

# MURPHYS CEMETERY DISTRICT

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## Public Policy Handbook

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# WELCOME TO BUENA VISTA CEMETERY

**Buena Vista Cemetery** is located at 186 Cemetery Lane in Murphys, CA. The cemetery has grave sites dating back to the early years of the Gold Rush era with the earliest known burial there in June of 1855. The older sections of the cemetery have many large and ornate monuments adorning the graves. There are also very simple concrete slabs and wood markers. Sadly, many burials were given no marker and their location is not known.

In the earlier years few official burial records were kept. Existing burial permits only date back to the late nineteen sixties. In 2010 the Murphys Cemetery District Trustees began compiling records of all known and new burials in the cemetery, including locations. This data base lists the place of burial within the cemetery and records name, dates of birth and death and date of burial if the information is available. A map of the cemetery plots has been prepared which will help locate grave sites.

Burials from earlier years were identified by various methods: old newspaper obituaries, mortuary records, information on grave markers and other historical records. There are very fragmentary, unofficial records for the years starting in 1855, reconstructed from a variety of primary sources, including grave marker inscriptions, newspapers, funeral home archives, death certificates, church parish registers, and oral history.

If we don't have a record of burial for your ancestor, they may in fact be buried here and we don't know about it. People can confirm interment by doing one of two things: (1) find corroborating evidence of burial in our cemetery through another primary source (e.g., death certificate, newspaper obituary, family Bible, etc.), or (2) eliminate the possibility of the person being buried anywhere else.

Information is always being collected about people buried in our cemetery from descendants, relatives, genealogists, and researchers. If you can help improve our records in any way, please contact us. Even the smallest, most seemingly insignificant details can be invaluable "pieces of the puzzle".

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## **MISSION STATEMENT**

On behalf of the citizens of the Murphys Cemetery District, the trustees strive to maintain Buena Vista Cemetery in a well maintained, aesthetically pleasing manner while maintaining the historical aspects of the cemetery. The cemetery is administered under the guidance of the Murphys Cemetery District Board of Trustees and according to the laws and ordinances of the State of California and Calaveras County. Our goal is to maintain the cemetery and its neat appearance and keep it a source of community pride

- The cemetery will be safe, accessible and well maintained within the constraints of the historical setting.
- The cemetery will provide a peaceful and visually pleasing atmosphere conducive to meditation and reflection.
- The cemetery will be adequately funded to meet the needs of the citizens, on-going maintenance and future development.
- The cemetery will be operated under the guidance of the Murphys Cemetery District Trustees according to all ordinances and state statutes.
- The Cemetery Trustees will be responsible for public education regarding cemetery policies and procedures.

## **GOVERNING BODY**

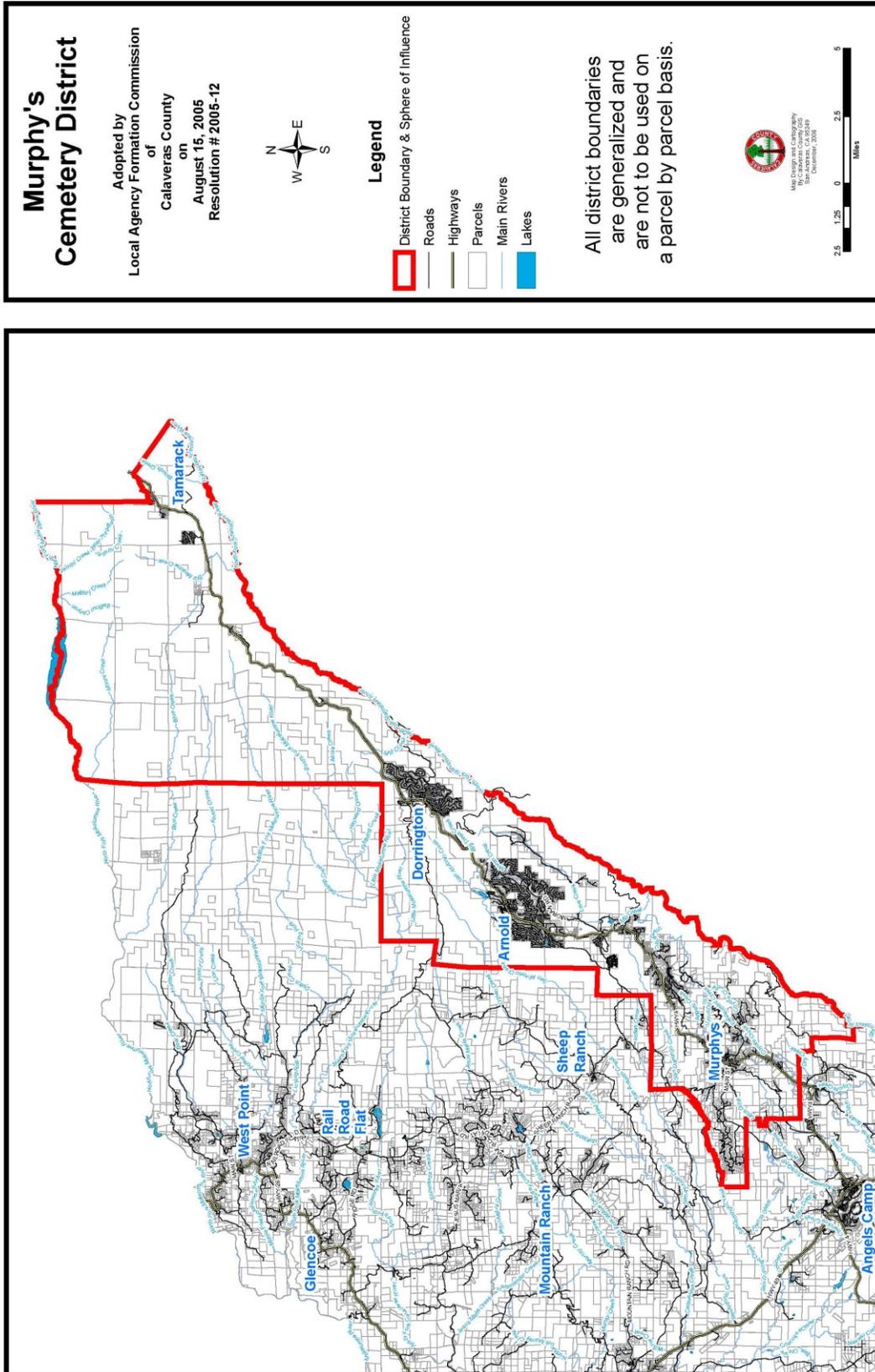
The Murphys Cemetery District was formed July 7, 1930 by an order of the Calaveras County Supervisors. The Cemetery District is an Independent Special District of Calaveras County and is governed by a legislative body of five members known as the Murphys Cemetery District Board of Trustees who are appointed by the Calaveras County Board of Supervisors. The responsibility of the Board of Trustees is to establish policies for the operation of the district. There is currently one cemetery governed by the Murphys Cemetery District, Buena Vista Cemetery.

