

PREFACE

In compiling the rules herein, the City of Orlando has endeavored to safeguard the individual lot owners as well as the cemetery as a whole. All lot owners and visitors within the cemetery and all property sold shall be subject to said rules and regulations, as well as such other rules, amendments, or alterations that may from time to time be adopted by the City Council.

We trust that every lot owner in the cemetery is interested in the enforcement of these rules, as they are necessary to assure the proper management and development of a beautiful cemetery as well as the dignity that it deserves.

The cemetery is hallowed in our hearts and in our memories and we trust that none will intentionally violate any of its rules.

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I. GENERAL RULES

1. Greenwood Cemetery, a municipal cemetery owned and operated by the City of Orlando, is not one of perpetual care and the City is under no obligation to maintain any set standard for its care and upkeep, although the City does provide for general maintenance and care of the cemetery grounds.
2. The cemetery is set apart for the exclusive burial of human remains and shall forever be used as such only.
3. The City Clerk, at the direction of the Orlando City Council, is responsible for the administration of the cemetery and for the enforcement of all rules, regulations, policies, and procedures approved by City Council. The Greenwood Cemetery Sexton, at the direction of the City Clerk, supervises all workers within the boundaries of the cemetery and shall have authority to cause the expulsion from the cemetery of any person who violates the rules and regulations or whose conduct is considered contrary to the accepted decorum of the cemetery.
4. The City shall not be held liable for errors or damages, which may occur as a result of improper, or misinterpretation of, telephone instructions from lot owners, their legal representatives, or funeral directors acting on behalf of the owner or his heirs.
5. The City has the right, without prior approval of the lot owner or his legal representative, to correct errors made in good faith in any phase of cemetery administration, operation, or maintenance without incurring liability of any kind whatsoever.
6. The City has the right to change, modify, or replat any part of the cemetery not sold for burial purposes.

7. The City reserves the perpetual right of ingress and egress over all lots.
8. The City shall take reasonable precaution to protect space owners and the burial rights of owners within the cemetery. It disclaims all responsibility for loss or damage caused by flooding, fire, windstorm, or other causes deemed an Act of God, a common enemy, thieves, vandals, strikes, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral.
9. City employees are not permitted to do any work for lot owners except at the direction of the Sexton and are prohibited from receiving tips or gratuities.
10. Cemetery gates are open daily from 7:00 a.m. to 7:00 p.m., unless otherwise posted by the Sexton. The office is open Monday through Friday, 7:30 a.m. to 4:00 p.m.
11. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The cemetery reserves the right to make exceptions, suspensions, or modifications of any of these rules and regulations without notice when, in the judgment of the management, such action appears necessary. Any such temporary exception, suspension, or modification shall in no way be construed as affecting the general application of these rules and regulations, and shall not act as a waiver of any of the provisions herein.
12. The City of Orlando reserves the right to adopt new rules, amend or suspend present rules and regulations herein, at any time, without notification to the owners.

II. CONDUCT WITHIN THE CEMETERY

1. Visitors are reminded that cemetery grounds are considered sacred and a strict observance of accepted decorum shall be required at all times.
2. Visitors will use the walks and roads provided. In the event of injuries, the City of Orlando is in no way liable.
3. Pets, food, and firearms, other than those carried by police officers or used in military honor funeral services, shall be prohibited in the cemetery.
4. It shall be unlawful for any person to interfere with the proper conduct of a funeral or with the burying or exhuming of a body in Greenwood Cemetery without legal cause.
5. No person shall drive any vehicle within the cemetery except upon the driveways prepared and designated for that purpose, and such vehicles shall be operated in excess of the posted speed limit of 15 mph. Vehicles shall drive on the right side, and shall not drive or park off of hard-surfaced roads. Parking or leaving any vehicle on any road or driveway within the cemetery at such location or in such position as to prevent any other car or vehicle from passing the same is prohibited, and if so parked or left, the management reserves the right to have the vehicle removed.
6. It shall be unlawful for any person to desecrate or injure the cemetery, or any lot, grave, tomb, gravestone, monument, fence, tree or shrubbery therein, or to break, cut, injure, or disturb any fish or wildlife within the cemetery.
7. Receptacles for waste materials are placed at convenient locations throughout the cemetery. The placing or disposing of debris at any other location is prohibited.

8. Sale of any item on cemetery property is strictly prohibited unless authorized by City Council. Approaching the bereaved for the purpose of soliciting any business within the cemetery is recognized as not in good taste and therefore is prohibited.

III. CEMETERY CARE

1. The cemetery is not one of perpetual care, however, general care is assumed by the City and includes the cutting and watering of grass, debris removal, fertilization, and periodic pruning of shrubs and trees. The City is under no obligation to maintain any set standard for care and upkeep of cemetery grounds.

