

FAIRMOUNT CEMETERY WELCOMES YOU

*Thank you for your interest in Fairmount
Cemetery, San Angelo, Texas.
(Revised January 15, 2020)*

This packet is your introduction to important rules and regulations for Fairmount Cemetery.

Fairmount Cemetery established in 1893 encompasses over 57 acres. It is a perpetual care cemetery and is designated a Texas Historic Cemetery by the Texas Historic Commission. Fairmount Cemetery is owned and maintained by the City of San Angelo and governed by a Board of Directors which oversees the Cemetery's operations and maintenance along with the Cemetery staff employed by the city.

A Master Plan, created by the Cemetery Board and Friends of Fairmount (a non-profit auxiliary group supported by community members) guides the long-term viability of this landmark cemetery with suggested improvements to maintain Fairmount's historical significance and community relevance.

Part of the effort to maintain the cemetery's dignity is the established "**Rules and Regulations**" contained in this packet so that all patrons of Fairmount Cemetery might understand the importance of preserving the natural beauty of the Cemetery as a place to celebrate life and the loved ones we have lost.

We ask all lot owners and visitors to remember that the grounds of Fairmount Cemetery are sacredly devoted to the burial of the dead. Respect for the dead and/or their surviving family and loved ones will be first and foremost, along with maintaining the peace and serenity of the over one-hundred-twenty-year-old grounds.

Fairmount Cemetery Office
1120 W. Avenue N
San Angelo, TX 76901
8 a. m. - 5 p.m., Monday - Friday
325/655-9475
Fax: 325/653-7774

www.cosatx.us/department-services/fairmount-cemetery

Friends of Fairmount
P. O. Box 3522
San Angelo, TX 76902-3522
www.friendsoffairmount.org

FAIRMOUNT CEMETERY, SAN ANGELO, TEXAS

RULES AND REGULATIONS

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RULES AND REGULATIONS

PURPOSE

These rules and regulations are for the protection of owners of interment rights ("Owners") at Fairmount Cemetery ("Cemetery"), San Angelo, Texas, a perpetual care cemetery, and to create and preserve its beauty. All Owners of interment rights, visitors, and contractors performing work within the Cemetery are subject to these regulations and amendments later adopted by the Board of Directors of Fairmount Cemetery and the San Angelo City Council. These Rules and Regulations are adopted and enforced pursuant to the Texas Health & Safety Code, Chapters 713 and 711, as now in effect or hereafter amended.

DEFINITIONS

"Owner" means the holder of *title* to interment rights in any lot or lots in the cemetery **for** the sole purpose of burying deceased persons.

"Interment" means placement or burial of the remains of a deceased person.

"Memorial" means any marker, monument, or structure upon any lot or niche, for purpose of identification or in memory of the interred.

"Contractor" means any person or business entity, other than an employee of the Cemetery, engaged in placing, erecting, or repairing any memorial or performing any work on the Cemetery grounds.

"Planting", means any tree, shrub, grass, flower or other vegetation.

CEMETERY OFFICE

The Cemetery office is located at 1120 West Avenue N, San Angelo, Texas, 76901, directly across the street from the main cemetery entrance on West Avenue N.

The office telephone number is (325) 655-9475. The cemetery website is www.cosatx.us/departments-services/fairmount-cemetery. The cemetery Rules and Regulations are posted on the website.

Normal business hours are 8 a.m. to 5 p.m., Monday through Friday. The office closes on the following holidays: MLK Birthday, Good Friday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Day, the day after Christmas Day, and New Year's Day. This list is subject to the scheduling of holidays by the City of San Angelo. Information on how to donate to the Cemetery, including the Landscape and Tree Donation Program, and other information is available at the Friends of Fairmount ite www.friendsoffairmount.org.

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GENERAL INFORMATION

These Rules and Regulations are binding on all persons who enter the Cemetery. The Board of Directors may, and it hereby expressly reserves the right at any time with or without notice to lot owners, adopt new rules and regulations, amend, alter and/or repeal any rule, regulation or paragraph in this document.

Special cases may arise in which the literal enforcement of a rule or regulation may impose unnecessary hardship. The Cemetery Supervisor with the approval of the Board of Directors reserves the right, without notice, to make exceptions, suspensions or modifications to any or the Rules or Regulations when in their judgment the same appear advisable. Temporary exceptions, suspensions or modifications in no way affect the general application of these Rules and Regulations.