The Board of Trustees shall provide for the faithful implementation of those policies which are the responsibility of any employees of the district. All policies, rules and regulations of the Murphys Cemetery District are subject to state law.

The Cemetery District Trustees shall have the custody and keeping of the original and official cemetery records of plots, conveyances, interment right owners and interments in the district cemetery and shall keep an official map of the cemetery. The trustees, or their designee, shall collect and account for cemetery funds from the sale of interment rights.

The district's boundaries are extensive and go from the Alpine County line down to near Vallecito and follow part of the Mokelumne River as well as following the Stanislaus River on the other side. The district's boundary also includes part of Murphys Grade and French Gulch Roads.

# MURPHYS CEMETERY DISTRICT BOUNDARY MAP



## **POLICIES OF THE MURPHYS CEMETERY DISTRICT**

The Policies contained in this section are made for the mutual protection and benefit of the Interment Right owners and the Cemetery. These Policies may limit actions which would interfere with the rights of others, as well as require or encourage actions to preserve and enhance the general scheme and beauty of the property. No policy has been adopted except as is necessary to preserve the rights of all for whom the Board of Trustees considers itself responsible. All plots are subject to the Policies governing the Buena Vista Cemetery

Specific cases may arise in which literal enforcement of a rule may impose unnecessary hardship. The Cemetery District Trustees shall have the right to make exceptions from the rules when deemed advisable for the best interest of the District or an owner of Interment Rights. Such exceptions shall not be considered as rescinding or waiving any of these rules. Any exception that may be made by the Murphys Cemetery District Board of Trustees shall not be or considered to be a continuing waiver and shall not bar the Cemetery District from enforcing the usual at any later time it may desire so to do.

Exceptions to some of the policies are also made for historical plots where fencing, monuments and other work done to the plot does not meet the current standards. The determination of what plots are considered historical and what may remain on the plots determined to be considered historical, even if not meeting the current requirements, is determined solely by the Murphys Cemetery District Board of Trustees.

For your safety, and for the safety of all, we ask you to follow this summary of Policies and any Amendments, Rules or Ordinances which shall be adopted and/or revised from time to time. Please share this information with family members to offset any future confusion. These rules will be strictly enforced. Your cooperation will be greatly appreciated.

**These Policies may be changed or amended without notice at any time by the Board of Trustees, and will be so changed and amended when any rule is found to be detrimental to the best interests of the owners of interment plots as a whole or as determined necessary to comply with current law.**

## **ELIGIBILITY TO PURCHASE INTERMENT RIGHTS**

Public cemetery districts are funded by property tax money and offer burial services to persons who are residents of the district and to eligible non-residents of the district as provided in this chapter, or persons who are immediate family members of any person described in this subdivision. Exceptions may be granted by Cemetery District Trustees.

