

# Soldotna Community Memorial Park Administrative Policy

## A. Purpose

The purpose of the Soldotna Community Memorial Park Administrative Policy is to provide policy guidelines and operational rules for the administration of the Soldotna Community Memorial Park.

This policy applies to all persons utilizing the Soldotna Community Memorial Park.

## B. Definitions

For the purposes of this chapter, the following terms, phrases, words and their derivations will have the meaning given herein. Words used in the present tense include the future, words in the plural number include the singular number, words in the singular number include the plural number and words in the masculine gender include the feminine. The word “will” is always mandatory and not merely directory.

*Baby Lawn* means that section of the Memorial Park for the specific use of families that desire to inter a child that has passed under the age of 7 at the time of death, unless special permission has been granted by the administration or council.

*Ceremonial Interment Site Excavation/Preparation/Backfill* means the participation by family members in the excavation and/or backfill of an interment site. Although the Contractor will provide all excavation services, families may participate in the ceremonial excavation upon approval by the Contractor.

*City* means the city of Soldotna.

*City Manager* means the chief administrative officer of the City of Soldotna.

*Columbarium* means a structure containing niches for the interment of cremated remains.

*Columbarium Niche* means a recessed compartment in a columbarium, designed to hold urns.

*Cremaains* means the cremated remains of a deceased person.

*Contractor* means the professional, licensed by the State of Alaska that provides services in the Memorial Park.

*Disinterment (exhumation)* means the legal removal of a deceased person’s remains from an interment site requiring a permit by the State of Alaska Department of Vital Statistics.

*Family Plot* means the section of the Memorial Park where families can purchase several plots in advance and install a family monument in addition to the markers on the individual plots.

*Interment* means the burial of a deceased person, the placing of an urn in the Columbarium wall and/or the scattering of ashes in the Memorial Park Scatter Garden.

*Interment lot, plot, space, or site* means a specific location in the Memorial Park designated as being used or to be used for the interment of human remains.

*Interment permit* means a valid city permit allowing the interment of a deceased person in the Memorial Park. This permit provides the necessary information for the City to maintain complete records for the Memorial Park. A separate valid state of Alaska burial permit is required to obtain a city permit.

*Interment preparation* means the excavation, backfill and removal of excess material from an interment lot and replacement of the existing ground cover.

*Interment site reservation permit* means a revocable use permit to reserve an interment lot(s) in the Memorial Park.

*Memorial* means any marker, monument, tablet, headstone or structure upon or in an interment lot, or niche placed thereupon for the identification or memory of the interred.

*Memorial Wall* means the railing or wall constructed on site for the purpose of memorializing members of the community that are not interred in the Memorial Park. The wall will also be the site of memorial plaques for those in the natural interment and scatter garden sections of the Memorial Park.

*Reservation holder* means any person holding a valid reservation for an interment site for future interment, with all reservation fees paid in advance.

*Scatter garden* means a location set aside in the Memorial Park and the wooded section north of the interment lawn that is used for the spreading or broadcasting of cremated remains that have been removed from their container and can be mixed with or placed on top of the soil or ground cover and that are non-recoverable.

*Soldotna Community Memorial Park or Memorial Park* means a park for interment of human remains.

*Veterans Section* means that section of the Memorial Park designed specifically for veterans of any of the five branches of the US military.


## C. Administration and General Provisions

1. **Memorial Park Oversight.** The City Manager or his designee shall manage the Soldotna Community Memorial Park.
2. **Rules and Regulations.** Variations/exceptions to these rules and regulations are prohibited. These rules and regulations may be amended at any time by the City upon approval by the City Council in accordance with SMC 12.29.050 (A) The regulations are written to ensure continuity of the integrity of the Soldotna Community Memorial Park and the protection of the health and welfare of the community.
3. **Fees and Charges.** Fees and charges shall be in accordance with prices established on Schedule “A” which is attached and incorporated by reference.
4. **Memorial Park Hours.** The Soldotna Memorial Park will remain open at all times to pedestrian visitors. Hours of operation/accessibility will be posted at the entrance to the Memorial Park. Hours listed below list Summer/Winter hours when vehicle access is permitted.
  - a. Summer Hours – 8 AM until 8 PM Daily from May 1<sup>st</sup> through September 30<sup>th</sup>.
  - b. Winter Hours and Access – The Memorial Park vehicle gate may be closed depending upon weather and/or road conditions from October 1<sup>st</sup> through April 30<sup>th</sup>.

