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CHAPTER 14.12 CEMETERY REGULATIONS

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14.12.010 Superintendent—Appointment.

The office of Superintendent of Cemeteries is hereby created. The City Manager shall appoint a suitable person qualified to administer the affairs of such office, whose duties shall include the sale of lots, the direction and supervision of interments and the setting of headstones and markers, the care and maintenance of cemetery grounds, and, generally, the supervision and control of municipal cemeteries and their affairs in accordance with the provisions of this Chapter and the orders and resolutions passed and adopted from time to time by the Board of Commissioners. He shall receive as compensation such sum as shall be fixed and determined by the Board of Commissioners, and shall be allowed such assistants and employees, to be appointed by the City Manager, and for such compensation as the Board of Commissioners shall from time to time prescribe.

(Ord. 320 § 1, 1946: prior code §§ 9-8-14, 9-8-15)

14.12.020 Superintendent—Duties.

The Superintendent of Cemeteries shall take charge of the municipal cemeteries, improve the grounds thereof and keep them in an orderly condition under the direction of the City Manager and as the Board of Commissioners shall prescribe. He shall keep a plat of the cemeteries showing the avenues and paths therein, together with the lots for burial purposes, and shall place temporary grave markers on each grave, and keep in his office a map showing the exact location of each

grave. He shall, whenever requested by duly constituted official authority and by the owners of lots in the cemetery, furnish the true lines of lots according to the plats and maps on file in his office, and shall prevent and prohibit the marking of any lots or graves, except official landmarks and temporary grave markers as provided in this Section, and shall prevent and prohibit such grading as would alter or destroy the general topography of the land of the cemetery.

(Ord. 320 § 3, 1946: prior code § 9-8-16)

14.12.030 Superintendent—Records.

The Superintendent of Cemeteries shall at all times keep all papers and documents used in connection with the affairs of the municipal cemeteries on file in his office, and shall keep at all times a full, accurate, and complete record and account, in books secured for that purpose, of the affairs and transactions of the municipal cemeteries, and such other financial records as may be prescribed by the City Manager.

(Ord. 719 § 5, 1956: Ord. 320 § 4 (part), 1946: prior code § 9-8-17)

14.12.040 Superintendent—Deposit of moneys received.

The Superintendent of Cemeteries shall each day turn over all moneys received by him to the Director of Finance and receive a receipt therefor.

(Ord. 719 § 6, 1956: Ord. 320 § 4 (part), 1946: prior code § 9-8-18)

14.12.050 Payment for lot required.

It is unlawful for any person, firm or corporation to bury or cause to be buried, the body of a deceased person in the municipal cemetery unless the lot wherein the burial is to be made has been paid for in full and a cemetery deed has been executed and delivered therefor; provided, however, a burial made at the request of the county or a licensed mortuary may be made without payment at the time of burial; provided, that full payment is made within one month from billing by the City.

(Ord. 719 § 1, 1956: Ord. 320 § 6, 1946: prior code § 9-8-1)

14.12.060 Sale of lots.

The Superintendent of Cemeteries shall supervise and negotiate the sale of lots in the municipal cemeteries according to the schedule of prices and upon the terms, conditions, rules and regulations, as are adopted from time to time by the Board of Commissioners, including the collection of any and all fees payable by reason thereof. In such cases where lots are sold under the installment or delayed payment plan, he shall deliver to the purchaser a purchase agreement describing the lot sold and setting forth the terms of sale, and all payments shall be entered as and when made until the balance of the purchase price is paid in full, whereupon, and in all other cases where the purchase price is paid in full, he shall deliver to the purchaser a deed of conveyance duly executed by the Mayor and attested to by the Clerk. Every purchase agreement and deed of conveyance shall, in addition to such other recitals as are necessary to their validity, recite the further condition that the ownership, use, and care of the lot or grave is subject always to such rules and regulations as the Board of Commissioners might adopt from time to time, and the Superintendent of Cemeteries shall retain for his files a copy of every purchase agreement and deed of conveyance so delivered.