2. The cemetery is not responsible for the loss of any plantings or decorations by any cause whatsoever, nor is the City responsible for any damage to memorials, which may occur by any cause whatsoever.

3. Grave decorations of all kinds will be removed when in the judgment of the supervisor they do not conform to the decorum of the cemetery.

4. Holiday decorations are permitted for Easter and Christmas. Easter decorations must be removed within 14 days after the holiday. Christmas decorations must be removed within 30 days after the holiday. Decorations not removed by owner(s) within the specified time shall be removed and disposed of by cemetery personnel. Should the owner wish to permanently plant any such decoration (e.g. lilies, poinsettias), the supervisor must give permission and such planting must occur within the specified time frame.

5. The planting or placing of shrubbery, plants, flowers, or grass must be approved at the cemetery office. The encirclement of plants or shrubs around a gravesite is prohibited, except on privately maintained lots, as is the placing of trees. Should an owner wish to donate a tree or other plant material to be placed in a walkway or parkway adjacent to his lot, arrangements must be made through the cemetery office.

6. Those owners wishing to privately maintain their lots will advise the sexton of their arrangements, and all City maintenance to those lots will be terminated. The City retains the authority to intervene at any time to ensure that the maintenance of all lots meets the standards as established by the management.

7. The City will perform all care, improvements, and alteration work. Watering of grounds will be performed by the City whenever possible. The tapping into water lines by private persons is prohibited. Should an owner wish to set out watering devices for short duration, permission must be obtained at the office, and the owner is responsible for cutting the water off and removing the irrigation device after a set period of time. The management has the right to remove any watering device running unattended, and shall not be responsible for the storage or security of any such watering device(s).

8. The City of Orlando reserves the right to make any changes deemed necessary as to grading, roads, utility lines and such similar work without notice or approval of owners.

IV. SALES AND TRANSFERS

1. The staff will show available space locations and prepare the cemetery agreement for selected sites. Sales are not considered final until such time as the buyer completes the transaction.

2. Interment or the placing of a memorial shall not be permitted until the purchase price of the space has been paid in full.
3. A deed to the property shall be issued upon receipt of full payment. Such deed shall be subject to these rules and regulations, the applicable ordinances of the City of Orlando, and such restrictions as are of record. The sales agreement and the rules and regulations and any amendments thereto shall constitute the sole agreement between the City of Orlando and the purchaser and no other agreement, not in writing, shall be recognized by the City.
4. Space may be purchased on an installment basis with an initial deposit and partial payments with interest payable in accordance with the terms of the agreement of sale. Payments are to be to the Revenue Collection Office, Orlando City Hall, 400 South Orange Avenue, Orlando FL 32801.
5. It is the responsibility of the space owner(s) to keep the cemetery informed as to their correct mailing address. Notices or other correspondence mailed to owners or their legal representatives or heirs to the address on file with the cemetery shall constitute actual delivery and notification.
6. No transfer or assignment of any space or interest therein shall be valid without prior consent of the City. Consent for transfer or assignment shall be withheld until payment for the space is received in full. It is the responsibility of an owner's heirs to prove ownership. No interment of family or heirs shall be allowed absent proof to the cemetery management of their ownership interest.
7. A space owner may sell or transfer his or her space only to a relative by blood or marriage; provided, however, a space owner may sell or transfer his or her space to a person not related by blood or marriage if the owner receives approval of said sale from City Council. In the event a space owner wishes to sell or transfer his or her space to a person other than a relative by blood or marriage in a sale or transfer not approved by City Council, the owner shall first offer in writing the space for sale to the City of Orlando for a purchase price equal to the price paid by the original purchaser of the space or one-half of the current selling price, whichever is greater, less a recording fee if the deed from the City to the owner is not recorded. If the City wishes to purchase the space, the City shall notify the owner thereof within five (5) days of receipt of notice, and the sale shall be closed within five (5) days after receipt by the City of evidence of title to the space satisfactory to the Office of Legal Affairs. If the City declines in writing to purchase the space, the owner may sell the space to any purchaser; provided, however, no such sale shall be valid unless the City endorses the deed to the space to the effect that the City has declined to exercise its right of first refusal to purchase the space.

V. DECLARATION OF RESERVATION

1. The owner of a space may present his deed to the cemetery staff, designating persons entitled to be buried in the space or spaces owned. This practice is strongly encouraged by cemetery management, as the declaration may prevent future delays and confusion at the time of need for the space.
2. An owner may only provide designations for relatives by blood or marriage.
3. In the event the owner fails to designate burial rights for the space or spaces owned, the right of interment in the remaining space or spaces shall be in the following order:
 - a) One space, niche, or crypt shall be forever reserved for the owner and one for the owner's spouse, if any;

b) Right of burial of the remaining spaces shall be by or through in testate succession as provided for in the Florida statutes, or by specific bequests in the owner's Last Will and Testament.

