



# Cemetery Technical Manual

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Tampa Parks and Recreation  
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## Section 1: Intent

The City of Tampa has adopted this Cemetery Technical Manual as a mutual protective measure for all who use the City cemeteries. It is the intent of these rules and regulations to supplement Chapter 8 of the City of Tampa Code of Ordinances, for the purpose of protecting and preserving the beauty of Tampa cemeteries for the collective benefit of grave space owners. All visitors, grave space owners, and any company or organization entering a City cemetery shall abide by the contents of this Manual. The City of Tampa may amend these rules without notice.

## Section 2: Definitions

**Applicant:** person applying for authorization to be buried or to bury someone else in a grave space or crypt in a Cemetery.

**At-Need:** any final burial arrangement decisions or plans made after the time of death.

**Biographical Information:** includes formal name, dates of birth and death, and military service.

**Burial:** the act of burying a body. A burial is also called in interment (full, non-cremated body) or inurnment (cremated remains).

**Burial Site:** the specific place and location for the burial of human remains. This may be identified using sections, blocks, lots, and spaces.

**Burial Rights:** the interest conveyed by a deed, will, certificate of ownership, or other document proving legal ownership, which gives the right to use a grave space, mausoleum, or crypt for the interment, entombment, inurnment, or other disposition of a decedent.

**Burial Space:** the location of a deceased person, whether body or cremains, identified using sections, blocks, lots, and spaces into the ground, crypt, or mausoleum. A space is typically four feet wide by seven feet in length, but can vary depending on the location.

**Cemetery:** shall mean any single property or all tracts of land designated as a municipal cemetery by the City.

**Cemetery Coordinator:** the Department employee who manages cemetery matters in any City-owned Cemetery.

**Cenotaph:** a memorial or headstone placed on a grave where the physical body is not present.

**City:** shall apply to and mean the City of Tampa, Florida.

**Cremains:** cremated remains of a deceased person.

**Crypt:** a single grave space of sufficient size in a mausoleum or in the ground to accommodate the entombment of the bodily remains of a decedent and sealed with a single closure plate. Also called a mausoleum.

**Decedent:** a person who has died, whether full body or cremated . Also called deceased.

**Decorative Adornment:** shall mean, but not be limited to, fencing, coping, slabs, vases, statues, plants, and trees.

**Department:** shall apply to the Parks and Recreation Department of the City of Tampa.

**Director:** shall mean the City of Tampa Parks and Recreation Department Director or designee.

**Disaster:** a sudden event that causes great damage or loss of life, natural or manmade, including, but not limited to natural disasters, fire, riot, acts of nature, or act of terrorism.

**Disinterment:** the removal of a body from a burial space or grave. Also called an exhumation.

**Double-Depth Burial:** An in-ground interment of two casketed human remains.

**Entombment:** the placement of a dead human body into a crypt or niche either within a mausoleum, sarcophagus, or columbarium. Both casketed remains and cremated remains can be entombed.

**Epitaph:** Colloquial text or a literary note, inscribed or cast on a grave marker or memorial. Formal biographical information are not part of an epitaph.

**Event:** shall mean any planned public or social occasion or activity not related to a burial, disinterment, interment, or entombment.

**Feature:** a utilitarian or artistic item that enhances the beauty and aesthetics.

**Grave Marker:** a monument made of granite, marble, or cast bronze, that marks the location an inhabitant of a burial space for the purpose of identification or in memory of the deceased. A grave marker may also be called a memorial, headstone, tombstone, or grave stone.

**Inscription:** the writing on a grave marker or memorial. An inscription may include both biographical information and an epitaph.

**Interment:** the burial of a single, full, non-cremated, dead body into a burial space.

**Interment Right:** the right to place a decedent in a specific burial space within the Cemetery selected by the person with Burial Rights for use as a final resting place, and subject to the limitations set forth herein

**Inurnment:** the burial of cremated remains into a burial space.

**Legal Description:** a reference that describes the exact location of a burial site.

**Legal Representative:** shall have the same meaning as “Legally Authorized Person” as the term is defined in Florida Statutes Section 497. If no family member exists or is available, the guardian of the decedent at the time of death; the personal representative of the decedent; the attorney in fact of the decedent at the time of death; the health surrogate of the decedent at the time of death; a public health officer; the medical examiner, county commission, or administrator acting under Florida Statutes Part II of Chapter 406 or other public administrator; a representative of a nursing home or other health care institution in charge of final disposition; or a friend or other person who is willing to assume the responsibility as the legally authorized person.

**Mausoleum:** a pre-assembled or non-pre-assembled rectangular structure specifically designed to house human remains within crypts. It may include crypts for individuals or couples.

**Memorial:** a marker that serves to preserve the memory of a person or event.

**Monument:** a grave marker placed over the vicinity of a burial space in memory of the deceased.

**Monument Company:** a facility that operates independently of a cemetery or funeral company and that offers to sell grave markers, monuments, or services to the public for the placement in a Cemetery. Also refers to Vault Company.

