Rule #	Category	Current Rule	Proposed Rule 10 June 2014	Notes
1	Definitions	The term "Cemeteries" as used in these rules and regulations shall mean cemeteries owned and operated by the City of Austin.	Unchanged	
2	Definitions	The term "Superintendent" shall mean the person duly appointed by the City of Austin for the purpose of supervising and administering cemetery functions.	The term "Cemetery Administrator" shall mean the person duly appointed by the City of Austin for the purpose of supervising and administering cemetery functions.	
3	Definitions	The term "Owner" shall mean the owner as indicated by the deed.	Unchanged	
4	Definitions	The term "Interment" shall mean entombment or burial of the remains of a deceased person.	Unchanged	
5	Definitions	The term "Memorial" shall mean any marker, monument, headstone, tablet, or other structure, upon or in any lot or niche, placed thereupon or partially therein for identification or in memory of the interred.	Vinchanged (
6	Definitions	The term "Space" shall mean the area normally designated for a single Interment.	The term "Space" shall mean a platted space of ground that contains interred human remains or that is intended to be used for interment of human remains. This may include cremated human remains (cremains).	
7	Definitions	None	The term "Memorialization Space" shall mean an area of defined boundaries within a space in which plants, memorabilia, and other objects may be placed for the purpose of memorializing loved ones (reference Rules #46-52).	
8	Definitions	None	The term "Care" shall mean the maintenance of buildings and grounds required to preserve the pleasing appearance of the Cemetery. The term "care" shall in no case mean the maintenance, repair, or replacement of any memorial or curbing placed or erected upon any space; nor the placement of flowers or ornamental plants or shrubs or trees; nor the performing of any special or unusual work for any individual owners.	
9	Definitions	None	The term "Deteriorated" shall mean items that are decayed, splintered, broken, frayed, or otherwise unserviceable based upon the judgment of the Cemetery Administrator.	
10	Admission to Cemeteries	No person shall be permitted to enter or leave the cemeteries except by the public access gates. The cemeteries will be open to the public during reasonable hours as established by the Superintendent.	No person shall be permitted to enter or leave the cemeteries except by the public access gates. The cemeteries will be open to the public during reasonable hours as established by the Cemetery Administrator.	
11	Admission to Cemeteries	The admission of motorcycles to the cemeteries may be refused on the basis of noise or disruption of services.	Unchanged	

12	Admission to Cemeteries	Any unauthorized person found on the cemetery grounds after dark will be considered a trespasser.	Unchanged	
13	Admission to Cemeteries	•	The use of any cemetery equipment or facilities may be refused at any time to anyone.	
14	Arrangements for Interments	Written authorization from the owner of record of a burial space, or his designated representative or successor in interest, or other proper legal authority, will be required for interment.	Written authorization from the owner of record of a space or other proper legal authority will be required for interment.	
15	Arrangements for Interments	The Superintendent shall have the right to schedule the time when interments or disinterment may be conducted.	The Cemetery Administrator shall have the right to schedule the time when interments or disinterment may be conducted.	
16	Arrangements for Interments	A minimum of twelve (12) working hours before the announced times of the funeral will be required for the preparation of the grave.	A minimum of 12 working hours before the announced times of the funeral will be required for the preparation of the space.	
17	Arrangements for Interments	In making a request for interment, the casket or vault, if of unusual size, must be particularly indicated.	Unchanged	
18	Arrangements for Interments	The Superintendent shall not be responsible when an error occurs from an order placed by telephone regarding a grave location or container size to be used. The Superintendent reserves the right to make an equitable additional charge whenever additional labor costs result from such mistakes. The Superintendent shall not be liable for any delay in the interment of a body when a protest to the interment has been made, or where the rules and regulations have not been complied with.	The Cemetery Administrator shall not be responsible when an error occurs from an order placed by telephone regarding a space location or container size to be used. The Cemetery Administrator reserves the right to make an equitable additional charge whenever additional labor costs result from such mistakes. The Cemetery Administrator shall not be liable for any delay in the interment of a body when a protest to the interment has been made, or where the rules and regulations have not been complied with.	