#### D. Interment Spaces (other than Columbarium)

1. The City Clerk shall have access to plats for the purpose of assigning plots upon request, and shall have oversight of interment records, files and maps which shall be stored by the City of Soldotna.
2. Only human remains are permitted to be buried in the Soldotna Community Memorial Park.
3. A reservation of interment space in the Memorial Park can be acquired by applying to the City Clerk and being assigned a plot or plots after having paid the appropriate fee. It is prohibited for the purchaser of said plots to re-sell or assign the plots except to the City, unless legal assignment is passed to another individual through inheritance. Memorial Park maps are available from the City. The Contractor may provide an on-site tour of the Memorial Park to facilitate site selection upon request.
4. The reservation of a plot conveys the right to use the plot for interment purposes and not ownership of such real property. Reservations shall include a 30-year sunset clause, requiring renewal at no fee to the permit holder. At the expiration of 30 years, if an interment has not taken place, the plot returns to the City if the permit holder fails to renew or the City cannot locate the permit holder. Any marker left on the plot will be removed and disposed of as the City in its sole discretion deems appropriate.
5. One (1) casket and up to two (2) cremains may be interred in a standard or infant plot. Only one (1) cremain may be interred in a cremain plot. Up to three cremains may be interred in a standard or infant plot when there has been no casket interment on the site.
6. Interments in the Memorial Park will only occur in geo-referenced plots according to an overall Soldotna Memorial Park GIS plan. Plots shall be platted in five-feet (5') by ten-feet (10') plots, two-and-one-half-feet (2-1/2') by five-feet (5') plots for infants, and two feet (2') by two feet (2') for cremains.
7. There will be no cost to purchase a plot for interments that qualify to be placed in the Baby Lawn section of the park if the family chooses interment in the Baby Lawn Section. There may be costs associated with the interment provided by contractor. These plots cannot be reserved in advance.
8. Family plot sections are permitted to install one family monument in addition to the markers on the individual plots and must be placed within the boundaries of the combined plots.
9. The plot reservation may not be transferred. If the plot is surrendered, 75 percent of the reservation fee paid for the plot shall be refunded to the reservation permittee listed in the Memorial Park interment records as determined by the City Manager.
10. Interment sites, with the exception of those in the Baby Lawn, may be reserved on a first come, first served basis by any person for himself or family members to a maximum of ten interment sites. In order to encourage family interment plot use and to discourage

institutional speculation, funeral homes, and other similar corporate or business entities are excluded from acquiring interment sites, except for a specific, immediate interment.



## E. Interments and Disinterments

1. The City Clerk shall be provided with all required state interment and transit permits before interment will be permitted. The city must be notified a minimum of 72 hours in advance of the time of interment and all fees must be paid prior to interment.
2. Interment or disinterment shall be made in compliance with all state and city laws and regulations. Any interment workers used to excavate, fill or modify an interment site must be approved by the Contractor.
3. All openings, closings, plot preparation, interments, disinterments, marker placement and removals shall be overseen by the City and under the supervision of the City Manager or his/her designated representative. Openings, closings and disinterment shall not be allowed without the required State of Alaska disinterment permit(s). No modification or adjustment may be made to monuments or markers without written approval of the City.
4. The ceremonial participation by family members or friends in the excavation or backfilling of an interment site is permitted upon approval by the Contractor.
5. It is the intention of the City to accommodate the interment of deceased individuals in a timely manner. However, the physical condition of the Memorial Park (snow, weather, frozen soil, saturated ground and other reasons) may make timely interment difficult. The City reserves the right to delay interment if necessary for the maintenance of the Memorial Park grounds.
6. No disinterment shall occur without prior receipt by the City of a duly executed Court Order for such disinterment, which is issued in a district court for the state of Alaska, or the issuance of a State of Alaska disinterment permit.
7. The Contractor licensed by the State of Alaska must be present at all disinterments.