**Niche:** a space of sufficient size to accommodate the cremated remains of one or two persons and sealed with a single closure.

**Owner:** the owner of an interment rights withing the Cemetery, as reflected in the Cemetery records or by Burial Rights.

**Perpetual Care:** funds for the maintenance of public areas of the cemetery including repairs made due to safety concerns on abandoned spaces.

**Pre-Need:** Any final burial arrangement decisions or plans made prior to the time of death.

**Special Features:** shall include, but not be limited to, stain glass, benches, or statues.

**Upright Monument:** a grave marker that is upright above the level surface of the surrounding ground typically set to a 90-degree angle with the earth.

**Urn:** a receptacle designed to permanently encase cremains.

**Vault:** a sealed and lined container placed around a casket so as to simultaneously prevent the grave from sinking and to protect the casket from the surrounding area.



## Section 3: General

### **3.1 Real Property of the City**

All property within the Cemetery that has not been transferred by deed shall remain the real property of the City and shall be managed and controlled by the City, whether or not the specific subject is covered within this manual.

### **3.2 Management of Cemeteries**

#### Cemetery Coordinator

The day-to-day operations of the Cemeteries shall be the responsibility of the Cemetery Coordinator.

#### Cemetery Hours

Woodlawn, Centro Asturiano\*, Oaklawn, and Marti Cemeteries are open daily 8 am to 6 pm, except holidays set at the Department's discretion.

Jackson Heights is kept locked. To make arrangements for opening of this Cemetery contact the Cemetery Coordinator at 813-274-8711, at least 24 business hours' notice.

\*Centro Asturiano gate facing N Ola Ave is kept locked; however, entrance to this Cemetery can be obtained via Woodlawn's east gate

### **3.3 Admission to Cemeteries**

The City reserves the right to refuse admission to the Cemetery and to refuse the use of any Cemetery at any time to any person whom the Parks & Recreation Director or Cemetery Coordinator determine is unwilling or incapable of abiding by the rules and regulations set in this manual. There must be a legitimate public health, safety, or welfare interest expressed by the City to impose such restrictions.

### **3.4 Responsibilities of the Department**

#### General

The Department, under the direction of the City, is responsible and authorized for enforcing any local, state, and federal laws as it relates to the operation and management of Cemeteries or related functions. They may remove, or asked to be removed, any visitor violating any laws, rules, or regulations.

Upon receiving written authorization from a legally authorized person or a court of competent jurisdiction prior to the disinterment and reinterment of human remains from a grave space or crypt, the Department will direct the removal and final disposition of the decedent in the presence of a licensed funeral director as may be required by Florida Statutes.

All decisions made by employees or representatives of the City as it relates to the operation of the Cemetery, shall be made without regard to race, color, sex, religion, national origin, age, disability, sexual orientation, marital or familial status, gender identity/expression, or retaliation.

Any notice sent to an Owner or Legal Representative at the last provided mailing address in the Department records shall be considered sufficient and proper legal notification.

### *Cemetery Management*

The Cemetery Coordinator shall be responsible for maintaining the necessary records of interment, entombment, and inurnment records; and maintaining other necessary information making these available to the public authorities and other interested persons.

### *Cemetery Maintenance and Improvements*

The general care of the cemetery is the responsibility of the City through the Department. It includes reasonable and practical care of unsold areas of the Cemetery, all common areas, and walkways. It shall also mean the removal of old, dead, or discolored real or artificial flowers and plant material placed on or around grave spaces. The Department reserves the right to determine what is considered old, dead, and discolored real or artificial flowers or plant material and will regularly remove as necessary.

Care and maintenance means the Cemetery grounds will be maintained and preserved including cutting grass, and trimming of shrubs and trees at reasonable intervals; the procuring of, maintaining and keeping in good repair the drains, water lines, roads, buildings, fences, and other structures; painting, cleaning, or otherwise preserving buildings, fences, and other structures at reasonable intervals.

All grading, landscaping work, and improvements of any kind; the care of grave spaces, lots, crypts; all planting, trimming, cutting, and removal of trees, shrubs, and herbage shall be performed by the Department or a designated contractor.

The Department will use all necessary precautions in maintaining the Cemetery, but will not be held liable for damage, breakage, scratches, other marks on existing decorative adornments that might occur through normal maintenance.

In no case shall it mean the maintenance, repair, or replacement of any grave marker or upright memorial, tomb, crypt, or mausoleum erected or placed upon a privately owned grave space, nor the performing of any special or unusual work in the Cemetery.

### *Disasters*

In the event of a disaster, the Department staff shall work the hours as deemed necessary to accomplish the required work.

The Department is not responsible for damage caused by disasters, or by other causes to any structure in the Cemetery.

