

Rules and Regulations

Governing

Blandford Cemetery And People's Memorial Cemetery



City of

PETERSBURG, VIRGINIA

RULES AND REGULATIONS
GOVERNING
BLANDFORD CEMETERY

These Rules and Regulations were adopted by the City Council of the City of Petersburg on April 8, 1952, and amended January 5, 1960, 1964, 2002 (fee revision), May 7, 2013, and December 10, 2013 (hours of operation revision), pursuant to Chapter 30 of the City Code of the City of Petersburg.

INTRODUCTION

For the mutual protection of all purchasers of lots or plots in Blandford Cemetery, the following rules and regulations, and any amendments, which may hereafter be adopted by City Council, shall govern the ownership, use, and control of said lots or plots, and any reference to these rules and regulations in the Certificate of Ownership shall have the same force and effect as if these rules and amendments were set out therein in full. The title to all land, shown on the official plat of Blandford Cemetery, filed in the Office of the City Engineer, is vested in and shall remain in the City of Petersburg, a municipal corporation of Virginia.

SECTION I

DEFINITIONS

The following words and phrases, when used in these Rules and Regulations, shall have the meanings respectively given them in this section, except in those instances where the content clearly indicates a different meaning:

1. *Cemetery* – The term “cemetery” is defined to include a burial park for earth interments, a community mausoleum or private mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination of one or more than one.
2. *Ward* – A “Ward” is generally bordered by four streets and is divided into 10 to 25 sections, with each section being divided into squares, and each square being divided into plots/graves.
3. *Plot/Grave* – The term “plot” / ”grave” shall apply to a space of sufficient size to accommodate one adult vault interment, approximately 3 feet by 8½ feet, or three urn interments.
4. *Lot* – The term “lot” shall apply to numbered divisions as shown on the Record Plat, which may consist of 1, 2, 5, or 10 plots/graves, and sometimes referred to in the City’s ordinances and cemetery records as squares or sections.
5. *Interment* – The term “interment” shall mean the permanent disposition of the remains of a deceased person by cremation and inurnment, entombment, or burial. No pet burials shall be permitted in Blandford Cemetery.
6. *Memorial/Monument* – The term “memorial” / ”monument” shall include a tombstone or memorial of granite, marble, or other material, acceptable to the city, which shall extend above the surface of the ground.
7. *Marker* – The term “marker” shall mean a memorial of bronze, granite, or marble, flush with the ground.
8. *Beveled/Slant Marker* – The term “beveled/slant marker” shall mean a memorial of granite or marble that rises 8 inches to 18 inches above the ground.
9. *Lot Marker* – The term “lot marker” means granite, concrete, or other suitable material used for the purpose of locating corners of a square or half square.
10. *Single Grave* – The term “single grave” means a single space of sufficient size to accommodate one adult, or three urn interments, which grave measures approximately 3 feet in width by 8½ feet in length, and which may be referred to

in the cemetery's older records as "located ground." In Wards known as Crater Ward and OO Ravenscroft, the single graves measure 4 feet by 10 feet.

11. *Whole Square* – A "whole square" consists of 10 graves and measures approximately 17 feet by 17 feet.
12. *Half Square* – A "half square" consists of 5 graves and measures approximately 17 feet wide by 8½ feet in length.
13. *Child* – The term "child" in these regulations shall mean a person not more than six years old.
14. *Certificate of Ownership* – The term "Certificate of Ownership" shall apply to the receipt or conveyance of burial rights given by the City of Petersburg to the purchaser of a lot or plot.
15. *Owner's Declaration of Reservation* – The term "Owner's Declaration of Reservation" shall apply to the document executed by the owner and witnessed by the management, or a notary, designating and specifying the person or persons entitled to burial in the lot or plot for which a Certificate of Ownership is held.
16. *City, Management* – Whenever in these rules the word "City" is used, it shall apply to and mean the City of Petersburg, a municipal corporation of Virginia. Whenever the word "management" is used, it shall apply to the properly designated agents and employees of the City of Petersburg.
17. *Council* – Whenever in these rules the word "Council" is used, it shall apply and mean the Council of the City of Petersburg.
18. *City Code* – The term and provisions of Chapter 30 of the Code of the City of Petersburg is by reference made a part of these rules.