The Cemetery retains to itself, for the benefit of all Owners, full and complete supervision, control, and management of the land, buildings, improvements, roads, walks, utilities, development, books, and records and the full and complete authority, rights, and privileges to make, change, administer, and enforce all Rules and Regulations and restrictions not inconsistent with the laws of this state wherein this cemetery is located.

The Cemetery takes reasonable precautions to protect Owners and the interment rights of Owners within the Cemetery from loss or damage. The Cemetery is not responsible for any loss or damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasion, insurrections, riots or any order by any military or civil authority whether the damage be direct or collateral.

PERPETUAL CARE FUND

A perpetual care fund has been established in conformity with the laws of the State of Texas. Perpetual care means to keep the grounds and all places where interments have been made in repair and to care for plantings placed by the Cemetery. It does not include the cleaning, polishing or repairing of markers.

OWNERSHIP, PURCHASE, SALE OF INTERMENT RIGHTS

No one shall be prohibited from owning a lot due to race, creed, color, religion, or national origin.

Any Owner shall have the right at any time to sell or transfer his/her interest in any lot, if the purchase price has been fully paid. Sales and transfers must be recorded with the Cemetery's office prior to the transfer to ensure that the Cemetery, at all times, has a complete and accurate record of all owners. No sign is permitted within the cemetery indicating that a lot or niche is "For Sale." This also applies to signs, cards, and advertisements of any kind on the cemetery grounds.

The subdivision of interment rights is not allowed without the consent of the Cemetery Supervisor, and no one shall be buried in any lot unless he/she has a legal interest therein except by written consent of the Cemetery and all parties interested in such lot.

Burial in any lot is not permitted until the cost of the lot and the opening and closing fees are paid in full. An exception is made if payment is guaranteed by an approved funeral home.

With approval, stacking of burials is permitted in the Cemetery. The cost for a lot, when stacking is intended, is double the cost of a single lot. The bottom interment must be in a concrete box and deep enough to allow the top burial to meet all State guidelines.

The right to enlarge, reduce, re-plat, or change the boundaries or grading of the Cemetery and the right to lay, maintain, operate, or change pipelines or gutters is expressly reserved for the Cemetery. Grave mounds are not allowed, and no lot shall be raised above the established grade. The Cemetery reserves for itself, Owners, and their invitees a perpetual right of ingress and egress over lots for the purpose of passage to and from other lots. (Other questions regarding enclosures of boundaries are covered in a separate policy available in the Cemetery Office.)

FUNERALS

When a lot is to be used, the Owner/family or its representatives must sign an authorization form at the Cemetery office. Family plots, containing more than one lot and not completely used, require a family representative to indicate which lot is to be used. This ensures the Cemetery opens the correct grave space.

Funerals are generally held Monday through Friday, except on holidays (Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day, and New Year's Day). Funerals may be held on Saturday mornings from 8 a.m. to 12 noon, Good **Friday**, the Friday after Thanksgiving Day, and the day after Christmas with additional fees and charges. Funeral may be scheduled until 3:00 p.m. graveside on weekdays and 11:00 a.m. graveside on Saturday. Additional overtime charges will apply after 4:30 pm weekdays and after 12:00 pm on Saturday.

Fairmount Cemetery requires a minimum of 24 hours notice with specific burial information and location in order to prepare the site of the funeral. If the selection and purchase of a burial space is required, the minimum notice is 24 hours from the selection of the space.

Effective October 1, 2011, Fairmount Cemetery will be an Outer Burial Container required cemetery. Minimum requirement is the use of a concrete box or concrete vault which is available for purchase from the Cemetery. Other outer burial containers such as steel vaults and Wilbert Vaults may be used; however, a container setting fee will be charged. This charge is made due to maintenance costs related to sunken graves. This charge does not affect cremation burials.

Cemetery employees under the direct supervision of the Cemetery Supervisor open and close graves and perform all other work on the lots, except when the Cemetery Supervisor grants permission otherwise.

MEMORIAL MONUMENTS AND MARKERS

Memorial monuments and markers may not be placed over burial spaces until spaces are paid for in full. The Cemetery charges a marker survey fee for monuments and markers placed in the Cemetery. The lot Owners or their representative at the Cemetery office, prior to the placement of the memorial must sign a form.

The Cemetery strictly regulates the placement and a professional monument company may only place type of memorials on Cemetery grounds or Monuments and markers. Certain areas of the Cemetery require flat markers and other areas are approved for upright monuments. A map indicating which type of monument or marker is specified for any given area is located in the Cemetery office. Patrons who may wish to place flowers of any type on a monument or marker are advised to select one with permanently attached vases, urns, and/or cradles of metal or stone.