The Department shall give a 10-day written notice to the Owner or Legal Representative of the necessity for repairs, in the event it becomes necessary to reconstruct or repair any portion of the Cemetery that has been damaged by a disaster, or any cause similar or dissimilar beyond control of the Cemetery. The notice shall be given in writing. In the event the owner fails to repair the damage within a reasonable time, the Department may direct that the repairs be made and charge the expense against the Owner or Legal Representative of the burial space.

### Authorization

The Cemetery Coordinator shall not allow an interment or disinterment to proceed until presented with written authorization by the Owner or Legal Representative.

The Cemetery Coordinator may defer an interment or disinterment until a more appropriate time due to inclement weather, land conditions, or other considerations.

### **3.5 Responsibilities of the Owner or Legal Representative**

Upkeep and repair of a grave space or crypt is the responsibility of the Owner or Legal Representative. When the family elects to secure an outside resource to complete repairs, that company will be required to present proof of insurance before they will be granted access to the Cemetery.

The Owner or Legal Representative seeking a burial shall be responsible for the cost of relocation any burial that occurs without proper staking by the Department and are found to have taken place in the wrong location.

It is recommended that the Owner or Legal Representative purchase a rider insurance policy for their private property.

Under current Florida Statutes 497, it is the responsibility of the family to purchase and have installed a permanent grave marker or upright monument.

It shall be the duty of the Owner or Legal Representative to notify the Cemetery Coordinator of any change in mailing address, phone number, or email.

### **3.6 Responsibilities of Funeral Homes, Funeral Directors, and Monument/Vault Companies**

#### Funeral Home/Director

Once a casket containing a body is transported into the Cemetery, it is prohibited from opening the casket without the consent of a legal representative of the decedent, a court order, or a valid disinterment permit.

All funeral directors/homes shall be responsible for transporting the remains of a decedent from the funeral coach containing the decedent's remains to the grave space or crypt.

The funeral director shall be in attendance as a witness during interment or entombment of the decedent.

Upon receiving written authorization from a legally authorized person or a court of competent jurisdiction, prior to the disinterment and reinterment of human remains from a grave space or crypt, the Department will direct the removal and final disposition of the decedent in the presence of a licensed funeral director as may be required by Florida Statutes.

Any Funeral Home/Director entering a Cemetery to complete a service or other hired work, must have valid liability insurance which lists the City of Tampa as an additional insured. A copy of their license and insurance must be provided annually.

Dirt must be paced on the grave sufficiently to reduce cave-ins. Excess dirt from a burial must be removed from the Cemetery at the time of excavation. A fee of \$50 per space will be charged if not removed. If a monument, base, or coping needs to be removed for a burial, all fixtures must be restored to their original condition.

### *Monument/Vault Companies*

Any Monument Company interested in completing work in a Cemetery, must have valid liability insurance which lists the City of Tampa as an additional insured. A copy of their license and insurance must be provided annually.

Dirt must be paced on the grave sufficiently to reduce cave-ins. Excess dirt from a burial must be removed from the Cemetery at the time of excavation. A fee of \$50 per space will be charged if not removed. If a monument, base, or coping needs to be removed for a burial, all fixtures must be restored to their original condition.

### ***3.7 Insurance Requirements for Services and Work Performed***

The City shall require any person or company that delivers, installs, places, or sets a marker or upright monument; or provides services related to a interment, entombment, inurnment, disinterment, disentombment, or inurnment; or any services or work performed not already mentioned to show proof of liability insurance coverage and if required by law, workers' compensation insurance coverage.

### ***3.8 Liability for Damage***

Any person or vendor damaging or causing damage to any property of the Cemetery will be held liable for the cost of repair to the damaged property to its former condition, or replacement of the damaged property if the repair cost is prohibitive.

The City expressly disclaims responsibility for any property damage or any injury sustained by any person.

### ***3.9 Improvements or Alterations***

All improvements or alterations of grave spaces, lots, and crypts in the Cemetery may require the approval of the Department. If any improvements and alterations are made without written consent, the Department may

remove, alter, or change the improvements or alterations at the expense of the Owner or Legal Representative.

The Department may also remove or change any improvements or alterations, at the owner's expense, if at any time, the Department judges they are unsightly.

### **3.10 Fees**

Fees will be assessed as allowed in the Department Fee Schedule.

The Owner or Legal Representative shall be responsible for making sure all fees are paid, either directly or via the funeral home or crematorium.

Fees for each interment, entombment, inurnment, disinterment, disentombment, or disinurnment will be charged. Associated fees shall be charged according to the fee schedule at the discretion of the Department.

Upright monuments will be charged at a price per square inch, set by the approved fee schedule, based on the diagram provided by the Monument Company. Fees will be based on the widest side and highest point and include overall width by height by depth.

The standard City fee shall be charged when requesting copies of any cemetery document.

### **3.11 Prior Payment Required**

No interment, disinterment, or other service shall be performed where all fees and charges have not been paid in full prior to rendering of such services.