### **Residents of Murphys Cemetery District**

At the time of death of a resident of the Murphys Cemetery District, up to four (4) 5'x10' burials plots or four (4) 5'x5' cremains plots may be purchased for burial of the deceased and for the interment of family members of the deceased person in the future.

### **Eligible Non-residents**

- Deceased persons who lived or paid property taxes in the Murphys Cemetery District continuously for at least five years, part of which was in the last ten years before death, and that also have a written request from a current property tax paying resident that they should be allowed to be interred in the District Cemetery.
- Deceased persons who are immediate family members of a person already interred in the District, or who are immediate family members of a person who owns interment rights to a plot in the District and who also have rights to burial in that plot.

At the time of death of a eligible non-resident of the Murphys Cemetery District, up to four (4) 5'x10' burials plots or four (4) 5'x5' cremains plots may be purchased for burial of the deceased and for the interment of family members of the deceased person in the future.

A non-resident fee applies to anyone who is eligible but is not a resident of the district at the time of death. Please be prepared to provide reasonable evidence of eligibility when you arrange to purchase interment rights.

### **Pre-Need Plot Purchase**

Subject to certain requirements on residency in the Murphys Cemetery District interment rights can be purchased "Pre-Need" by property owners who are also full-time residents of the district.

- Full-time residents of the Murphys Cemetery District who are also property owners in the Murphys Cemetery District at the time of purchase, may purchase Pre-Need interment rights of up to two (2) full size 5' X 10' plots or up to two (2) 5 X 5 cremains plots.
- Non-full time residents of the Murphys Cemetery District, even if currently paying property tax in the District, are not eligible to purchase Pre-Need interment rights.

## **Ownership of Interment Rights**

- All Interment Rights are conveyed to the purchaser after payment. The rights of the purchaser therein are subject to such policies as are made from time to time by the Murphys Cemetery District Board of Trustees, and any legal ordinances.
- It is the responsibility of the owner of interment rights to keep the Murphys Cemetery District updated on their current contact information.
- Interest in Interment Rights to cemetery plots shall be governed by state law as now and hereafter amended as well as any other rules or regulations in place at the time. The Trustees shall endeavour to determine the legal next of kin, but the Trustees shall not be held responsible for failure to do so. The Murphys Cemetery District shall not be responsible for activities authorized by persons falsely representing themselves as next of kin
- If Interment Rights in a plot are held jointly, authorization for interment will be granted to either of the owners or to the heirs. An agreement may be made between common owners regarding the right of burial, but the Trustees will not undertake to enforce such an agreement
- Plots are intended as a family burial place of the purchaser. The family making the purchase may permit the interment in a plot of a non-member of the family, but a later heir cannot permit an interment of a non-family member except by unanimous consent of all current owners.
- Families, or a designated representative, may be required to sign an agreement accepting responsibility for designating the exact location of the interments into a plot. Funeral directors or designated representatives who sign on behalf of the family are accepting all responsibility and liability for any decisions or actions taken under their direction.

**The ownership of Interment Rights is not transferable to others and may only be sold back to the District at the original purchase price. Endowment fees paid are not refundable. The cost of any improvements done to the plot will not be reimbursed.**

**To obtain more information on who may be eligible for burial in the Murphys Cemetery District cemetery, contact the Murphys Cemetery District at (209) 728-2387 or email them at: [murphyscemetery@gmail.com](mailto:murphyscemetery@gmail.com)**

## **INTERMENTS**

### **Number of Interments Allowed in Each Plot**

#### **A. Full Size Plots**

- One full burial/interment is allowed in a full size 5' X 10' plot, or
- Eight cremation burials are allowed in a full size 5' X 10' plot. Plots used in this manner may have only one upright grave marker and/or may have flat grave markers for each cremation burial or
- A full size 5' X 10' plot may have one initial full burial and no more than four later cremation burials. Any markers for the cremation burials are to be flat mounted with one upright marker allowed for the initial full burial.

#### **B. Cremains Plots**

- A person owning Interment Rights to two or more adjacent cremains plots may not use those plots for a full burial. Cremains are the only burial allowed in cremains plots.
- Cremains plots are 5' X 5' and may have from one to four cremation burials.
- Cremains plots shall have no more than one upright marker and/or may have flat markers for each cremation burial.

