

Moro Cemetery Policy

Section One: History & Authority.

1. Location and History

- A. The Moro Cemetery, owned by the City of Moro, is located in the NW corner of Moro, Sherman County, Oregon, in Section 18, T1S, R17E WM. Van Gilder Road is parallel to the N boundary of the Cemetery and Azure Lane is to the E boundary.
- B. The dedication of the Odd Fellows Cemetery took place in 1894; then turned over to the Friendship Baptist Church in 1897; then in 1922 turned over to the Moro Odd Fellows; which in 1965 turned over to the Chris Schultz Post #71 which lastly was given to the City of Moro in 1981.
- C. The City of Moro Cemetery is licensed by the Oregon Mortuary & Cemetery Board (CM-0254).

2. Authority

- A. The ultimate authority for all matters pertaining to the Moro Cemetery owned by the City of Moro rests with the elected Mayor and City Council.
- B. The City Council controls and manages the Cemetery Budget, including the CD and Annuity. The City Council ultimately has all control over the Cemetery.
- C. All Moro Cemetery policies, rules and regulations are subject to ORS (Oregon Revised Statutes) ORS 97.710 through ORS 97.990.

3. Governance

- A. License to operate the Moro Cemetery. When there is a change in any principal of the licensed facility, the City Administrator/Recorder shall provide the Oregon Cemetery and Mortuary Board with the name of the new principal(s) within 30 days of the change.
- B. As a licensed facility, the City of Moro shall keep a detailed, accurate and permanent record of all transactions that are performed for the care, preparation and final disposition of human remains.

4. Definitions: See ORS 97.010

As used in these Policies, Rules and Regulations, the following definitions are set forth:

- A. **Burial Lots/Plots/Burial Space:** Space in a cemetery owned by one or more individuals, an association or fraternal or other organization and used, or intended to be used, for the permanent interment therein of the remains of one or more deceased person. Such terms include and apply with like effect to one, or more than one, adjoining grave, crypt, vault or niche.
- B. **Cemetery:** Dedicated to and used, or intended to be used, for a permanent memorial or the permanent interment of human remains; and that may contain a mausoleum, crypt or vault interment, a columbarium, an ossuary, a cenotaph, a scattering garden, any other structure or place used or intended to be used for the

interment or disposition of human remains or any combination of these structures or places.

- C. **Contractor:** Any person, firm, or corporation, other than an employee of the cemetery, erecting or repairing any memorial, delivering any material, or performing any work in the cemetery.
- D. **Cremated remains:** Means the remains of a cremated human body after completion of the cremation process.
- E. **Crypt or Vault:** means a space in a mausoleum of sufficient size used, or intended to be used, to entomb uncremated human remains.
- F. **Decorations:** object of a decorative nature such as, but not necessarily limited to natural or artificial flowers, wreaths, candles, pin wheels, hangers, balloons, flags, or toys which may be placed on graves or memorials.
- G. **Disinterment:** Removal from the lot/plot/grave/niche/crypt with the consent of the City Council's authority and written consent of the person who has the authority to direct disposition of the remains of the deceased person. It does not include relocation and interment of remains from a temporary location to a place of permanent burial.
- H. **Grave:** A space of ground in a burial park used, or intended to be used, for burial of the remains of one person.
- I. **Interment:** Means the disposition of human remains by inurnment, entombment or burial.
- J. **Interment Right:** The inheritable right to interment in a specified grave space, mausoleum crypt, or columbarium niche.
- K. **Inurnment:** Means the placement of cremated remains in a receptacle and the deposit of the receptacle in a niche.
- L. **Lawn crypts:** Means a space in a mausoleum of sufficient size used, or intended to be used, to entomb uncremated human remains.
- M. **Lot Owner:** Means any person identified in the records as owner of the burial rights to a burial lot.
- N. **Marker, Temporary:** A metal name plate containing the name, birth date and date of death of the decedent, used to temporarily mark the grave until a monument is put in place.
- O. **Memorial:** Any monument, marker, tablet, name plate, or structure placed upon a place of interment or elsewhere in the cemetery for the purpose of identification or in memory of a deceased person or persons.
- P. **Monument (upright):** any memorial set upright or perpendicular to the grave consisting of two or more pieces, and placed on a gravesite to perpendicular to the grave.
- Q. **Monument (flat):** any memorial lying flat and set flush with the level of the ground.
- R. **Niche:** a compartment, as in a columbarium, for holding urns of cremated remains.
- S. **Owner:** the owner of burial rights in a certain lot or plot.
- T. **Perpetual Care:** keeping the lot, free of weeds and debris.
- U. **Right of Interment or Burial:** the inheritable right to interment in a specified grave space, mausoleum crypt, or columbarium niche.
- V. **Slab:** a flat stone, bronze or granite memorial covering the entire grave.
- W. **Urn:** a container used for preserving the ashes of the dead after cremation.

