

# Loveland Burial Park & Lakeside Cemetery

## Rules & Regulations



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## 1. GENERAL SUPERVISION & RULES OF THE CEMETERIES

1-A. **Ownership:** The City of Loveland owns and manages two cemeteries: “Loveland Burial Park” and “Lakeside Cemetery”, collectively referred to as “the Cemeteries”.

1-B. **Control:** Operational management of the Cemeteries rests with the Parks and Recreation Department Director or his/her designee (“the Manager”). All rules and regulations governing the maintenance, care, and control of the Cemeteries have been established vis-a-vis these rules and regulations concerning the Loveland Burial Park and Lakeside Cemetery, and adopted by the City Council pursuant to Loveland Municipal Code Section (“LMC”) 12.52.010 and LMC 12.40.010.

1-C. **Hours Open to the Public:** The cemeteries shall be open from sunrise to sunset.

1-D. **Commercial Activity:** Commercial Activity is prohibited within the Cemeteries, unless specifically authorized by the Manager.

1-E. **Firearms:** No firearms shall be discharged in the Cemeteries except for military funerals or similar occasions with a permit consistent with Loveland Municipal Code 9.60.020.

## 2. PERSONAL CONDUCT AND TRAFFIC RULES

2-A. **General Conduct:** All persons are welcome to visit the Cemeteries during open hours. Visitors are expected, at all times, to be orderly and to show due respect for the property and rights of others. Disorderly conduct, as provided in Loveland Municipal Code 9.32.010 shall not be permitted in the Cemeteries.

2-B. **Animals Forbidden Except Domesticated Pets:** Pet Owners are required to pick-up and remove pet waste. Pets must be leashed and under human control at all times. All persons in the Cemeteries shall be held responsible for any damage done by them or by any animal in person’s care or control.

2-C. **Removal of Flowers, Etc. - Forbidden:** All persons are prohibited from interfering with, disturbing, or removing any trees, plants, shrubs, or other vegetation within the bounds of the cemetery.

2-D. **Vehicular Entrance and Exits:** Entrance to, or exit from, the Cemeteries except through the marked and designated entrances and exits is prohibited.

2-E. **Speed Limit:** The speed limit in the cemeteries is fifteen (15) miles per hour.

2-F. **Roadways not Thoroughfares:** Cemetery roadways shall not be used as public streets and thoroughfares.

## 3. PURCHASE OF RIGHTS-OF-INTERMENT

3-A. **General:** All applications for rights-of-interment shall be made by appointment through the Parks & Recreation Administrative office. The Manager shall make available a plat of the cemetery grounds and schedule of prices of interment sites at a location in the Manager’s discretion. An interment certificate, carrying a right of use of the interment site and perpetual care thereof, will be granted upon full payment and compliance with all applicable rules.

3-B. **Payment and Interment:** No one will receive an interment certificate of use until fully paid for and no interment will be allowed until full payment of all fees involved has been made. Opening and closing costs for interment in the infant section are waived for infants, (Children under 2 years of age), who resided within the boundaries of the Thompson Valley School District, R2-J, at the time of death.

3-C. **Records:** Records of all interments and interment certificates shall be kept at a location

in the Manager's discretion.

- 3-D. **Location:** When an interment certificate is purchased, the Manager shall designate exactly where the interment site is to be made so to avoid any misunderstanding as to the location. The Manager shall ensure that an interment register is maintained and kept accurate.

#### 4. INTERMENT RIGHTS AND TRANSFERS

- 4-A. **Interment Rights:** Only the interment of human remains are allowed in the cemetery. When a right-of-interment is held jointly, a permit for interment may be granted to either owner or their heirs. Any owner or joint owner of an interment certificate has the right to give permission by written order for the interment of the remains of others. Proof of interment rights may be requested by the Manager any time a request is made for an interment or transfer. Interment rights are subject to conditions as stated on the Certificate of Interment.
- 4-B. **Resale:** If an interment certificate owner wishes to sell the right-of-interment, they shall notify the Manager. The City may purchase any right-of-interment offered by owner at the original purchase price paid by the owner at the time of sale from the City. The removal of foundations and monuments, or the replacement and re-engraving of columbarium niche panels, shall be at the sole expense of the right-of-interment owner.
- 4-C. **Indebtedness:** The City shall have the right to refuse to consent to a transfer or an assignment as long as there is any indebtedness due the City by the owner.

