

**ORLAND CEMETERY DISTRICT
RULES & REGULATIONS**

Adopted December 10, 2024/Amended on April 4, 2025 & May 13, 2025

TABLE OF CONTENTS

A. DEFINITIONS.....	Page	2
B. CARE OF GRAVES, NICHES, AND CEMETERY GROUNDS.....	Pages	3-4
C. MARKERS.....	Pages	5-6
D. MEMORIAL DECORATION REGULATIONS.....	Pages	7--8
E. INTERMENTS.....	Pages	9-13
F. GAZEBO – FUNERAL SERVICES.....	Page	14
G. BACKFILLING OF GRAVE.....	Page	14
H. MUSICIANS AND BANDS.....	Page	14
I. OUTSIDE VENDORS.....	Page	14
J. FEES AND CHARGES.....	Page	15
K. INTERMENT IN THE ORLAND CEMETERY DISTRICT.....	Pages	16-17
L. LIABILITY.....	Page	18
M. PRE-NEED CONTRACTS.....	Page	18
N. EMERGENCY CLOSING.....	Page	18
O. ALL RULES AND REGULATIONS.....	Page	18

A. DEFINITIONS:

As used in these Rules and Regulations, the following terms shall have the following meanings:

1. “**Board**” shall mean the Board of Trustees of the Orland Cemetery District
2. “**District**” shall mean the Orland Cemetery District
3. “**Cemetery**” shall mean the Orland Cemetery District owned and operated by the District.
4. “**Manager**” shall mean the District Manager of the Orland Cemetery District.
5. “**Interment**” shall mean the disposition of human remains by burial in a cemetery or, in the case of cremated remains, by inurnment, placement or burial in a cemetery.
6. “**Commingling**” shall mean to “mix together with” or in other words to place the cremains with other cremains in the same place.
7. “**Interment Right**” shall mean the authorization purchased from the District to inter human remains in the ground or niches, urns, or other disposition. No promissory claims will be made.
8. “**Plot**” as used herein shall mean the in-ground burial space for the interment of human remains.
9. “**Ossuaries**” shall mean the containers or receptacles, such as urns or vaults in a designated in-ground location for the interment of cremated remains.
10. “**Owner**” shall mean one who has purchased Interment Rights.
11. “**Vases**” shall mean receptacles intended for floral tributes and installed by the District flush to the ground or in the marker foundation.
12. “**Markers**” as used herein shall mean any plaque, stone or other item used to mark the location of an interment or memorialize a person interred in the Cemetery, and shall include flat, pillow, upright and monument grave markers, as well as any plaque affixed to any post, niche, plate or elsewhere.
13. “**Marker Foundation**” shall mean a permanent cement foundation pad for the marker/headstone, where required.
14. “**Base**” shall mean what the marker resides or sets upon on the Marker Foundation.
15. “**Niche**” shall mean the receptacle or space in a wall or bank of spaces for the purpose of inurnment of cremated human remains.
16. “**Niche Fascia or Niche Front**” shall mean the cover plate over the space that the cremated remains reside within.
17. “**Niche Plate, Scroll Plate, or Staff Bar**” shall mean the bronze marker on the fascia that designates the person who resides within the space.
18. “**Disinterment**” means the removal from the ground of deceased human remains.

B. CARE OF GRAVES, NICHEs, AND CEMETERY GROUNDS:

The absolute control of the Cemetery grounds in particular is vested by the Board of Trustees. Plot Owners, niche Owners, visitors and others are entitled only to such privileges within the grounds as are provided by these Rules and Regulations. Subject to the control of the Board, following are the rules regulating the general care of the graves, niches, and Cemetery grounds.