SECTION II

CEMETERY LOTS

1. *Laying off Lots* – The cemetery shall be laid off into lots of such size and in such manner as may be approved by the City Council.
2. *Purchase of Grave Space* – Any person choosing to purchase grave space (burial rights) can choose from a single grave space, double grave (in Crater Ward), a half square, which consists of 5 grave spaces, or a whole square, which consists of 10 grave spaces. When their choice of grave space is indicated, a map of the individual wards is located and the appropriate available grave space is shown to the prospective purchaser. When a choice is made, payment is received, a receipt

is given to the purchaser, the purchaser's name is recorded on the cemetery maps and the space chosen is also placed on an ownership card which is recorded and indexed in the ownership records to be kept in the cemetery office. All gravesites must be paid for, at time of purchase, by cash, check, or money order. No charge/debit cards, or payment plans are an option for payment.

3. *Charges for Lots Purchased by Residents* – The following schedule of rates shall apply to purchasers of lots who are residents of the City of Petersburg:

Whole lot or square	\$3,000.00	(\$1,000 p.c. included)
Half square.....	\$1,500.00	(\$ 500 p.c. included)
One single grave.....	\$ 600.00	(\$ 100 p.c. included)

4. *Charges for Lots Purchased by Non-Residents* – The following schedule of rates shall apply to purchasers of lots who are not residents of the City of Petersburg:

Whole lot or square	\$5,000.00	(\$1,000 p.c. included)
Half square.....	\$3,500.00	(\$1,000 p.c. included)
One single grave.....	\$1,000.00	(\$ 200 p.c. included)

5. *Perpetual Care (p.c.)* – All gravesites are sold with perpetual care at the rates quoted in #4 above that appear in parentheses.

SECTION III

SUPERVISION OF FUNERALS

1. *Management in Charge of Funeral* – All funeral processions, on entering cemetery grounds, shall be under the control and/or direction of the cemetery management. However, this rule shall not alter the responsibility of the funeral director, or his assistant, in being present and conducting the burial services.
2. *Casket Not to be Disturbed* – Once a casket containing a body is within the confines of the cemetery, no funeral director, employee, or agent shall be permitted to open the casket or to disturb the body without the legal representative of the deceased, or without a court order.

SECTION IV

INTERMENTS, DISINTERMENTS, AND REMOVALS

1. *Subject to Law* – In addition to these rules and regulations, all interments, disinterments, and removals shall be made subject to the orders and laws of the properly constituted authority of the City and State.

2. *Time and Charges* – All interments, disinterments, and removals must be made at the time and in the manner and upon such charges as are fixed by the Council. The hours of interments shall be between 9:00 A.M. and 4:00 P.M.
3. *Sundays and Holidays* – No interments, disinterments or removals shall be permitted on Sundays or on any of the following holidays observed by the City of Petersburg, which include: New Year’s Day, Martin Luther King, Jr.’s birthday, Lee-Jackson Day, President’s Day, Memorial Day, Fourth of July, Labor Day, Veterans’ Day, Thanksgiving Day, and Christmas Day, except in the case of an emergency, when the Management may grant a special permit for an interment.
4. *Notice* – The management shall be notified a minimum of sixteen (16) business hours (two days) prior to the time set for any interment, and at least one (1) week prior to the time set for any cremains interment, or full body disinterment or removal.
5. *Application for Interment* – Application or requests for interments or disinterments shall be made to the cemetery management, and the City reserves the right, in the absence of the Owner’s Declaration of Reservation, to refuse interment in any plot or to refuse to have opened any burial space for any purpose, except on written application by the plot owner of record, or the lineal descendants, if the plot owner is deceased.
6. *Vaults, Concrete or Metal* – Every earth interment of a casket containing human remains must be enclosed in a concrete or metal vault of a type approved by the cemetery management, and is to be ordered by the funeral director. Under no circumstances will plastic/polyurethane vaults be allowed.
7. *Cremains Interments* - Earth interments of cremains (ashes) do not require a vault and can be interred by the City’s cemetery staff or by a funeral director. In the event said interment is performed by the City’s cemetery staff, the City shall not be held liable for any damages or errors made. All cemetery rules, regulations, and fees shall apply to cremains burials, as well.
8. *Location of Interment Space* – When instructions regarding the location of an interment space in a lot cannot be obtained, or are indefinite, or when, for any reason, the interment space cannot be opened where specified, the management may direct the opening in such location of the lot as he/she deems best and proper so as not to delay the funeral. The City shall not be held liable for any damages or errors made.
9. *No Responsibility for Identity* – The City shall not be liable for the identity of the person sought to be interred.

