

CHAPTER 14. - Greenwood Cemetery.

Article I. - In General. [□](#)

Footnotes:

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1. For state law as to power of council of town as to cemeteries, see W. S., 1957, § 15-160, pars. 24 and 26. For state law specifically applicable to municipal cemeteries, see W. S., 1957, §§ 35-377 to 35-387. For state law as to cemeteries generally, see W. S. 1957, §§ 35-372 to 35-376. For state law as to authority of city to levy taxes for the care and maintenance of municipal cemeteries, see W. S., 1957, § 15-6. For state law provision exempting cemetery lots from execution, see W. S., 1957, § 1-505. As to cemetery committee of council, see § 2-18 of this Code.

Sec. 14-1. - Name and designation; definition of "cemetery."

The cemetery, as the same is designated in the plat on file in Book 1 on page 6 of the plat record of Weston County. Wyoming, together with all additions thereto and such additions as may hereafter be made by the city council, shall be the city cemetery for the city.

The city cemetery shall be known as and is hereby named and designated as Greenwood Cemetery. For the purpose of this chapter, the word "cemetery" shall be taken to mean Greenwood Cemetery.

(Ord. No. 8 (1960), §§ 1, 2.)

Sec. 14-2. - Maintenance as burial ground.

The cemetery shall be maintained as a burial ground for the inhabitants of the city and for such other persons as the city council by regulation and rules may permit to be buried therein.

(Ord. No. 8 (1960), § 3.)

Sec. 14-3. - Repealed by Ordinance No. 18 (1987).

Sec. 14-4. - Repealed by Ordinance No. 19 (1987).

Sec. 14-5. - City clerk to keep records, etc.

The city clerk shall keep a book provided by the city in which he shall maintain a full, true and correct record and plat of the cemetery and the burial lots therein, showing the disposition of burial lots for burial purposes and the interments made in each burial lot with the name, age, sex and residence at the time of death of the deceased interred therein.

(Ord. No. 8 (1960), § 5; Ord. No. 20 (1987), § 1.)

Sec. 14-6. - Definition of "burial lot"; use of term.

The term "burial lot" as used in this chapter shall be taken to mean a piece of ground in the cemetery large enough for the burial of one adult body only. The plats of the cemetery designate a lot as containing

several burial lots as so defined, but the use of the term "lot" on such plats is for title purposes only and is not a burial lot as the term is used in this chapter.

(Ord. No. 8 (1960), § 6.)

Sec. 14-7. - Planting of trees, shrubs, etc.

Upon application, the governing body of the city may permit the planting of trees, shrubs and other growing plants in the cemetery. No person shall plant any tree, shrub or other growing plant in the cemetery without prior permission by the governing body of the city. The governing body of the city may place any condition upon its permission which it deems to be appropriate.

(Ord. No. 8 (1960), § 12; Ord. No. 21 (1987), § 1.)

Sec. 14-8. - Removal of flowers, displays, refuse, etc.

The city shall have the right to remove all flowers, displays, cans, broken vases, refuse or any other item which distracts from the beauty, cleanliness or care of the cemetery.

(Ord. No. 8 (1960), § 17.)

Sec. 14-9. - Protection of property of burial lot owners; responsibility of city for damage from vandals, acts of Providence, etc. ¹

The city shall take every reasonable precaution to protect the property of burial lot owners within the cemetery, but there hereby distinctly disclaimed all responsibility for loss or damage whether direct or collateral, from the acts of thieves, vandals, rioters and malicious mischief-makers and from all acts of Providence, including winds, tornados, cyclones, hail, snow, frost, fire, explosion or lightning and from breakage or accident to equipment of whatsoever kind and character and from all causes beyond its reasonable control.

(Ord. No. 8 (1960), § 15.)

Footnotes:

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2. For state law as to molesting graves, defacing cemetery property, etc., see 1957, §§ 6-99 to 6-101.

Article II. - Interments, etc., Generally.

Sec. 14-10. - Permission for interment; collection of fees for opening and closing of graves.

Any person desiring to inter the dead body of a human being in the cemetery shall make application to the city clerk for that purpose, and when the application is made to the city clerk for such permission, the city clerk shall grant such permission upon being provided with a burial permit from the county health officer or other person authorized by law to issue same. It shall be unlawful for any person to inter or attempt to inter the dead body of a human being in the cemetery without having first obtained a permit for that purpose.

