



Moro Cemetery
City of Moro, Oregon

CEMETERY RULES AND REGULATIONS

In compliance with ORS 97.710, the City of Moro has adopted these Rules and Regulations for the use of the Moro Cemetery.

These Rules and Regulations are intended as a protective measure for all who use this facility. The nature of all improvements, good appearance of the grounds, and respectful observance of the sacredness of the place, requires adherence to rules in which the right of an individual is secondary to the needs of others.

Anything that mars the general beauty of the Moro Cemetery shall be avoided and lot owners shall consider that the one lot is but a part of the whole and seek to improve it only with regard to its surroundings.

Cemetery grounds are open for visitation seven days a week from dawn to dusk. The office is closed all Legal Holidays and weekends. Cemetery maps and burial records are available at the cemetery business office.

Moro Cemetery Policy

Section One: History & Authority.

1. Location and History

- A. The Moro Cemetery, owned by the City of Moro, is located in the NW corner of Moro, Sherman County, Oregon, in Section 18, T1S, R17E WM. Van Gilder Road is parallel to the N boundary of the Cemetery and Azure Lane is to the E boundary.
- B. The dedication of the Odd Fellows Cemetery took place in 1894; then turned over to the Friendship Baptist Church in 1897; then in 1922 turned over to the Moro Odd Fellows; which in 1965 turned over to the Chris Schultz Post #71 which lastly was given to the City of Moro in 1981.
- C. The City of Moro Cemetery is licensed by the Oregon Mortuary & Cemetery Board (CM-0254).

2. Authority

- A. The ultimate authority for all matters pertaining to the Moro Cemetery owned by the City of Moro rests with the elected Mayor and City Council.
- B. The City Council controls and manages the Cemetery Budget, including the CD and Annuity. The City Council ultimately has all control over the Cemetery.
- C. All Moro Cemetery policies, rules and regulations are subject to ORS (Oregon Revised Statutes) ORS 97.710 through ORS 97.990.

3. Governance

- A. License to operate the Moro Cemetery. When there is a change in any principal of the licensed facility, the City Administrator/Recorder shall provide the Oregon Cemetery and Mortuary Board with the name of the new principal(s) within 30 days of the change.
- B. As a licensed facility, the City of Moro shall keep a detailed, accurate and permanent record of all transactions that are performed for the care, preparation and final disposition of human remains. Records for each plot, lot, grave and purchaser of burial rights are kept in duplicate at separate locations.
- C. The name and address of every lot owner will be kept on record.
- D. In the event of a change of address, the Moro Cemetery Administrator should be notified promptly. Upon the death of a lot owner, heirs should file their proof of ownership claim and pertinent information with the Cemetery office, including a certified copy of the probated will or bill of sale in order for a transfer of ownership to be made.
- E. The books of the cemetery authority shall presumptively establish ownership of plots.
- F. Moro Cemetery records may be obtained by contacting the City of Moro. Research will be done on a time-available basis. A fee will be charged for research.

4. Definitions: See ORS 97.010

As used in these Policies, Rules and Regulations, the following definitions are set forth:

