



Date: September 21, 2010
To: All Employees
From: Charlie McClendon, City Manager *Charlie P. McClendon*
Re: **Goodyear Farms Cemetery Rules & Regulations- AP-49**

I. Purpose.

These rules and regulations (the “Rules”) are designed to preserve the Goodyear Farms Cemetery (the “Cemetery”) and protect the rights of interment conferred upon those certain people whose defined affiliation or qualifying employment with the historic Goodyear Farms supported the livelihood of the community in its earliest stages. These rules and regulations are hereby adopted as the rules and regulations of the City of Avondale (the “City”). All those who may be entitled to interment in the Cemetery, visitors and contractors performing work within the Goodyear Farms Cemetery shall be subject to these Rules, which may be amended from time to time in the sole discretion of the City Manager or authorized designee.

II. Definitions.

- A. “Qualified Person” means the person who has been determined to have meet qualification criteria for interment at the Goodyear Farms Cemetery.
- B. “Casket” means a commercially made container in which a body is buried, or equivalent constructed of wood, board or other commercially approved burial material.
- C. “Urn” means a commercially made container in which the cremated remains of a body are placed.
- D. “City” means the City of Avondale and its successors and assigns.
- E. “Contractor” shall mean any person, firm or corporation or anyone engaged in placing, erecting or repairing any memorial, or performing any work in the Goodyear Farms Cemetery, other than an employee of the City.
- F. “Interment” shall mean entombment or burial of the remains of a deceased natural person.

- G. “Memorial” or “Headstone” or “Monument” shall mean any durable marker or structure placed upon a lot for the purpose of identification or in memory of the interred.
- H. “Director” shall refer to the City Manager or authorized designee.
- I. “Avondale Historic Goodyear Farms Cemetery” or the “Cemetery” shall mean the area set aside, dedicated and platted for the interment of the human dead located near the intersection of Thomas Road and Santa Fe Trail in the City.

III. Preparation and Filing of the Plot Map.

There shall be prepared a Plot Map of the cemetery, showing the burial plots contained therein and a numerical list identifying the plots contained within the cemetery, which shall be kept on file in the office of the City Clerk at all times.

IV. Supervision of Cemetery.

- A. The City reserves the right to compel all persons coming into the cemetery to obey all rules and regulations established herein or under the Avondale City Code.
- B. Public vehicles shall drive on designated areas only.
- C. The City may, in its sole discretion, enlarge, reduce, replat or change the boundaries or grading of the cemetery or a section or sections thereof, including the right to modify or change the locations of, or any part thereof, or remove or regrade roads, drives and walks.
- D. The City may, in its sole discretion, lay, maintain and operate, or alter or change pipe lines or gutters for sprinkling systems, drainage, and other similar maintenance infrastructure. The City reserves to itself a perpetual right of ingress and egress over lots for the purpose of passage to and from lots and for preparing for interment, or for anything necessary, incidental or convenient thereto.

V. Interment.

- A. Interment. Burial on the Cemetery Property shall be limited to deceased persons who qualify under at least one of the following conditions (each, a “Qualified Person”):
 - 1. At time of death, the deceased person was an employee of Goodyear Farms and had been an active employee for at least five consecutive years prior to death.

2. The deceased person was retired and had been an active employee of Goodyear Farms for at least five consecutive years prior to retirement.
 3. The person at time of death was the lawful spouse of an employee of Goodyear Farms who qualifies for burial under subsections (1) or (2) above.
 4. The deceased person was the widow or widower of a former employee of Goodyear Farms who either is buried in the cemetery, or would have been eligible for interment under subsections (1) or (2) above. A child is defined as a person under the age of 18 years.
 5. The deceased person at time of death was an unmarried-dependent child of a person who qualifies for interment under subsections (1) or (2) above, or is an unmarried child of a person already buried in the cemetery, or is the unmarried dependent child of a widow or widower who qualifies to be buried in the cemetery.
- B. Approval from Burial Rights Committee. The Avondale City Manager shall form a Burial Rights Committee comprised of five members whom the City Manager deems, in his sole discretion, are appropriately qualified to make eligibility determinations. The Committee shall consist of two staff members and up to three former Goodyear Farms employees. The City Manager, in his sole discretion, may increase or decrease the number of members on the Committee at any time. Any person seeking burial of a Qualified Person upon the Cemetery Property must first obtain approval from the Burial Rights Committee as a prerequisite to burial on the Cemetery Property.
- C. Certificate of Right of Interment. The City Clerk will issue a Certificate of Interment upon determination of qualification by the Burial Rights Committee.
- D. Obligations of the City of Avondale.
1. Provide the burial site, and the actual site location will be approved exclusively by the City's Burial Rights Committee.
 2. Procurement of any services necessary to open, close and compact the gravesite, and to lower the casket.
- E. Obligations of Family of Qualified Person. The qualified person's family shall be solely responsible for the costs of interment of the Qualified Person and any ceremonial rites related thereto. Those responsibilities include, but are not limited to:

3. Costs associated with the opening and closing of the burial site as determined by the City.
4. Any and all costs associated with the burial.
5. Cost and procurement of a headstone and maintenance of any headstone or adornment to the burial site.
6. Ongoing maintenance of the gravesite.