The Cemetery requires all monument dealers or builders placing any monument or marker in the Cemetery to check in with the Cemetery office before beginning work and to work under the direct supervision of the Cemetery Supervisor.

FAIRMOUNT CEMETERY ... A SERENE FINAL RESTING PLACE

The Cemetery provides an atmosphere where all can enjoy and respect the aesthetic qualities and quietude of this historic landmark free from distractions. The Rules and Regulations are intended as a protective measure for all who use the Cemetery

The nature of all improvements, good appearance of the grounds and buildings, and respectful observance of the sacredness of the place requires adherence to the Rules and Regulations **for** the good of all.

We ask all Owners and visitors to remember that the grounds of Fairmount Cemetery are sacredly devoted to the burial of the dead. Respect for the dead and for their surviving family and loved ones will be first and foremost along with maintaining the peace and serenity of the grounds. ***All***

Owners and visitors are asked to refrain from the following:

1. Disturbing the quiet of the cemetery by any unnecessary noise of any kind.
2. Bringing or discharging a firearm within the Cemetery grounds except for military funerals and/or during Memorial Day or Veterans Day events, which have been approved in advance by the Cemetery Board and the Cemetery Supervisor.
3. Permitting any child less than 16 years of age to play or be allowed to stay within the Cemetery unless accompanied by and under the supervision of an adult.
4. Burying an animal within the cemetery ry.
5. Loitering within the cemetery. Any person found within the Cemetery who fails to give a sufficient reason for his/her presence shall be asked to leave the Cemetery.
6. Bringing liquor or illegal drugs into the Cemetery.
7. Littering or placing trash, rubbish, unsightly material or debris on the ground. This includes cigarette butts.
8. Removing any objects from any place in the cemetery without the consent of the Cemetery Supervisor and/or removing any flowers or arrangements from the Cemetery or moving them to another gravesite without the permission of the Owner(s) or approval of the Cemetery Supervisor. If arrangements no longer meet established guidelines, the Cemetery Supervisor is responsible for removing them.
9. Making any excavation in the cemetery without the consent of the Cemetery Supervisor.
10. Damaging any planting, marring any memorial or defacing anything on the cemetery grounds.
11. Hanging any object(s) from any tree, shrub or plant.
12. Placing any unacceptable items in the Cemetery prohibited by or in violation of Cemetery Rules and Regulations. The Fairmount Cemetery Board has the sole discretion in deciding what is objectionable and what has become objectionable.
13. Holding any public or private event at the Cemetery without the consent of the Cemetery Board. Such activities must be pursued through the Cemetery Office and approved by the Cemetery Board. Only those events and activities that are respectful of the dead will be approved by the Cemetery Board. Obstructing any drive or walk in the Cemetery.

RULES FOR PLACEMENT OF FLOWERS AND MEMORIAL ITEMS

In order for the setting, peacefulness, and safety of visitors and staff at Fairmount Cemetery to be maintained, the following rules have been established by the Cemetery Board. Anything, which mars the general beauty and historic preservation of Fairmount Cemetery, shall be avoided. The Cemetery Board has the sole discretion in deciding what is unacceptable and what has become unacceptable. Therefore, Owners, family, and friends are requested to place commemorative and memorial items so as to safeguard the peace and serenity of the grounds and not hinder mowing and upkeep requirements as directed be low:

1. Flowers of any type and other memorial items are **prohibited on the ground in front of the memorial/monument due to maintenance issues and safety of cemetery grounds staff.** (An exception to this rule is "Seasonal Decorations" outlined on the following page.)
2. Fresh flowers or artificial flowers of silk, plastic, or synthetic material may be placed throughout the year in non-breakable metal/stone urns, vases or on cradles permanently attached to the memorial/monument marker. Artificial flowers made of paper are not allowed.
3. Flowers of any type should be kept in their designated urns, vases or cradle on memorial/monuments, which include such features, and flowers should be limited to approximately 16 inches in height. Overly tall, artificial flowers will be removed.
4. Flowers may also be placed to the side of memorial/monument in non-breakable containers **but never on the ground in front of the monument due to maintenance issues and safety of cemetery grounds staff, (see "Seasonal Decorations").**
5. Flowers or wreaths of all types, which become wilted, dried, faded, torn or scattered, will be removed by Cemetery staff without notification.
6. Live planting is allowed to the side of the monument with the approval of the Cemetery supervisor. Final type and placement of any planting is at the sole discretion of the Cemetery Supervisor.
7. Due to their hazardous nature, items of glass, ceramic or clay are prohibited on Cemetery grounds. Paper items (photos, pictures, flowers, or cards) are prohibited due to their perishable nature.
8. All non-breakable items such as figurines, statues, toys, and other memorabilia **must be PERMANENTLY affixed** to memorial/monument. When such items become loose from the memorial/monument, worn or torn, they will be removed by Cemetery staff without notification. **Never are such items to be placed on the ground in front of memorial/monument or to the side of memorial/monument.**
9. Items which are a distraction to visitors and contrary to the natural setting of the Cemetery are prohibited including but not limited to artificial turf or ground cover of any kind. Also included are all noise, light, motion-producing items such as wind chimes, candles, devotional candles, solar lights, banners, steamers, pinwheels, balloons, ribbons, ornamental balls, and any of the above stated items staked or hung including animal feeders. Chairs are not allowed to be left in the Cemetery. No items of any type may be hung from any tree, shrub or plant. All items of this nature will be removed from the Cemetery without notification by the Cemetery staff
10. When in doubt regarding placement of items of commemoration, please contact the Cemetery Supervisor.

FUNERAL FLORAL ARRANGEMENTS

Funeral designs and floral arrangements will be removed from graves or niches when they lose their color and form and become wilted. Patrons desiring to retain any funeral designs or floral arrangements must remove the same within **10** days after the interment.

The Cemetery shall not be responsible or held liable for floral pieces, containers, baskets or items in which or to which floral arrangements are held or attached beyond acceptance of such floral arrangements for funeral services held at the Cemetery.

Flowers or wreaths which become wilted, dried, faded, torn or scattered will be removed by the Cemetery Supervisor.

SEASONAL DECORATIONS

Fresh or artificial (silk, plastic, or synthetic material) seasonal decorations will be allowed beginning **10** days prior to any holiday recognized by the city which includes Martin Luther King Day, Valentine's Day, Mother's Day, Easter, Memorial Day, Father's Day, Independence Day, Veterans Day, and Thanksgiving provided they meet the rules stated on Page 8 of this document. Christmas decorations which meet the same qualifications will be allowed beginning three weeks in advance of Christmas Day. Artificial Christmas trees are not allowed. Seasonal decorations must be removed within **14** days after the holiday; thereafter, the decorations will be removed by the Cemetery Supervisor and disposed of immediately.

FAIRMOUNT CEMETERY CLEAN-UP DATES

WINTER-JANUARY 15

SUMMER-JULY 15

Fairmount Cemetery conducts a cleanup involving the removal of **ALL** flowers, wreaths, decorations, and any worn or prohibited items. Should the cleanup dates fall on a Saturday or Sunday, the cleanup will occur the following Monday. Please pick up anything you want to keep before these dates. Any items not included on the Prohibited Items list on Page 8 of the Rules and Regulations may be put back on graves one week after the cleanup.

At any given time, without notice, prohibited items listed on Page 8 of the Rules and Regulations and worn or faded items of any kind on the ground or on or near graves will be picked up at the discretion of the Cemetery Supervisor and disposed of immediately.

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PLANTINGS

If for any reason planting on any lot or elsewhere in the Cemetery dies, is damaged or is detrimental to adjacent lots or avenues, the Cemetery Supervisor has the sole authority and **toe** duty to remove all or any part of the planting or to otherwise correct the condition.

All grading, lands catting, and improving of the lots including but not limited to any planting, trimming, cutting or removing of any planting shall be completed by Cemetery grounds staff under the supervision of the Cemetery Supervisor.

Application of pesticides and fertilizer to any grass, plants or trees in the Cemetery will be performed by the Cemetery Supervisor and/or the Cemetery grounds staff. Lot owners wishing to have chemicals applied to their lots may contact the Cemetery Supervisor.

No person, other than Cemetery staff, shall cut, trim, pluck or remove any plantings, wild or cultivated, from any part of the Cemetery.

Nothing shall be placed or planted on the grave area itself that will hinder mowing and upkeep activities including but not limited to artificial turf and ground cover of any kind. Grass planting or the use of seeds is not allowed.

LANDSCAPE AND TREE DONATION PROGRAM

Suitable and attractive plantings beautify our Cemetery and honor our dead. Therefore, the Cemetery Board of Directors and the Friends of Fairmount organization have an approved list of trees recommended specifically by horticulturists and landscape architects to enhance Fairmount Cemetery, to be drought resistant and adapted to San Angelo's climate and frequent times of water shortages. Full-grown plantings are preferred in order to prevent damage to markers, water lines, right of ways, and other lots.