### **Interment Regulations**

**In compliance with laws of California no burial, including burial of cremains, will be permitted in the cemetery until a properly signed burial permit is delivered to the trustees of the cemetery. The Murphys Cemetery District shall not be responsible in any manner for securing any permit.**

- **Absolutely no burial of any type of pet is allowed in the cemetery by state law.**
- No interment shall be allowed in a plot for which payment has not been received.
- A minimum container of a wood casket with handles is required for all interments except cremated remains.
- Cremated remains must be properly labeled and in a container accompanied by acceptable documentation to certify identity of the cremated remains.
- No casket will be opened in the cemetery, no exceptions made for any reason.
- Burial plots shall not be used for any other purpose than its original intent, which is interment of eligible deceased persons.
- There shall be no less than 18 inches of dirt or turf on top of all vaults or caskets as measured at the time of burial. Cremated remains placed in an urn or urn vault and covered with at least three-quarters of an inch of concrete, brass, granite, marble, or metal plate, affixed to the urn or urn vault shall be exempt from the requirement (CA Health & Safety Code Sec. 8113.1 [a & b])

## **Disinterment**

- No remains of any deceased person shall be removed from Buena Vista Cemetery except upon written order of the health department having jurisdiction, or of the Superior Court of the county in which such cemetery is situated. (CA Health & Safety Code Sec. 7500).
- No remains of a deceased person may be removed from a plot in the cemetery without the consent of the cemetery authority and the written consent of one of the following in the order named (CA Health & Safety Code Sec. 7525):
  - (a) The surviving spouse
  - (b) The surviving children,
  - (c) The surviving parents.
  - (d) The surviving brothers or sisters.
- If the required consent cannot be obtained, permission by the Superior Court of the county where the cemetery is situated is sufficient (CA Health & Safety Code Sec 7525-26)
- In case of disinterment, a receipt for the remains must be given to the Murphys Cemetery District Trustees.

## **PLOT IMPROVEMENTS**

**The regulations outlined in this section apply to all plot improvements placed after October 20, 2010.**

An Owner of interment rights to a plot may only install the following items on that plot:

- Permanent grave markers that conform to any requirements of the Murphys Cemetery District.
- Vases that are attached to the grave marker.
- Benches of a permanent material.
- Curbing that is of a permanent material that is confined inside the plot's boundary and conforms with any requirements of the Murphys Cemetery District.

Any other items installed on plots may, at the discretion of the Murphys Cemetery District Board, be removed and disposed of.

- Occupied grave plots must be marked by a permanent marker within one year of the burial with the name of the deceased engraved on it at a minimum.
- No plot or grave shall be defined by fence, railing, hedge or any unauthorized memorial. Fences or railings installed before October 20, 2010 may remain. If such non-conforming items deteriorate, they may not be repaired or replaced. However, the boundaries of each plot may be marked by granite, concrete or durable material, which must meet the curbing requirements as set by the Cemetery Trustees. (See Curbing Requirements)

- Owners of the Interment Rights to a plot must keep in good repair all curbing or monument work upon the plots. The Cemetery District does not bind itself to maintain, repair, or replace any markers/monuments erected upon the plot which are lost or damaged due to weather, age, vandalism or lack of normal maintenance.
- The Cemetery District Trustees reserves the right to remove any memorial installed which does not conform to the standards set forth in these rules and regulations.
- Vase holes in grave marker bases are allowed. Vase holes or attached vases must have drainage holes to prevent water accumulation

## **Memorial Grave Markers**

### **Grave Marker Regulations**

- Except for historical plots, grave markers must conform to size restrictions as set out in the policy handbook as newly revised and as may be revised from time to time and as posted on the Murphys Cemetery District website: <http://murphyscemetery.com>.
- Nonconforming grave markers in place prior to October 20, 2010 may remain. If such nonconforming grave markers deteriorate, they may not be repaired and can only be replaced with markers that follow the guidelines for markers that are in place at the time of replacement.
- Persons engaged in placing a grave marker upon a plot are prohibited from attaching ropes or cables to trees or other objects in the Cemetery and are prohibited from placing material on adjoining plots or allowing the same to remain on the ground longer than is necessary. Persons engaged in such work must complete the work in a timely fashion. In order to protect areas from injury, the Cemetery Trustees or Designee may require planks or plywood be placed over adjoining areas or plots.
- Grave markers must be of stone, durable metal or other durable material that is approved by the Murphys Cemetery District Board of Trustees.
- No wood or wood products are allowed for grave markers placed after October 20, 2010.
- Grave markers are allowed to be set only during normal cemetery hours.
- No grave marker shall be removed by any person or company without first having the written consent of the next of kin or other authorized persons and the approval of the District.

### **Upright Grave Markers**

- Individual upright grave markers must be no more than 36" high at grade.
- Grave markers must have an appropriate foundation of a width and depth to ensure stability of the marker. Upright markers requiring a concrete base must be on a foundation of wet poured concrete, not less than 4" in depth. The foundation shall extend beyond the actual base of the marker to form a four (4) inch collar below grade on all sides
- The maximum side to side width available for a grave marker on a single or double grave is 4" less the overall width of the grave equally spaced on each side.

- For grave markers larger than allowed, the design must be approved by the Murphys Cemetery District.