### **3.12 Restricted Usage**

The use of any grave space or crypt in the Cemetery shall be restricted for the final disposition of human remains.

### **3.13 Security**

The City shall have the right to provide general security, but is under no legal obligation to do so.

## **Section 4: Non Burial Areas and Platting**

### **4.1 No Rights Granted in Non-Burial Areas**

No easement or right of use is granted to any Owner in any non-burial area of the Cemetery without the approval of the Department. Such areas may include paved or unpaved roadways, walkways, paths, drives, and turf areas. All non-burial areas may be used as a means of access.

#### **4.2 Platting**

The City shall have a right to use all Cemetery property not sold for interment purposes and shall be the sole right of the City. The City further reserves the right to itself, and to those lawfully entitled thereto, a perpetual right to ingress and egress over lots for the purpose of passage to and from other grave spaces and lots.

#### **4.3 Right to Close Areas**

The Department shall have the right to close any area of a Cemetery when accessibility would be hazardous or detrimental to any individual, vehicle, or equipment.

### **Section 5: Conduct Within Cemeteries**

#### **5.1 Ingress and Egress**

Visitors within the Cemetery shall use only the roadways, drives, paths, and walkways to reach a grave space, except workers in the performance of their duties.

#### **5.2 Conduct of Mourners**

Family of the decedent or the Legal Representative shall be responsible for the conduct of all mourners while in attendance at the Cemetery.

#### **5.3 Children**

No person under 18 years of age shall be permitted within the Cemetery unless accompanied by a parent, guardian, or responsible adult.

#### **5.4 Removal of Nature**

Visitors are prohibited from gathering flowers (wild or cultivated), or breaking or removing trees, shrubbery, or plants in the Cemetery.

Owners or Legal Representatives may remove???

#### **5.5 Food and Drink**

Visitors shall not bring food or drink within the Cemetery, with the exception of visitors eating lunch and official functions approved by the Department.

Alcohol within the Cemetery is strictly prohibited.

#### **5.6 Commotion and Noise**

Visitors shall not speak excessively loud or play amplified sound to disturb another visitor or disturb the serenity of the setting.

### **5.7 Smoking**

Smoking is prohibited.

### **5.8 Weapons**

Weapons of any kind, such as firearms, bow and arrows, and slingshots are strictly prohibited unless otherwise allowed pursuant to Section 790.60 Florida Statutes as amended.

Firearms are allowed at military funerals.

### **5.9 Trash**

Visitors must use the receptacles located in the Cemetery for waste materials including debris. The throwing of debris on the roadside, driveways, and paths, or other part of the Cemetery is prohibited.

### **5.10 Vehicles**

Vehicles shall not be driven through the Cemetery at a speed greater than 5 miles per hour, and must be kept on roadways.

Parking shall not be allowed on any cemetery property, unless for the purpose of attending a burial or visiting a burial space.

Visitors shall drive only on roadways, not walkways between spaces.

### **5.11 Solicitation, Selling, Collecting**

The soliciting or selling of any item or collection of funds for any cause is prohibited within and around the Cemetery.

### **5.12 Notices or Advertisements**

No signs, notices, or advertisements of any kind shall be permitted within the Cemetery except those placed by the City.

### **5.13 Animals or Pets**

Visitors shall not be allowed to bring animals into the Cemetery other than service animals as defined by Florida Statutes Section 413.08.

### **5.14 Accessory Activities**

No loading, unloading, or storing of items for a period exceeding twenty-four (24) hours shall be allowed on any cemetery property.

### **5.15 Events**

No event shall be held on cemetery property without receiving prior approval from the Parks & Recreation Director or Cemetery Coordinator.

## Section 6: Interments, Entombments, Inurnments

For simplification, in this section, all references to interments includes entombments and inurnments, unless otherwise specified.

### **6.1 Subject to Law**

In addition to this Technical Manual, all interments shall be made in accordance to the orders and laws of the properly constituted authorities of the City of Tampa, Hillsborough County, and the State of Florida.

### **6.2 General Requirements**

Interments will only be allowed if the following occurs:

- a. A copy of the deed, will, or other legal document indicating proof of ownership are produced.
- b. An Interment Authorization is signed and notarized assuming full legal and financial responsibility for the burial.
- c. An original receipt for the grave marker or upright monument, or engraving is submitted.
- d. An original transit permit or cremains certificate is submitted.
- e. All related fees are paid in full. All charges shall be paid a minimum of 48 hours in advance of the service, or arrangements satisfactory to the Department made for the payment of fees.