In all cases where the interment in the cemetery requires the opening and closing of a grave, the city clerk shall collect from the person making such application a fee for such service, which fee shall be as provided in this chapter.

(Ord. No. 8 (1960), § 9; Ord. No. 22 (1987), § 1.)

Sec. 14-11. - Interments to comply with chapter.

It shall be unlawful for any person to inter the dead body of a human being in the cemetery, except in the mode and manner provided in this chapter.

(Ord. No. 8 (1960), § 18.)

Sec. 14-12. - Permission from lot owner when deceased is not of his immediate family.

If the order for an interment is for a deceased person who is not of the immediate family of the lot owner, permission in writing from such lot owner or authorized person shall be filed with the city clerk.

(Ord. No. 8 (1960), § 9; Ord. No. 23 (1987), § 1.)

Sec. 14-13. - Interments in lots jointly held.

When lots are held jointly by two or more persons, either by descent, devise or purchase, an order will be accepted from either of them or their heirs for interment in such lots as they shall require.

(Ord. No. 8 (1960), § 9.)

Sec. 14-14. - Number of interments in single grave.

- (a) Only one interment shall be allowed in a single grave; except that a parent and his or her infant may be buried in the same grave, and two children may be buried in the same grave provided they are buried together at the same time.
- (b) As used in this section, the term "infant" shall mean a person no older than twelve months, and the term "children" shall mean persons no older than twelve years.
- (c) The charge for a dual interment as permitted by this section shall be the same as for a single interment.

(Ord. No. 8 (1960), § 9; Ord. No. 6 (1986), § 1.)

Sec. 14-15. - Procedure when owner of single burial lot wishes to secure laterally adjacent burial lots for contiguous burial.

Should the owner of a single burial lot in the cemetery in which an interment has been made, or an authorized person, wish to secure two or more laterally adjacent burial lots available elsewhere in the cemetery in order to provide for contiguous burials, he may have the body in the single burial lot disinterred and reinterred in the new location by paying the regular charges, both for disinterment and for reinterment, and giving to the city a deed to the vacated burial lot. The amount of the refund for such vacated burial lot, if any, shall be determined by the governing body of the city.

(Ord. No. 8 (1960), § 10; Ord. No. 24 (1987), § 1.)

Sec. 14-16. - Vacation of single burial lot and removal of body from cemetery.

Should any single burial lot be vacated and the body removed from the cemetery, the regular charge for disinterment shall be paid and the title to the burial lot so vacated shall revert to the city.

(Ord. No. 8 (1960), § 10.)

Sec. 14-17. - Reopening of graves.

Graves may be reopened for official inspection or for any other purpose only when all statutory provisions relating to the opening of graves have been complied with and the regular charge for disinterment paid to the city.

(Ord. No. 8 (1960), § 10.)

Sec. 14-18. - Control of funerals.

Funerals while within the cemetery grounds shall be under the control of the city.

(Ord. No. 8 (1960), § 9; Ord. No. 25 (1987), § 1.)

Article III. - Purchase, Sale, etc., of Burial Lots.

Sec. 14-19. - Application for purchase; deed.

Any person desiring to purchase a burial plot shall make application to the city clerk, who shall, upon payment to the city clerk of the price of the plot as fixed by the provisions of this Code or other ordinance of the city, issue a receipt for such payment and prepare a deed. Such deed shall be signed by the mayor or the mayor's lawful alternate on behalf of the city. Such deed shall specify that the person to whom it is issued is the owner of the burial plot described therein and such deed shall vest in the owner and the transferees of the owner the title to such burial plot for the purposes of interment of the owner or such other person(s) as authorized by the owner, subject to the provisions of this chapter and other ordinances of the city and to the regulations of the governing body of the city. Such deeds may only be issued by the city to individual living natural persons, and not to entities or to multiple persons.

(Ord. No. 8 (1960), § 7; Ord. No. 26 (1987), § 1; Ord. No. 17 (1995), § 1; Ord. No. 5 (2008), § 1.)

Sec. 14-20. - Payment prerequisite to deed, etc.

No deed, as provided for in section 14-19, shall be issued until the burial lot is fully paid for and the city retains the right to refuse interment until the balance due on the purchase price of the burial lot is fully paid.