19	Interment, Disinterment and Re- Interment Procedures	the time of interment or disinterment is affected. The Superintendent shall not	Proper authorization as required by local government or public authority having jurisdiction in the matter must be presented to the Cemetery office at the time of interment or disinterment is affected. The Cemetery Administrator shall not be liable for the accuracy of the data contained in said authorization or for the identity of the person to be interred or disinterred.	
20	Interment, Disinterment and Re- Interment Procedures	All interments, disinterments and re-interments shall be performed by a funeral director or other person as provided for by the State and local laws. The Cemetery staff will only be responsible for the opening and closing of the grave.	All interments, disinterments and re-interments shall be performed by a funeral director or other person as provided for by the State and local laws. The Cemetery Administrator will only be responsible for the opening and closing of the space.	
21	Instructions for Owners and Owners' Rights	Burial vaults, either partially or entirely above ground, are prohibited.	Unchanged	
22	Instructions for Owners and Owners' Rights	A permanent type of container, such as a concrete liner or burial vault, is required for all adult interments. Sections 9, 9A and 10 at Austin Memorial Park Cemetery and Sections D and E at Evergreen Cemetery are exempt from this provision.	A permanent type of container, such as a concrete liner or burial vault, is required for adult interments with the exception of cremations.	

	Instructions for Owners and Owners' Rights	Construction or installation of slabs, curbing, steps, fencing, hedging, or enclosures of any kind will not be permitted on or around any space or lot. Cement, iron, wooden, glass, plastic, paper, or other miscellaneous statues or objects, as well as objects of a temporary nature, will not be permitted. The City of Austin reserves the right to remove any objects which are erected, planted, or placed in violation of this rule.	Construction or installation of slabs, curbing, or steps shall not be permitted on or around any space.
	Instructions for Owners and Owners' Rights	Only one casket will be permitted in each grave. In the event cremation is utilized, a maximum of four (4) interments will be permitted in one (1) space.	Only one casket and one cremains will be permitted in each space. In the event only cremations are to be utilized in a space, a maximum of four interments will be permitted. For spaces specifically designed for cremains, one cremains will be permitted.
	Instructions for Owners and Owners' Rights	The use of a space is for the owner or such other person as the owner may designate.	The use of a space is for the interment of the owner or such other person as the owner may designate.
	Instructions for Owners and Owners' Rights	In the event of the death of an owner, any and all privileges of the owner shall pass according to the laws of the State of Texas.	Unchanged
27	Service Charges and Payments	The City of Austin shall have the right to establish a charge and time of payment for each interment and disinterment.	Unchanged
28	Service Charges and Payments	The City of Austin reserves the right to specify the amounts and terms of purchase of all spaces to the original purchaser.	Unchanged
29	Service Charges and Payments	In the event an owner sells or conveys a space or spaces, a record of such sale or conveyance must be provided to the City of Austin.	Unchanged
30	Service Charges and Payments	When a disinterment is accomplished for the purpose of re-interment within the same cemetery, the current price of the vacated space, less 25%, shall be allowed as payment toward the new purchase. The established charge for opening and closing each space will be in addition to the price of the new space.	Unchanged
31	Memorials	All memorials shall be installed and maintained at the expense of the owner.	Unchanged
32	Memorials	Only one memorial will be permitted on one grave space. A companion or family memorial may be placed upon two or more grave spaces. Memorials will be placed in alignment with adjacent memorials and centered at the head of the grave space. The actual location for memorials will be determined by cemetery personnel.	Only one memorial will be permitted on one space, two memorials are permitted on spaces that have been divided for the interment of cremains. A companion or family memorial may be placed upon two or more spaces. Memorials will be placed in alignment with adjacent memorials and centered at the head of the space. The actual location for memorials will be determined by cemetery personnel.
