, or soliciting the sale of any commodity, other than by employees of the Committee under its direction is prohibited within the confines of the cemetery. Solicitation of any kind is strictly forbidden at any time in the cemetery without the approval of the Committee.
21. All persons are prohibited from gathering flowers, either wild or cultivated or breaking trees, shrubbery, or plants, or feeding or disturbing birds, fish or other animal life.
22. No firearms shall be permitted within the cemetery with the exception of duly constituted authorities.
23. No signs or notice of advertisements of any kind shall be allowed in on or around cemetery grounds, unless placed by the Committee.
24. The superintendent and such other employees as the Committee may designate are hereby empowered to enforce all rules and regulations, and to exclude from the property of the Committee any person in violation of the same. The superintendent and his assistants shall have charge of the grounds and buildings, and at all times shall have supervision and control of all persons in the cemetery, including the conduct of funerals, traffic, employees, plot owners and visitors.
25. Persons within the cemetery grounds shall use only the avenues, walks, alleys, and roads, and any person injured while walking on the grass, except that it be the

only way to reach plot owner's plot, or while on any portion of the cemetery other than the avenues, walks, alleys or roads, shall in no way hold the city, the Committee, or its employees liable for any injuries sustained, unless the city, the Committee, or its employees acted with gross negligence.

26. No easement or right of interment is granted to any plot owner in any road, drive, alley or walk within the cemetery, but such road, drive, alley or walk may be used as a means of access to the cemetery or buildings as long as the Committee devotes it to that purpose.
27. The Committee shall have the right to maintain guards if in its discretion it deems it necessary, but under no legal obligation to do so. Whether or not guards are used, the Committee distinctly disclaims all responsibility for loss or damage from cause beyond its reasonable control, and especially from damage caused by the elements, acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral.
28. In the event that it becomes necessary to repair or reconstruct any marble, granite, bronze, or concrete work on any section or plot, or any portion or portions thereof in the cemetery, which has been damaged by the elements, acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or by the order of any military or civil authority, the Committee shall give a ten (10) day written notice of the necessity for such repair to the responsible party on record. The notice shall be given by depositing same in the U.S. mail addressed to the responsible party of the record at his or her address filed with the city clerk's office. In the event the responsible party fails to repair the damage within a reasonable time, the Committee may direct that the repairs be made and charge the expense against the plot and responsible party of record.

29. It shall be the duty of the plot owner to notify the city clerk's office of any changes in his or her address. Notice sent to the plot owner at the last address on file in the clerk's office shall be considered sufficient and proper legal notice.
30. A contract for plots sold and a detailed map shall be kept in the city clerk's office.
31. The Certificate of Right of Interment and the rules and regulations any amendments thereto shall be the sole agreement between the Committee and the plot owner.
32. The Cemetery shall take reasonable precaution to protect plot owners and the property right of plot owners, within the cemetery, from loss or damage; but it disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage caused by elements, acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.
33. The Committee may and hereby expressly reserves the right at any time to adopt new rules and regulations to amend, alter or repeal any rule, regulation, article, section, paragraph or sentence in the rules and regulations.

## **INTERMENT GUIDELINES**

1. A burial transit permit must be presented to the Cemetery staff at the time of interment or inurnment (State Regulation – A.R.S. §36-326(A), Chapter 3, State Vital Records and Statutes). The permit is acquired through a mortuary.