## F. Columbarium

1. *Interment.* Only human cremated remains in an urn may be placed in a columbarium niche. A separate interment application shall be required for each urn to be interred. A maximum of two urns may be placed in a columbarium niche. The columbarium interior space measurements are 11¼ inch deep, 11¾ inch wide and 10¼ inch high.
2. *Opening/closing.* The initial opening and closing of the niche is included in the cost of the niche. If it is necessary to reopen a niche at a later date, for interment of a second or subsequent urn or other reasons, an additional fee will be incurred. The City Manager, City Clerk or a specific designee are the only personnel permitted to authorize opening, closing and documentation of such.
3. *Decorations.*
  - a. Natural fresh flower arrangements are permitted at the columbarium during the summer months between May 1 and September 30<sup>th</sup>. Plastic or silk flowers shall be discouraged at the Soldotna Community Memorial Park and will be removed on the first day of each month.
  - b. Glass or ceramic containers are not allowed in the columbarium area.
  - c. No arrangements, flags, or decals, etc. shall be taped, wired, glued or pasted to a niche plaque or front.
  - d. All unsightly arrangements shall be removed at the discretion of City personnel.
  - e. Potted plants may be placed at the base of the columbarium in front of the niche space of a friend or loved one on holidays, birthdays, anniversaries or dates of death. Such decorations are subject to removal under section (J) below.
4. *Purchase.* The cost of the niche shall include the niche itself, one opening and closing, and perpetual care. A single niche shall also include a granite niche plaque with appropriate lettering. Reservations shall include a 30-year sunset clause, requiring renewal at no fee to the permit holder. At the expiration of 30 years, if an interment has not taken place, the niche returns to the City if the permit holder fails to renew or the City cannot locate the niche permit holder.
5. *Refund.* The niche may not be transferred to any other person other than a family member upon the approval of the City Manager. If the niche is unused and surrendered, 75 percent of the fee shall be refunded to the niche permittee listed in the Memorial Park interment records, or as determined by the City Manager.
6. *Right to remove urns, niche plaques, and cremains.* In the event repairs, natural disasters or other events require maintenance to the columbarium, the City retains the right, in its sole discretion, to remove urn(s) and niche plaques, or to relocate all or any part of the cremains, as it deems necessary. The City will make every attempt to contact the permittee or the responsible party should such action become necessary.
7. *Personal property.* The City is not responsible for any items placed or left on or around any interment. Any items placed or left on or around any interment that does not qualify as a decoration under subsection 3 above, shall be deemed abandoned property and may be removed and disposed of as the City deems appropriate.



## G. Scatter Garden

1. The cremains of any person(s) accepted for interment may be scattered in the Scatter Garden at such location once approved by the City Manager, the Clerk or a designee. The remains must be accompanied by a city interment permit. None of the cremains will be recoverable or preserved intact. The actual physical location of the interment itself will not be marked except in a generic manner.
2. The names of persons whose cremains are interred in the Scatter Garden areas will be entered in a permanent Memorial Register maintained by the City Clerk and those choosing to do so may purchase a plaque on the Memorial Wall to recognize the individual that has passed.
3. Cremains intended to be interred in either scatter garden must be of appropriate fineness to eliminate the possibility of large segments that do not mix easily with surrounding flora.

## H. Records

1. The City shall keep records of all interments and disinterment's in the Soldotna Community Memorial Park and Columbarium wall. The records shall include a register for each plot containing an alphabetical index of the names of the persons interred or disinterred from the plot and other vital information. Information will include the deceased's place and date of birth, date of death, date of interment or disinterment and interment site location as may be available. An official map of the Soldotna Community Memorial Park shall be maintained by the City so that the exact place of interment or disinterment by section and plot can be ascertained.
2. Upon the death of a reservation holder of a site (interment site or columbarium niche), the heirs or assigns of the deceased shall file satisfactory proof with the City of their heir status for the purpose of establishing the new permit holder on the records of the City. In the event an apparent heir may have the desire to use or assign a family site prior to the settlement of the estate of the deceased, the executor or personal representative of the original reservation holder will become the reservation holder.