33	Memorials	Space or lot corner markers will be set flush with the turf.	Unchanged

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34	Memorials	Flush type Memorials— -The marking of each space or grave in areas designated for flush type memorials is restricted and limited to memorials set flush with the turf, and of such dimensions, materials, design, finish and construction as indicated in this section. -Flush type memorials shall be made of granite marble or cast bronze installed on granite, marble or concrete base. Granite and marble memorials and bases shall have smooth sides and bottoms and a minimum thickness of four inches (4"). -Concrete bases shall have a minimum thickness of six inches (6") and shall be smooth on all sides. -All flush memorials shall be set on a minimum of two inches (2") of sand for cushioning and leveling. -The length of flush type memorials shall be at least ten inches (10") less than the grave space width.	Flush type Memorials— -The marking of each space in areas designated for flush type memorials is restricted and limited to memorials set flush with the turf, and of such dimensions, materials, design, finish and construction as indicated in this section. -Flush type memorials shall be made of granite marble or cast bronze installed on granite, marble or concrete base. Granite and marble memorials and bases shall have smooth sides and bottoms and a minimum thickness of four inches (4"). -Concrete bases shall have a minimum thickness of six inches (6") and shall be smooth on all sides. -All flush memorials shall be set on a minimum of two inches (2") of sand for cushioning and leveling. -The length of flush type memorials shall be at least ten inches (10") less than the space width.
35	Memorials	Above Ground Materials -In areas of the cemetery not specifically designated for flush type memorials, either an above ground or flush type memorial may be usedAll above ground memorials shall be of marble, granite or similar permanent type stoneMemorials used above the ground level to mark a grave shall not exceed the following dimensions:The base shall not exceed 18 inches (18") in widthThe overall height shall not exceed 42 inches (42")The length shall be at least ten inches less than the grave space width.	Above Ground Materials -In areas of the cemetery not specifically designated for flush type memorials, either an above ground or flush type memorial may be usedAll above ground memorials shall be of marble, granite or similar permanent type stoneMemorials used above the ground level to mark a grave shall not exceed the following dimensions:The base shall not exceed 18 inches (18") in widthThe overall height shall not exceed 42 inches (42")The length shall be at least ten inches (10") less than the space width.
36	Memorials	Should any existing memorial or mausoleum become unsightly, dilapidated, or a hazard to the safety of persons within the cemeteries, the Superintendent shall have the right to correct the condition or to remove same. The expense of such removal or repair may be charged to the space owner.	Should any memorial become a hazard to the safety of persons within the cemetery, the Cemetery Administrator has the right to correct the condition or remove the memorial. If the Cemetery Administrator determines that a memorial must be removed, he or she shall attempt to contact the owner to advise him or her of the required removal and the associated expense. If cemetery personnel have contact information for the owner available within their contact management systems, they shall attempt to contact the owner using such contact information. If cemetery personnel do not possess contact information for the owner, they shall make a reasonable attempt to find such information and they will place notice on the space. The Cemetery Administrator shall consult as required with the City of Austin Historic Landmark Commission concerning alterations to, or removal of, memorials. The expense associated with removing or repairing memorials may be charged to the owner.

37	Memorial Foundations	The size of concrete foundations for all above ground memorials shall be 1" larger in length and width than the size of the base.	Unchanged
38	Memorial Foundations	The top of concrete foundations shall be from 1" to 2" below the top of the ground to allow for adding cement grout to level the memorial base.	Unchanged
39	Memorial Foundations	Concrete foundations shall be a minimum of 8" thick and have perpendicular sides and flat bottom.	Unchanged
40	Memorial Foundations	Excavations for foundations for above ground memorials shall be a minimum of 10" deep from the top of the ground. If the memorial base is two feet (2') or more in length, there shall be one 6" diameter round hole dug 18" deep (or to rock) below the bottom of the excavation at each end of the excavation.	Unchanged
41	Memorial Foundations	Concrete for all memorial foundations shall be 1 part cement, 2 parts sand and 4 parts gravel.	Unchanged
42	Rules for Memorial Work	Memorial dealers shall abide by all the rules and regulations of the Cemeteries.	Unchanged
43	Rules for Memorial Work	The Superintendent reserves the right to approve the size, craftsmanship, quality, inscriptions, and foundations of memorials placed or to be placed in the cemeteries.	The Cemetery Administrator reserves the right to approve the size, craftsmanship, quality, inscriptions, and foundations of memorials placed or to be placed in the cemeteries.