### **Flat Markers**

- Granite flat grave markers are recommended to be set in concrete.
- Flat bronze grave markers will require a concrete base / border

### **Memorial Benches**

- Memorial benches of durable materials may be placed on a plot where the placer of the bench owns the interment rights.
- Anyone placing a bench in a common area of the Cemetery must pass the absolute ownership and control of the bench being placed to the Cemetery District and the person placing the bench must first obtain the permission of the Murphys Cemetery District. The Cemetery Trustees or Designee shall determine the need, style, size, color, location, and orientation of placement of any benches.
- Only the family name and first name(s), along with a relationship word, as well as “In Memory of...” or “In Loving Memory of...” may be inscribed on any Memorial Bench that has been approved. Additional names, dates, epitaphs, engravings, emblems, etchings, carvings, or reproductions of photographs will not be permitted on such benches without the express written approval of the Cemetery Trustees.
- All benches in common areas must be made of granite or approved material and may be installed only as approved by the Board of Trustees

### **Curbing requirements**

The Murphys Cemetery District does not require that plots be curbed.

Murphys Cemetery District requires that the following specifications for any curbing installed be followed with no exceptions:

- All plot corner markers will be metal pins. These markers will be placed by the Murphys Cemetery District. Alteration or moving of plot corner markers is not permitted by members of the public.
- All curbing must stay within the boundaries of the plot being curbed
- **NONE OF THE FOLLOWING WILL BE ALLOWED:**
  - Excess concrete curb width and/or depth.
  - Rock or brick curbing, unless they are mortared neatly and securely in place.
  - Stackable block retaining walls, unless mortared neatly and securely in place.
  - Placing anything outside of the plot boundaries and/or the curbed area.
  - Using backhoes or similar equipment for excavations at grave sites.

### **Curbing Under 4' High**

For curbing between 2' and 4' high the following minimum requirements must be met:

#### **Rebar requirements**

- Vertical # 4 rebar must be installed every 24" on center
- Horizontal # 4 rebar is required to be installed as follows:
  1. Six (6) inch thick wall: # 4 rebar at 12" on center
  2. Eight (8) inch thick wall: # 4 rebar at 10" on center.

#### **Footing requirements**

- Six (6) inch thick wall: 10" deep.
- Eight (8) inch thick wall: 12" deep.

### **Curbing Over Four (4) Feet High**

Curbing over 4' high will require a Curb Design Detail presented to the Murphys Cemetery District in advance for their approval.

- Calculations must accompany the design and the design presentation and the calculation must be stamped by a Registered Civil Engineer or a Registered Structural Engineer.
- Curbing that exceeds four (4) foot height may require a permit from the Calaveras County Building Department, and it is the plot owner's responsibility to comply with any such requirement.
- No work is to commence until the cemetery board has reviewed and approved the design. Keep in mind that the board meets only once a month and items for the board agenda must be submitted at least seven (7) days before the board meeting.

## **SHRUBS AND TREES**

- Shrubs and Trees are not allowed to be planted in the cemetery anywhere by members of the public. Only cemetery personnel may plant shrubs or trees in Buena Vista Cemetery.
- Only personnel authorized by the Cemetery District shall plant, trim, prune, or remove any part of the trees or shrubs in the cemetery.
- All trees and plantings in the cemetery are owned by the Murphys Cemetery District and may not be defaced, cut down, trimmed or otherwise damaged in any way.
- Donations for trees are acceptable but donated trees may be selected and planted only under the direction of the Murphys Cemetery District.
- If any existing tree or shrub situated on any plot that, by means of its roots, branches or otherwise, encroaches or becomes dangerous to the adjacent plots, walks or avenues, the Cemetery District shall have the right and it shall be its duty to enter upon the plot and remove the trees or shrubs, or any parts thereof as it may see fit.

## **FLORAL TRIBUTES, POTTED PLANTS**

The Murphys Cemetery District Trustees understand the need for families to show respect and love for those interred in Buena Vista Cemetery through the placement of floral offerings at the gravesite. In order to maintain the beauty of the cemetery and to prevent the abuse of this privilege, the Trustees must enforce a few regulations as to what may be left on the grave spaces. In addition, these policies will help to ensure the safety of all who visit and maintain them.

Thank you for your cooperation and compliance to these policies. Should you have any questions or concerns please contact the cemetery trustees for assistance.

The following policies have been enacted in order to preserve the safety and aesthetic beauty of our Cemetery:

### **Floral Tributes**

- **For safety reasons, absolutely no glass containers allowed in the cemetery at any time.** The items in any glass container and the container shall be disposed of immediately. The Cemetery will usually have plastic flower containers available for the use of the public who bring flowers in glass containers. **The only exception is for floral arrangements in glass containers placed on the grave the day of the funeral.**
- Floral arrangements placed on a grave at the time of an interment may be removed by Cemetery personnel no less than seven days after the service. This is done in order to prevent the flowers and containers from becoming unsightly. The Cemetery shall not be liable for floral pieces, baskets, or frames to which such floral pieces are attached.
- Floral arrangements both fresh-cut and artificial may be placed at the interment location at any time throughout the year. Such items will be removed from interment sites when they become wilted, discoloured, unsightly, or seasonably inappropriate and will be discarded.
- Receptacles for cut flowers may be removed when not in use or if determined unsightly with the exception of vases that are part of the grave marker base.