(Ord. 1775 § 1, 1975: Ord. 719 § 7, 1956: Ord. 320 § 5, 1946: prior code § 9-8-19)

14.12.070 Conveyance of lots.

Whenever a lot which has been purchased from the City in accordance with the provisions of this Chapter is conveyed to a third party, notice of such conveyance shall be given to the Superintendent of Cemeteries. In those instances where any such lot is conveyed either to the City or to a third party, the City shall charge a reasonable fee on account thereof as shall from time to time be decided by the Board of Commissioners.

(Ord. 2217 § 1, 1981; Ord. 1775 § 2, 1975; prior code § 9-8-24)

14.12.080 Caskets required.

No interment shall be made in the municipal cemeteries, except in a casket enclosed in an outside burial case of steel, concrete or fiberglass.

(Ord. 1213 § 1, 1965; Ord. 320 § 7 (part), 1946; prior code § 9-8-2)

14.12.090 Interment on holiday.

No interment shall be made on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day, except for reasons of health emergency upon written order of the County Health Officer. Interments on any Saturday or Sunday or any other nonworking day by virtue of it being a holiday, including those enumerated above, shall be made upon payment of an additional one hundred fifty dollars for each interment to defray cost of necessary personnel. Interments made after regular working hours of cemetery personnel shall include an additional fee to defray the overtime cost incurred by the City because of late interment.

(Ord. 1719 § 1, 1974; Ord. 1680 § 1, 1974; Ord. 1229 § 1, 1966; Ord. 1213 § 2, 1965; Ord. 719 § 2, 1956; Ord. 320 § 7 (part), 1946; prior code § 9-8-3)

14.12.100 Permit required.

The Superintendent of Cemeteries shall require the production of a permit from the Health Department before any burial or disinterment, and after such burial or disinterment he shall endorse upon the permit the title of the plat, and the block and lot number where the burial or from which the disinterment took place, and shall return such permit or a certified copy thereof to the Health Department.

(Ord. 320 § 8, 1946; prior code § 9-8-4)

14.12.110 Permission required for burial or disinterment.

It is unlawful for any person, firm or corporation to bury or disinter or cause to be buried or disinterred the body of a deceased person except under the direction of the Superintendent of Cemeteries and with the written permit of the Health Department and written order of the owner of the lot or grave, or the written order of the nearest next of kin if the body be that of the owner of the lot or grave.

(Ord. 320 § 9, 1946; prior code § 9-8-5)

14.12.120 Burial outside of cemetery.

It is unlawful for any person, firm or corporation to bury or cause to be buried the body of a deceased person anywhere within the corporate limits of the City, except in the municipal cemetery or such other place as is duly set aside, constituted, and designated by law as burial grounds,

without the written consent of the City Manager given with the approval of a majority vote of the Board of Commissioners.

(Ord. 320 § 10, 1946: prior code § 9-8-6)

14.12.130 Monuments and markers.

All headstones, tombstones, markers or monuments, other than those required by Section 14.12.140, to be placed on graves shall be of the flat type and not more than four and one-half feet along the width of the grave nor more than two and one-half feet along the length thereof, and shall not extend more than three inches above the surface of the ground. No marker, headstone, tombstone or monument shall be placed on any unoccupied grave or part thereof in that section of the municipal cemeteries known as the Woodlawn Cemetery Annex No. 1.

(Ord. 320 § 11, 1946: prior code § 9-8-7)

14.12.140 Headstones in new sections.

Headstones to be installed on graves in all sections east of Myrtle Drive in Woodlawn Cemetery shall be of the flat type, and shall be placed level with the ground, at grade, and all single headstones shall be twelve inches by twenty-four inches, double stones shall be twelve inches by thirty-six inches.