44	Rules for Memorial Work	Memorial dealers engaged in placing or erecting memorials or other structures are prohibited from scattering their material over adjoining spaces, or from blocking roads or walks, or from leaving their material on the grounds longer than is necessary. Damage done to spaces, walks, drives, trees, shrubs or other property shall be repaired at the expense of the memorial dealer, to the satisfaction of the Superintendent.	Memorial dealers engaged in placing or erecting memorials or other structures are prohibited from scattering their material over adjoining spaces, or from blocking roads or walks, or from leaving their material on the grounds longer than is necessary. Damage done to spaces, walks, drives, trees, shrubs or other property shall be repaired at the expense of the memorial dealer, to the satisfaction of the Cemetery Administrator.
45	Rules for Memorial Work	Work of any nature may be stopped if proper preparations have not been made; or when work is being done in such a manner as to endanger life or property; or when there is evidence of misrepresentation; or when work is not being executed according to specifications; or when any reasonable request on the part of the Superintendent is disregarded; or when any person employed in the monument work violates any rule of the cemeteries.	Work of any nature may be stopped if proper preparations have not been made; or when work is being done in such a manner as to endanger life or property; or when there is evidence of misrepresentation; or when work is not being executed according to specifications; or when any reasonable request on the part of the Cemetery Administrator is disregarded; or when any person employed in the monument work violates any rule of the cemeteries.

46	Memorialization Space	None	The Memorialization Space is for the purpose of memorializing loved ones, is located within the space (as defined in Rule # 6), and shall not exceed the following dimensions: - 36 inches (36") in length from the top of the space - The width of the space less 10 inches (10"), specifically 5 inches (5") on each side - 48 inches (48") in height For spaces designed specifically for cremains, the Memorialization Space shall not exceed the following dimensions: - 16 inches (16") in length from the top of the space - The width of the space less 10 inches (10"), specifically 5 inches (5") on each side. Multiple adjoining spaces owned by the same owner may be combined and shall maintain the width limit in aggregate 24 inches (24") in height
47	Memorialization Space	None	Owners may place plants, memorabilia, and other objects within the boundaries of their Memorialization Space. All items must be firmly anchored to secure and prevent the item or any parts of that item from leaning, falling over, breaking or blowing outside of the confines of the space. The Cemetery reserves the right to move or remove items that fall outside the Memorialization Space.
48	Memorialization Space	None	The Memorialization Space shall not be used for the storage of maintenance items such as water hoses or sprinkler cans.
49	Memorialization Space	None	No person may alter the landscape outside of the Memorialization Space. Specifically, digging holes and constructing mounds outside the Memorialization Space shall not be permitted.
50	Memorialization Space	None	The only items that may be placed outside of the Memorialization Space are chairs or benches with the approval of the Cemetery Administrator (reference Rule #63) and temporary funeral floral pieces (reference Rule #64).
51	Memorialization Space	None	Owners must maintain and care for any plants they place within the Memorialization Space, including weeding, trimming or pruning, and promptly remove any dead or dying plants or any portions of plants that spread outside of the Memorialization Space.
52	Memorialization Space	None	Owners are responsible for watering any plants they place within the Memorialization Space. They may water by hand only and they may leave privately owned hoses at water spigots within the cemetery. Owners shall coil these hoses at the spigot when not in use.

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60 General Regulations No person or persons (except peace officers or a military guard of honor) No weapons of any kind shall be permitted within the Cemetery (except	60	General Regulations	No person or persons (except peace officers or a military guard of honor)	No weapons of any kind shall be permitted within the Cemetery (except
shall be permitted to bring or carry firearms within the Cemetery. firearms borne by peace officers or military guards of honor). All honor		3		
guards shall notify cemetery staff prior to initiating activities at municipal			The state of the s	
cemeteries.				

61	General Regulations	No signs, other than those installed by City personnel, will be permitted on the cemetery grounds.	Signs or plaques may be installed only with the permission of the Cemetery Administrator.	