5. General Provisions

A. Office

1. The office for the Moro Cemetery is located at the City Hall in Moro, Oregon.
2. Contributions & payments may be sent to City of Moro, c/o Moro Cemetery, P.O. Box 231 Moro, OR 97039. Questions call 541-565-3535 (City Hall Office).
3. All business should be conducted with the current elected Moro City Council.

- ### **B. The cemetery is open from dawn until dusk. Trespass charges may be brought against those on the grounds unlawfully.**

Section Two. Cemetery Management

1. ORS 97.710 Power of cemetery to make rules and regulations.

A. The City Council will enforce rules and regulations for:

1. The use, care, control, managements, restriction and protection of its cemetery;
2. Restricting and limiting the use of all property within its cemetery;
3. Regulation of the uniformity, class and kind of all markers, monuments and other structures within its cemetery;
4. Prohibiting the erection of monuments, markers or other structures in or upon any portion of its property;
5. Regulating or preventing the erection of monuments, effigies and structures within any portion of the cemetery grounds and for the removal thereof;
6. Regulating the care or preventing the introduction of plants or shrubs within such grounds;
7. Regulating any and all spraying to be done within the limits of the cemetery grounds;
8. Preventing the interment in any part thereof of a body not entitled to interment therein;
9. Preventing the use of burial plots for purposes violating its restrictions;
10. Regulating the conduct of persons and preventing improper assemblages therein; and
11. All other purposes deemed necessary by the Moro City Council for the proper conduct of its business and the protection and safeguarding of the premises and the principles, plans and ideals on which the cemetery was organized.

- #### **B. The Moro City Council may adopt reasonable rules and regulations for the control of the Moro Cemetery. The rules and regulations of this policy may be modified or changed as the Moro City Council may determine.**

2. ORS 97.720 Record of interments and cremations; inspection.

- #### **A. The City shall furnish a record book in which designated staff shall enter information pertaining to all lots and bodies disposed of on the premises of the cemetery as follows:**

- 1) The name of the deceased person.
 - 2) The place of death.
 - 3) The date of burial or other disposition.
 - 4) A complete record of each lot or grave sold, the date of sale, name and address of the purchaser.
 - 5) The name and address of the undertaker or funeral home.
 - 6) The lot where the deceased was buried.
- B. The records shall be open to inspection by survivors of the decedent during the customary office hours of the Moro City Hall.

ORS 97.730 Gifts and bequests in trust for cemeteries.

- A. Gifts, grants and bequests of personal property in trust for the purpose of providing perpetual care and maintenance, improvement or embellishment of private burial lots in or outside of cemeteries and of the walks, fences, monuments, structures or tombs thereon, are permitted and shall be deemed to be for perpetual and benevolent uses. They are not invalid by reason of any indefiniteness or uncertainty of the person designated as beneficiaries in the instrument creating the trust; nor are they invalid as violating any existing laws against perpetuities or suspension of the power of alienation of title to property. But nothing in this section affects any existing authority or cause to pass upon the reasonableness of the amount of such gift, grant or bequest. Any cemetery association may act as trustee of and execute any such trust with respect to lots, walks, fences, monuments, structures or tombs, both within or outside its own cemetery limits, but within the county where such cemetery association has its principal office and place of business, whether such power is otherwise included in its corporate powers or not.

