

**12.44.110        Grounds Regulations.** The following rules and regulations are established for the government of the grounds of the Missoula City Cemetery.

**A.** The Missoula City Cemetery has the responsibility for the general care, maintenance, and improvement of the cemetery grounds.

**B.** All Missoula City Cemetery graves, veterans grave(s), niches, mausoleum, memorial, cremation locations, or other named Missoula City Cemetery sections are held as interment places for the human dead and for other purposes or acts intrinsic to the operation of a cemetery or as approved by Missoula City Council. Strict observance of the decorum which should characterize such a place is required. Reserved land may be used for other short term uses by the permission of the Missoula City Cemetery Board of Trustees for as long as the Missoula City Cemetery Board of Trustees authorizes. The Missoula City Cemetery Director or designated representative is authorized to refuse admission onto the grounds of any person and to expel those who may violate any provision of this Municipal Code or the cemetery ground rules established by the Missoula City Cemetery Board of Trustees.

**C.** General.

- 1.** All vehicles operated within the Missoula City Cemetery grounds must not be driven at a speed exceeding 15 miles per hour.
- 2.** Persons accompanied by dogs shall obey the leash laws as outlined in Missoula Municipal Code, Title 6, Chapter 6.07.
- 3.** No alcoholic beverages or illegal drugs of any kind are allowed within the Missoula City Cemetery grounds.

4. Persons with firearms, whether unconcealed or concealed, are not allowed to bring firearms onto Missoula City Cemetery public property or to attend any assembly of people gathered at the Missoula City Cemetery. Law enforcement public safety officials and military honor guards are exempt from this provision.

5. All persons are prohibited from touching any object not their own. Plucking any flowers, shrubs, plants, wild or cultivated, or causing damage to any part of the Missoula City Cemetery grounds is prohibited.

6. The Missoula City Cemetery Director or designated representative shall reserve the right to enter in or upon any Missoula City Cemetery grave, veterans grave, niche, mausoleum, memorial or cremation location or other named Missoula City Cemetery sections and make such improvements as deemed necessary for the continual care and maintenance of the cemetery grounds.

7. Legal owners of locations shall not change the grade of graves, niches, mausoleums, and memorial or cremation locations nor interfere in any way with the general plan of improvement directed by the Missoula City Cemetery.

#### **D. Trees, Shrubs, and Plantings.**

1. No tree, shrub, or other plantings are allowed to be planted within the boundaries of the Missoula City Cemetery except trees, shrubs, and plantings in designated areas and must only be planted by Missoula City Cemetery staff as detailed below.

2. The Missoula City Cemetery Director or designated representative shall reserve the right at any time to enter

upon any grave, veterans grave, niche, mausoleum, memorial, cremation location, or other named Missoula City Cemetery sections and cut down or remove any such tree, shrub, or plantings encroaching upon adjacent graves, thereof, as the Missoula City Cemetery Director or designated representative may deem detrimental to the Missoula City Cemetery grounds, unsightly or inconvenient to the public or to the adjacent lots or avenues.

**3.** The Missoula City Cemetery is not responsible for replacing vandalized, damaged, or removed trees, shrubs, and plantings.

**4.** All future trees, shrubs, and plantings must comply with the overall design for the Missoula City Cemetery grounds in designated sections and designated plant types and then may be planted only by designated Missoula City Cemetery. Flower beds and flower boxes may be allowed according to the following regulations.

#### **E. Flower Beds.**

**1.** The Missoula City Cemetery offers any individual the opportunity to maintain flower beds on a location designated for flower beds by the Missoula City Cemetery.

**2.** An annual flower bed preparation fee is required for each flower request. Contact the Missoula City Cemetery for flower bed regulations, requirements, and fees.

**3.** Upon payment, Missoula City Cemetery staff shall prepare the grounds for planting by positioning the flower bed in an appropriate location in relationship to

the placement of current monuments and flush markers already installed on the grave.