- 1) Interment Rights in the Cemetery are conveyed for interment purposes only.
- 2) Each day, the Cemetery will be examined by staff for possible dangerous conditions. The results will be noted in a written Inspection log. The log will include: (1) the date the inspection was performed; (2) the person(s) who performed the inspection (verified with their initials or signature); (3) the findings (if any) of the inspection; and (4) any action taken to remedy any conditions found and the date such action was completed. (Adopted 1-9-2013)
- 3) The Orland Cemetery District is an old, historic cemetery, which may contain hazards such as tree roots, sunken areas, rodent holes, raised and lowered areas, coping surrounding plots, numerous grave Markers of many types and some well over 100 years old, and other potentially hazardous conditions. Possible hazardous conditions signage shall be posted. Every person entering the Cemetery shall be responsible for his or her own safety and shall exercise due caution and care.
- 4) No animals, with the exception of guide or service dogs (must be on a leash at all times) which must accompany their owners, are allowed in the Cemetery without permission from the Manager.
- 5) No person not employed by the District shall trespass on any plot of which he/she is not the Plot Owner. All people shall confine themselves to the roadways, paths and other public places provided for public use within the Cemetery grounds, except when accessing a specific Plot or Niche. All children must be under the control of an adult.
- 6) No person not employed by the District shall plant, maintain, or adorn any trees, shrubs, or flowers on the Cemetery grounds. If any tree, shrub, plant or vine situated on any plot shall by reason of roots, branches, height, shade or otherwise become detrimental or unsightly to adjacent plots, paths, streets or the Cemetery grounds, the Manager or any authorized District personnel may enter upon such plot and remove or trim such trees, shrubs, plants or vines as deemed necessary. Donations of trees are acceptable, but trees must be selected and planted by and under the direction of the Board.

- 7) No person not employed by the District shall remove any earth or in any way damage the Cemetery grounds or place or pour sand, gravel, rocks, cement, or any metal of any kind in the vases, around the markers, the Plot or on the Cemetery property.
- 8) Flowers may be placed only in vases provided in the ground or Marker Foundations or, if not yet installed, in unbreakable containers placed at the head of the Plot. Not more than two (2) vases/containers shall be permitted on anyone (1) in-ground plot. Flowers in such containers will be removed by District personnel as they become unsightly. Any flowers or items disposed of by the Plot Owner should be placed in trash receptacles provided for that purpose throughout the Cemetery grounds. Unauthorized containers will be removed by District personnel.
- 9) The Board reserves the right to remove from any Plot, Marker, Headstone, Monument or other structure, trees, flowers or plants (plastic or real), or other objects which may conflict with the Rules and Regulations, or which may be considered a safety hazard or maintenance obstruction to the grounds, lawns, plots, or person. Mylar balloons, pinwheels, shepherd's hooks, statuary, and trinkets are prohibited.
- 10) The Board reserves the right to make improvements to any Plot, Niche, or to any public portion of the Cemetery grounds at any time at the cost of the District.
- 11) Please beware that the District's cemeteries are not on a complete flat elevation and that care must be taken to prevent potential trips and falls. If handicap access is a concern for attending a service or visiting grounds, please contact the District office for assistance as available.
- 12) The speed limit with the cemetery grounds shall not exceed 10 mph. No Double Parking is allowed (automobiles parked on both sides of the road blocking through traffic).
- 13) Visitors to the District Cemeteries are not allowed within designated work areas.
- 14) The District is not responsible for any theft or damage to personal vehicles while on District grounds.
- 15) No alcohol, illegal drug use, loitering or pets (animals) allowed on District grounds.
- 16) Personal vehicles are not allowed on any portion of the cemetery that is not specifically designed for traffic, absolutely no vehicle should be driven onto areas containing grave markers.
- 17) Fireworks, open flames including candles, discharging firearms and all other flammable or combustible materials are prohibited.