2. All funerals upon reaching the cemetery shall be under the supervision of the cemetery management.
3. A funeral director or funeral home representative must be present at all interments and disinterments.
4. The right is reserved by the Cemetery staff to insist upon at least one week notice prior to any disinterment or removal. The Cemetery staff may refuse to make an interment if remains arrive at the cemetery entrance after 3:30 p.m., or if too many funerals arrive at the same hour.
5. No interments, disinterments, or removals shall be permitted on Sundays, city observed holidays or city observed holiday weekends. City observed holidays include: New Year's Day; Martin Luther King, Jr. Day; Presidents Day; Memorial Day; Independence Day; Labor Day; Veterans Day; Thanksgiving Day (including day after Thanksgiving); and Christmas Day. When any of the before mentioned holidays falls or is legally observed on a Friday or Monday, interments will be received on the last business day proceeding the holiday up to 4:30 p.m., April 1 through September 30, and up to 3:30 p.m., October 1 through March 31.
6. Only a polyguard dome liner, dome and base, or sealed vault will be required with each interment. Vaults or other containers are optional for infant and county graves, but are recommended.
7. Plot fees are regulated by the Committee and varies based on the residency at the time of purchase. Proof of residency will be required prior to the purchase of any plot.
8. The Committee offers plots in the veteran section of the Cemetery free of charge to veterans. Verification of an honorable discharge (DD214) must be presented at the time plot is reserved. *-10/06/08*
9. Plots can only be reserved by veterans. *-10/06/08*

10. Only veterans and their spouse are permitted to be buried in the veteran section. The spouse will be permitted to reserve/purchase a plot next to their veteran spouse only after the veteran is buried. -10/06/08
11. Plots in the veteran section of the cemetery cannot be sold, exchanged or transferred. -10/06/08
12. Up to three (3) inurnments may be interred in a plot. Inurnments will be made as follows: one at the head; one in the middle, and one at the foot. Interment of a body will not be allowed if an inurnment is made prior to interment of a body.
13. Up to two (2) inurnments may be interred in a plot where there is already a body interred. Inurnments will be made as follows: one at the head; and one at the foot.
14. The maximum size for an infant casket to be interred in an infant area grave is 48" x 20".
15. At least 24 hours notice (1 working day) is required to prepare a grave site.
16. Caskets are to remain closed after entering Cemetery grounds.
17. Cemetery staff will close a grave after the funeral director dismisses the funeral party from the burial area. For safety reasons, no one is permitted in the area during a grave closing. Only cemetery staff will be allowed to backfill the grave.
18. If a family requests that the casket be lowered into the ground in their presence, a signed form releasing the City from all liability must be submitted to the city clerk office at least 24 hours prior to the interment. The mortuary handling the funeral arrangements and City Administration will have forms available to gather necessary signatures.
19. Neither the City, its employees, or the Committee shall be held liable for the interment permit nor for the identity

of the person sought to be interred; nor shall the City, its employees, or the Committee be liable in any way for the embalming of the body.

20. No interment shall be permitted or marker placed in or on any property not fully paid. The City shall have the right to remove any marker that may have been placed on said property.
21. Removal by the heirs of a body so the plot may be sold for profit to themselves or removal contrary to the expressed or implied wish of the original plot owner, is repugnant to the ordinary sense of decency and is absolutely forbidden.
22. The City shall exercise due care when making a disinterment or removal, but it shall assume no liability for damage(s) to any casket, burial case, or human remains when making the disinterment or removal, except the City shall be liable for damages arising out of willful misconduct or gross negligence.
23. The city shall only be responsible for the removal of caskets or burial cases from graves. Should the casket, burial case or human remains be disturbed during the disinterment, the funeral director on site will be responsible for collecting any human remains, and/or casket or burial case materials that may be in or around the grave site. *-2/21/08*
24. Family members and/or members of the public shall not be present during a disinterment or removal. *-2/21/08*
25. A casket or burial case may be disinterred or removed from its original plot to another plot in the cemetery when there has been a purchase for the purpose. It is the responsibility of the plot owner to provide and file all required paperwork associated with a disinterment or removal at the office of the city clerk before any work is performed.
26. The transfer of any interment rights must be approved by the city clerk's office. Proof of ownership and a copy of

the transfer agreement must be filed with the city clerk office. The letter of transfer must be given to the city clerk office no less than 24 hours prior to interment.