62	General Regulations	The City of Austin is not responsible for vandalism or theft of any memorial or other personal property.	Unchanged	
63	General Regulations	The construction, installation or placing of any wooden, concrete or cast iron bench, chair or table, or any wooden or wire trellis, shall not be permitted on the cemetery grounds.	Chairs and benches may be placed at the foot of a space only with the permission of the Cemetery Administrator. The length of the bench seat must be 10 inches (10") shorter than the width of the space; owners of multiple adjoining spaces may seek approval for benches of greater length. Approved chairs and benches shall be firmly anchored in an approved foundation and location and comprised only of the following materials: cast iron, concrete, granite, marble, or other type of stone. Chairs and benches are not permitted on spaces specifically designed for the interment of cremains.	
64	General Regulations	Placement of potted plants, cut flowers, or baskets is permitted on graves in all cemeteries; however, to improve the appearance and to aid in maintenance, all potted plants, cut flowers, and baskets may be removed each month. Funeral designs or floral pieces will be removed from the graves when they become wilted or unsightly. Persons desiring to retain same must remove them within 72 hours of funeral service. Artificial flowers may be placed on graves for holidays with the understanding that they will be removed thirty days after the holiday. The digging of holes for placement of plants or flowers is strictly prohibited.	Funeral designs or floral pieces will be removed from spaces within one week of funeral service.	
65	General Regulations	In the interest of maintenance, planting of ivy, flowers, shrubs, or bushes is prohibited. Long lived hardwood trees such as Live Oak, Spanish Oak, American Elm, and Cedar Elm may be planted with the approval of the Superintendent.	Trees may be planted with the approval of the Cemetery Administrator and in accordance with the approved City of Austin Cemeteries Master Plan. Other plants may be planted within the Memorialization Space in accordance with the approved City of Austin Cemeteries Master Plan. The owner is responsible for watering vegetation he or she places within the Memorialization Space.	
66	General Regulations	If any trees or shrubs situated on any space shall become detrimental, unsightly, or impede access to adjacent spaces, walks, or roads, they may be pruned or removed in whole or in part as determined necessary by the Superintendent.	If any trees or shrubs impede access to adjacent spaces or create a safety hazard, cemetery personnel may prune or remove them in whole or in part as determined necessary by the Cemetery Administrator. The Cemetery Administrator shall consult with the City of Austin Parks and Recreation Department Forestry Division concerning tree pruning and removal.	
67	General Regulations	Personnel employed by the cemeteries are not permitted to solicit or accept money or other compensation from any person or persons for maintenance performed within the Cemetery.	Unchanged	
68	General Regulations	All inquiries or complaints shall be submitted to the main Cemetery office.	All inquiries or complaints shall be submitted in writing at the main Cemetery office.	

69	General Regulations	The grounds are sacredly devoted to the burial of the dead and the provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wanton inquiry, disturbance, and disregard of the rules.	The grounds are sacredly devoted to the burial of the deceased and the provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wanton inquiry, disturbance, and disregard of the rules.
70	General Regulations	None	When a space is out of compliance with these rules, cemetery personnel shall attempt to contact the owner to provide an opportunity for the violation to be corrected within 30 days of attempted notice. Cemetery personnel shall place notice on the space and make a reasonable effort to contact the owner. If the owner fails to correct the violation within 30 days of attempted notice, cemetery personnel shall have the right to bring the space into compliance.
71	General Regulations	None	If an owner perceives that these rules impede religious or cultural practices related to interling or memorializing the deceased, the owner may advise the Cemetery Administrator of the perceived impediment and may submit a written request for a variance from these rules. The Cemetery Administrator shall consider this request and make a determination based upon his or her judgment.
72	Care of Cemeteries	Care shall be furnished for all cemeteries owned and operated by the City of Austin. Care shall mean the maintenance of buildings and grounds required to preserve the pleasing appearance of the Cemetery.	
73	Care of Cemeteries	None	Cemetery personnel shall water vegetation according to City of Austin specifications and/or restrictions. Cemetery personnel are not responsible for watering any plants that owners place within the Memorialization Space (reference Rule #52).
