



**Kiowa, Comanche, & Apache
Intertribal Land Use Committee**

**CEMETERY POLICIES
&
PROCEDURES**

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PREFACE

This booklet is intended to acquaint Kiowa, Comanche, & Apache Tribal members, funeral home directors, and monument companies, visitors, as well as the public with:

- ❖ Objectives and ideals which will insure for us and our successors proper shrines of respect and beauty.
- ❖ Quality of care for the KCA cemeteries.
- ❖ Appropriate limitations of private and public use of the municipal cemeteries.

These policies pertain to the cemeteries jointly owned by the Kiowa, Comanche, & Apache Tribes of Oklahoma. Established by the KCAILUC Administration Office and approved by the Kiowa, Comanche, & Apache Land Use Committee, these formal policies are designed for the specific purpose of protecting each grave without exception and apply to every lot owner and to every visitor of the KCA Cemeteries. It is expected that they will be duly appreciated and properly respected.

There is no desire to interfere with individual tastes and privileges. Only such restrictive measures are employed as have been deemed necessary to protect the interests of all and to preserve and augment the historic appearance of the cemeteries.

For the mutual protection of all KCAILUC Cemeteries as a whole, the following rules, regulations, and monument work specifications have been adopted by the KCAILUC as the rules, regulations, and monument work specifications of the KCA jointly owned cemeteries. Visitors, employees, and funeral homes shall be subject to said rules, regulations, and specifications, and subject further, to such other rules, regulations, amendments, or alterations as shall be adopted by the KCAILUC from time to time.

GENERAL INFORMATION

KIOWA, COMANCHE, & APACHE LAND USE COMMITTEE (KCAILUC)

The KCAILUC was created by and derives its present authority from the Resolution of the Kiowa General Council of October 8, 1966; Resolution of the Comanche General Council of October 8, 1968; Resolution of the Apache General Council of November 16, 1968 and the Constitutions of the respective compromising Tribes.

The KCAILUC shall have only that authority and those duties granted by the KCAILUC Bylaws or expressly delegated by KCAILUC, and the KCAILUC retains the right to exercise all powers granted to the Board by the KCAILUC Bylaws. All power and authority not expressly granted to the Board is reserves solely to the KCAILUC. Without limitation, this organization shall have the following powers, including but not limited to asserting the rights of the KCAILUC on behalf of the compromising tribes regarding the jointly owned lands, natural resources, facilities, or other property.

The KCAILUC shall protect, preserve, maintain, develop, increase, and secure the jointly owned properties set out in accordance with the sovereign auspices and constitutions of the respective comprising tribes.

ADMINISTRATION

The KCA Cemeteries shall be overseen and maintained by the KCAILUC Director, KCAILUC Maintenance Crew. The Kiowa, Comanche, & Apache Intertribal Land Use Committee Administration Office will at all times exercise diligence and reasonable care in the protection of the cemeteries but shall not be liable for any damage or loss.

DEFINITIONS

ASSIGNEE: The term Assignee shall mean any Tribal member, their spouse, or children.

CEMETERY: The term Cemetery is hereby defined to include a burial park for earth interments, for vault or casket interments, wood burial container, or a combination of one or more thereof.

DISINTERMENT: the removal of the buried remains of a deceased human, the casket, if any the burial receptacle, from the ground.

HEADSTONE: The term headstone shall include a tombstone or headstone of granite or marble which shall extend above the surface of the ground.

INTERMENT: The permanent disposition of the remains of a deceased person by cremation, inurnment, entombment or burial.

KCA CEMETERIES: Cemeteries located on a land base jointly owned by the Kiowa Tribe of Oklahoma, Comanche Nation of Oklahoma, & Apache Tribe of Oklahoma.

KCAILUC: Kiowa, Comanche, & Apache Land Use Committee

KCAILUC ADMINISTRATION OFFICE: The main office for point of contact for burials within KCA cemeteries.

MANAGEMENT: The person or persons duly appointed by the KCAILUC for conducting and administering the Cemetery.

MARKER: The term marker refers to the memorial placed upon the gravesite to identify the individual interred; also, grave marker or gravestone.

PLOT: A space of sufficient size to accommodate one adult interment – Approximately five by ten feet.

KIOWA, COMANCHE, & APACHE CEMETERIES

CADDO COUNTY

- ❖ Cache Creek Cemetery
 - Located west of Apache Oklahoma

COMANCHE COUNTY

- ❖ Mt. Scott Cemetery
 - Located east of Lake Lawtonka
- ❖ Deyo Mission Cemetery
 - Located west of Lawton, Oklahoma
- ❖ West Cache Creek Cemetery
 - Located west of Cache, Oklahoma

KIOWA COUNTY

- ❖ Elk Creek Cemetery
 - Located south of Hobart, Oklahoma
- ❖ Saddle Mountain Cemetery.
 - Located northwest of Meers, Oklahoma

GENERAL RULES

The KCAILUC is an administrative organization, which owns and operates the KCA Cemeteries in accordance with the bylaws of the KCAILUC. The KCAILUC reserves the right to refuse admission to the Cemetery and to refuse the use of any of the facilities of the Cemetery at any time to any person or persons whom the management may deem objectionable to the best interests of the Cemetery.