## I. Maintenance and Landscape Regulations

1. The City of Soldotna reserves the right at any time to enlarge, reduce, re-plot or change the boundaries of the Memorial Park or any part thereof; to modify, change location, move or re-grade roads, drives, walks or any part thereof; to lay, maintain, operate, alter or change pipelines, gutters, sprinkler systems or drainage; and to relocate interment sites or allow disinterment upon proper legal authority. The City reserves for itself the perpetual right of ingress and egress over all plots for the purpose of maintenance, operations or any emergency work necessary to the operation of the Memorial Park.
2. The City of Soldotna reserves the right to move the remains in any interment sites which are located in the Memorial Park when and if such sites are in imminent danger of destruction by natural elements. The City shall make every attempt to notify relatives of the deceased whose interment sites are in danger if such relatives can be identified on the City's records.
3. The City of Soldotna is responsible for the maintenance of the Soldotna Community Memorial Park and shall be administered by the Parks and Recreation Department.
4. The City of Soldotna shall take reasonable precaution to protect all interment markers within the Soldotna Community Memorial Park from loss or damage yet expressly disclaims any responsibility for loss or damage from causes beyond reasonable precautions. Damages incurred directly or collaterally and caused by or resulting from thieves, vandals, malicious mischief, or unavoidable accidents shall be excluded from the City of Soldotna's responsibilities. Severely damaged markers must be repaired or replaced at the expense of the family, the permit holder or the responsible party.
5. Planting of trees, shrubbery, plants or turf within the Soldotna Community Memorial Park shall be with the written consent of the City Manager or his designated representative in reference to the Memorial Park Master Design Plan. Failure to get prior authorization may result in removal of plant material.
6. The City will maintain a one lane driveway in winter as conditions allow. The City or the Contractor will clear the path to the interment site as conditions allow when a winter funeral is scheduled.
7. The City shall maintain Memorial Park grounds at reasonable intervals, as well as raking, cleaning, grading and landscaping except in the "natural interment" area.
8. All grading of lots shall be done by City personnel. No person shall do any grading causing the surface of the ground to be raised above the existing height of the surrounding area. Only City approved personnel shall discharge any chemical or organic fertilizer, herbicide or other substance on any lot.
9. The Contractor will provide, place, and remove greens, decorations or seating used for an interment and must provide necessary lowering devices.

10. No work utilizing any type of power tools shall be done during an interment service. No work of any kind may be performed within 200 feet of an ongoing interment service.
11. No person shall perform any work in a Memorial Park in such a manner as to interfere with the walks, decorations, or general arrangement of the Memorial Park, except through the written permission of the City Manager and under his/her supervision.
12. Preparation of interment site shall be the responsibility of the Contractor.




## J. Plants and Decorations

1. Family members may place natural flowers on interment sites immediately adjacent to the marker for any holiday, birthday, and date of death or anniversary.
2. On the first day of each month, all decorative items will be removed from interment plots and disposed. The City is not liable for damages caused to, or the disappearance of flowers, plants or shrubs and assumes no responsibility for their return. Items disposed by the City will not be recoverable.
3. Any decoration placed by any individual is the responsibility of that individual. The City does not guarantee that any items placed on any interment site or columbarium niche will be protected in any way from the elements, thieves or vandals. All items placed are at the risk of the individual and subject to disposal on the first day of each month.
4. When a holiday (such as Memorial Day) occurs at the end of the month, the flowers placed for that holiday will not be removed until the first day of the second subsequent month (July 1<sup>st</sup> for Memorial Day). Likewise, if an interment takes place at the end of a particular month, the city will make every effort to leave flowers until the first day of the second subsequent month.
5. Live plants, freshly cut flowers, wreaths, or flower baskets may remain on plot no longer than 30 days, except as allowed on natural interment sites. Flowers shall not be placed in or attached to trees, shrubs, or gate. The City is not responsible for damage or liable for the return of such items.
6. Digging holes or the removal of grass or sod for any purpose, the construction or placement of concrete slabs, or the placement of rocks or any other coverings over interment sites is prohibited.
7. Glass containers of all types and unattended lit candles are prohibited.
8. No person shall pluck or remove any flower, plant, or shrub, either wild or cultivated from the Memorial Park grounds or move such items from one interment site to another.
9. Permanent raised obstructions such as mounds and fences are prohibited.

