

12.44.120 Interment Arrangements.

A. Information.

1. The Missoula City Cemetery is not responsible for any mistake or error in any communication transmission, wireless, or reception of messages by telephone, email or fax received from funeral homes, families, or other businesses.

2. Interment requirements. The Missoula City Cemetery requires the following legal documents to be completed before any interment can be arranged and interment time scheduled:

- a.** All related interment fees are required to be paid in full before any interment service is scheduled according to this Municipal Code.
- b.** Written assignment(s).
- c.** Original “right to inter” document from the original purchaser of the interment location noting the location.
- d.** Heirs must have documentation that demonstrates they have been assigned the legal right to use the grave, mausoleum, or cremation location.
- e.** Any other documentation deemed legally acceptable to the Missoula City Cemetery.

3. Will / estate. Heirs must be identified recipient(s) in a written legal document that provides for the interment location assignment(s.) If there are no written legal documents that provide for assignment(s), the interment

location must remain unused indefinitely. Written legal documents acceptable to the Missoula City Cemetery include:

- a.** Written assignment(s) which are required to be on file at the Missoula City Cemetery office.
- b.** Original “right to inter” document and/or a conveyance of assignment.
- c.** Interment location.
- d.** Legal documents such as a will, a legal trust, or an order from a court of competent jurisdiction.

4. All required decedent information, legal right to inter documents, and directions relative to interment services must be on record in the Missoula City Cemetery office prior to the Missoula City Cemetery preparing an interment. (See Section 12.44.030).

B. Arrangements. The Missoula City Cemetery must have the following advance notification to prepare grounds for interments. This notification time may vary dependent on grave location, ground conditions, and weather. It is the responsibility of the funeral director or other designated representative in charge of interment arrangements to contact and verify the correct time for the interment. These notification hours are adhered to year round, however, the Missoula City Cemetery Director or designated representative has the authority to make adjustments to better serve the public while abiding by this chapter.

1. Summer. An interment requires eight to 16 regular cemetery working hours advance notice for preparation

from the time the Missoula City Cemetery receives the following information:

- a.** Grave location.
- b.** Interment type (Casket or Cremation).
- c.** Date and time requested for interment.

2. Winter. An interment requires 16 to 24 regular cemetery working hours advance notice for preparation from the time the Missoula City Cemetery receives the following information:

- a.** Grave location.
- b.** Interment type (Casket or Cremation).
- c.** Date and time requested for interment.

Example: During winter months, the above information must be received by the Missoula City Cemetery office by Wednesday for a Saturday or Monday interment.

3. Holidays and weekends are non-working hours and cannot be included in the above notification timelines.

C. Sundays and Holidays. No interments are permitted on any Sunday or on any legal holiday. Exceptions may be made only with regards to religious beliefs.

D. Storage. The Missoula City Cemetery shall at no time store an unburied casket on the Missoula City Cemetery premises. If a service must be conducted prior to grave preparation, the funeral director shall return the casket to the funeral home storage until the grave preparation is completed. When grave

preparation is completed, the funeral director shall return the casket to the Missoula City Cemetery to complete the interment. Any costs associated with this transportation and storage are the responsibility of the funeral home or the family.

E. Ground Conditions. Upon notification from the funeral director or family representative, the Missoula City Cemetery shall assess the ground conditions for the requested grave location and the requested date and time for the interment. The Missoula City Cemetery shall then ensure ground preparation or alert the funeral director to any issues regarding the grave that may prevent the grave preparation by the requested date and time. Issues that could affect the ground preparation may include but are not limited to: tree locations, over-sized monuments, soil conditions, and any unforeseen ground conditions.

F. Times. The Missoula City Cemetery schedules interment services between the hours of 8:30 a.m. to 3:30 p.m. with all services concluded by 4 p.m. The hour for the interment services must be so arranged that the grave or niche may be properly closed and all surplus ground removed before 4:30 p.m. An overtime fee is charged for all interments completed outside these regular hours. The overtime rate charged is set forth in the Missoula City Cemetery fee listing approved by Missoula City Council. The funeral home in charge of interment or person making arrangements must be charged an overtime fee as follows:

1. Weekdays. An overtime fee must be charged when the Missoula City Cemetery is required to complete the closing duties of the grave or niche after 4:30 p.m. This fee is equal to the OT Weekdays after 4:30 p.m. opening and closing fee as set forth in the fee listing approved by Missoula City Council.

2. Saturdays.

a. Morning. When the Missoula City Cemetery is able to complete the closing of the grave or niche prior to 12 p.m. on Saturday, the OT Weekend AM overtime fee must be charged as set forth in the fee listing approved by Missoula City Council.

b. Afternoon. When the Missoula City Cemetery is required to complete the closing of the grave or niche after 12 p.m. on Saturday, the OT Weekend PM overtime fee must be charged as set forth in the fee listing approved by Missoula City Council. All interment services must be completed by 3:30 p.m. on Saturday.

G. Fees. All fees associated with an interment must be paid to the Missoula City Cemetery office in advance of grave preparation or, with authorization from the Missoula City Cemetery office, fees may be paid on the day of service.

H. Placement

1. All interments, disinterments, and re-interments must only be performed by Missoula City Cemetery.

2. Double casket interments are not allowed.

3. Two decedents may be placed in the same grave under the following conditions:

a. A parent and infant child together in one casket or vault.

b. Two persons, with the required grave assignment documents, when one body has been cremated. (Example: One casket and one

cremation OR two cremations may be placed in one location.)

c. The Missoula City Cemetery reserves the right to limit, alter, designate sections for, or eliminate multiple interments in the same location.

4. Opening and closing, liner, vault, and possible interment, disinterment and re-interment fees are required for each individual interment, disinterment, and re-interment. In the event a disinterment will be immediately followed with an interment, only the disinterment fee will be charged for reinterment. All fees will still apply for the second interment. For graves: A casket must be placed first and deepest in a grave. If a cremation is interred first, the cremation must be disinterred then re- interred after the casket has been interred. All fees associated with disinterment, interment, and re- interment of both individuals will apply.

5. All cremations must be placed in a polyvault and buried not less than 2' deep in a grave or placed in an urn and interred into a niche, or cremation location unless otherwise required. Polyvaults must be purchased from the Missoula City Cemetery at fees set forth in the fee listing approved by the Missoula City Council.

6. All caskets must be placed in a liner and buried not less than 5' deep in a grave. Liners must be purchased from the Missoula City Cemetery at fees set forth in the fee listing approved by the Missoula City Council.

7. Caskets encased in a vault must not require an additional cement liner but must be assessed an access fee to the gravesite. Any organization that presents a vault for interment must be fully responsible for any damage to turf, monuments, foundations, irrigations, and vegetation as outlined in Section 12.44.190.

I. Viewing. It is not permissible for anyone to open a casket at the gravesite except the funeral director in charge of the interment arrangements.

J. Design. To more efficiently utilize Missoula City Cemetery areas and to implement beautification of cemetery grounds, the Missoula City Cemetery shall designate various areas or sections for specific types of interments, monuments, or other restrictions as deemed a benefit to the Missoula City Cemetery and public needs.

(Ord. 3681, 2021; Ord. 3594, 2017; Ord. 3532, 2014; Ord. 3292, 2005; Ord. 3179, 2001; Ord. 2910 §12, 1994; Ord. 2866 §12, 1993).