### **Requirements for Interment**

1. Original Interment Authorization: document must be signed by the Owner or Legal Representative. The original document with “live” signatures must be received before the burial can be scheduled. It must be dated and witnessed by two individuals (the notary can be one of the two witnesses). You will need to complete all information as required before returning the document. If not completed properly, it will have to be returned and corrected before the burial can take place.
2. Original Affidavit of Burial Release (if necessary): this affidavit is necessary if the individual requesting burial has one or more family members that re direct descendants of original owner, making any family member eligible for burial, must release their rights to the family member asking for use of the space.
3. Original Transit Permit or Cremains Certificate: the appropriate document must be given to this office prior to burial for recording. It must be hand delivered or mailed to our office and received before the burial can be scheduled.
4. Grave Marker/Upright Monument: proof of payment must be provided via a paid receipt for the grave marker/upright monument. If the family elects an upright, the family (not the funeral home) must pay the additional cost of the upright. These additional costs will be calculated by the Cemetery Coordinator based on the diagram received of the licensed and insurance with the City monument company. Fees are then paid via credit card with one of the family members.



5. Burial Recording Fees: in the amount as outlined in our fee schedule is per burial. Payment shall be made to the Department over the phone with credit card. No credit card information is retained. A receipt will be emailed immediately following the transaction. Fees are subject to change without notice and can increase in the future.

### ***6.3 Burden of Proof of Identity***

Upon application by any Owner or Legal Representative for interment of a body in a grave space or crypt, the burden of proof as to the identity of the decedent to be interred rests upon the applicant. No liability shall rest upon or be chargeable to the City in case of a false statement on a Department form. However, the City will make a diligent effort to see that only persons entitled to be buried are so interred.

No decedent shall be buried without a copy of the deed, will, or other document showing legal ownership. A signed and notarized Interment Authorization will be required before interment, entombment, or inurnment. A completed Interment Authorization does not signify ownership; rather, it grants authorization to the Cemetery to communicate with the Owner or Legal Representative listed on the Interment Authorization to make decisions regarding the burial and any services related to such.

No person shall be considered as the rightful Owner or Legal Representative of any grave space or crypt unless they are in possession of a duly executed deed, will, or other document showing legal ownership. If such cannot be presented, then the books of the Cemetery office shall be considered as a final in determining ownership of any grave space or crypt, if such record is available.

Many lots, blocks, and grave spaces were sold to many different individuals, funeral homes, and institutions, who in hand resold them as desired. We request a copy of any transfer of ownership; however, a copy of a deed of transfer or ownership is not always provided to the Cemetery office.

The City strictly retains burial records and not deeds or other proofs of ownership. A new deed cannot be issued to replace a deed which is lost or destroyed.

### ***6.4 Advanced Notice Required***

Funeral homes, monument companies, and/or family members are responsible for notifying the Department a minimum of 24 hours in advance prior to a burial or grave marker/upright monument installation. Failure to make proper notification will result in the funeral home, monument company, or family member being responsible for the cost of relocating any burials or grave marker/upright monument installations that occur without proper staking by the Department that are found to have taken place in the wrong location.

The Department can request that the licensed funeral home or monument company notify the Department 48 hours in advance of any work to be performed within the Cemetery for the purpose of a Department representative being present at the time of said work.

### ***6.5 Notice of Interment, Entombment, or Inurnment***

The Department reserved the right in the absence of a deed, will, or other legal document showing proof of ownership, to refuse interment in any grave space

### ***6.6 Outer Burial Container Required***

All burials including cremations shall be in a concrete, polypropylene, cremation urn, granite or marble vaults.

Vaults must have the following permanent signage engraved or secured to the vault on both the outside of the casket and inside the casket:

Within this vault lies: Name – date of birth and date of death

#### **Interment**

Every earth interment shall be made with the body enclosed in a concrete linear or burial vault.

#### **Inurnment**

A solid vessel is required. No cremains will be allowed to be buried in the cremation bag cremains are received in. The top of the vessel will be marked with the name and date of death of decedent. Scattering of any cremains is strictly prohibited on any City owned property.

#### **Entombment**

Every entombment shall meet the requirements set in the General Specifications Section.

### ***6.7 Grave Markers and Upright Monuments***

#### **Requirements**

All burials require a permanent grave marker or upright monument, which is to be provided by the Owner or Legal Representatives, at their expense. Proof of purchase, via a paid receipt, is required prior to the burial being approved by the Department.

Grave markers must be made of bronze, marble, or granite regardless of size. Bronze plaques shall be on a granite or marble base. Only a flat grave marker is allowed for cremation burials with full burials.

Upright monuments must be made of marble or granite regardless of size.

No display of nudity, profanity, vulgarity, or offensive material to accepted standards of decency or modesty, shall be allowed on any grave markers or upright monuments. The Department has the right to enter any grave space and remove, change, or correct improper objects.

### Placement/Engraving

When there is more than one decedent buried in or on top of one space, a permanent grave maker or upright monument shall be installed for each burial, whether full body or cremains. For in ground burials, one can be installed at the head, center, and foot of the grave space, depending on the number of burials.

If burial is in a crypt the face of the mausoleum must be engraved with all the names of those buried in that crypt.