## K. Memorial Markers

1. All interment sites shall have a temporary marker immediately installed upon interment and a permanent marker installed within 24 months after interment. Design and dimensions of markers must meet the requirements established within this policy. The City will collect a marker deposit upon interment. The deposit will be returned upon installation of the permanent marker. If marker is not installed at 24 months, a standard 24" x 12" x 4" marker will be installed by the City and will include the name, year of birth and year of death.
  2. Upright and Slanted Marker. Foundations installed shall extend at least 3 inches beyond all sides of standing markers and shall be installed by the Contractor.
  3. Monument Foundations. Any monument that exceeds 48" in height shall require a foundation analysis.
  4. No more than one marker per interment shall be allowed in the flat marker section (maximum of three per plot). Family plots with more than one interment in the upright marker section may have a single family monument with flat markers on individual plots. No more than one upright marker per plot will be allowed in the upright marker section. One marker may mark up to two plots in all sections other than the flat marker section of the Memorial Park.
  5. Flat Markers/Headstones. All flat markers/headstones shall be constructed of granite, will be a minimum 24" x 12" x 4" in dimension, not to exceed 48" x 24" x 4" in dimension and set flush with the ground.
  6. Memorial Wall/Columbarium Inscriptions:
    - a. The inscription on the memorial wall/rail plaques will include the first name, middle initial (if desired), and last name together with the year of birth and the year of death up to 40 characters. Additional phrases may be added if they meet the maximum characters per plaque of 40 characters.
    - b. The inscription on the niche plaque will include the name(s) of the deceased and/or family name and year of birth and of death. The cost of the niche includes an initial engraving of up to 40 letters. Engraving in excess of 40 letters will incur additional charges as specified by the Contractor.
    - c. All inscriptions will be of a standardized font and size dictated by the City. No additional carvings will be added to any niche plaque.
- NOTE: - Inappropriate language, as determined by the City Manager or his/her designee, will not be permitted on any of the markers, plaques or emblems at the Soldotna Community Memorial Park.
7. Upright or Slanted Markers/Headstones. All upright or slanted markers/headstones must be set on and affixed to a single poured concrete or granite base, installed at the head of the interment site, centered and inside the plot area and must not exceed a height of 48" above

grade. The base shall extend 3” beyond all sides of the marker/headstone, shall be at least 4” thick and set flush with the ground. The City must be notified prior to any plot preparation, construction, or placement of headstone or marker. Markers/headstones must not exceed 48” in width, excluding below grade base or foundation and must not exceed 24” in depth.

8. Family Monuments. The Soldotna Community Memorial Park will permit upright monuments in specified areas. All reference to “Monuments” is to mean family monuments that protrude above the lawn surface requiring a foundation. The intent of this section is to allow a maximum of one above-ground monument per family plot. Any work correcting deficiencies will be at the cost of the permit holder of the plot or the responsible party.
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## L. Prohibited Acts