74	Reservations of the City of Austin	The City of Austin reserves the right to correct errors made by staff that is associated with interments or conveyance of property. In the event such error shall involve interment, the City reserves the right to remove and re-inter the remains to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. Should an error develop in the conveyance of property, the City may correct such error by conveying property of equal value in a similar location insofar as possible.	Unchanged

	Reservations of the City of Austin	to time, including the right to modify or change the location of or any part thereof or remove or regrade roads, drives and walks is expressly reserved. The right to lay, maintain and operate, or alter or change pipe lines or gutters for water sprinkling systems and drainage, is also expressly reserved, as is the right to use cemetery property, not sold to individual owners, for cemetery	The right to revise and/or add to Cemeteries (a section or sections) from time to time, including the right to modify or change the location of or any part thereof or remove or regrade roads, drives and walks is expressly reserved. The right to lay, maintain and operate, or alter or change pipe lines or gutters for water sprinkling systems and drainage, is also expressly reserved, as is the right to use cemetery property, not sold to individual owners, for cemetery purposes, including the interring and preparation for interment, or for anything necessary, incidental or convenient thereto. The cemetery reserves to itself and to those lawfully entitled thereto, a perpetual right of ingress and egress over spaces for the purpose of passage to and from other spaces.	
	Reservations of the City of Austin	No easement is granted to any owner in any road, drive or walk within the cemeteries, but such road, drive or walk may be used as a means of access to the cemeteries and its buildings as long as the City of Austin devotes such road, drive or walk to that purpose.	Unchanged	
	Reservations of the City of Austin	The City of Austin disclaims responsibility to owners, their personal representatives or successors in interest for the loss or damage to cemetery spaces or memorials by any cause, natural or otherwise, direct or indirect, beyond reasonable control of the City of Austin.	Unchanged	
	Reservations of the City of Austin	The statement of any employee of the cemeteries shall not be binding upon the City of Austin except as such statement agrees with the document conveying the right of interment and these rules and regulations.	Unchanged	
	Reservations of the City of Austin	The City of Austin reserves the right at any time and from time to time to change, amend, alter, repeal, rescind, or add to these rules and regulations or any part thereof to adopt any new rule or regulation or any temporary exception with respect to said cemetery or anything pertaining thereto.	Unchanged	
	Reservations of the City of Austin	In all matters not specifically covered by these rules and regulations, the City of Austin reserves the right to do anything which in its judgment is deemed reasonable pertaining to the cemeteries and such determination shall be binding upon the space owner and all parties concerned.	Unchanged	
81	General Regulations	The use of intoxicating beverages within the cemeteries is strictly forbidden.	[Delete]	
82	General Regulations	The Superintendent has the authority to enter upon any space and to remove any objectionable thing that may have been placed there contrary to the regulations, and may remove any dead or damaged flowers, trees, shrubs or vines.	[Delete]	
83	General Regulations	The construction of additional mounds over graves shall not be permitted.	[Delete]	

84	General Regulations	Holders such as clay or plastic pots, wire, frames, etc., containing flowers or other decorations may be removed as soon as the flowers fade or wither, and the right is reserved by the Cemetery to make that determination and such removal.	[Delete]	
85	General Regulations	In sections designated for flush type memorials, plants, or cut flowers shall be placed only in the approved type bronze vases provided for that purpose.	[Delete]	
86	General Regulations	No boxes, shells, toys, discarded glassware, sprinkler cans, water hoses, or similar articles will be permitted to remain on any grave, walkway or street.	[Delete]	
87	General Regulations	There shall be a strict observance of all the properties due the Cemetery, whether embraced in the foregoing regulations or not, as no impropriety will be tolerated.	[Delete]	
88	Care of Cemeteries	The term "care" shall in no case mean the maintenance, repair, or replacement of any memorial or curbing placed or erected upon any grave or space; nor the placement of flowers or ornamental plants or shrubs or trees; nor the performing of any special or unusual work for any individual owners.	[Delete]	
89	Care of Cemeteries	Special care by cemetery employees of any grave or space located within the cemetery is prohibited.	[Delete]	