3. ORS 07.830 Investment and reinvestment of principal of endowed care funds; use and application of income.

- A. The principal of all funds for endowed care shall be invested, from time to time reinvested and kept invested. If a trust agreement imposes upon the trustee or custodian the duty to direct the investment or reinvestment of endowed care funds, the trustee or custodian shall perform this duty governed by ORS 130.755-130.775. Otherwise, the Moro City Council, governed by ORS 130.750-13.775, shall direct the investment and reinvestment of endowed care funds in the time or savings deposits of the custodian bank or savings association.
- B. The principal of invested endowed care funds shall never be voluntarily reduced, but shall be maintained separate and distinct by the trustee or custodian from all other funds except that it shall be proper to commingle endowment care funds with special care funds. The payment of charges chargeable against principal under ORS chapter 129 or of other expenses necessarily incurred in the administration of the trust in accordance with

subsection (1) of this section shall not constitute a voluntary reduction of principal. The net income earned shall be used solely for the general care and maintenance of the cemetery property entitled to endowment care, as stipulated in the resolution, bylaw and other action or instrument by which the fund was established, and in such manner as the Moro City Council may from time to time determine to be in the best interest of such endowed property. Such net income shall never be used for the improvement or embellishment of undeveloped property offered for sale.

4. Conduct within the Cemetery

1. Visitors and lot owners are reminded that cemeteries are sacredly devoted to the interment of the dead and that strict observance of the proprieties due such a place is required, whether or not they are specifically embraced in this policy.
2. Any unauthorized person who shall damage, remove or deface any tombstone, monument, tree, shrub, or any property in the cemetery or violate any of the provisions of this policy, is guilty of a misdemeanor and turned over to the Sheriff's office.
3. Loitering on the cemetery ground is prohibited.
4. All vehicles must be kept on established roadways, unless they are preparing for a burial.
5. All mowing, weed-eating, irrigation and spraying outside of personal lots will be done by authorized volunteers.
6. All work in the Cemetery must be done in the most substantial manner, employing first-class materials and workmanship. All work done in the Moro Cemetery will hold harmless the Moro City Council and City staff.
7. Any outside contractor repeatedly performing substandard work or failing to comply with Cemetery regulations may be excluded from working within the Cemetery.
8. Persons engaged in erecting monuments or performing other work in the Cemetery may not attach ropes to trees, shrubs or fencing. They must not scatter material or debris over adjoining lots or leave debris on the grounds longer than is absolutely necessary. Guy posts may be set only in un-lotted areas.
9. All regular cemetery lots are 16' x 20' (outside diameter of curb) unless changed by the Moro City Council.
10. Individual cremation plots 3'8" x 4'9" are set aside in certain lots ready for individual burial of cremains only, unless changed by the Moro City Council.
11. Individual cemetery plots are set aside in certain lots ready for individual casket burial, unless changed by the Moro City Council.
12. If any vault, tomb, mausoleum, or like structure, in which bodies are interred falls into a state of dilapidation or decay which is determined to be offensive or in any way injurious to the appearance of the surrounding lots or grounds, and no adequate provision is or has been made by the owner(s) for its repair, the Council will authorize someone to remove the structure and inter the body of bodies on said lot. The structure may be disposed by any means necessary.

13. The Moro Cemetery has no special sections for the burial of deceased veterans.
14. The City Council can make any changes within this policy deemed as necessary.
15. The Moro Cemetery has been designated only for human remains, which means the physical remains of a human body, including, but not limited to, bones, teeth, hair, and ashes or mummified or otherwise preserved soft tissues of an individual.
16. There shall be NO burying of anything other than human remains; meaning NO cats, dogs, horses or any other type of animal will be buried in the Moro Cemetery outside of a casket, no animals!
17. Lot owners will maintain their lots only.

Passed by the Moro City Council the ____ day of _____, 2016.

Andrew Anderson, Mayor of Moro

Kya Mabe, City Administrator

Date