27. The City may refuse to consent to a transfer or to an assignment as long as there is any indebtedness due the City from recorded plot owner(s).
28. There is an administrative fee of \$5.00 to process transfer of interment rights.
29. The subdivision of plots is not allowed and no one shall be interred in any plot not having an interest therein, except by written consent of the plot owner.
30. Neither City staff or the Committee shall take orders for any work over the telephone. All work requests must be submitted in writing to the City Clerk's Office for approval. -7/06/11
31. City of Eloy staff will only perform all interment related work.
32. Reserved plots may be reserved for a minimum payment of twenty-five percent (25%) down and balance paid in equal monthly installments over the next eleven (11) months.
33. Any plot owner who has a reserved plot may transfer their plot location to another section of the cemetery, however will be required to purchase the new plot at the current purchase price, based on residency at the time of transfer. Payment(s) made on the original plot will be credited toward the new plot. An administration fee of \$25.00 per transfer shall be paid at the time of transfer.
34. A maximum of five (5) lots may be purchased/reserved per year.
35. All charges for cemetery services must be paid in full at the time of issuance of the order of interment, disinterment and removal.

# DECORATION AND MARKER GUIDELINES

## *Flower and Decoration Placement*

1. Flowers – whether freshly cut, plastic, or silk can be placed on a grave or niche, but they must be placed in the manufactured flower receptacle installed with the memorial. The only exceptions are funeral arrangements and certain holiday decorations as specified in this guide. -3/09/11

Approved flower receptacles for graves include metal vases made of a rust-resistant material or vases/containers made of shatter proof plastic material. The use of glass, non-shatter proof plastic or tin receptacles of any type is prohibited. In ground plantings are strictly prohibited. -3/09/11

2. The City is not responsible for damage to or loss of any plants, vegetation, decorations, or vases resulting from the elements, vandalism or theft.
3. Baskets, flowered crosses, and holiday arrangements are allowed only on the following holidays and will be removed within an appropriate time frame:

Easter	Father's Day
Mother's Day	Veterans Day
Memorial Day	Christmas
Hanukkah	Yom Kippur

## *Flower and Decoration Removal*

1. Flowers associated with funerals shall be removed at the discretion of cemetery staff.
2. The Cemetery staff has the authority to remove and discard at any time, decorations and flowers whether freshly cut, plastic or silk and/or vases/containers that are determined unsightly or weathered. -3/09/11

3. During mowing operations, decorations and flowers may be moved aside and then replaced in their original location.

### ***Markers, Headstones and Monuments***

1. A maximum of one (1) headstone or monument and one (1) marker per grave space will be permitted. Markers, headstones and monuments must be within size limits stated in paragraphs 2 or 6. -7/06/11
2. Single markers shall not exceed six (6) inches in height (from ground to top), forty-four (44) inches in width (left to right), and twenty-four (24) inches in depth (front to back). Double markers shall not exceed six (6) inches in height (ground to top), ninety-two (92) inches in width (left to right), and twenty-four (24) inches in depth (front to back). Markers shall be either solid marble, granite or bronze. -7/06/11
3. Markers placed at the foot of a grave must be flush with the ground.
4. The City of Eloy is not responsible for repair or replacement of photographic pictures with or without covers, or date plates associated with markers, headstones or monuments.
5. Headstones and monuments shall not exceed five (5) feet in height (single or double from ground to top). Width and depth of headstones and monuments shall be same dimensions as stated in paragraph 2. Headstones and monuments **shall** be either solid marble, granite or bronze. -7/06/11
6. The placements of stand-alone benches, chairs, and similar articles are not permitted, and if so placed, may be removed by cemetery staff. Ornaments (including solar lights) shall be attached to markers, headstones or monuments by cemetery staff or authorized persons. Ornaments that may cause headstones or monuments to exceed the maximum allowable height will not be permitted. No ornament shall be attached to any marker, headstone or monument

without first securing a work order generated through the city clerk's office. Ornaments shall be either solid marble, granite, bronze or made of shatterproof plastic material. Ornaments that become detached from markers, headstones or monuments will be discarded by cemetery staff. -7/06/11