(Ord. 1717 § 1, 1974: prior code § 9-8-20)

14.12.150 Planting of flowers, shrubs or trees.

No flowers, shrubs or trees shall be planted in the municipal cemeteries, except in concrete depressions constructed and provided therefor in accordance with the instructions and under the supervision of the Superintendent of Cemeteries. Such planting shall be done in accordance with the instructions and under the supervision of the Superintendent of Cemeteries and shall be cared for by the owner or such other person as may have done the planting or cause the same to be done. No planting of any kind will be allowed in Woodlawn Cemetery without the approval of the Superintendent of Cemeteries, and no planting of any kind shall be permitted in any sections east of Myrtle Drive nor in Sections P, P-A, Q, Peace, X, A-2, G-2, G-3, H-AA, H-C, and Y. Where plantings and depressions are allowed, no grave shall have more than three such depressions for planting, and no flower, shrub or tree shall be permitted to grow higher than three feet or gain a girth of more than two feet, and if such flower, shrub or tree at any time exceeds these dimensions, it may be removed by the Superintendent of Cemeteries.

(Ord. 1718 § 1, 1974: Ord. 320 § 13, 1946: prior code § 9-8-8)

14.12.160 Removal of flowers, weeds or trees.

The Superintendent shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants, or herbage of any kind from the cemetery as soon as, in the judgment of the Superintendent, they become unsightly, dangerous, detrimental or diseased or when they do not conform to the standards maintained. The Superintendent shall not be liable for floral pieces, baskets or frames in which or to which such floral pieces are attached. The Superintendent shall not be liable for lost, misplaced, or broken flower vases. The Superintendent shall not be responsible for plants, herbage, or plantings of any kind damaged by the elements, thieves, vandals, or by other causes beyond his control.

(Prior code § 9-8-21)

14.12.170 Disposal of floral frames.

Floral frames when removed from the plot site, unless called for within five days by those lawfully entitled thereto, may be disposed of by the Superintendent in any manner he deems advisable.

(Prior code § 9-8-22)

14.12.180 Restrictions on ornaments.

The placing of boxes, shells, toys, metal designs, ornaments, chairs, settees, vases, glass, wood or iron cases, and similar articles upon plots shall not be permitted, and, if so placed, the Superintendent shall remove the same.

(Prior code § 9-8-23)

14.12.190 Injury of property.

It is unlawful for any person, firm or corporation to injure or deface, or cause to be injured or defaced, any headstone, tombstone, marker, monument, tree, shrub, or any other property in the municipal cemeteries.

(Ord. 320 § 12, 1946; prior code § 9-8-9)

14.12.200 Speed limit.

It is unlawful for any person to ride or drive any vehicle within the limits of any municipal cemetery at a rate of speed in excess of the posted speed limit.

(Ord. 719 § 3, 1956; Ord. 320 § 14, 1946; prior code § 9-8-10)

14.12.210 Animals.

It is unlawful for any person to bring into or upon the grounds of the municipal cemeteries any dog, cat, or other animal, or for the owner of any such dog, cat, or other animal, which may have entered the cemetery grounds in any way whatever, to allow the same to remain if its presence therein is known to the owner; provided, however, that if such dog, cat, or other animal enters upon the cemetery grounds with its owner or any other person in a motor vehicle or other enclosed means of transportation and is securely leashed in such vehicle or other means of transportation so as not to permit of its escape therefrom, it shall be allowed to remain upon the cemetery grounds while so leashed in such vehicle or other means of transportation while its owner or other person whom it accompanied remains at such cemetery.

(Ord. 320 § 15, 1946; prior code § 9-8-11)

14.12.220 Perpetual care funds.

Perpetual care funds received under contract for the perpetual care of lots in the municipal cemetery shall be invested in the manner and method as follows:

- (A) Bonds of the United States; or
- (B) Bonds of this State; or
- (C) Bonds of other states of the union; or
- (D) Bonds of counties or other municipalities of the states of the union; or
- (E)

Bank deposits in any bank or savings and loan association which is insured by the Federal Deposit Insurance Corporation; or

- (F) With the approval of the State Board of Finance, first mortgages or first trust deeds on improved real estate; or
- (G) With the approval of the State Board of Finance, any investment which would be proper under the provisions of NRS 164.050.

Pending investment as provided in this Section, such funds may be deposited in any savings bank in this state.

(Ord. 1468 § 1, 1970; Ord. 1075 § 2, 1963; prior code § 9-8-12)