VI. Memorial, Monuments, headstones and other decorations.

- A. Only one (1) Memorial will be allowed on each grave.
- B. Memorials may only be installed by those contractors whom the City deems, in its sole discretion, to be qualified by knowledge, skill, or experience to install Memorials.
- C. Decorations other than Memorials, Monuments or Headstones shall be subject to the following restrictions:
 1. The City reserves the right, in its sole discretion, to remove any decorations from the Cemetery when deemed unsightly, weathered or otherwise dangerous or when necessary for proper maintenance of the cemetery.
 2. No boxes, toys, shells, glassware, statues, sprinkling cans, ornaments, dangerous or unsightly receptacles or similar articles will be permitted on any grave, lot or tree. No wooden or cast-iron bench or chair, or any wooden or wire trellis, shall be permitted to be in or brought upon the grounds except as authorized by the City for funeral services. No brick, fences, rocks, glass, or concrete (except as used to set Memorials) are permitted.
 3. No more than two (2) floral arrangements, whether fresh, plastic or silk, may be placed near any Headstone in memory of the interred. Such floral arrangements may only be placed in wooden or plastic containers. No glass or tin holders shall be permitted nor statues of any kind. The City may, in its sole discretion, temporarily waive the limitation in this subsection for purposes of any funeral service. Floral arrangements associated with a funeral service may be removed by the City three (3) days after any funeral service.
 4. The City is not responsible for the loss or damage to any Memorials, Monuments, Headstones or other decorations placed on in the Cemetery.

5. No vegetation of any kind shall be planted on graves or any part of the Cemetery unless by consent of the Director.
- D. If any tree, shrub or plant standing upon any lot, by reason of its roots, branches, or otherwise, shall be or become detrimental to adjacent lots or avenues, or if for any other reason its removal shall be necessary, the Director shall have the right to remove such tree, shrub or plant, or any part thereof, or otherwise correct the conditions.
- E. No person, unless authorized by the Director, shall remove from any part of the cemetery any plant or flower, either wild or cultivated, or otherwise disturb any landscaping within the Cemetery.

VII. Funeral Regulations.

- A. All funerals, transport and disposition of human remains shall be conducted in accordance with ARIZ.REV.STAT. Title 36.
- B. A burial permit signed by the proper authorities is required before interments can be made.
- C. After entering the gates, funerals shall be subject to the direction of the authorized employees of the City.
- D. All graves shall be opened and closed and all Caskets lowered by City authorized personnel only. For the safety of the general public, no one from the general public will be allowed to help fill or close the grave.
- E. Any personal items to be interred with the deceased must be placed within the Casket and the Casket must be closed prior to entering the cemetery grounds. Caskets shall remain closed after entering the cemetery grounds.
- F. Interment of cremated remains may be made only in Urns or other approved containers made of concrete, plastic or metal. Cremated remains may not be scattered upon the Cemetery grounds.
- G. Arrangements for an interment must be completed forty-eight (48) hours prior to the scheduled interment. Interments may only be held Monday through Friday before 12:00 noon.
- H. When a removal is to be made from a single grave or gravesite to another grave or gravesite, the formerly occupied single grave space and all rights therein revert to the City.
- I. The burial of two (2) bodies in one (1) grave will not be permitted unless authorized by the City.
- J. All standard grave sites will be five (5) feet by ten (10) feet.

- K. If a liner or vault is used, it must be constructed of polyurethane or concrete only.
- L. Funeral services held within the Cemetery shall not exceed one (1) hour.
- M. The closing of the grave will take place only after all persons attending the funeral have left the cemetery or are at least one hundred (100) feet away from the grave site.
- N. The minimum acceptable container for burial of the remains of a deceased person shall be a Casket as defined above, except for the interment of cremated remains in an Urn or other approved container.

VIII. General Regulations.

- A. No pets shall be permitted in the cemetery, except for seeing-eye dogs.
- B. Consumption of food or intoxicating liquors within the cemetery is prohibited.
- C. No boxes, toys, shells, discarded glassware, sprinkling cans, receptacles or similar articles will be permitted on any grave, lot or tree.
- D. The City is not responsible for the loss or damage to anything placed on graves or lots.
- E. Disinterment of a body will not be made without proper authority in accordance with the laws of the State of Arizona. All permits must be presented to Cemetery officials prior to disinterment so that proper arrangements can be made. All applicable forms shall remain on file in the office of the City Clerk. The disinterment shall be performed by City authorized personnel only and shall be at the sole expense of the deceased's family.
- F. No wooden or cast-iron bench or chair, or any wooden or wire trellis, shall be permitted to be in or brought upon the grounds except as authorized by the City for funeral services.
- G. No person shall be permitted to enter or leave the Cemetery except by the public gates, which will be open during such hours as are specified by the Director.
- H. Any person found on the grounds after the gates are closed shall be considered to be a trespasser.
- I. City notification is required for gatherings larger than ten people.

- J. Peddling or soliciting the sale of any commodity within the Cemetery is prohibited.
- K. No placing of signs, notices or advertisement of any kind within the Cemetery.
- L. No firearms are allowed in the cemetery except by a military escort accompanying a veteran's funeral or attending a memorial service. Law enforcement authorities and active military personnel shall be the only persons allowed to possess weapons on Cemetery property.
- M. No person will be permitted to use profane or boisterous language or in any way disturb the quiet and good order of the Cemetery.
- N. No person may break or injure any tree or shrub; or mar any landmark, marker or memorial; or in any way deface the grounds of the cemetery.
- O. No money shall be paid to the City employees at the entrance or on the grounds.
- P. The Director may, and it hereby expressly reserves the right upon recommendation of the Director, at any time, to adopt new rules and regulations, or to amend, alter and/or repeal any rule, regulation and/or article, section, paragraph and/or sentence in these regulations.
- Q. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Director, therefore, reserves the right, without notice, to waive any of these regulations as are reasonable in the Director's sole discretion.