- A. **Burial Lots/Plots/Burial Space:** Space in a cemetery owned by one or more individuals, an association or fraternal or other organization and used, or intended to be used, for the permanent interment therein of the remains of one or more deceased person. Such terms include and apply with like effect to one, or more than one, adjoining grave, crypt, vault or niche.
- B. **Cemetery:** Dedicated to and used, or intended to be used, for a permanent memorial or the permanent interment of human remains; and that may contain a mausoleum, crypt or vault interment, a columbarium, an ossuary, a cenotaph, a scattering garden, any other structure or place used or intended to be used for the interment or disposition of human remains or any combination of these structures or places.
- C. **Contractor:** Any person, firm, or corporation, other than an employee of the cemetery, erecting or repairing any memorial, delivering any material, or performing any work in the cemetery.
- D. **Cremated remains:** Means the remains of a cremated human body after completion of the cremation process.
- E. **Crypt or Vault:** means a space in a mausoleum of sufficient size used, or intended to be used, to entomb uncremated human remains.
- F. **Decorations:** object of a decorative nature such as, but not necessarily limited to natural or artificial flowers, wreaths, candles, pin wheels, hangers, balloons, flags, or toys which may be placed on graves or memorials.
- G. **Disinterment:** Removal from the lot/plot/grave/niche/crypt with the consent of the City Council's authority and written consent of the person who has the authority to direct disposition of the remains of the deceased person. It does not include relocation and interment of remains from a temporary location to a place of permanent burial.
- H. **Grave:** A space of ground in a burial park used, or intended to be used, for burial of the remains of one person.
- I. **Interment:** Means the disposition of human remains by inurnment, entombment or burial.
- J. **Interment Right:** The inheritable right to interment in a specified grave space, mausoleum crypt, or columbarium niche.
- K. **Inurnment:** Means the placement of cremated remains in a receptacle and the deposit of the receptacle in a niche.
- L. **Lawn crypts:** Means a space in a mausoleum of sufficient size used, or intended to be used, to entomb uncremated human remains.

- M. **Lot Owner:** Means any person identified in the records as owner of the burial rights to a burial lot.
- N. **Marker, Temporary:** A metal name plate containing the name, birth date and date of death of the decedent, used to temporarily mark the grave until a monument is put in place.
- O. **Memorial:** Any monument, marker, tablet, name plate, or structure placed upon a place of interment or elsewhere in the cemetery for the purpose of identification or in memory of a deceased person or persons.
- P. **Monument (upright):** any memorial set upright or perpendicular to the grave consisting of two or more pieces, and placed on a gravesite to perpendicular to the grave.
- Q. **Monument (flat):** any memorial lying flat and set flush with the level of the ground.
- R. **Niche:** a compartment, as in a columbarium, for holding urns of cremated remains.
- S. **Owner:** the owner of burial rights in a certain lot or plot.
- T. **Perpetual Care:** keeping the lot, free of weeds and debris.
- U. **Right of Interment or Burial:** the inheritable right to interment in a specified grave space, mausoleum crypt, or columbarium niche.
- V. **Slab:** a flat stone, bronze or granite memorial covering the entire grave.
- W. **Urn:** a container used for preserving the ashes of the dead after cremation.

5. General Provisions

A. Office

1. The office for the Moro Cemetery is located at the City Hall in Moro, Oregon.
2. Contributions & payments may be sent to City of Moro, c/o Moro Cemetery, P.O. Box 231 Moro, OR 97039. Questions call 541-565-3535 (City Hall Office).
3. All business should be conducted with the current elected Moro City Council.

B. The cemetery is open from dawn until dusk. Trespass charges may be brought against those on the grounds unlawfully.

Section Two: Cemetery Management

1. ORS 97.710 Power of cemetery to make rules and regulations.

A. The City Council will enforce rules and regulations for:

1. The use, care, control, managements, restriction and protection of its cemetery;
2. Restricting and limiting the use of all property within its cemetery;
3. Regulation of the uniformity, class and kind of all markers, monuments and other structures within its cemetery;
4. Prohibiting the erection of monuments, markers or other structures in or upon any portion of its property;
5. Regulating or preventing the erection of monuments, effigies and structures within any portion of the cemetery grounds and for the removal thereof;
6. Regulating the care or preventing the introduction of plants or shrubs within such grounds;
7. Regulating any and all spraying to be done within the limits of the cemetery grounds;
8. Preventing the interment in any part thereof of a body not entitled to interment therein;
9. Preventing the use of burial plots for purposes violating its restrictions;
10. Regulating the conduct of persons and preventing improper assemblages therein; and
11. All other purposes deemed necessary by the Moro City Council for the proper conduct of its business and the protection and safeguarding of the premises and the principles, plans and ideals on which the cemetery was organized.