### Cenotaph

When a grave marker or upright monument is placed on a space in memoriam of a decedent and the decedent is not located in the grave space, then the grave marker or upright monument, or engraving (in the case of a crypt) must indicate "In Memoriam" or "In Memory of" as part of the inscription.

### Prohibited

No products of any type, including but not limited to shaving cream and charcoal, may be used on any grave markers or upright monuments.

Etching is strictly prohibited.

### **6.8 Burial Permit and Cremains Certificate**

No interment shall be made unless an original copy of the burial permit or cremains certificate (as required by State Law) is provided at least 48 hours prior to interment. The City shall not be liable for the correctness of the information on the burial permit nor the identity of the decedent sought to be interred.

### **6.9 Interment in Single Space**

A single grave space may have up to three remains:

- One (1) full body and two (2) cremains (head and foot of grave space) OR
- Three (3) cremains (head, center, and foot of grave space)

### Full Body

Not more than one full body, shall be interred in any one grave space or single crypt.

No other remains may be buried in the same casket as a full body burial.

No double depth vaults shall be allowed (two vaults on top of each other underground in a single grave space).

### Cremains

The Cemetery Coordinator has the authority to allow a cremains where appropriate in a grave space.

## Pets

No pets remains may be interred with human remains.

No pets shall be buried in or on any Cemetery grave space or crypt.

### **6.10 Mausoleum Entombments**

All remains entombed in mausoleums shall be in a casket or alternative container approved by the Department. No entombment shall be made in any above ground crypt unless the remains of the decedent have been embalmed. The Department may, at its discretion, decide to allow entombments of unembalmed remains if the casket containing such remains is placed in an outside container acceptable to the Department, which container is constructed and designed to resist the leakage of body odors and fluids. The cost of said container will be the responsibility of the Owner or Legal Representative.

All wooden caskets within a mausoleum shall be hermetically sealed or be placed in a galvanized metal container. All metal caskets must be gasketed and require a plastic, rubber, or metal pan.

### **6.11 Disasters**

In the event of a disaster, inurnments shall be made after all interments and entombments are completed. When the City is under a State of Emergency, the Department has the full authority to void any and all regulations necessary in order to complete the interments as orderly and expeditiously as possible.

## **Section 7: Disinterments, Disentombments, Disinurnments**

For simplification, in this section, all references to interments includes entombments and inurnments, unless otherwise specified.

### **7.1 Subject to Law**

In addition to this Technical Manual, all interments shall be made in accordance to the orders and laws of the properly constituted authorities of the City of Tampa, Hillsborough County, and the State of Florida.

### **7.2 General Requirements**

All fees must be made prior to disinterments. All charges shall be paid a minimum of 48 hours in advance of the service, or arrangements satisfactory to the Department made for the payment of fees.

### **7.3 Burden of Proof of Identity**

Upon application by any Owner or Legal Representative for disinterment of a body in a grave space or crypt, the burden of proof as to the identity of the decedent to be disinterred rests upon the applicant. No liability shall rest upon or be chargeable to the City in case of a false statement on a Department form.

#### **7.4 Advanced Notice Required**

The Cemetery Coordinator shall be notified at least five (5) days prior to any disinterment, except in case of emergency or court order.

#### **7.5 Notice of Disinterment, Disentombment, or Disinurnment**

The Department reserved the right in the absence of a deed, will, or other legal document showing proof of ownership, to refuse to open any grave space or crypt for any purpose except in the case of court order.

#### **7.6 Relocation of Decedent**

A decedent (full body or cremains) may be moved from its original location to another location at the Owner's or Legal Representative's expense, as long proof of ownership has been established of the new location.

The Department may charge respective fees as outlined on the fee schedule and all fees shall be paid in full prior to the service being provided.

Disinterments of a full body require the presence of a Funeral Director.

#### **Within the Cemetery**

When a disinterment is to be made from one grave space to another within a Cemetery, and an outer burial container was not used for the original interment, an outer burial container meeting Department requirements must be furnished by the Owner or Legal Representative for the new interment.

All above ground fixtures, including but not limited to markers, coping, or features, must be moved to the new grave space.

#### **Outside the Cemetery**

Disinterments where the decedent is being removed from the Cemetery, all above ground fixtures, including but not limited to markers, coping, or features, must be removed from the Cemetery.

### **Section 8: Transfers and Assignments**

#### **8.1 Transfer of Cemetery Property By Descent**

If space is still available in a grave space or crypt and in the absence of specific disposition instructions in the Owner's last will and testament, the property shall, upon the death of the Owner, descend to the remaining living heirs of the Owner.

#### **8.2 Selling of Cemetery Property**

In the event the Owner desires to sell property, they may advertise the sale of their cemetery property in the manner they choose at their expense. They may also place a standard "For Sale" sign (measuring no greater

than 8 1/2" x 11") on their cemetery property. "For Sale" signs may not be placed anywhere else within the cemetery. The City is not responsible for removed or damaged "For Sale" signs.