10. *No Interment Permitted Unless Payment Made for Lot* – No interment shall be permitted on, or memorial placed, in or on any lot or plot in Blandford Cemetery where the purchase price therefore has not been paid in full.
11. *Double-Depth Burials Not Permitted* – The remains of not more than one body shall be interred in one grave, except in the case of cremains, a mother and newborn baby, or babies, or the remains of more than one infant. No exception shall be made to this rule.
12. *Interment of More Than One Cremains* - Three urns or cremains boxes may be placed on one grave. The placement of the urn or cremains box shall be made at either the headline, centerline, or footline of the grave. Management reserves the right to approve any further cremains burials between graves. Also, the same three placement locations will be permitted on top of one full-body vault interment if the depth from the ground level to the top of the vault will allow for the urn/box of cremains.
13. *May Remove to Larger Plot* – The remains of any person may be removed from its original lot or plot to a larger or better lot in the cemetery, where an exchange of purchase therefore has been arranged with the management. The cost of this disinterment and re-interment shall be the sole responsibility of the requestor and in no way shall any expenses be borne by the City.
14. *Care in Removal* – The management shall assume no liability for damage to any casket, burial case, vault, or urn/cremains box, in a disinterment and removal, whether such disinterment is performed by cemetery staff, or outside contractors.

SECTION V

BURIAL RIGHTS OF PLOT OWNERS

1. *Right of Interment Under Owner's Declaration of Reservation* – At the time of purchase of a lot or plot, or at any time thereafter during the purchaser's lifetime, and in accordance with these rules and regulations, the owner, or owners, of any such lot or plot may present his or her or their receipt and record in the cemetery office a Declaration of Reservation, therein specifically designating the persons entitled to be buried on the plot or lot, or vesting the right of designation for unreserved plots in some other person. No other person may be buried in any plot designated by the owner or owners in the Declaration of Reservation, except by an amended Declaration of Reservation, executed by the owner, and properly witnessed and filed in the cemetery office.

The owner, or owners, of any lot, may, in the Declaration of Reservation, limit the persons entitled to be buried in said lot to those persons designated in the Declaration of Reservation.

In the event the owner, or owners, fail to designate burial rights as to each plot in said lot, or fail to limit burials in said lot to those designated in the Declaration of Reservation, then as to the plots not designated, the right of burial shall be as follows:

2. *Right of Interment in Absence of Owner's Declaration of Reservation* – In the absence of a Declaration of Reservation by the registered lot owner, the right of interment shall be in the following order:
 - (a) One plot, crypt, or grave shall be forever reserved for the owner and one for the owner's spouse, if any, except in the case of a legal separation or divorce. In that event, the former spouse does not retain burial rights to the gravesite.
 - (b) The remaining plots in the lot shall be held, in trust, by the City for burial of the following persons in the order of their death and a request for burial:
 - i. The children of the owner, or owners, and their respective spouses.
 - ii. Lineal descendants of the owner, or owners, and their respective spouses.
 - iii. If there are no children of the owner, then burial rights shall pass to the siblings of said owner(s), and in the event of no siblings, to the parents of the owner or owners.
 - iv. In no event shall the City be held liable for permitting an interment on a grave where said interment may, at any time, be objected to by a family member or other person with equal burial rites.
 - v. If there has been no Designation of Reservation by the record owner, whether living or deceased, then written permission, as mentioned above in Section I, Definitions, #15, is required by all persons on the highest line of descent from the original owner.
3. *Vested Rights of Lot Owners* – The burial rights in all lots and plots conveyed shall be presumed to be the sole and separate property of the person or persons named as grantee in the Certificate of Ownership in accordance with these rules and regulations; provided, however, that the husband or wife shall have a vested right of interment of his or her body in any burial plot conveyed to the other, which shall continue as long as he or she shall remain the husband or wife of the plot owner, or shall be his or her wife or husband at the time of such plot owner's demise. No Declaration of Reservation shall divest the husband or wife of an