(Ord. No. 8 (1960), § 7.)

Sec. 14-21. - Subdivision and transfer.

(a) No burial plot shall be subdivided.

(b) Conveyances or transfers of burial plots by deed or otherwise must be approved by the city clerk before any burial in said burial plot shall be permitted. Transfers of burial plots from the estates of deceased owners are subject to the provisions of Section 14-24 of this Code.

(Ord. No. 8 (1960), § 7; Ord. No. 27 (1987), § 1; Ord. No. 6 (2008), § 1.)

Sec. 14-22. - Repurchase by city.

The city may by mutual agreement with any burial lot owner repurchase any unused burial lot from a burial lot owner or authorized person by paying therefor a sum not to exceed the sum originally paid to the town for such lot.

(Ord. No. 8 (1960), § 7.)

Sec. 14-23. - Survey, etc., prerequisite to sale.

No burial lot shall be sold on ground that has not been surveyed and platted.

(Ord. No. 8 (1960), § 7.)

Sec. 14-24. - Procedure on death of owner.

On the death of an owner or part owner of a burial lot, the heirs or devisees of the deceased shall file in the office of the city clerk satisfactory proof of their inheritance for the purpose of establishing the new ownership in the books of the city.

(Ord. No. 8 (1960), § 7; Ord. No. 28 (1987), § 1.)

Sec. 14-25. - Rules and regulations as to sale.

The city council reserves the right to make such rules and regulations regarding the sale of burial lots as it may from time to time require.

(Ord. No. 8 (1960), § 8.)

Sec. 14-26. - Sale, etc., of single burial lots.

When the buyer desires to purchase two or more single burial lots, the city reserves the right to insist that the selection shall be made in such a location and manner as not to leave any isolated single burial lots alongside those purchased.

Single burial lots shall be sold only from single burial lot sections except as isolated single burial lots may be elsewhere available. In single burial lot sections there can be no choice of location or reservation for future use as these lots must be filled in regular order.

Isolated unsold adult burial lots in the cemetery shall, in general, be designated by the city clerk as baby burial lots. Each such unsold burial lot shall be subdivided into two baby burial lots. There can be no choice of location on the part of the purchaser of baby burial lots as the burial spaces shall be filled in regular order. The provisions of this paragraph shall not prevent the sale of any individual isolated lots for adult use when in the opinion of the city clerk such sale is justified.

(Ord. No. 8 (1960), § 8; Ord. No. 29 (1987), § 1.)

Sec. 14-27. - Control of area development.

The city council may regulate the sale of burial lots so as to control the development of any area in the cemetery.

(Ord. No. 8 (1960), § 8.)

Sec. 14-28. - Limitation on sale to particular person or family.

The city council may limit the number of burial lots which shall be sold to or owned by any one person or family at the same time.

(Ord. No. 8 (1960), § 8.)

Article IV. - Markers and Monuments.

Sec. 14-29. - Power of council as to placement, etc.

The city council may restrict the placement and erection of markers and monuments in the cemetery so as to facilitate the upkeep of the cemetery and to develop its beauty and appearance.

(Ord. No. 8 (1960), § 8.)

Sec. 14-30. - Use in accordance with article; permit for laying or erection.

The use of markers and monuments is permitted in the cemetery in accordance with the provisions of this article. Any person desiring to lay or erect a marker or monument in the cemetery shall make application to the city clerk for that purpose. When application is so made, the city clerk shall, upon approval of the plan and type of marker and monument proposed, issue a permit authorizing such construction. Such permit shall contain the regulations and restrictions regarding the construction of markers and monuments.

(Ord. No. 8 (1960), § 11; Ord. No. 30 (1987), § 1.)

Sec. 14-31. - Removal, cleaning or altering monument.

No person shall remove any monument from the cemetery or clean or alter any monument erected in the cemetery without first securing permission therefor from the governing body of the city.

(Ord. No. 8 (1960), § 11; Ord. No. 31 (1987), § 1.)

Sec. 14-32. - Location.

In the cemetery, markers and monuments shall be located as directed by the city, subject to the provisions of section 14-29.

(Ord. No. 8 (1960), § 11; Ord. No. 32 (1987), § 1.)

Sec. 14-33. - Rolling of stone work.

The rolling of stone work in the cemetery across sections shall not be done without the consent and supervision of the city.