It is the Owner's or Legal Representative's responsibility to notify the Cemetery office prior to initially advertising the sale of their cemetery property and upon any change in ownership. Upon the completion of the sale, copies of the legal documents shall be provided to the Cemetery office for its files to identify any and all new owners.

The City does not mediate the selling and purchasing of cemetery property between private individuals.

### 8.3 Selling of the Cemetery

If any City owned Cemetery is sold or leased to a private company, the City Real Estate Division shall be responsible for notifying the State Department of Revenue and Banking, so that the new owner shall be notified of all required state licensing procedures and can be monitored by the state.

## Section 9: Arrangement and Floral Regulations

### **9.1 Regulations**

No flowers (live or artificial) can be placed on front of crypts or attached to mausoleum buildings unless they are placed in the attached vase for that specific unit. All remembrance flowers, such as holidays, birthdays, etc. must be placed in the front of or near a particular crypt.

Only plastic flower receptacles are acceptable. Containers must be able to stand freely on the grave space and wires cannot be used to hold pots or flowers upright on grave spaces.

Fresh flowers and any other type of arrangement whether floral or an article not in the attached unit vase will be removed and disposed of five days (5) after placement. The Department may remove, at any time, flowers that are intrusive to other units, become unsightly, or interfere with a service to be performed.

The Department shall have the authority to remove any and all decorations, including but not limited to balloons, floral designs, flowers, weeds, trees, shrubs, plants, or herbage of any kind from the Cemetery, as soon as, in the Department's judgment, they have become unsightly, dangerous, or diseased.

No plant material shall be planted or removed without prior approval of the Department.

The City shall not be liable damage or removal of any arrangements, floral arrangements, or other decorations that has been placed upon any grave space or crypt caused by the elements, thieves, vandals, maintenance operations, or by causes beyond its control.

All permanent receptacles for flowers shall be located at ground level, with no part of such receptacle being above ground. There may only be one receptacle per grave space.

## **9.2 Prohibited Items**

No person shall erect, construct, or install, in a Cemetery, a candle or fuel-powered device, which is designed and intended to produce a memorial flame for a temporary continuous or indefinite period.

Items made of glass, ceramic, or clay are strictly prohibited.

No decorative adornment around or on grave spaces or lots will be allowed, unless special permission is granted by the Department. Existing decorative adornments may remain; however, if it becomes unsightly, dilapidated, or a menace to safety, the Department may remove and dispose of it. No replacements are allowed.

Existing decorative adornments may be repaired at the Owner's or Legal Representative's expense, but cannot be replaced. No exceptions.

The Department may remove any tree, shrub, or other plant in a Cemetery that may damage or disturb surrounding property; is dead or deteriorated; interferes with mowing or other Cemetery maintenance; or was planted in violation of this Manual.

## **9.3 Condition**

Should any coping, arrangement, or feature become unsightly, dilapidated, or menace to safety, the Department may remove and dispose of it. The City nor the Department is not responsible for damage by the elements, disasters, or other causes beyond its control.

# Section 10: Trust Funds and Maintenance

## **10.1 Perpetual Care**

All grave spaces, crypts, markers, and memorials installed in the Cemetery include perpetual care.

## **10.2 Perpetual Care Fee**

Those percentages stipulated in the City Code of Ordinances shall be set aside at the time of sale from the purchase price of all grave spaces and crypts. As well as the stated per square inch amount for markers and memorials installed in the Cemetery and placed in a fund known as XXXXX.

## **10.3 Exceptions to Perpetual Care**

Perpetual Care shall mean the replacement or repair of any marker or monument placed on a grave space that may be damaged in the maintenance or interment process.

The term perpetual care shall not be interpreted to mean the special maintenance, repair, or replacement of any grave marker, plantings, the maintenance or any special and unusual work on a grave space or crypt, mausoleum, or any other building or structure.

## Section 11: Memorials, Markers, Monuments, Foundations, Features, and Curbs

### **11.1 General**

All internments and inurnments require the purchase and placement of a grave marker or upright monument at the Owner's or Legal Representative's expense.

Crypts require the purchase of engraving services.

Upright monuments or stones, or bronze markers shall need the approval of the Department prior to installation.

If the Owner or Legal Representative choose to repair a grave marker or upright monument they may do so or replace it with the exact type of grave marker or upright monument.

All grave markers or upright monuments shall be a minimum of four inches thick.

### **11.2 Installation Application and Fees**

Prior to the installation of any memorial, marker, or upright monument, an Application for Installation shall be completed and submitted to the Cemetery Coordinator for approval and tabulation of fees.

When the Monument Company establishes an installation date for an approved application, they shall call the Cemetery Coordinator at least 48 hours prior to installation. The Cemetery Coordinator will flag the grave space or crypt for the Monument Company.