Those wishing to place a tree in the Cemetery are encouraged to learn more about the Landscape and Tree Donation Program at www.friendsoffairmount.org, or make an appointment with the Cemetery Supervisor at the Fairmount Cemetery office, Monday - Friday, 8 a.m. - 5 p.m., (325) 655-9475 or go to www.cosatx.us/departments-services/fairmount-cemetery.

The Cemetery Supervisor will discuss the proposed planting and placement in the Cemetery considering maintenance, Cemetery needs, and the Rules and Regulations. Final type and placement of any planting is at the sole discretion of the Cemetery Supervisor. All trees and shrubs become the property of the Cemetery. Cemetery grounds staff will water and care for all new trees as they are able while adhering to any civic or Cemetery water conservation restrictions. Lot owners may bring their own supply of water and hoses to the Cemetery to water individual plantings. Only Cemetery grounds staff may use Cemetery water sources (faucets, hoses, and sprinklers). The Cemetery is not responsible for any plantings which do not survive for any reason. A waiver to that effect must be signed in the Cemetery office.

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BENCHES

Bench placement and location must be arranged and approved through the Cemetery Office and communicated to the grounds staff to ensure that it will not interfere with grounds maintenance.

Benches are to be constructed of a material which will withstand the elements and not come into disrepair over time. Examples of approved materials which can withstand the elements include concrete, marble or granite. Wooden, plaster or metal benches or settees are not acceptable materials. Any bench which becomes broken, unsafe or in disrepair will be removed by the Cemetery grounds staff. Fairmount Cemetery accepts no responsibility if a bench becomes broken, damaged or stolen.

Benches currently in the cemetery will be evaluated and moved if they are determined to interfere with maintenance by the Cemetery Supervisor. Those currently in the cemetery and cemented to the ground will be allowed to remain.

Fairmount Cemetery reserves the right to refuse permission to place benches if it determines that a bench or its placement does not conform to the cemetery requirements or is in a position that will impede maintenance equipment. Other questions regarding benches may be answered by the Cemetery Supervisor.

AUTOMOBILES And Other Vehicles

Whether driving an automobile or riding a bicycle, skateboard, scooter or other vehicle, you are asked to remember the sacred nature of the Cemetery. Please drive or ride only on the streets and avoid driving on lots, lawns, pathways, and walks.

Avoid U-tums and follow the flow of traffic.

Automobile speed shall not exceed the posted limit of 15 miles per hour.

Park your car(s) so that traffic is not obstructed.

Please silence stereos, radios, entertainment systems, and other noise-producing items out of respect for other people enjoying the quiet solitude of the Cemetery grounds.

Avoid using the grounds as a public thoroughfare or driving any vehicle through it except for the purposes of visiting a gravesite or conducting other cemetery - related business.

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PETS

All pets must be on a leash while on Cemetery grounds. All pets must be kept under control.

Dogs are allowed on a leash on roadways only.

Please respect the cemetery memorials and gravesites. Honor the dead and refrain from standing or walking on the gravesites.

Carry waste disposal material if you choose to walk your pet and enjoy the park-like setting. The Cemetery and the City of San Angelo do not provide bags or receptacles. Please take all disposal materials with you when you leave the Cemetery.

Be mindful that others utilize the Cemetery for funerals, educational programs, community events, and individual enjoyment. We want to keep our Cemetery clean and tidy for all visitors to enjoy.

CEMETERY ETIQUETTE

We ask all visitors to remember that the grounds of Fairmount Cemetery are sacredly devoted to the burial of the dead. Respect for the dead and/or their surviving family and loved ones will be first and foremost, along with maintaining the peace and serenity of the grounds.

Please adhere to the following etiquette policies:

1. Maintain the proper respect and decorum at the cemetery at all times.
2. Avoid intrusion on a funeral or memorial service.
3. Respect others by keeping voices quiet and avoiding profanity.
4. Turn off your car's radio or entertainment system while driving through the cemetery and while parked.
5. Refrain from any cell phone use during a Cemetery ceremony.
6. Drive only on the roadways.
7. Drive at the posted speed limit, 15 miles per hour.
8. Leash pets and keep them under control. Clean up after your pet.
9. Avoid walking or standing on graves.
- 10.** Feel free to come to the cemetery to visit the dead, enjoy nature, or walk in a beautiful historic place.