B. The Moro City Council may adopt reasonable rules and regulations for the control of the Moro Cemetery. The rules and regulations of this policy may be modified or changed as the Moro City Council may determine.

2. ORS 97.720 Record of interments and cremations; inspection.

A. The City shall furnish a record book in which designated staff shall enter information pertaining to all lots and bodies disposed of on the premises of the cemetery as follows:

1. The name of the deceased person.
2. The place of death.
3. The date of burial or other disposition.
4. A complete record of each lot or grave sold, the date of sale, name and address of the purchaser.
5. The name and address of the undertaker or funeral home.
6. The lot where the deceased was buried.

B. The records shall be open to inspection by survivors of the decedent during the customary office hours of the Moro City Hall.

3. ORS 97.730 Gifts and bequests in trust for cemeteries.

A. Gifts, grants and bequests of personal property in trust for the purpose of providing perpetual care and maintenance, improvement or embellishment of private burial lots in or outside of cemeteries and of the walks, fences, monuments, structures or tombs thereon, are permitted and shall be deemed to be for perpetual and benevolent uses. They are not invalid by reason of any indefiniteness or uncertainty of the person designated as beneficiaries in the instrument creating the trust; nor are they invalid as violating any existing laws against perpetuities or suspension of the power of alienation of title to property. But nothing in this section affects any existing authority or cause to pass upon the reasonableness of the amount of such gift, grant or bequest. Any cemetery association may act as trustee of and execute any such trust with respect to lots, walks, fences, monuments, structures or tombs, both within or outside its own cemetery limits, but within the county where such cemetery association has its principal office and place of business, whether such power is otherwise included in its corporate powers or not

4. ORS 97.830 Investment and reinvestment of principal of endowed care funds; use and application of income.

A. The principal of all funds for endowed care shall be invested, from time to time reinvested and kept invested. If a trust agreement imposes upon the trustee or custodian the duty to direct the investment or reinvestment of endowed care funds, the trustee or custodian shall perform this duty governed by ORS 130.755-130.775. Otherwise, the Moro City Council, governed by ORS 130.750-13.775, shall direct the investment and reinvestment of endowed care funds in the time or savings deposits of the custodian bank or savings association.

B. The principal of invested endowed care funds shall never be voluntarily reduced, but shall be maintained separate and distinct by the trustee or custodian from all other funds except that it shall be proper to commingle endowment care funds with special care funds. The payment of charges chargeable against principal under ORS chapter 129 or of other expenses necessarily incurred in the administration of the trust in accordance with subsection (1) of this section shall not constitute a voluntary reduction of principal. The net income earned shall be used solely for the general care and maintenance of the cemetery property entitled to endowment care, as stipulated in the resolution, bylaw and other action or instrument by which the fund was established, and in such manner as the Moro City Council may from time to time determine to be in the best interest of such endowed property. Such net income shall never be used for the improvement or embellishment of undeveloped property offered for sale.