1. No person other than authorized Memorial Park personnel shall be allowed to perform any work on any interment site or lot within the grounds without written permission from the City.
2. Alcoholic beverages or controlled substances are strictly prohibited within the confines of the Memorial Park with the exception of special Memorial Park events, which must be approved in writing and in advance by the City Manager or his/her designee.
3. No money shall be paid to the attendants at the Memorial Park and visitors/plot permit holders must not otherwise engage City or Contractor employees to perform work. All orders, inquiries, and complaints must be filed with the City Manager.
4. No skateboards, roller blades or private off-road recreational vehicles shall be allowed on Memorial Park property. Bicycles are restricted to Memorial Park roadways only. Trucks over one ton, buses, tractors, trailers, and oversized vehicles are strictly prohibited from the Memorial Park property unless approved in writing by the City Manager. Maintenance vehicles and equipment owned by the City or the Contractor are exempt from this provision.
5. A person shall not drive a hearse, pick-up or automobile on Memorial Park lawn areas.
6. No person shall deposit waste or other hazardous or unsightly substances in the Memorial Park.
7. Except as authorized in writing by the City Manager or his/her designee for the operations of the Memorial Park, it is unlawful for any person to operate or drive any motor vehicle off of gravel roads. Snowmachines or off-road motorcycles are prohibited in the Memorial Park. Vehicles must not exceed 10 mph.
8. No person shall plant or set any tree, shrub, flower, grass, or other plant of any kind in the Memorial Park without the written approval of the City.
9. It is unlawful for any person, except a City employee or the Contractor in the performance of his/her Memorial Park duties, to willfully make any unnecessary noise or disturbance within the Memorial Park.
10. Horseback riding or horse carriages within or through the Memorial Park is expressly prohibited unless part of a ceremony.
11. It shall be unlawful for a person to sell or offer for sale any article of merchandise or any fruit, drink, or beverage within the limits of the Memorial Park unless a specific activity is approved in writing by the City Manager.
12. No person shall pick or mutilate any flowers, either wild or domestic, or disturb any trees, shrubs, or other planted material.



**M. Violation – Penalty.**

Any person, firm or corporation who violates or maintains any violation of the provisions of this chapter shall, upon conviction thereof, be fined in an amount not to exceed three hundred (\$300.00) dollars or the direct cost of replacement or repair of damaged Memorial Park property, whichever is greater. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.



# SOLDOTNA COMMUNITY MEMORIAL PARK FEE SCHEDULE

- **Memorial Wall Charges/Standard plaque (3" X 8")** .....\$150.00  
*Memorial plaques for those not interred in the Memorial Park or whose cremains are placed in the scatter garden sections of the Park*
- **Baby Lawn**.....\$0  
*Cost-free for Kenai Peninsula Borough (KPB) residents from birth-7 years in the baby lawn section. One (1) casket may be interred in an infant plot; or, up to three (3) cremains may be interred in an infant plot if no casket is interred on the site. Note: Reservations cannot be made in the Baby Lawn section. No one over 7 years may be interred in this section.*
- **Scatter Garden permit** .....\$25.00  
*Fee covers required interment permit; city clerk must be notified prior to placement of ashes*
- **Cremains plot** .....\$ 400.00  
*Interment space is 2' x 2' – holds one urn*
- **Upright Section Standard plot**.....\$1000.00  
*One (1) casket and up to two (2) cremains may be interred in a standard plot; or, up to three (3) cremains if no casket is interred on the site*
- **Flat Section Standard plot** .....\$ 750.00  
*One (1) casket and up to two (2) cremains may be interred in a standard plot; or, up to three (3) cremains if no casket is interred on the site*
- **Veterans Section Standard plot**.....\$ 750.00  
*One (1) casket and up to two (2) cremains may be interred in a standard plot; or, up to three (3) cremains if no casket is interred on the site*
- **Columbarium (cremains) niche**.....\$ 1,200.00  
*Interment space in a recessed compartment in a columbarium, designed to hold a maximum of two (2) urns; cost includes opening/closing, and engraving granite plaque @ first interment*
- **Columbarium niche, second cremain** .....\$ 300.00  
*Maximum of two urns may be placed in a columbarium niche; this fee includes opening/closing and engraving plaque*
- **Niche Open/Close (Columbarium)**.....\$ 100.00  
*Fee for opening/closing at a later date for reasons other than interment; includes required permit*
- **Marker Deposit** .....\$ 500.00  
*To be refunded upon responsible party's purchase and installation of permanent marker within 24 months after interment. Fee is applicable at time of interment and will be waived with proof of purchase/order of a marker.*