4. The burial rights in all space conveyed shall be presumed to be the sole and separate property of the person or persons named as grantee in the deed.

5. An owner may amend his declaration of reservation at any time.

6. Whenever an interment of the remains of any person is made in a space, the space thereby becomes inalienable and shall be held as the space of the interred person, except as otherwise provided by the owner's declaration of reservation.

VI. INTERMENTS AND DISINTERMENTS

1. All interments, disinterments and removals are subject to the orders and laws of the properly constituted authorities of the City of Orlando, County of Orange, and State of Florida.

2. All earth interments shall be in a liner or vault of concrete or steel or other type subsequently approved for use by the City Council.

3. Charges for services rendered under this title are established by the City, and are payable prior to the service at the cemetery office.

4. Interments and disinterments are not permitted on Easter, Thanksgiving, or Christmas Day.

5. The staff must be given 24 hours notice prior to any interment. One week's notice will be given for disinterment or removal.

6. No more than the remains of one body can be interred in anyone space, single vault, crypt, or niche, except in the case of a mother and stillborn child. However, with consent of the owner or heirs of the owner, an exception can be made to permit no more than one regular interment and one cremain or two cremains in anyone space, vault, crypt, or niche.

7. All cremains must be interred and appropriate arrangements for such interment scheduled with the staff. It is prohibited for cremains to be scattered in the cemetery, or buried without the City's permission.

8. In the absence of the owner's declaration of reservation, or other legal evidence of ownership, the City reserves the right to refuse to open any burial space and to refuse interment.

9. If, for any reason, an interment space in a specified location cannot be obtained, the sexton, to prevent a delay in the services, may provide one in a location he deems best and proper. The City shall not be held liable in any way as a result of such action.

10. In plots owned by a church or organization, interment is limited to members and/or spouses and immediate family members, unless otherwise provided by deed.

11. The City shall not be liable for any delay in interment where protest by the legal representatives or heirs have been made, or where rules and regulations have not been complied with. Remains are the responsibility of the decedent's family, heirs, or executor until properly interred. Should any legal process or question prohibit the City from interring any person, it shall be the responsibility of the family, heirs, or executor to store such remains until the protest is resolved. In the event the City incurs any costs due to any such protest, it shall be the responsibility of the family, heirs, executor, etc. to reimburse the City for any such expenses.

12. The City is not liable for the interment permit, or for the identity of the remains brought for interment, nor for the embalming of the body.

13. Caskets containing remains, once interred, will not be opened or removed without the written consent of legal representatives of the deceased and/or an order from a court of competent jurisdiction. The City shall not be liable for any damages that may result from a removal.

14. Funeral processions entering the cemetery shall be under the control of the cemetery sexton. Funeral directors shall be present and conduct services as provided by existing State laws and City ordinances.

VII. MEMORIALS

1. All markers in the cemetery shall be of granite, marble, or bronze and shall be installed by a licensed memorial representative.

2. Only one stone or marker will be allowed for each grave space, and this shall be placed at the head of the grave. In the event a family monument is placed at the head of a lot, an individual marker may be placed at the foot of each grave for individual graves. Government markers may also be placed at the foot of the grave in addition to the headstone.

3. Cemetery staff will provide reasonable assistance to licensed memorial representatives in locating grave spaces.

4. All stones or markers in the cemetery are required to have a concrete foundation, which may be poured by licensed memorial representatives or cemetery staff. Markers installed in Blocks 11 and 12 do not require concrete foundations.

5. Slabs are permitted on those lots where slabs have previously been laid; however, the City is not liable for any damages, which may occur to such slab in the regular maintenance of the cemetery. Coping is permitted so long as it is laid flush with the ground, as are corner markers.

6. Fees for foundations are payable in advance at the Cemetery Office.

7. No memorial of any kind will be permitted without the written authorization of the space owner, his legal representative or legal heirs.

8. All markers installed in Blocks 11 and 12 shall be flush with the ground and shall be no larger than 2'6" by 1'1" by 4" (30" x 13"). Only one marker per space is allowed in these areas, and it shall be placed at the head of the grave.

9. Should a monument dealer need to access areas off of hard-surfaced roads, that person must receive guidance from staff as to where the vehicle may be driven over the grounds. Payment for any damages that may occur in the course of a monument installation shall be the responsibility of the monument dealer.

10. The City is in no way responsible for the preservation and care of any memorials installed in the cemetery.