C. MARKERS REGULATIONS:

Subject to the Rules and Regulations set forth herein, and as they may be amended from time to time, grave Markers may be placed on interments in the Orland Cemetery District. Although such Markers, as well as their placement and installation, must conform to the Rules and Regulations of the District, the Orland Cemetery District does not own or control any such Marker. Accordingly, the Orland Cemetery District, its' Trustees, Officers, Managers and Employees are not responsible for the loss or damage to any Marker, unless such loss or damage is the result of the negligence or misconduct of a Trustee, Officer, Manager or Employee of the District.

If a damaged Marker has been in place in the Orland Cemetery District for 25 years, and if the District is unable to locate a family member responsible for the care and upkeep of the Marker the District may, at its sole discretion, elect to either repair or replace a damaged Marker.

The District reserves the right to repair, replace or remove any Marker that, in the sole discretion of the District, constitutes a potential threat to public safety.

- 1) The following are for the protection of all Lots. The District reserves the right to regulate all work done in the cemetery. The cemetery authority must approve any work in the cemetery, including the erection of monuments and markers. A single monument or combination of pieces that exceeds 2' ft. is the responsibility of the monument seller to erect. The **maximum height limit is 36 inches (3 feet)**. The work to erect monuments that exceed 2 feet will be done by appointment and to be completed during regular business hours under the direct supervision of a qualified cemetery employee.
- 2) Any damage to other monuments, personal family objects, cement base or grounds will be the business operator's responsibility to cover all costs. The monument dealer will be required to submit to the Orland Cemetery District proof of current liability and workers compensation insurance before any work can be performed on cemetery grounds.
- 3) Concrete grave caps are not allowed.
- 4) All Markers, Stones and Monuments must comply with the District's Marker Policy. All benches must have prior approval from the District Manager as to placement and safety. No curbing is allowed.
- 5) All Markers must be made only of granite, marble (Veterans Administration markers only), or standard bronze. Markers made of other materials are not permitted. Markers that are upright with straight sides, whose dimensions are less than 12 inches in depth and rise more than 12 inches in height, must be drilled and pinned to prevent toppling. All pinning material shall be of stainless steel and at a minimum of ½ inch in diameter. Markers that meet the afore-mentioned criteria must be drilled at a

D. MEMORIAL DECORATION REGULATIONS

The placement of flowers and memorials at the graves of loved ones is a time-honored tradition. To ensure this tradition is followed in a consistent manner that enhances the beauty of the cemetery and sets a uniform policy for all visitors, the following regulations have been adopted.

- 1) The Orland Cemetery District is not responsible for lost, stolen, damaged or displaced decorations, memorials or personal items placed on or around the interment area. This limitation includes damage that may be done to items by District vehicles, weed eaters, and other equipment essential to cemetery maintenance and the performing of interments. Leaving items at an interment site is done solely at your own risk.
- 2) Any suspected theft of personal goods from District grounds is within the authority of the local law enforcement agency and should be reported to them.
- 3) All items left at the interment site must fit within the monument pad and/or flower-vase. Items placed outside of the monument pad and/or flower-vase will be removed and discarded.
- 4) If no memorial marker is in place, memorial items left at the interment site must not exceed an area of 18"x 30. Memorial items must not have a solid foundation that would block irrigation from reaching the grass.
- 5) All memorial items may not exceed 36 inches in height. Items may not be affixed to memorials by adhesives (glue, tape, etc.).
- 6) To ensure the safety of staff and the integrity of cemetery operations, all memorial items placed on grave sites must not exceed 10 pounds in total weight. Large, heavy, or oversized items that cannot be safely lifted and removed by a single staff member may be subject to removal without notice.
- 7) The Board reserves the right to remove from any Plot, Marker, Headstone, Monument or other structure, trees, flowers or plants (plastic or real), or other objects which may conflict with the Rules and Regulations, or which may be considered a safety hazard or maintenance obstruction to the grounds, lawns, plots, or person. Mylar balloons, pinwheels, shepherd's hooks, statuary, and trinkets are prohibited.
- 8) No picket fences, glass or breakable items, or alcoholic beverage containers are allowed to be left on cemetery grounds or monument pad.
- 9) Digging or making holes on District grounds is prohibited, to include digging around a monument pad or driving objects into the ground.