Section Three: Conduct within the Cemetery

1. Visitors and lot owners are reminded that cemeteries are sacredly devoted to the interment of the dead and that strict observance of the proprieties due such a place is required, whether or not they are specifically embraced in this policy.
2. Any unauthorized person who shall damage, remove or deface any tombstone, monument, tree, shrub, or any property in the cemetery or violate any of the provisions of this policy, is guilty of a misdemeanor and turned over to the Sheriff's office.
3. Loitering on the cemetery ground is prohibited.
4. All vehicles must be kept on established roadways, unless they are preparing for a burial.
5. All mowing, weed-eating, irrigation and spraying outside of personal lots will be done by authorized volunteers.
6. *All regular cemetery family lots are 16' x 20' (outside diameter of curb), unless changed by the Moro City Council.*
7. *Individual cremation plots 3'8" x 4'9" are set aside in certain lots ready for individual burial of cremains only, unless changed by the Moro City Council.*
8. Individual cemetery plots are set aside in certain lots ready for individual casket burial, unless changed by the Moro City Council.
9. If any vault, tomb, mausoleum, or like structure, in which bodies are interred falls into a state of dilapidation or decay which is determined to be offensive or in any way injurious to the appearance of the surrounding lots or grounds, and no adequate provision is or has been made by the owner(s) for its repair, the Council will authorize someone to remove the structure and inter the body of bodies on said lot. The structure may be disposed by any means necessary.
10. The Moro Cemetery has no special sections for the burial of deceased veterans.
11. The Moro Cemetery has been designated only for human remains, which means the physical remains of a human body, including, but not limited to, bones, teeth, hair, and ashes or mummified or otherwise preserved soft tissues of an individual.
12. There shall be NO burying of anything other than human remains; meaning NO cats, dogs, horses or any other type of animal will be buried in the Moro Cemetery outside of a casket, no animals!
13. Lot owners will maintain their lots only.
14. Heavy loads & vehicles will not be permitted to enter the Cemetery except for pre-approved business pertaining to the Cemetery.

Section Four: Interment Specifications

1. **Burial Depth** -All casket graves dug in the Moro Cemetery shall be excavated to a depth of not less than 4½ feet at the shallow end, with a minimum of 18 inches of earth cover. No mounds will be allowed in the cemetery, and all graves will be filled so as to be level with ground surface.
2. **Liner Required**- Every in ground casket interment, shall be made in an outer rigid permanent container. All caskets must be in a suitable outer burial container constructed of concrete, steel or poly-clad material. All outer boxes or vaults shall be so constructed that they will bear minimum weight of one hundred fifty (150) pounds per square foot, with a minimum of eighteen (18) inches of earth cover.
3. **Interment of Cremated Remains**: All urn/cremated graves dug shall be excavated to a depth such that the bottom of the grave is at a depth of between 24 and 30 inches, depending on the height of the urn or container holding the cremated remains. A minimum of 12 inches of earth cover is needed over the top of the urn burial. Cremated remains must be enclosed in a rigid, permanent, rustproof, waterproof, sealed container, such as concrete, copper, bronze or durable inert strong fiberglass or plastic-type material container. *All cremains*

interments shall be made in an outer rigid permanent container (urn vault) Scattering of ashes anywhere within the bounds of the Moro Cemetery is expressly prohibited.

4. Interment of More Than One Body- *Not more than one (1) body, or the remains of more than one (1) body, or the cremated remains of more than one body, shall be interred in any one grave, except in the case of a mother and newborn babe.*

Section Five: Rules Governing Interments/Disinterment's

1. All plots conveyed to individuals are presumed to be solely and separately owned by the person named in the instrument of conveyance. To apply for interment, disinterment or removal of a body, the owner of the lot or person with authority over the Lot shall apply in **writing** to the Cemetery Administrator. The applicant shall provide documentation that he or she owns or has legal authority over the lot. Failure to provide adequate proof of lot ownership or the right to control the lot will be sufficient grounds to postpone or deny the requested service. All interments in lots shall be restricted to persons designated by the lot owner. If an order is presented for the interment of a person not a member of the immediate family, written authorization from the lot owner must be filed with the Cemetery Office.

1.5 A disinterment permit is to be procured from the State Board of Health. No disinterment shall be made except with the consent of the Cemetery Administrator, or public officer or official having authority to order such disinterment and upon the written consent of the authorized representative (next of kin).

2. The city shall not be held responsible for any order given by telephone, or for any mistake occurring from the want of precise or proper instructions as to the particular space, size, and location in a plot where interment is desired.

3. *Any interment or grave opening, whether of cremains or casket burial, shall NOT take place without a valid Cemetery Authorization Interment-Burial Permit being approved and issued by the Moro Cemetery Administrator, and the payment of the interment authorization administrative fee.*

4. A Cemetery Authorization Interment-Burial Permit will not be approved unless a death certificate is furnished giving the name and residence of the deceased, the name of the nearest relative, and the time and place of death, and a copy of the final disposition authorization form.