owner of his or her vested right of interment without the joiner therein executed by the spouse in the office of the management.

4. *Inalienability of Cemetery Plots* – All lots, the use of which has been conveyed in a Certificate of Ownership, are indivisible.

Whenever an interment of the remains of a member or of a relative of a member of the family of the record owner, or of the record owner, is made in a lot, the lot thereby becomes inalienable, and shall be held as the family plot of the owner, except as may be otherwise provided by the Owner's Declaration of Reservation.

SECTION VI

SERVICE CHARGES

1. *Payment of Service Charges* – The charges for the services in connection with an interment must be paid prior to or at the time of a request for interment.
2. *Schedule of Service Charges* –

Recording (Administrative) fee	\$150.00
Opening/closing grave for cremains	\$ 75.00
Tent setup inc. chairs/urn table	\$125.00

SECTION VII

TRANSFERS OR ASSIGNMENTS

1. *Cemetery Lots or Plots Not to be Bequeathed* – No cemetery lot or plot may be bequeathed or devised by Will as is other property or real estate, nor shall same descend according to the laws of descent and distribution.
2. *Sale and Transfer of Lots or Plots* – The sale of plots shall be the responsibility of the owner of said lot or the lineal descendants of the owner. It is not the responsibility of the City to buy back an unused lot or portion of a lot. In the event an owner shall make arrangements for the sale of all, or any portion, of the square/half square, said arrangement shall remain a private arrangement between the seller (owner) and purchaser. A letter from the owner (seller) must be provided to the cemetery office. In the alternative, a form letter is available in the cemetery office. This letter, or form, shall document the transfer of property so that the appropriate recording can be done on the ownership card and a record can be kept of the transfer.

SECTION VIII

CONTROL OF WORK BY CITY

1. *Regulation of Work Done by City* – All grading, grass cutting, landscape work, and tree planting, trimming, or removal, shall be made by the City by its own employees, or by persons employed by the City, and under the direct supervision of the cemetery management. The City shall open and close graves for cremains interments, only. The opening/closing of graves for full-body vault interments shall be performed by outside contractors hired by the funeral director but shall be under the supervision of the cemetery management.
2. *Scheduling of Funerals* - Anyone attempting to schedule a funeral to be held at Blandford Cemetery shall provide all information necessary to the management a minimum of 16 business hours (two days) prior to the scheduled funeral time. Also, in the event of multiple funerals on the same day, management will schedule the funerals a minimum of one hour apart.
3. No grave will be marked for opening until all fees have been paid by 9:00 a.m. of the day PRIOR to the scheduled funeral.
4. If a horse-drawn caisson is used for the transport of any casket to the burial site, the funeral director shall be responsible for ensuring the cleanup after the horses.
5. The cemetery does not store or accept delivery of cremated remains for burials. They must be brought to the cemetery on the day of the previously scheduled interment, with all fees and the Certificate of Cremation having been previously provided to the cemetery management.
6. Anyone, other than a city employee, performing work of any kind, whatsoever, on the cemetery grounds, shall secure a permit from the management office before performing such work.
7. *Roadways, Pathways, Etc.* – The right to enlarge, reduce, replant, and/or change the boundaries or grading of the cemetery, from time-to-time, including the right to modify and change the locations, or remove or re-grade lots, drives or walkways, is hereby expressly reserved to the City.
8. *Gratuities Not to be Accepted by Employees* – No person, while employed by the City for work in Blandford Cemetery, shall receive any fee, gratuity, or commission except from the City, either directly or indirectly, under penalty of immediate dismissal.