### **Potted Plants**

Potted plants in containers are allowed on graves as long as the container remains atop the confines of the grave and the plant remains alive and not overgrown. At the discretion of cemetery personnel, potted plants may be removed if they appear to have died or become overgrown.

There is no guarantee that water will be available in the cemetery to water potted plants.

## **DÉCOR ON PLOTS**

- No décor of any type may be placed on vacant burial plots with the exception of a permanent monument that is engraved with the names of the Interment Right owners.
- No décor or other items may be placed on plots where the person placing the item is not the owner of Interment Rights in that plot unless they have the permission of the owner of Interment Rights in that plot.
- No items may be placed on non-owner plots or any other areas owned by the Murphys Cemetery District.
- The Murphys Cemetery District accepts no responsibility or liability for any item placed at sites that is damaged, removed, missing or stolen.
- The Murphys Cemetery District is not responsible for the storage or return of any removed object, decoration, plant, or container.
- Anything placed on a grave which is deemed improper by the Cemetery District may be removed by the Cemetery District, at their discretion and disposed of immediately.
- Any types of structures, ornaments, plantings installed before October 20, 2010, decorative rock, embellishments and other decorations of a type that may intensify maintenance problems are subject to removal if, in the judgment of the cemetery trustees, the items are not in harmony with the development of the cemetery or they intensify maintenance problems.
- Any non-floral items placed by the interment right owner or their designee at an interment site including but not limited to: toys, boxes, globes, shells, cans, jugs, bottles, glass, balloons, banners, food and beverages, knick-knacks, solar lights and lanterns, stuffed animals, wind chimes, windmills, windsocks, ceramics, lanterns, candles, rocks or landscaping materials, and statuary not incorporated into the grave marker may be removed by cemetery personnel if they are deemed an eyesore or danger to others. The Murphys Cemetery District Trustees hold ultimate responsibility for deciding what articles are prohibited and which are acceptable.
- Items made of materials subject to deterioration from weather conditions are not allowed. Such items installed before October 20, 2010 may be allowed to stay until painting and/or repair work is necessary, or at the discretion of the Murphys Cemetery District Trustees. Such fixtures that are determined unsightly will be removed.
- Stakes of any material or wire are not allowed and will be removed from the grave once they are discovered.
- Flag holders are welcome if not larger than 24" tall from ground to top of flag. Tattered and worn flags will be removed. American Flags will be placed by the Murphys Cemetery District on known veteran's graves from Memorial Day through Veteran's Day each year.

## **CEMETERY CLEAN-UP**

- Clean-ups shall occur as determined necessary by the Cemetery Trustees. At these clean-ups, flowers and plants that have died or any item that is seasonably inappropriate will be disposed of.
- The Cemetery District will not be responsible for the storage of any pots, shrubs, plants or other items that are picked up for disposal.
- The Cemetery trustees shall have the authority to remove all floral designs, flowers, trees, shrubs or plants of any kind from the cemetery as soon as they become unsightly, dangerous, detrimental, diseased or when they do not conform to the general standards, in the judgment of the management,

## **MISCELLANEOUS REGULATIONS**

Please show respect and consideration when visiting Buena Vista Cemetery. Remember, the gravestones are often not only very old and fragile, but all of them are of great sentimental value to the families of the deceased and are owned by those families.

- Buena Vista Cemetery is open from 7 AM until 7 PM or when the gates are open. No person shall be permitted on cemetery grounds except during those hours or when the gates are closed.
- The entrance gate at Jones Street and Cemetery Lane shall be the sole and only means of entering and leaving the cemetery.
- Buena Vista Cemetery is not a public parking lot. No parking for purposes other than visiting the graves is allowed in the cemetery boundaries.
- No person shall cut or damage the fences enclosing the cemetery nor may they install gates in those fences. There is only one exception to this rule and the owners of that property have a deeded access for a walking gate.
- Cemetery roads are narrow with a speed limit of five (5) miles per hour. All directional signs are to be followed.
- Vehicles are allowed on only designated roadways and no one may remove chains installed across any of the cemetery roads except authorized cemetery personnel.
- All vehicles are to remain on the roadways and must not drive or park on areas of graves
- The water in the cemetery is turned off during winter months due to the risk of freeze and the chance of pipes breaking. Please schedule any plot work requiring water during the months of May through October.
- Litter receptacles are provided at various convenient locations and visitors are requested to use them to dispose of any litter from burial plots. Those receptacles are not for the disposal of household garbage and are only to be used for litter from clean-up of burial plots.
- No firearms or shooting of firearms of any kind is permitted on cemetery grounds except in

the case of a military funeral. This shall not apply to officers of the law or to members of the armed forces of the United States in the discharge of their duties.