- 10) Flowers may be placed only in vases provided in the ground or granite vases on Marker Foundations or, if not yet installed, in unbreakable containers placed at the head of the Plot. Not more than two (2) vases/containers shall be permitted on anyone (1) in-ground plot. Flowers in such containers will be removed by District personnel as they become unsightly. Any flowers or items disposed of by the Plot Owner should be placed in trash receptacles provided for that purpose throughout the Cemetery grounds. Unauthorized containers will be removed by District personnel.
- 11) Flowers that are placed on newly buried graves as part of the interment ceremony and have not become unsightly in their appearance may remain for a maximum of three (3) days, with the service day counting as one (1) day. All flowers and memorial items will be removed on the fourth (4) day or on the first scheduled mowing day thereafter.
- 12) Removal of items in violation of the rules may occur at any time. The District is not liable for items removed and discarded in accordance with District policies. Items removed and discarded cannot be retrieved from the disposal area. These policies are in effect for all burials recently or otherwise.
- 13) Harassment, verbal abuse, or aggressive behavior towards employees enforcing these policies will not be tolerated and will result in removal from the grounds and additional law enforcement action as needed.
- 14) Niche Wall Memorial Decorations: To preserve the appearance and integrity of the Orland Cemetery District's Niche Wall, no memorial decorations of any kind are permitted on the wall. This prohibition includes, but is not limited to, silicone vases and any items that are glued, taped, or otherwise affixed to the wall. The Niche Wall must remain clean, unobstructed, and free of all decorations at all times.

Amended and approved on: May 13, 2025 (3) Beale, Donnelley & Tefelski

Amended and approved on January 13, 2026 (3) Beale, Donnelley & Tefelski – Niche Wall Memorial Decorations.

E. INTERMENTS:

Plot owners, Funeral Directors and other authorized people shall comply with the following regulations in the use of plots for burial purposes.

- 1) Eligibility to purchase Interment Rights in the Orland Cemetery District will be, in compliance with the California Health & Safety Code sections 9060, 9061, and 9062.
- 2) All interment arrangements shall be conducted through the administration/business office of the Orland Cemetery District.
- 3) A record shall be kept of every interment showing the date the human remains were received, the date of interment, the name and age of the person interred (when these specifics can be conveniently obtained), and the Plot or Niche in which the interment was made.
- 4) No interment will be permitted in the Cemetery without an “Authorization for Interment Order” signed by an authorized member of the family of the deceased. If prior to his/her death, the decedent had signed custody of his/her remains to someone other than his/her family, then said custodian will sign the authorization. If the family requests the Funeral Director to make the interment arrangements, the family will fill out the authorization stating the services they wish the District to provide and the location of the grave they wish to use for the interment. In accordance with the California Health & Safety Code, Sections 7104 and 7111, if there are no known survivors or in the case of the indigent dead, the County Coroner will give the authorization.
- 5) The Orland Cemetery District shall be given at least seventy-two (72) hours-notice for a planned interment.
- 6) No more than eight (8) graves will be sold to any one individual without approval of the Board of Trustees.
- 7) No Plot Owner shall allow any interment to be made in his/her plot for remuneration. No interment right may be purchased for investment or speculation.
- 8) No services in connection with an interment will be made until all charges for such services, as fixed by the Board, have been paid in advance to the District.
- 9) All committals will be made after 9 a.m. and completed prior to 2 p.m. each weekday, (during winter hours 10/01 – 05/31) and all committals will be made after 9 a.m. and completed prior to 1:00 p.m. (during summer hours 6/01 – 09/30) except on Saturday, when committals must be completed prior to 1 p.m. An additional fee, as set by the Board, shall be charged for all Saturday interments, except those ordered by a public health officer. Burials are to be made following any chapel or church services. There

will be no receptions allowed to take place between church or chapel services and grave side ceremonies/ burials.