7. For purposes of this section, a bench shall not be considered a headstone or monuments. However, if the bench is attached as a part of the headstone or monument, it will be permitted, unless the total area covered exceeds the maximum allowed for headstones and monuments (see paragraph 6 for total sizes of headstones and monuments). -7/06/11
8. The Committee reserves the right to reject any plan or design for any maker, headstone or monument which on account of size, design inscription, kind or quality of stone is in violation of these rules and regulations or is unreasonably infringing on the rights of other plots.
9. The Committee reserves the right to stop all work of any nature whenever in its opinion, proper preparation has not been made; when tools and machinery are insufficient or ineffective; when work is being executed in such a manner as to threaten life or property; when the monument dealer has been guilty of misrepresentation; when any reasonable request on the part of the Committee is disregarded; when work is not being executed according to specifications; or when any person employed for the work violates the rules of the Committee.
10. The completed work is subject to approval of the Committee, and if unsatisfactory, may be removed by the Committee.
11. All markers, headstones and monuments shall be installed by Cemetery staff or by persons employed by the dealer (under the supervision of cemetery staff) where the maker was purchased. Markers, headstones or monuments not installed by cemetery staff shall be removed by the dealer who performed the

installation. Neither the city, its employees, or the committee shall be held liable in any way for installations performed by persons who are not employed or contracted by the city. -7/06/11

12. Use of an approved template (temporary marker) is allowed for 90 days, after which it will be removed by Cemetery staff. A template may be obtained through a mortuary.
13. The City may remove any structure from any grave if it becomes unsightly or obstructs the maintenance of the grave site or adjacent area. -7/06/11
14. Neither City staff or the Committee shall take orders for any work over the telephone. All work requests must be submitted in writing to the City Clerk's Office for approval. -7/06/11

### ***Borders***

Standard installation of a marker is with a border. Border options include standard or standard with vase. Border replacement after original installation will be at the owner's expense. Borders or vases are not permitted on ash lot spaces.

After original marker installation, should a border change be requested, fees assessed include: 1) marker removal, and; 2) marker installation.

## GLOSSARY

Following are definitions of terms as they are used in the publication.

**Committee** – The organization representing the City of Eloy, owner and controller of the Eloy Memorial Park.

**Cremains** – Another term for the remains of human ashes.

**Disinterment** – The process of digging to remove a casket or urn.

**Grave (single)** – One lot of an appropriate depth and sold to accept the interment of one person.

**Grave (companion)** – One lot of an appropriate depth and sold to accept the interment of two persons; one interment above the other.

**Headstone** – A memorial stone placed at the head of a grave.

**Interment** – The process of placing ashes or a casket in the ground.

**Inurnment** – The process of placing ashes/cremated remains in the ground.

**Marker** – Flat headstone flush to the ground.

**Monument** – Headstones measuring at least two (2) feet by one (1) foot, that extend above the surface of the ground.

**Niche** – an indented or hollowed-out space or an area set into a flat surface for the placement of an approved flower receptacle or flowers.

**Opening and Closing** – The process of digging and backfilling an interment space.

**Plot** – Space in the cemetery used, or intended to be used, for the interment of human remains.

**Reserved Plot** – Plot purchased for use at a future date.

**Responsible Party** – Person whom the owner has designated for contact for repair after the plot owner has been interred.

**Sections** – Sections refer to specific locations on a large scale. The City of Eloy Cemetery contains thirteen (13) sections – AA, A, B, C, D, E, F, G, H, I, J, K, and M.

**Vault** – polyguard, or metal containers used to house interred remains.

**THE ELOY CEMETERY COMMITTEE  
RECOMMENDS CONTACTING THE CITY CLERK'S  
OFFICE PRIOR TO PURCHASING ITEMS FOR  
PLACEMENT AT THE CEMETERY FOR POSSIBLE  
CHANGES TO CEMETERY RULES AND  
REGULATIONS**







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