- The grounds of the Murphys Cemetery District are a drug and smoke free area, therefore no mind-altering drugs, alcohol or smoking of any type of substance are allowed on cemetery grounds.
- No person shall trespass on any plot of which that person does not hold the Interment Right.
- All persons, other than Interment Right holders, shall confine themselves to the roads, paths and other public places provided for public use within the cemetery grounds.
- All work done on cemetery grounds by commercial enterprise or private parties must receive authorization from the cemetery district.
- No person shall burn any material within the cemetery grounds except authorized cemetery personnel.
- Children under the age of fourteen (14) years are hereby prohibited from the District cemeteries except when accompanied by an adult responsible for their conduct
- Loitering and/or solicitation on cemetery property is prohibited at all times.
- Domestic animals not on a leash are prohibited on Cemetery grounds except for certified service animals to assist the disabled. All pet owners are responsible for cleaning up after their animal.
- Horses shall be not be allowed in the cemetery.
- Breaking or damaging trees or structures, or in any way damaging any grave marker is prohibited and subject to severe penalty according to State law.
- The cemetery district shall not be financially responsible for any damage to plots and structures or objects thereon, or for flowers or articles removed from any plot or grave.
- Absolutely no camping or sleeping is allowed on cemetery property.
- No storage of personal belongings is allowed on cemetery property.

## **INTERMENT PLOT CHARGES and REGULATIONS**

The charges and regulations relating to Buena Vista Cemetery shall be established by the Murphys Cemetery District Board of Trustees and shall remain in effect until a new schedule or regulation is approved by the Trustees.

### **Endowment care fund**

Buena Vista Cemetery is an Endowment Care Cemetery as required by California Health & Safety Code-Section 9068. The principal of such accounts may not be used and only interest earned is allowed to be used for cemetery care.

- The Endowment Care Fund Fee will be no less than the minimum set by California Health & Safety Code-Division 8; Section 8738 and is currently \$4.50 per square foot of plot size.

- All Endowment Care fees are non-refundable.
- Endowment Care Fund fees are charged at the time the burial plot is purchased.
- The Endowment Care Fee is for the perpetual care of the cemetery grounds and may be used for the normal repair and maintenance of the Cemetery as well as beautification projects.
- Endowment Care does not normally cover repair or replacement of grave markers, monument structures, borders, or flower vases. However, in the event an older grave marker deteriorates and no responsible party can be found, the Trustees reserve the right to order repairs/replacement at their discretion using available funds.
- Endowment fees are placed in an Endowment Fund trust account to ensure that sufficient funds are available to maintain the cemetery grounds in perpetuity.

### **Re-selling of Interment Right Plots**

Interment Rights may only be resold to the Murphys Cemetery District for the price paid when purchased and may not be transferred or sold to others. Any Endowment Care Fund fees paid are not refundable. Any plot improvement costs will not be reimbursed.

**It is important to provide your family, relatives and/or legal representative with certain essential information about your interment plot. This included its exact size and location, who is to be interred into it, in which grave burials are to be made and the location in that grave, and the placement of the memorial/monument. Do not leave these important decisions to others and do not put them off. Failure to settle these questions now may result in costly mistakes and misunderstandings later. The Murphys Cemetery District will not be responsible for any burial decisions made by the person ordering the interment and will not be responsible for determining if that person has the right to make such burial decisions. (CA SB 1179)**

### **Plot Purchases Fees**

- The Murphys Cemetery District is not able to accept credit or debit cards payments. Only checks or cash can be used to pay for Interment Right purchases.
- Interment Rights must be paid for before a burial may be made in the plot or any improvements are done to the plot.
- Eligible Non-Residents will be charged more than the resident price for Interment Right purchases as per California Health & Safety Code-Cemeteries; Section 9068
- Checks that are returned for insufficient funds will be turned over to the Calaveras County Sheriff's Department for collection.

## **Fee schedule**

Effective January 1, 2022

*The listed costs for Interment Right plots include the Endowment Care Fund fee of \$4.50 per square foot of plot.*

Cremation	5' X 5'	Residents: \$ 262.50	Eligible Non-Residents: \$ 462.50
Single Burial	5' X 10"	Residents: \$ 525.00	Eligible Non-Residents: \$ 925.00
Double Burial	10' X 10'	Residents: \$ 1050.00	Eligible Non-Residents: \$1,850.00

**All full burials require a grave liner at an additional cost. Grave liners fees are paid to the mortuary.**

**A Clean-Up deposit of \$500 will be required if the grave digging is done by someone other than a grave digger contracted by a mortuary. This deposit will be refunded within ten days of the burial if the plot is in an acceptable condition. If the plot is not in an acceptable condition within ten days of the burial as determined by the Murphys Cemetery District, the entire deposit will be forfeited.**

### **IOOF Section, Center Section and Sections One, Two, Three, Four and Five.**

The above areas of the cemetery usually have no full burial plots available for purchase. Cremains plots are available in some of these areas.