- 10) No interment shall be made on Sunday or any of the following holidays: 31st of December, 1st of January, Martin Luther King, Jr.'s Birthday, President's Day, Cesar Chavez Day, Memorial Day, 4th of July, Labor Day, Veteran's Day, Thanksgiving Day, Thanksgiving Friday, Christmas Eve and Christmas Day unless interment is ordered by a public health officer or in case of an extreme emergency. In that case, such a basis is to be determined jointly by the District Manager and the Funeral Director. No Saturday burials will be held on holiday weekends.
- 11) The remains of the deceased shall be brought to the Cemetery in a closed casket or urn. A minimum container of cloth covered wood casket with handles is required for all interments except for cremated remains. In some cases, when a person has been disinterred from another cemetery and will be re-interred in the District, and is in a container, this container must be an approved concrete, metal, or urn vault. Only caskets transported by Hearse, van, private vehicle, or pick-up will be allowed on Cemetery driveways. Heavy Commercial vehicles used to transport the deceased will not be allowed on the driveways of the Orland Cemetery District because of their gross vehicle weight.
- 12) No opening or closing of a grave or the placement of any lawn crypt, vault, set up, or device shall be made by anyone except employees of the District.
- 13) At no time shall an employee of the District open a casket.
- 14) All person acting a casket bearers or pallbearers during funeral services who transport a casket from a hearse to an interment plot will do so at their own risk.
- 15) Graves and niches:
 - a) All single adult graves shall be dug to a depth of five (5) feet at the center.
 - b) Infant graves for domed liners shall be dug to a depth of thirty-six (36) inches at the center.
 - c) Cremation sites shall be dug to a depth of twenty-four (24) inches.
 - d) No more than one (2) cremains will be permitted in a single cremains niche, and no more than two (4) cremains interments will be permitted in a cremains grave.
 - e) Burials may be placed in a full-size burial plot in any combination of:
 - One (1) full casket burial or:
 - One (1) full casket burial and five (5) cremated remains or:

- Six (6) cremated remains.

Item E: *Revised and adopted on March 14, 2023, at the monthly Trustee Board meeting.*

- 16) A Poly liner is the minimum requirement for adult coffin burials. Please be advised that standard full-body caskets cannot exceed dimensions of 29” wide by 84” long by 25” high, including all handles, attachments and other decorative elements. If a casket exceeds these dimensions, Orland Cemetery District must have no less than 72 hours’ notice to install a vault that will accommodate larger caskets. There will also be an additional charge for larger vaults. Failure to provide at least 72 hours’ notice of oversized caskets will result in the burial service being delayed.
- 17) Cremation burials and infant burials require outer burial containers (vault).
- 18) No grave shall be graded or mounded, and the top of the grave shall be level with the surrounding ground when the burial is fully settled.
- 19) Except when ordered by a Court, dis-interments will be at the discretion of the Board. No dis-interment will be made without a “Dis-interment Form” signed by the person or persons who have the legal right to control the remains. When allowed, District personnel will open the grave and remove or open the vault. The District shall not be responsible for the removal of the casket or for any damage to the vault, casket or remains.

Disinterment, or removal from the ground of deceased human remains shall be subject to the following regulations:

- a) Authorization for the dis-interment must be signed by a family member or person having legal authority to do so by the Power of Attorney. All authorization forms must be signed and in the possession of the Orland Cemetery District before removal is done. If the remains are to be removed to a Cemetery in another District, City, State or Country, all permits for dis-interment are to be obtained through a Funeral Home or Mortuary and in the possession of the Orland Cemetery District before work begins.
- b) All fees and charges for disinterment must be paid in advance of any work to the Orland Cemetery District. Any other unforeseen costs incurred by the Orland Cemetery District during the disinterment process will be reimbursed to the Orland Cemetery District by the responsible party after being furnished with a proper accounting and invoice of expenses incurred by the Orland Cemetery District during the process of removal. Fees involved can include but may not be limited to:

1. Disinterment fee:

- a) Outer burial container disposal fee. Cement Sectional Liners become unusable during the process of dis-interment.
 - b) Monument removal/relocation fee.
 - c) Opening fee; if remains are to be relocated in the Orland Cemetery District.
 - d) New outer burial container, ie; Vault/Liner if remains to be reinterred within the Orland Cemetery District.
 - e) Services of a Licensed Funeral Director shall be obtained by the people authorizing disinterment prior to the opening of the grave. Funeral Directors that are contracted by the family or party responsible must be present at the time of disinterment. Due to the unknown status of the integrity of the casket and remains after prolonged burial, it may be necessary for the remains of the deceased to be removed from the grave or casket and placed into another container before relocation. The personnel of the Orland Cemetery District will not manage the remains of the deceased directly. Payment of all fees to Funeral Directors for their services is the responsibility of the person authorizing the disinterment and are not included in the fees charged by the Orland Cemetery District.
 - f) The party responsible authorizing the disinterment shall be available by phone or in person during the disinterment to give authorization to the Funeral Director as to the disposition of the remains in the event special circumstances arise. If responsible party is present on Orland Cemetery District property during the time of disinterment, they shall remain a safe distance from the worksite as determined by Cemetery personnel.
 - g) There will be no dis-interment of remains in the ossuary.
- 20) The Orland Cemetery District does not permit the interment of animal remains.
- 21) All lots in the Veterans Section shall be for the exclusive interment of veterans and their spouses.
- Spouses may purchase plot adjacent to Veteran.
 - Spouses may have cremated remains placed in Veteran’s plot.
 - Memorial Marker for spouse may only be a “Niche” plaque.
- a) Veterans who meet the following criteria shall qualify for interment in the “Veterans’ Section”:

- Have lawfully worn the uniform of the Armed Forces of the United states of America, and
 - Have received an honorable discharge, and
 - Are either members in good standing of any Veterans organization having its local headquarters or meeting place within the District, or
 - Residents within the political boundaries of the Orland Cemetery District
- b) ~~Veterans who meet the above criteria (20— a), the Orland Cemetery District will honor all “qualified” Veterans that are being interred in any of the District Cemeteries by placing ceremonial flags in each flag holder of other Veterans that are in that same section the day of the Veterans burial service. (added 11/12/2024).~~
- c) ~~Ceremonial Flags will be placed on each qualified Veterans burial plot on the following holidays: Memorial Day, Veterans Day and Wreaths Across America Day. (added 11/12/2024)~~

Items b and c are rescinded due to Resolution No. 2025-11-11, A resolution of the Board of Trustees of the Orland Cemetery District establishing a policy for the year-round display of the United States Flag on Veterans’ Graves. Approved on November 11, 2025.

F. GAZEBO – FUNERAL SERVICES:

- 1) The Gazebo facility is to be used for funeral services that are coordinated through the Funeral Director or person in charge, along with the Orland Cemetery District authority.
- 2) There will be a fee charged for the use of the Gazebo for funeral services.
- 3) Other uses of the Gazebo not related to Funeral Services shall be placed on the Agenda. The Trustees will make the determination as per the request submitted and if deemed necessary charge a fee. The Board of Trustees meets the second Tuesday of each month at 9:00 a.m. at our office at 3900 County Road “P” in Orland, CA.

G. BACKFILLING OF GRAVE:

The backfilling of a grave after a funeral service will be performed by cemetery staff only. Performance of this work is to be done when it is deemed safe to do so by cemetery personnel. Families are permitted to place soil by hand only, no hand tools will be provided, or machinery used for such practice. Waivers releasing the Orland Cemetery District of any, and all, liability *may* be granted to members of a recognized Native American Tribes for the practice of their cultural ceremonies related to burials.