SECTION IX

DECORATION OF LOTS OR PLOTS

1. *Floral Regulations* – The management shall have 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 management, they become unsightly, dangerous, detrimental or diseased, or when they do not conform to the standard maintained. The City shall not be liable for floral pieces, baskets, or other receptacles, which may be left in the cemetery.
2. *Certain Ornaments Prohibited* – The placing of boxes, shells, toys, metal designs, ornaments, statuary, fencing, chairs, settees (benches), vases, gravel/stones, bird feeders, glass, wood, or iron cases, and similar articles upon lots, plots, or walkways, shall not be permitted. The management shall have the authority to remove said prohibited articles, or request the owner/family to remove said article. However, the temporary placing of vases or urns for the purpose of containing flowers is not prohibited.
3. The planting of flowers, trees, or shrubs, by a lot/plot owner on a lot or square, shall be prohibited.
4. *Damage to Monuments, Markers, Mausoleums* – The City shall not be held responsible/liable for any damages to monuments, memorials, markers, or mausoleums placed on a gravesite whether said damages are caused as the result of grounds maintenance or vandalism.

SECTION X

MEMORIAL WORK

1. *General Regulations:*
 - (a) All curbing around lots where curbing is permitted shall be the same width and the posts the same size, except that in cases where one lot joins another that has already been curbed, the curbing and corner posts shall be made to correspond with the curbing adjoining same. Where curbing is permitted in any new section, all such curbing and corner posts shall be of uniform size, eight-inch curbing and ten-inch corner posts. Curbing around lots is to be measured from center of curb to center of posts. No double line curbing shall be constructed around any lot or part thereof.
 - (b) No curbing of concrete, granite or other material shall be permitted in sections of the cemetery opened for use after March 1, 1952. Specifically, these Wards are: Crater, OO Ravenscroft, OO, A.P. Hill, PP,

QQ, RR, SS, and TT. Corner markers shall be installed flush with the ground.

- (c) Only one family “upright monument” shall be permitted on a lot or square in Wards known as Crater, OO Ravenscroft, A.P. Hill, PP, QQ, RR, SS, and TT. It shall be installed in the center of a whole square (or at the foot, if a half square), and its base shall not exceed 18 x 60 inches. The installation of an “upright monument” with a base in excess of 18 x 60 inches may be permitted by the written consent of the management, and in that event the monument shall occupy grave space. Flat markers, only, will be permitted in Ward OO.
- (d) Any upright monument or flat marker placed, shall occupy grave space, with the exception of Crater Ward and OO Ravenscroft.
- (e) Individual graves on a lot or square may be marked only with flat markers.
- (f) Single grave plots shall be marked only with flat markers flush with the ground level in Ward OO.
- (g) Any mausoleums constructed above ground level shall be centered on the lot and so located that any side or end shall not be nearer than 30 inches to the lot line.
- (h) All lettering on flat markers shall be incised (cut in), not raised type.
- (i) The installation of all memorial work shall be carried on subject to the supervision of the management and no such work shall be commenced until specifications have been furnished to and approved by the management and a permit for the same has been issued.
- (j) No individual markers or monuments shall be permitted on Memorial Hill.
- (k) Markers or monuments in memory of a deceased person not interred in Blandford Cemetery shall not be permitted.
- (l) All maintenance, repair, replacement of monuments, markers, or memorial work of any kind, shall be the sole responsibility of the lot/plot owner, or his/her/their descendants. The City will in no way be held responsible or liable for any damages.