#### 5. PROTECTION AGAINST LOSS

- 5-A. **General:** The City shall take reasonable precaution to protect interment certificate owners from loss or damage. Any damage occurring as a result of an error by the City shall be remedied by the City. However, the City is not responsible for damage or loss from any other source and otherwise consistent with the Colorado Governmental Immunity Act, codified at C.R.S 24-10-101 et al., the City, under no circumstance, waives any rights it may have consistent with the aforementioned act.
- 5-B. **Vandalism:** When caught, vandals damaging City property shall be prosecuted to the fullest extent of the law.
- 5-C. **Installer's Insurance:** The cemetery may require that the installer's employees are covered by worker's compensation insurance and that the installer carries adequate public liability insurance in which the cemetery is listed as an additional insured. The cemetery may require a performance bond to ensure compliance with the rules and regulations.

#### 6. FUNERALS

- 6-A. **Arrangements and Arrival Procedures:** Orders for interment shall be furnished to the Cemetery office at least two (2) business days before the funeral, subject to schedule availability. All funerals, on arrival at the cemetery, shall be under the direction of the Cemetery Manager or an assistant. When two funerals arrive at the same time, the funeral scheduled first shall have precedence in entering the cemetery. All funeral services must end by 2:00 p.m. Monday through Thursday and by 1:00 p.m. on Friday, except by special permission of the Cemetery Manager. **All funeral homes and mortuaries must schedule with the Cemetery Manager prior to final arrangements with the family.**

- 6-B. **Saturday, Sunday and Holidays:** Funerals may be held Saturday mornings by special permission of the Cemetery Manager at an additional charge. Interments shall not be permitted after 11:00 a.m. on Saturdays or any time on Sundays, and all legal holidays observed by the City of Loveland.
- 6-C. **Emergency Interments:** Arrangements for emergency interments shall be made through the Cemetery Manager on recommendation of proper authorities of the City, County and State.
- 6-D. **All Labors Shall Cease:** Cemetery workers shall suspend their labors within the immediate vicinity of a funeral until the conclusion of all services.
- 6-E. **Chapel Tents:** Chapel tents may be set-up at the interment site for all funeral services, unless requested otherwise, or if high winds may create a hazardous condition.

## 7. INTERMENTS AND DISINTERMENTS

- 7-A. **Subject to Laws:** Interments and disinterments are subject to strict compliance to these rules and regulations and all other applicable state, federal, and local laws.
- 7-B. **Permits:** The Manager shall not allow interment or disinterment of human remains unless it is accompanied by a burial, removal, transit permit, or is otherwise permissible under existing state, federal, and local laws.
- 7-C. **Records:** No interments shall be made until all information necessary to complete the records of the City has been furnished to the Manager.
- 7-D. **Disinterment Arrangements:** No disinterment will be allowed without permission of the owner of the right-of-interment or the surviving spouse, children, or the parents of the deceased, and/or a court of competent jurisdiction.
- 7-E. **Vaults:** All interments must have either a steel, cement or fiberglass vault. Wooden vaults will only be allowed in the infant section and the Social Services section. Cremains interred in the columbarium must be in a waterproof and rustproof container.

## 8. PERPETUAL CARE

- 8-A. **Definition:** The term "Perpetual Care" means the cutting and watering of the grass at reasonable intervals; the raking and cleaning of interment sites; the general care and pruning of the trees and shrubs that may be placed along the walks, roadways and boundaries and the leveling of sunken interment sites. "Perpetual Care" includes the general preservation of the interment sites and grounds, walks, roadways, boundaries and structures so that the grounds shall remain and be reasonably cared for as cemetery grounds forever. The term "Perpetual Care" does not include maintenance, repair or replacement of any markers, monuments or memorials; planting of flowers or ornamental plants, or the construction or reconstruction of any marble, granite, bronze, or concrete work on any interment site where the same is damaged from any cause whatsoever. (Municipal Code Section 12.52.040)
- 8-B. **Application and Payment:** The owner of the right-of-interment is entitled to perpetual care, and payment therefore, must be made in full with the purchase of a certificate of interment.

## 9. MEMORIALS, MONUMENTS AND MARKERS

- 9-A. **Temporary Memorials:** No temporary (i.e. not constructed of approved materials and not set upon foundations as described in Section 9-D) memorials of any kind will be allowed to be placed in the cemeteries. Any such items will be removed without notice.

