

**RULES AND REGULATIONS
OF THE
CITY OF WINFIELD MUNICIPAL CEMETERY
OPERATED BY THE WINFIELD CITY COUNCIL**

The City of Winfield does hereby adopt and enact the following Rules and Regulations to govern the operation of the Municipal Cemetery owned by the City of Winfield and operated by the Winfield City Council.

INTERMENT RIGHTS

- 1). Effective with the adoption of the Rules & Regulations, interment rights only, rather than title to lots, shall be sold in the cemetery and title to lots shall remain vested in the City of Winfield.
- 2). Persons who reside either inside or outside of the corporate limits of the City of Winfield may acquire interment rights in the cemetery.
- 3). No person shall be denied the right to purchase interment rights due to race, religion or creed.
- 4). Only interment rights for human dead shall be sold, and the burial of other than human dead in the cemetery is strictly prohibited.

DEEDS

- 5). All deeds for interment rights shall specify that the conveyance is subject to such rules and regulations as have been adopted by the Council of the Town of Winfield, or as may be adopted by the Winfield City Council at any time in the future.
- 6). All deeds for interment rights shall specify that the interment rights shall not be resold to any person without first offering the interment rights for sale to the Winfield City Council at the price at which the grantee paid to the City of Winfield.
- 7). It is the policy of the City Council to prohibit speculation in the purchasing and selling of interment rights in the cemetery. Therefore, the Council reserves the right to refuse to sell interment rights in the cemetery in excess of what may be required for the use of the purchaser and his family.

8). All grave lots shall contain burial spaces which shall be placed and numbered as shown upon that certain map entitled "Winfield Cemetery Section 1, Lot Layout, Situate in the City of Winfield, Putnam County, West Virginia", dated March 29, 1990, and of record in the office of the Clerk of the County Commission of Putnam County, West Virginia Deed Book 322, page 819, West Virginia in Map Cabinet D, Slide 29, referenced to which is herein made for all pertinent purposes.

BURIALS AND MARKERS

9). No more than one person shall be buried in any burial space; **with the exception being made for cremations, in which two cremains per lot would be allowed.**

10). A permanent outside container (vault) is required for all burials in any burial space. No wooden boxes may be used.

10a). A permanent marker identifying the person buried with the name, date of death, etc., must be provided by the family for future reference. Markers on a single gravesite cannot be wider than 4 feet, on a double lot, 8 feet wide.

11). No grave shall be opened in the cemetery except upon written application for a burial permit signed by the owner of the burial space or by some relative of the owner, in the event the owner is deceased or otherwise not available. Notice shall be given to the City at least 12 (twelve) hours prior to "interment". In case of applications executed by a non-owner, the application shall contain an agreement holding the City harmless from any liability in connection with the burial.

12). Only employees of the City of Winfield or its designee shall make grave openings.

13). All monuments in the cemetery shall be placed only with the permission of and under the supervision of the City of Winfield or its designee. No corner stone or foot marker shall extend above the ground.

a). As of October 16, 2014, all cemetery burials located in Section 16 & 17 northward (to the left of Sections 16 & 17 When facing the cemetery from Rocky Step Road) will have The head stones placed away from the sidewalk and the Writing on the head stone facing the sidewalk.

14). Application for placing of monuments must be made to the City of Winfield in writing at least three days prior to the date on which the applicant desires to place the monument.

15). No shrubs, plants, flowers, or trees shall be planted in the cemetery. Cut flowers or other decorations may be placed on graves; however, holders containing flowers or other decorations will be removed as soon as flowers fade or wither or in the event that the same may interfere with the maintenance of the cemetery. The City of Winfield shall not be liable for any holders of flowers or other decorations placed upon graves, and the City of Winfield shall have the right to dispose of all holders, flowers or decorations at any time.

16). Maintenance of the cemetery shall be the responsibility of the City of Winfield, and no person shall do anything in the cemetery, which shall in any way interfere with the maintenance of the cemetery by the City of Winfield.

17). The cemetery shall be open and closed at such hours as may be designated by the Town of Winfield, and no person shall enter the cemetery without permission of the Town of Winfield, except during hours designated by the Board. Until otherwise specified by the City Council, the cemetery shall be open to the public from 8:00 a.m. to 6:00 p.m. from November 1 through April 30; and from 8:00 a.m. to 9:00 p.m. May 1 through October 31.

18). Any person desiring to have a corner marker placed upon any lot shall make a written request to the Town of Winfield, and/or City Employee its designee shall supervise

19). The Winfield City Council shall maintain fees for services rendered in connection with the operation of the cemetery. Until otherwise revised, the fees shall be as follows:

- a. Grave Opening & Closings: A charge of \$500.00 shall be made for openings and closing on Monday through Saturday; \$ 600.00 for Sundays. **Opening and closing for cremations or a limb shall be \$75.00.**
- b. A charge of \$20.00 shall be made for supervision of placement of lot markers, and a charge of \$20.00 shall be made for supervision of placement of head or foot markers on individual grave spaces.
- c. All fees shall be paid when application is made for the desired service.
- d. Disinterment services are not provided by the City of Winfield. However, notice of any such disinterment shall be given to the Town of Winfield at least twelve (12) hours prior to the beginning of any such procedure.
- e. Grave Openings and Closings are defined to include the following:
 1. The labor and machinery necessary to remove the soil necessary for the placing of the casket or other burial

device together with the appropriate outside container on the burial space designated.

2. Upon the conclusion of the burial service, the replacement of soil removed and the restoration of the surface to its original condition within a reasonable period of time.
 3. The fee provided for in paragraph 19a is the same whether all or only a part of the services offered are used.
 4. An infant is defined as being a child twelve (12) months of age or less.
- 20). The cost of each burial space shall be \$ 925.00 each.

AMENDMENT

The Winfield City Council and the Winfield Cemetery Board reserve the right to amend, change, and add to these Rules & Regulations without notice to any lot owner or owners of interment rights.

Amended 10-16-14 per Winfield Cemetery Board