5. Upon the death of an plot owner, unless the owner has disposed of the plot either by specific direction in the will of the owner or by a written declaration filed and recorded in the office of the cemetery authority, if no interment has been made in an interment plot which has been transferred by deed or certificate of ownership to an individual owner or if all remains previous interred are lawfully removed, the plot descends to the heirs at law of the owner, subject to the rights of interment of the decedent and the surviving spouse of the decedent. *The Moro Cemetery shall in no way be held responsible for failure to properly determine the legal successor ship of any burial space.* The heirs are entitled to the same use of the burial space as the original owners and are bound by the same rules and regulations. No person, except the owner of the burial rights on a space will be buried on that space, unless a form provided by the Cemetery Administrator has been signed by the owner or legal heirs to those rights giving permission for the use of the space. The permission slip must be turned in before the grave opening and will be kept as a permanent record.

6. An ownership transfer form must be filled out, and approved by the City prior to any transfer of ownership rights.

7. Family Plots shall be subject to the order of occupation and other criteria of ORS 97.630. Whenever a plot is transferred by deed or certificate to an individual owner and the transfer is recorded on the books of the cemetery authority, the cemetery authority shall provide to the individual owner a written statement, in a form approved by the State Mortuary and Cemetery Board, containing a clear explanation of the provisions of subsections (1) and (2) of this section and the rights of interment established thereby. The written statement may be provided by printing ORS 97.630 on the back of transfer forms.

8. If any of the provisions of this Section conflict with ORS 97.510 to 97.97.650, the aforementioned statutes shall control.

Section Six: Permanent and Temporary Grave Markers/Monuments/Headstones

1. Temporary Markers Required: A temporary marker is **REQUIRED** for all casket, and urn burials. Temporary markers shall be placed at the front of the grave space at the time of interment. *Temporary markers must be a typical commercial temporary grave marker, and may only stay on the grave for up to six months, beyond the date of placement* The cemetery is NOT responsible for lost, stolen, or damaged temporary markers. A permanent identification marker shall be installed within six months following the interment.

2. Slants, Bevels, or Flats are allowed on each individual grave space. All permanent markers or headstones must be of regular, uniform, approved forms and sizes.

3. Marker Sizing-

Single Burial or Cremains Burial-Minimum size of a single marker or stone is 16" x 8", Maximum size is 30" x 18".

Double Burial Markers- Double markers or stones shall be a minimum of 36" x 12", and a maximum of 48" x 18"

4. Marker Placement-

- A. Markers will be set at the head of each grave, or above the cremains burial urn, as best as practicable.
- B. All markers on the lot should be in a straight line, and parallel to the boundary line of the lot.
- C. Companion/Double markers intended to embrace two graves shall be permitted.
- D. Only one marker is allowed on each grave space, the exception being the installation of 2nd marker, a single monument in a family lot.

Single Marker-The marker or stone must be centered in the grave space.

Dual Marker- In the case of a dual/double marker or stone it shall be installed centered within the width of the two grave spaces.

E. Monuments (Upright)

- 1. A minimum of 8 grave spaces under contiguous owner ship (family lot) is required for the installation of a monument, and one monument shall be allowed on each family lot.
- 2. No monument shall be higher than five feet above ground level and in no case shall the foundation of the monument be constructed closer than six inches from the lot line.
- 3. Monuments to mark a family plot shall be installed on the centerline of the lot, as best as practicable.
- 4. Monuments are constructed of two pieces a "Base" and a "Die". The base has a minimum requirement of 24" x 10" x 6" (L x W x H). the die or top shall not be over 5' in height, as assembled on the base and shall not exceed the length or width of the base. No vertical joints are allowed in the monuments

Section Seven- Contractor Procedures/Requirements

1. All contractors performing work within the cemeteries must carry liability insurance at levels determined by the City. Certificates of insurance must be on file with the Cemetery Office, prior to work commencing.