The Monument Company shall ensure that the Cemetery grounds are not injured by the installation and that all excess materials, debris, and other waste is cleaned up and removed from the Cemetery; that the grass or other ground cover is restored; and ensure that the Marker or Upright Monument was not damaged in installation.

### **11.3 Requirement and Specifications**

#### General

Monument builders shall set or construct grave markers or upright monuments in conformity with this Manual and in accordance with the industry standard for proper methods of handling and setting.

The maximum width and length of any part of the proposed grave marker, upright monument, or mausoleum shall not exceed the width and length of the burial space.

The Department may reject any plan or design for a monument or mausoleum that is unsuitable due to safety or maintenance concerns. Approval shall be obtained by the Department prior to finalization of the 60% state of design (before the application for installation is approved).



### Foundations

The foundation for all above ground grave markers, upright monuments, and mausoleums shall be the full size of the base of the memorial and finished one inch below grade at the top of the foundation.

The bottom of a upright monument, crypt, or mausoleum shall be dressed in an even level bed so that it will stand plumb, resting firmly and level on the foundation, with a one-foot deep footer underground foundation.

The base of a mausoleum may have concrete foundations.

### Grave Markers/Upright Monuments

No exterior die-stone shall be less than four inches or greater than 14 inches thick.

If a base and die-stone are used, the base shall be the same material as the die-stone.

### Mausoleums

No mausoleums which form an "L" or "U" shape, walk-in mausoleums, or roofs will be allowed. They must be arranged such that it faces in a direction to provide the maximum visibility from the roadway, if possible.

Mausoleums structures must abide by the City of Tampa zoning standards. Structures will have a height limit of 35 feet, with an increase height limit allowed by request at the discretion of the Director consistent with City zoning rules.

Mausoleums and foundations for mausoleums and statuary shall require construction drawings with material specifications attached, sealed by an architect or engineer, and approved by the City. They shall be designed with bolt specifications.

All mausoleums shall require approved plans and diagram of the intended build provided to the Department. They may have side vents.

No special features will be allowed without a special perpetual maintenance fund.

All joints on mausoleums shall be sealed against moisture and with non-staining material.

All pre-assembled mausoleums shall come with a certificate of warrant or lifetime guarantee. A copy of the warrant or guarantee shall be provided to the Department.

All mausoleums shall use paste epoxy adhesive with the exception of the front face of the mausoleum, which shall be secured with cement, caulking, or setting compound to allow for future entry.

All mausoleums shall have a plastic, rubber, stainless steel, or hot dipped galvanized pan beneath the drain holes or caskets. The drain holes are to be sealed or shall flow into a plastic, rubber, stainless steel, or hot dipped galvanized pan.

## Qualifications

The person or company constructing or installing a mausoleum or other above ground structure intended to be used for the interment, entombment, or inurnment of human remains shall include:

- General Contractors License or Granite Stone Handling License, with the exception of the foundation
- A \$1,000 annual performance bond
- Be registered for a monument license with the State of Florida, Department of Financial Services, Bureau of Funeral and Cemetery
- Provide sealed drawings and specifications
- Provide a copy of the certificate of warrant or lifetime guarantee
- Provide a copy of the invoice for the mausoleum
- Provide proof of Ownership
- Pay respective fees

### **11.4 Temporary Markers**

Temporary markers shall be required when a burial fee is being paid without a receipt for permanent grave marker or upright monument.

### **11.5 Structures**

No carport or carport type structure shall be allowed.

### **11.6 Government Headstone or Marker**

Completed Veterans Administration Form 40-1330, Claim for Standard Government Headstone or Marker, shall be received only after the Cemetery Coordinator has received all payments required. The City shall not be responsible for any information provided on the application and shall not be held liable for the replacement of any Veterans Administration headstone or marker that contains an error in the inscription.

## **Section 12: Modifications and Amendments**

### **12.1 Exceptions and Modifications**

Recognizing that special cases may arise in which the literal enforcement of any rule may impose unnecessary hardships, the Department is granted the right, without notice to make exceptions, suspensions, or modifications to the Cemetery Technical Manual when in their judgment, it appears advisable, and such temporary exemptions, suspensions, or modifications shall in no way be construed as to affecting the general application of each rule.

### **12.2 War Time and Disaster Provisions**

War time and disasters may necessarily cause a manpower and materials shortage so that certain rules cannot be strictly enforced. To meet the demands of these conditions, the rules, where necessary, may be

temporarily modified or suspended. All such temporary modifications or suspensions shall in no way be construed as a waiver, nor shall it affect the strict enforcement of the rules upon the conclusion of the war or disaster.

### ***12.3 Amendments***

The City and Department reserves the right to add, amend, or repeal, any rule, regulation, or portion thereof contained in this Manual as it deems necessary for the care of the Cemetery and the protection of the Owners or Legal Representatives.