(Ord. No. 8 (1960), § 11; Ord. No. 33 (1987), § 1.)

Sec. 14-34. - Protection of turf.

The turf around and near where the work is to be done on or connection with monuments or markers shall be thoroughly protected by planks and boards when required by the city.

(Ord. No. 8 (1960), § 11; Ord. No. 34 (1987), § 1.)

Sec. 14-35. - Specifications and requirements.

Markers and monuments laid or erected in the cemetery shall comply with the following specifications and requirements:

- (a) Only one marker can be permitted for any one burial space. As a general rule, only one monument can be permitted for any one family group of lots in order to avoid an overcrowded appearance.
- (b) Any stone exceeding any one or more of the following dimensions shall be classified as a monument; namely, one foot in height, two feet in length or one foot in thickness. Any stone not exceeding any of the above dimensions shall be classified as a marker.
- (c) No monuments or markers made of material other than granite, marble, standard bronze or finished concrete with bronze marker will be allowed in the cemetery.
- (d) All stone work shall have the surface next to the foundation squared so as to allow full bearing on the foundation.
- (e) All monument foundations shall be built so as to provide a border five inches in width around the bottom of the base of the monument level with the existing ground level and shall be adequate to permanently support the monument in true position.
- (f) After the foundation for any monument has been set sufficiently, as determined by the city, the monument shall be installed on the foundation by a representative of the manufacturer of the particular monument.
- (g) Markers for use in marking graves in baby plots shall be of the surface type and must not exceed one foot in length or six inches in width and shall not be more than six inches thick.
- (h) All markers shall be set in a concrete foundation which will provide a five-inch concrete border around the marker, such concrete border to be flush with the level of the ground.

(Ord. No. 8 (1960), § 11; Ord. No. 18 (1980), §§ 1, 2; Ord. No. 35 (1987), § 1.)

Article V. - Prices, Charges, etc.

Sec. 14-36. - When charges for interment paid.

The required charge for an interment in the cemetery shall be paid in advance of any work unless such charges are guaranteed by an approved responsible party.

(Ord. No. 8 (1960), § 9.)

Sec. 14-37. - When payments for burial plot and charges for services paid.

All payments for purchase of a burial plot in the cemetery and all charges for services therein or in connection therewith shall be payable in advance, except as otherwise provided.

(Ord. No. 8 (1960), § 14; Ord. No. 1 (2008), § 1.)

Sec. 14-38. - Price of burial plots.

The price to be charged by the city for burial plots in the cemetery is established as follows:

(1) Regular burial plot	\$250.00
(2) Baby burial plot	75.00
(3) County burial plot	No charge.

(Ord. No. 8 (1960), § 13; Ord. No. 10 (1980), § 1; Ord. No. 18 (1995), § 1; Ord. No. 2 (2008), § 1.)

Sec. 14-39. - Charges for interment generally.

Except as provided in section 14-41, the charge to be made by the city for interment in the cemetery shall be established as follows:

(1) Surface or subsurface vault, or grave for casket four feet or more in length	\$200.00
(2) Grave for casket less than four feet in length	100.00
(3) Grave for interment in any county plot	100.00
(4) In the event that interment shall take place on a Saturday, Sunday, any legal holiday or in the event that on any weekday a funeral service together with an interment are scheduled to begin after 2:05 P.M. until 7:00 A.M. on any weekday, then the additional sum of fifty dollars shall be charged.	

(Ord. No. 8 (1960), § 13; Ord. No. 2 (1969), § 1; Ord. No. 10 (1981), § 2; Ord. No. 22 (1981), § 1; Ord. No. 1 (1989), § 1; Ord. No. 3 (2008), § 1.)

Sec. 14-40. - Caskets and casket enclosures.

- (a) All human remains must be in a casket or container durable enough to support the weight of the remains, and must have handles and straps for handling (excluding containers for cremated remains).
- (b) Unless waived by the city engineer or his designee, any casket or container three feet or longer which is interred underground in the cemetery shall be enclosed in a permanent grave reinforcement made of concrete, fiberglass, steel or other material customarily used for the underground enclosure of caskets and approved by the city engineer or his designee. The city engineer shall make available to the public basic specifications for such underground enclosures. The requirement for underground enclosures may be waived by the city engineer or his designee if the size of the burial plot is insufficient to accommodate an enclosure.