- 9-B. **Memorial Location:** Interment certificates must be paid in full before a monument or marker may be installed or columbarium niche panel engraved. Interment certificate owners, or an authorized agent, shall be required to contact the Cemetery Office to have Cemetery Staff designate the location where the monument or marker is to be placed, prior to the installation of the foundation, otherwise the City will assume no responsibility for the location and any changes will be at the owner's expense.
- 9-C. **Foundations:** All foundations shall be constructed of materials approved by Cemetery Manager. Foundations may be either prefabricated or poured in place. The owner of a right-of-interment shall purchase a foundation an independent contractor. The right-of-interment owner, or monument company shall provide accurate dimensions of the base stone or monument. Upon delivery, if the base stone or monument does not fit the foundation properly, the Cemetery Staff shall refuse to allow such stone to be set until a proper foundation is installed. If incorrect dimensions for the base stone or monument are provided by the owner of the right-of-interment or monument company, they shall bear the cost of replacing the foundation.
- 9-D. **Memorial Style and Material:** Memorials on interment sites are not restricted as to style, but should harmonize with the interment site. No additional footstones shall be allowed in the cemetery, nor shall any monument or interment site marker be admitted when made of wood, iron, plaster of paris, cement, limestone, soapstone, artificial stone or slate. All memorials shall be constructed of granite, standard bronze or marble. No memorials with rough bottom surfaces shall be permitted; they must have level bottoms and set upon foundations.
- 9-E. **Upright Monuments:** All monuments shall be set at the head of the interment site. Where there are two interments in one interment site, as mother and infant or cremation, the names must be on a single monument As of January 1, 2021, single monuments must not exceed three feet two inches (3'-2") in length and thirty-six inches (36") in height. A double monument must not be over seven feet two inches (7'-2") in length and thirty-six inches (36") in height.
- 9-F. **Flat Markers:** The maximum size of a single-flat marker shall not exceed twelve (12) inches wide by twenty-four (24) inches long by six (6) inches thick. The maximum size of a double-flat marker shall not exceed fourteen (14) inches wide by thirty-six (36) inches long by four (4) inches thick. All flat markers are to set level with the ground. No planting of any type shall be allowed in the flat-marker section. All flowers or artificial flowers must be placed securely in flower vases. The City will allow interment site decorations (October 1 to April 1) in the flat-marker section. No artificial flowers or potted plants shall be allowed during growing season (April 1 to October 1) with the exception of Memorial Day week. One marker per interment site is allowed unless there are additional cremains (see 12-A).
- 9-G. **Infant Section:** In the infant section, all markers are to be flat, set to grade and must not exceed eight (8) inches wide by fourteen (14) inches long, by four (4) inches thick. No planting of any type shall be permitted on the interment sites in this section. Please refer to paragraph six (6) above for additional rules.
- 9-H. **Cremains Section:** In the cremains section, all markers are to be flat, set to grade and must not exceed eight (8) inches wide by fourteen (14) inches long, by four (4) inches thick. No planting of any type shall be permitted on the interment sites in this section
- 9-I. **Columbarium:** Inscriptions shall be allowed only on the niche panels. Only names and

dates shall be allowed. The City will designate a standardized lettering style, size and spacing to be used on all niche panels. Engravings shall always be made on the top half of the niche panel first. Nothing can be affixed to the columbarium, except Cemetery Staff approved military medallions. No duct tape, stickers, command strips, or other items may be affixed to the columbarium.

- 9-J. **Installation:** Installation of foundations or memorials must be performed under all applicable rules and regulations, according to specifications stated by the Cemetery Manager and subject to the control and direction of the Cemetery Manager. The Cemetery may require that the installer expeditiously correct any deviations from the specifications. If after notice, any deviation is not corrected, the cemetery may make such corrections at the installer's expense. Installers doing work of any kind shall be required to leave the site as found. Installers shall be held responsible for damage done by them to other memorials, grass, trees, or any object whatsoever in the cemetery. No memorial or foundation work shall be done on Sundays or holidays.
- 9-K. **Advertising:** Installers and others are prohibited from placing signs or their names on any work for advertising within the limits of the cemetery, except as part of a donation as approved by the Cemetery Manager. Cemetery Staff may approve the placement of business cards relating to cemetery services in the Cemetery Office.