H. MUSICIANS AND BANDS:

All musicians and bands performing, before, during and, after funeral services must do so in a manner as not to impede or endanger the public or Cemetery personnel from the safe completion of their duties. A distance, of 25 feet must be maintained between the band or musician(s) and the gravesite to provide a safe zone in which Cemetery personnel are able to perform their tasks. Performances will cease 30 minutes after the service concludes.

I. OUTSIDE VENDORS:

All for profit organizations (“Vendors”) wishing to conduct business on District property must complete a “LIABILITY WAIVER AND RELEASE AGREEMENT” form and submit all applicable proof of insurance requirements. The document, along with proof of insurance, must be completed, fully executed, received, and approved/filed by District staff prior to conducting business on District grounds. A copy of the form will be returned to you for your records when approved by District management. LIABILITY WAIVER AND RELEASE AGREEMENT form must be completed by each individual company or organization conducting business on District grounds. The document does not extend privileges to business partners, subcontractors, or others performing work outside of those in the direct employment of the organization (s) listed on the document and accompanying insurance policies. The District reserves the right to periodically request updates (documents) from Vendors establishing that they are maintaining the required insurance. Delivery services whose sole purpose is pickup and/or drop-off mail or packages are exempt from this policy.

J. FEES AND CHARGES:

- 1) In accordance with the California Health & Safety Code § 9068, the Board shall establish the prices at which Interment Rights shall be sold, the fees for the opening and closing of graves, the additional fees for performing such services other than during the normal times established by these Rules and Regulations, and the fees for all other services performed by the District in connection with the use of the Cemetery grounds. A schedule of the current fees is available at all reasonable hours in the business office of the District. (See Attachments E & F).
- 2) In accordance with California Health & Safety Code § 9061, non-resident fees shall be charged for the interment of a person who is not a resident of or paying taxes in the District at the time of death, but who is otherwise eligible for interment in a Cemetery of the District. ***The non-resident fee, once paid is non-refundable***
- 3) In accordance with California Health & Safety Code § 9065, the Orland Cemetery District maintains an Endowment Care Fund, and is an “endowment care cemetery.” Section 9065 also requires payment of a contribution to the Endowment Care Fund for each interment right sold. In accordance with California Health & Safety Code § 8738, the Board shall establish the amount to be paid by purchasers for deposit into the Endowment Care Fund. ***Such an amount paid into the Endowment Care Fund is not refundable.***
- 4) All fees must be paid in full prior to any interment, including the endowment fee. When the plot fee and the endowment care are paid in full, the Burial Rights Certificate, signed by the District Manager, will be issued for every interment right sold.
- 5) In accordance with applicable state and local tax laws, sales tax collected at the time of purchase of interment rights, products, or services is non-refundable. Sales tax funds are remitted directly to the appropriate tax authorities, the District is unable to return the tax fees under any circumstances, including but not limited to cancellation, surrender, or termination of interment right or related services. ***The sales tax fee, once paid is non-refundable.***

K. INTERMENT IN THE ORLAND CEMETERY DISTRICT:

In addition to the provisions established by the California Health & Safety Code for the operation of the District’s cemeteries, the following Rules and Regulations shall apply:

- 1) Interment in the District’s cemeteries shall be limited to residents and taxpayers of the District, and their family members, in accordance with the California Health & Safety Code § 9060, as the same now exists or may be hereafter amended.
- 2) “*Family member*” of a resident or taxpayer of the District is defined as any spouse, by marriage or otherwise, child or stepchild, by natural birth or adoption, parent, brother, sister, half-brother, half-sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin or any person denoted by the prefix “grand or great” or the spouse of any of these persons. (Cal. Health & Safety Code § 9002.)
- 3) Pursuant to California Health & Safety Code § 9061, a nonresident fee must be paid for the interment of any person otherwise qualifying for interment in a District cemetery but who is not a resident of the District at the time of death. ***All Non-Resident fees are non-refundable.***
- 4) No interment right in any cemetery owned and operated by the Orland Cemetery District shall be transferred or legal unless made in the office of, and signed by, the Manager or representative of the District.
- 5) Proof of District Residency: Individuals seeking to purchase interment services need to provide (2) different documents proving residency in the Orland Cemetery District. All documentation used for verification must have the same legal names and addresses as the purchaser or decedent and must be within the last thirty (30) days and/or currently valid. Examples of documents excepted include:

- | | | |
|-----------------------|-----------------------|------------------------------|
| *Mortgage Bill | *Utility Bill | *California Driver’s License |
| *Cell/Phone Bill | *Vehicle Registration | *Bank Statement |
| *Property Tax Billing | *U.S. Passport | *California State I.D. |

Adopted on March 14, 2023, at the Board of Trustee’s Board Meeting.

- 6) The Orland Cemetery District shall keep a record of the ownership of all interment rights in the Cemetery which have been conveyed by the Cemetery authority and of all transfers of such rights in the Cemetery. (Cal. Health & Safety Code § 9064.)
- 7) No owner may sell interment rights to any third party. Rights may be resold back to the District, subject to the following:

- a) The District will refund only the purchase price originally paid (NOT current price).
 - b) Any other fees for services pre-paid will also be refunded.
 - c) Endowment Care, Non-Resident fees and sales tax are non-refundable.
- 8) Each purchaser of an Interment Right shall be issued a *Certificate of Burial Rights*. The interest acquired by such purchaser shall not be an interest in real property but shall be simply the revocable right granted to the Certificate holder to use said plot, or niche for interment purposes in accordance with these Rules and Regulations. An assignment may be made of Interment Rights by the purchaser to a Family Member of the purchaser's family, as defined in the California Health and Safety Code, which assignment will be recognized by the District, whether said assignment is made during the purchaser's lifetime or is made by will or device. The use of any such Interment Right shall be permitted only in accordance with the California Health & Safety Code.
- 9) No human remains shall be interred without the knowledge or written approval of staff or required legal documents as dictated by County and State law.

L. LIABILITY:

Please use caution when entering and using the Cemetery. The Orland Cemetery District, its Trustees and Employees, are not responsible for any injury or damage suffered by any persons, including children, while on Cemetery grounds. Every person entering the Cemetery does so at his or her own risk. The District or any of its Employees shall not be responsible for anything of moveable or immoveable character that may be lost, stolen, or misplaced on Cemetery property.

M. PRE-NEED CONTRACT:

All pre-need contracts executed by employees of the Orland Cemetery District will be held to the following regulations;

- 1) All contracts are enforced by the terms contained in writing in the contract.
- 2) Monthly payments must be maintained, in order to keep the contract in *effect* until paid in full. Payments made above the minimum amount on the contract are allowed.

Amended on April 8, 2025 – For further rules and guidelines please see the District’s Pre-Need Contract Policy.

N. EMERGENCY CLOSING:

The cemetery may be closed when inclement weather or other conditions exist that pose a danger to life or property. Closure of the cemetery is governed by the District’s Weather and Emergency Closing Policy.

O. ALL RULES AND REGULATIONS:

Any previously adopted Rules and Regulations that are inconsistent with the foregoing are hereby repealed. The Board reserves the right to pass on other Rules and Regulations, or amending these Rules and Regulations, at any time the occasion arises.

PASSED, APPROVED AND ADOPTED by the Board of Trustees of the Orland Cemetery District in a regular meeting held at its regular place of meeting this the **10th Day of December 2024.**

Vote:

AYES: (2)

NOES: (0)

ATTEST: (0)

Staci Buttermore, Secretary
Orland Cemetery District

Rick Beale, Chairperson
Orland Cemetery District