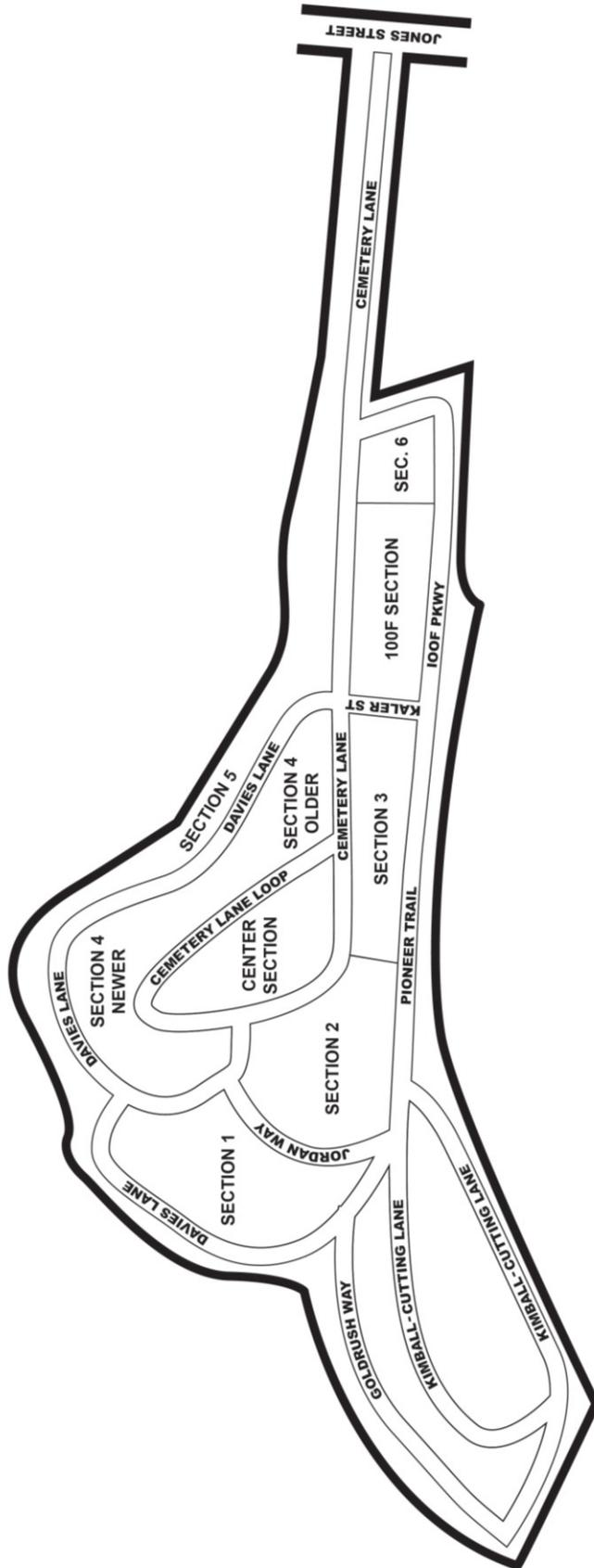
### **Section Six**

Section Six is the current burial site being used and has Single and Double Plots available as well as Cremains Plots.

### **Undeveloped Cemetery Section**

There is an additional area of Buena Vista Cemetery that is not yet open for Interment Right purchases or for reservations for future internments. No sales or plot reservations will be made in that section until the Trustees decide there is a need to use the area.

# BUENA VISTA CEMETERY



# **CONFIRMATION OF RECEIPT**

## **Acknowledgement Form**

I hereby acknowledge that I have received a copy of the MCD PUBLIC POLICY HANDBOOK dated June 19, 2019. I understand that I am to read and familiarize myself with its contents. I understand that if I have any questions about the Handbook or its contents, I can contact the Murphys Cemetery Board of Trustees. I acknowledge that I am expected to adhere to MCD's policies documented in this Handbook.

I recognize that this Handbook supersedes and replaces any previous handbooks, and to the extent that provisions of this Handbook conflict with previously issued policies or practices, whether or not such policies and practices were contained in a handbook, this Handbook shall prevail.

I acknowledge that all decisions by the Murphys Cemetery District as to interpretation or application of these policies shall be binding upon me. Murphys Cemetery District applies all its policies in accordance with appropriate state and federal laws.

Name: (print) \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Date: \_\_\_\_\_

### DISTRICT CONTACT INFORMATION

**Physical location of Buena Vista Cemetery: 186 Cemetery Lane, Murphys, CA**

**Mailing Address: PO Box 957, Murphys, CA 95247**

**Murphys Cemetery District: (209) 728-2387**

**[murphyscemetery@gmail.com](mailto:murphyscemetery@gmail.com)**

**[murphyscemetery.com](http://murphyscemetery.com)**