(Ord. No. 4 (2008), § 2.)

Sec. 14-41. - Requirements when person provides labor for opening and closing of grave.

Any person desiring to provide the labor for opening and closing a grave for interment of any member of his family in the cemetery shall make application to the city clerk for that purpose and upon the approval by the city clerk may proceed with the work; however, all such work shall be done under the general supervision of the city and in accordance with the rules, regulations and plans of the cemetery. A person providing labor for interment pursuant to this section shall be relieved of the duty to pay the regular interment charge levied by the city.

(Ord. No. 8 (1960), § 13; Ord. No. 36 (1987), § 1.)

Sec. 14-42. - Charge for disinterring.

The charge to be made by the city for disinterring any body from the cemetery shall be one and one-half times that of the interment charge in effect at the time the disinterment is made.

(Ord. No. 8 (1960), § 13.)

Sec. 14-43. - Liability of undertaker arranging for burial lot or interment.

In all instances where an undertaker arranges for a burial lot in the cemetery or an interment in the cemetery, such undertaker shall assume the liability for payments to the city of the cost of such a burial lot and for all interment charges.

(Ord. No. 8 (1960), § 14.)

Sec. 14-44. - Liability of monument dealer ordering base installed for monument or marker.

In instances where monument dealers order bases installed for monuments or markers, such dealer shall assume the liability for the payment of the costs of such work.

(Ord. No. 8 (1960), § 14.)

Article VI. - Operational Rules.

Sec. 14-45. - Generally.

The rules governing the conduct and operation of the cemetery shall be as provided in this article.

(Ord. No. 8 (1960), § 16.)

Sec. 14-46. - Burial lot owners, etc.

Burial lot owners, their families and visitors shall be admitted to the cemetery daily and observe all rules for the regulation of visitors.

(Ord. No. 8 (1960), § 16.)

Sec. 14-47. - Admission of unaccompanied children.

Children unaccompanied by persons responsible for their conduct shall not be admitted to the cemetery.

(Ord. No. 8 (1960), § 16.)

Sec. 14-48. - Bicycle riding.

Bicycles shall not be ridden in the cemetery.

(Ord. No. 8 (1960), § 16.)

Sec. 14-49. - Operation of automobiles.

In the cemetery, automobiles shall be driven at slow speed and be kept under complete control at all times.

(Ord. No. 8 (1960), § 16.)

Sec. 14-50. - Refreshments, etc.

Refreshments, liquors and alcoholic beverages shall not be allowed within the cemetery.

(Ord. No. 8 (1960), § 16.)

Sec. 14-51. - Repealed by Ord. No. 8(2010).

Sec. 14-52. - Discharge of firearms.

Discharging of firearms, other than regular volleys at burial services, is prohibited in and around the cemetery grounds.

(Ord. No. 8 (1960), § 16.)

Sec. 14-53. - Occupation of burial lot; conduct of strangers at funerals.

No person shall sit, walk upon or otherwise occupy any burial lot in the cemetery not their own. Strangers shall not approach the grave at a funeral in the cemetery.

(Ord. No. 8 (1960), § 16.)

Sec. 14-54. - Entry of trucks, etc.

Trucks and vehicles of cumbersome description shall not be allowed to enter the grounds of the cemetery without special permission of the city.

(Ord. No. 8 (1960), § 16; Ord. No. 37 (1987), § 1.)

Sec. 14-55. - Plucking plants, defacing property, etc.

In the cemetery, no person shall pluck any plants, whether wild or cultivated, break any tree or shrub, mar any stone work or in any way deface the property of burial lot owners or of the city.

(Ord. No. 8 (1960), § 16.)

Sec. 14-56. - Observance of proprieties.

In the cemetery, there shall be a strict observance of all the properties due the place, whether embraced in these regulations or not.

(Ord. No. 8 (1960), § 16.)

Sec. 14-57. - Flags.

No improper use of the national flag shall be permitted in the cemetery nor shall the display of any wornout and tattered flag be allowed.

(Ord. No. 8 (1960), § 16.)

Sec. 14-58. - Reservation of right to council.

The council reserves the right to make such rules and regulations regarding the operation of the cemetery as it may from time to time require.

(Ord. No. 8 (1960), § 8.)