**4.** If a military marker or a flush marker exists in front of any existing monument, flower beds are not allowed.

**5.** Planting of flowers is the responsibility of the party paying the preparation fee.

**6.** The Missoula City Cemetery staff does not plant flower beds.

**7.** The Missoula City Cemetery staff does not weed flower beds.

**8.** Flower beds are watered only by Missoula City Cemetery turf irrigation sprinklers when generally watering the area.

**9.** Items are removed when unsightly or overgrown with weeds. As otherwise provided, unplanted or unpaid flower beds are removed and replaced with sod.

**10.** The Missoula City Cemetery shall not be responsible for replacing vandalized, stolen, or damaged flowers.

## **F. Flower Boxes**

**1.** The Missoula City Cemetery offers any individual the opportunity to maintain flower boxes on a grave location.

**2.** An annual flower box maintenance fee is required for each flower box request. Contact the Missoula City Cemetery for flower box regulations, requirements, and fees.

3. Upon payment, Missoula City Cemetery staff shall position the flower box in an appropriate grave location in relationship to the placement of current monuments and flush markers already installed on the grave.
4. If a military marker or flush marker exists in front of any existing monument, flower boxes are not allowed.
5. Items are removed when unsightly or overgrown with weeds.
6. The Missoula City Cemetery shall not be responsible for replacing vandalized, stolen, or damaged flower boxes.

**G. The following schedule and rules are strictly enforced:**

**1. Year Round.**

- a. The Missoula City Cemetery grounds is cleaned on a regular basis.
- b. Items not allowed are disposed of by Missoula City Cemetery staff.
- c. Items and flowers interfering with interment preparations are disposed of by Missoula City Cemetery staff.
- d. Items and flowers becoming faded or unsightly are disposed of by Missoula City Cemetery staff.
- e. Items and flowers lying directly on or pushed into the Missoula City Cemetery ground are disposed of by Missoula City Cemetery staff.

**f.** Flowers and decorations are allowed in grave vases as follows:

**i. Open Sections.** Permanently affixed onto hearths only.

**ii. Veterans Sections.** Installed in foundations only.

**iii. Closed Sections.** All new vases must be installed onto a hearth. Existing vases in foundations are acceptable but alterations require the vases to comply with current standards.

**g.** The Missoula City Cemetery shall not be responsible for replacing any vandalized, stolen, or damaged vases, flowers, or plantings.

**h. Not Allowed.** The following list of items are not allowed on Missoula City Cemetery grounds: shepherd hooks, birdhouses, wind chimes, glass, ceramic, plastic, rocks, pottery, metal, trinkets, knick-knacks, statues, solar lights, etc. The foregoing list is a sample of items not allowed. Additional exclusions may be incorporated within the internal rules and policies of the Missoula City Cemetery.

**2. Memorial Holiday.** Floral or decorative items may be placed on the Missoula City Cemetery grounds in any form nine days prior to Memorial Day through Sunday following Memorial Day.

**3. Summer.** All items on the Missoula City Cemetery grounds are removed except for flowers and decorations

in approved beds, boxes, and vases beginning the Monday following Memorial Day through Labor Day.

**4. Fall.** All items in flower beds, all flower boxes, and any items remaining on the Missoula City Cemetery grounds are removed beginning the Tuesday after Labor Day through one day prior to Thanksgiving.

**5. Winter.** Floral or decorative items may be placed on the Missoula City Cemetery grounds in any form beginning on Thanksgiving Day through the last day of February.

**6. Spring.** All items on the Missoula City Cemetery grounds are removed except for flowers and decorations in approved vases beginning the first day of March through 10 days prior to Memorial Day.

(Ord. 3681, 2021; Ord. 3594, 2017; Ord. 3532, 2014; Ord. 3292, 2005; Ord. 3179, 2001; Ord. 2910 §11, 1994; Ord. 2866 §11, 1993).