2. Contractors and others planning to work in the cemetery must advise cemetery management prior to commencing work, and receive approval prior to commencing work.

3. All work in the Cemetery must employ first-class materials and workmanship. All persons performing work in the Moro Cemetery shall agree to hold harmless and indemnify the Moro City Council and City staff.

4. Any outside contractor repeatedly performing substandard work or failing to comply with Cemetery regulations may be excluded from working within the Cemetery.

5. Persons engaged in erecting monuments or performing other work in the Cemetery may not attach ropes to trees, shrubs or fencing. They must not scatter material or debris over adjoining lots or leave debris on the grounds longer than is absolutely necessary. Guy posts may be set only in un-lotted areas.
6. The Cemetery Administrator is given the legal right to prevent the erection of any structure or to remove any structure which he shall deem injurious to the general appearances of the cemetery or the adjoining lots, and to prevent or ask any contractor to leave the Moro Cemetery.
7. Moving cemetery monuments, vaults/liners or any heavy material over any path, lot or part thereof, shall only be done with the consent of cemetery management. ***The grounds/turf/grass shall always be protected by a heavy plank/lumber, or other suitable instrument, to prevent rutting/wheel tracks, or marring of adjoining lots.***
8. *Contractors are requested to make every effort to avoid setting up equipment, or moving over through lots with burials/monuments in them. Contractors will be held directly liable as a result of any damages as a result of operations.* Contractors shall be responsible for all damages to the cemetery facilities including lots, curbs, markers, monuments, roads, trees, shrubbery, and flowers.
9. The obstruction of drives and paths during construction, or when material is being delivered must be avoided whenever possible.
10. Contractors must remove all trash and excess materials immediately after completing work. The lot and surroundings must be restored to their original condition by or at the expense of the person, firm or corporation having the work done.

Section Eight: Lot Specifications

1. Family Lot and single grave plot/interment spaces are sold on a first come, first serve basis.
2. Lot owners are encouraged to designate the individual grave spaces at the time of purchase.
3. Purchasers of lots or spaces acquire the right and privilege of burial and erection of monuments and grave markers subject to the conditions and rules now in force, or which may hereafter be enacted by the City of Moro.
4. Lots in the cemetery are generally divided into four classes and the number of graves and interments permitted on lots is determined by the lot type or size. *A family lot is 16' x 20' (outside diameter of curbing, 1/2 a family lot is 8' x 20'. A single grave space/plot is 8' x 4'. Burial Lots may be purchased in increments of 4 grave spaces (1/2 family lot), or 8 grave spaces (full family lot).*
5. Single grave lots 8'x4' are available in designated portions of the Cemetery only, and will support the burial of 1 casket.
6. Single Cremains burial lots /spaces are available in designated portions of the Cemetery. A cremains space is 3'8" x 4'9" and will support the burial of 1 set of cremains.
7. **Curbing is permitted around family lots only, and will only be installed by authorized Cemetery personnel.**

Modifications and Amendments

1. The City of Moro may, and it hereby expressly reserves the right, at any time or times, with or without notice to owners, to adopt new rules and regulations, or to amend, alter and/or repeal any rule, regulation and/or article, section, or paragraph and/or sentence in these Rules and Regulations/policy.
2. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Moro Cemetery, therefore, reserves the right, without notice, to make exceptions or modifications in any of the Rules and Regulations when in its judgment, the same appear advisable; and such temporary exceptions or modifications shall in no way be construed as affecting the general application of such.
3. Any and all questions regarding the interpretation of these Rules and Regulations should be addressed with the appropriate Cemetery Administrator, at the Moro Cemetery Office (City Hall), located at 104 1st Street in Moro, or call 541-565-3535

Passed by the Moro City Council the 3rd day of March, 2020

Bryan Cranston, Acting Mayor/
Council President of Moro

Erik Glover, City Administrator

Date