## 10. PLANTING AND DECORATIONS

- 10-A. **General Care:** In order to provide a natural and pleasant effect, and also to ensure proper drainage of the grounds, the grade of all grounds and interment sites will be determined by the Cemetery Manager, and altered or changed as needed. All grading and digging shall be done by the Cemetery Staff. The Cemetery Manager shall have charge of the planting of trees and shrubs for the landscaping of the grounds. If any plant material within the cemetery interferes with pedestrian or vehicular traffic, impacts irrigation coverage, creates a safety hazard, or interferes with other plots within the cemetery, the Cemetery Manager shall have the right to remove or cut same when in his judgment he determines it to be for the interest of the cemetery grounds. No one, excepting an employee of the cemetery, or by permission of the Cemetery Manager, shall be allowed to disturb the sod on any interment site and then only under strict supervision of the Cemetery Manager.
- 10-B. **Personal Planting:** Personal plantings must not change the grade of the plot and they must not encroach on neighboring plots. After a flowerbed is prepared or interment site is edged with sod, the owners may, if they choose, set their own flowers within eight (8) inches of the front of the base of monuments in upright sections only, and any flowers must remain within the 8" border. Flowers shall not be permitted at the back of monuments. Flowers shall be permitted at the sides of monuments only when authorized by the Cemetery Manager and depending on the size of the monument. Planting trees or shrubs shall only be allowed under the provisions of donations (see Section 12-A). All personal plantings are the responsibility of the lot holder. Interment certificate owners wishing to remove plants, flowers, shrubs, or trees from their interment sites must have verbal permission from the Cemetery Manager, and no person shall be permitted to interfere with or disturb any trees, plants or shrubs within the bounds of the cemetery. All plantings that cover headstones shall be removed by Cemetery Staff.

- 10-C. **Other Decorations:** Nothing shall be placed upon interment sites other than flowers, wreaths, evergreen blankets and evergreen wreaths, (permissible October 1 to April 1). All decorations must be firmly secured or fastened to the ground or memorial and shall be removed when they become unsightly. Chairs, settees, glass cases, grave covers, toys, or any other objects that may be deemed by the Cemetery Manager as objectionable, shall be removed without notice. Fencing, railings, copings, or other enclosures around interment sites, wood trellises, arches and headboards of every description are positively prohibited.

## 11. DOUBLE INTERMENTS

- 11-A. **Location of Interments:** Two interments are allowed at interment sites within the cemetery, except Block C and Block 34. The Cemetery Manager designates these areas. A maximum of one (1) traditional burial plus six (6) cremains is allowed per plot, except Block C and Block 34.
- 11-B. **Double-Depth Regular Interments:** No new interment certificates will allow double-depth regular interments. For existing certificates of interment, which allow double-depth regular interments, the following procedures shall be used. At the time of the first interment, the vault shall be placed in the ground and the earth compacted. At the time of the second interment, the grave shall be opened to the top of the vault and the second interment shall be placed in the grave. The top of this vault must be at least eighteen (18)-inches below the surface. The grave will then be compacted as normal.
- 11-C. **Columbarium:** Double interments of cremains are allowed in each columbarium niche with payment for a double niche.

## 12. ADDITIONAL CREMAINS

- 12-A. **Additional Cremains at a Full-Sized Interment Site:** Owners of a right of interment may elect to inter not more than six (6) additional cremains at a full-sized interment site. Up to two (2) additional twelve (12) inches by twenty-four (24) inches flat markers shall be allowed on a full-sized interment site in addition to the existing monument or marker.

## 13. OTHER PROVISIONS

- 13-A. **Donations:** The Parks and Recreation Department may accept donations of labor, equipment, materials, plant materials, and cash to be used for cemetery maintenance and operations. All donations must be approved by the Manager, and cash donations shall be accepted through the Loveland Parks and Recreation Foundation. The Manager may remove, alter, or discontinue the use of a donated item acquired with or partially acquired with donated funds at any time. A receipt describing the nature and estimated value of the donation shall be given to the donor.

## 14. SAVING CLAUSE

- 14-A. **Saving Clause:** No rule and regulation provided for herein shall be interpreted in a manner inconsistent with all applicable local, state, and federal law. Furthermore, nothing in these regulations shall be interpreted to excel the Council's authority to codify certain rules governing the operation of the Cemetery or the Loveland City Manager's administrative authority established pursuant to Loveland Municipal Code 12.52.010.