SECTION XI

CONDUCT OF PERSONS WITHIN THE CEMETERY

1. *Must Use Walks* – Persons within the cemetery grounds shall use only the avenues, roads, and walkways.
2. *Children* – Children under sixteen years of age shall not be permitted within the cemetery, other than at times when they may be attending burials, unless accompanied by adult persons who are responsible for their conduct.
3. *Flowers, Etc.* – All unauthorized persons are prohibited from removing floral arrangements from gravesites, gathering flowers, either wild or cultivated, or breaking trees, shrubbery or plants within the cemetery grounds.
4. *Refreshments* – No person or persons shall be permitted to hold picnics or to partake of food or refreshments on the cemetery grounds, except those who may be employed in the cemetery, who may be permitted to bring their lunches during the time that they are at work.
5. *Rubbish* – The throwing of rubbish or grass cuttings on the drives, paths, or any other part of the grounds is prohibited. Receptacles for waste material are located in convenient places, and all refuse must be deposited in these receptacles.
6. *Motor Vehicles of any Type* – Motor vehicles of any type must be registered and display valid license plates and not be driven through the cemetery grounds at a speed greater than fifteen (15 miles) per hour. Vehicles shall not be parked on a roadway near an open grave unless such vehicles are in attendance at a funeral.
7. *Bicycles, dirt bikes, ATV's* – The riding of any unlicensed vehicle, to include dirt bikes, motorcycles, off-road vehicles, or ATV's, on the roadways in the cemetery, shall not be permitted.
8. *Peddling or Soliciting* – Peddling of flowers or plants or soliciting the sale of any commodity on the cemetery grounds is prohibited. This shall also include persons approaching other persons, lawfully in the cemetery, for the purpose of propagating their religion/faith.
9. *Vandalism / Theft* – Vandalism or theft of or on cemetery grounds will not be tolerated. Violators will be prosecuted.
10. *Loitering* – Loitering on cemetery property is prohibited.
11. *Metal Detectors* - The use of metal detectors, or relic hunting of any nature, on cemetery property is prohibited. Violators will be prosecuted.

12. *Signs or Advertisements* – No signs, notices, or advertisements of any kind shall be permitted in the cemetery grounds.
13. *Dogs* – Dogs, except for service dogs, shall not be permitted on the cemetery grounds or buildings unless on a leash and under control of the owner, who shall also “scoop” up after their dog.
14. *Times Cemetery Office Is Open* – The office at the cemetery shall be kept open from 8:00 a.m. to 4:00 p.m., Monday through Friday, with the exception of such holidays authorized by City Council.
15. *Times Cemetery Grounds Open* – The cemetery grounds shall be open seven days per week, from dawn to dusk, and no person shall be permitted on the grounds unless by special permission of the management except during these hours.

SECTION XII

PERPETUAL CARE

All of the lots sold in Blandford Cemetery have the price of perpetual care included in the price of the lot. In the attempt to have a neat appearance throughout the cemetery, all squares receive the same grounds maintenance. There are individuals who prefer to have their property given attention by someone that they hire for that purpose, and we try to honor that request. The City will not be responsible for keeping alive any trees, flowers, ivy, moss, or other shrubs on a square or section. No hedge will be permitted around a square or section.

The owner of any square or section where there is a mausoleum shall provide a key to enter said mausoleum to the cemetery office. When the interior of the mausoleum is taken over by the City for perpetual care, it shall be the duty of the City to keep this area clean, and its agents and employees shall enter the mausoleum and clean it at least once every two months. Nothing shall be construed as requiring the City to make repairs to any mausoleum.

The monies collected from the sale of lots that are held out for grounds maintenance, pursuant to Section II, Cemetery Lots, paragraph numbers 3, 4, and 5, above, shall be placed into the perpetual care fund. Annually, or at such times as the Sinking Fund Commissioners may elect, the income from the perpetual care deposits shall be paid into the City treasury, and the Auditor shall place such sum when paid to the credit of Blandford Cemetery to be expended by the acting Superintendent to execute the covenants in the provisions of this section.

SECTION XIII

MODIFICATIONS AND AMENDMENTS

1. *Exceptions and Modifications* – Special cases may arise in which the literal enforcement of some rule may impose unnecessary hardship. The City Manager, therefore, is authorized, without notice, to take exceptions, suspensions or modifications in any of these rules and regulations when, in his judgment, the same appear advisable; and such temporary exceptions, suspensions, or modifications shall in no way be construed as affecting the general application of such rule.
2. *Amendments* – The City Council may, and it hereby expressly reserves the right, at any time or times, to adopt new rules and regulations or to amend, alter and/or repeal any rule or regulation herein contained.