1. The Cemetery shall be open to KCA Tribal members and their spouses during all daylight hours and obtain access afterhours by appointment with the KCAILUC. The Cemetery will be open to the public by request of the KCAILUC.
2. Non-working holidays for the KCAILUC and Cemetery staff include, New Year's Day, Presidents Day, Good Friday, Memorial Day, Labor Day, Thanksgiving Day, Christmas Eve and Christmas Day.
3. Employees of the Cemetery are not permitted to do any work for visitors or leasers of KCA land, except upon orders of the Management, and they are required to be civil and courteous to everyone entering the Cemetery.
4. Cemetery plots are supplied to any eligible KCA Tribal member at no charge. Any person that is not an enrolled Kiowa, Comanche, or Apache citizen will pay for a plot according to the fee schedule approved by the KCAILUC board. The family of the deceased is responsible for arranging the opening and closing of a grave and are responsible for any related expenses. The family of the deceased or funeral home of choice MUST contact KCA office before any digging can be done. A family may hand dig a grave(s) but must abide by the rules of length, width, and depth and must seek the approval of the KCAILUC in advance to make certain the grave conforms to requirements.
5. Cemetery Plot Assignments: All cemetery plot assignments are on a first come first serve basis. If a plot is reserved, there must be a headstone placed. Please try to be respectful of our KCA families when choosing your loved one's final resting place. Due to the large number of KCA citizens, we must adhere to this policy.
6. Persons within the Cemetery shall only use the driveways and the walking paths between graves. It is the request of the KCAILUC that ALL VISITORS AND MAINTENANCE CREWS be RESPECTFUL within the cemetery boundaries. The Cemetery expressly disclaims liability for any injuries sustained by anyone visiting the cemetery.
7. All persons are strictly prohibited from picking flowers (wild or cultivated), breaking or injuring any tree, shrub, or plant, or from writing upon, defacing, or injuring any monument, fence or other structure within the Cemetery grounds.

8. The cemetery road entering and circling the cemetery is for the hearse and family cars, or vehicles carrying elders or disabled individuals. All visitors are requested to park in the area designated outside the cemetery if there is one available. Motor vehicles must not be left with the engine running on cemetery property. No horns sounded within the Cemetery premises.
9. The following is prohibited:
 - a. Driving motor vehicles through the gates or in the Cemetery at excessive speeds. Absolutely no MOTOR BIKES, ATV'S OR UTV'S allowed on cemetery premises.
 - b. Driving any type of MOTOR VEHICLE, ATV, UTV, across or upon any grave, or plot will result in criminal punishment. Absolutely no pets allowed.
 - c. Firearms; No one shall bring, display or discharge any firearms (including black powder) on the cemetery grounds. Firearms are permitted for military escort accompanying a Veteran's funeral or attending a memorial service, or police officer's funeral.
10. No bicycles or motorcycles will be admitted to the Cemetery except such as may attend funerals or on business.
11. Children are not permitted within the cemetery grounds unless accompanied by an adult to take care of them.
12. Placing of significant objects upon graves is permissible, however removal of cultural related items – paints, tobacco, cedar, sage, sweet grass braids, bundles of plants/herbs, etc., will be the responsibility of the family. Items that are not cultural related, that is left until such are ruined by the elements or interfere with the care and/or maintenance of the grounds will be removed and disposed upon authorization from KCAILUC MAINTENANCE SUPERVISOR
13. It is of the utmost importance that there shall be strict observance of the proprieties in the Cemetery. Hence, all people within the Cemetery shall avoid conduct unbecoming a sacred place and observe the following:
14. ALL visitors will be Respectful and will exhibit proper conduct at all times.
15. It is the duty of the Management to see that the Rules and Regulations are complied with and that order is maintained to protect and promote the best interests of the KCA Cemeteries. KCAILUC is authorized to make temporary additional rules which may be needed, from time to time, to meet emergencies which are not covered by these rules and regulations.
16. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The KCAILUC, therefore, 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; and such temporary exception, suspension, or modification shall in no way be construed as affecting the general application of such Rules and Regulations.

17. The KCAILUC management hereby expressly reserves the right to adopt additional Rules and Regulations, or to amend, alter, or repeal any rule, regulation, article, section, paragraph, or sentence in the Rules and Regulations, at any time, and without notice.

PLOTS AND PLOTS ASSIGNEES

1. Persons desiring to request that a plot be held after burial of spouse should notify the KCAILUC Office where the Management will aid them in selecting and will issue the appropriate documentation describing the plot/s reserved.
2. Plot size will not exceed five by ten feet. A single plot may be subdivided in the following manner only:
 - a. Division of one plot into two plots for burial of two cremated individuals;
 - b. Division of one plot into two plots for burial of infants.
3. No plot shall be used for any purpose other than for the burial of the human remains.
4. No easement of right of internment is granted to any plot assignee in any road, drive, alley, or walk within the Cemetery but such road, drive, alley or walk may be used as a means of access to the Cemetery if Management devotes it to that purpose.
5. The decision or right to enlarge, reduce, replant, or change the boundaries or grading of the Cemetery, or a section or sections including the right to modify or change the locations of, or remove or re-grade roads, drives, or walks, or any part thereof will be management decision. The right to lay, maintain, and operate, or later or change pipelines of gutters for sprinkling systems, drainage, etc., is also made by management. As well as the right to use Cemetery property (not assigned to an individual for cemetery purposes) including internment of the deceased or for anything necessary incidental or convenient thereto.
6. Description of plots will be kept on file in the Office of the KCAILUC.
7. No plots shall be filled above the established grade level.
8. The Management will take all reasonable precautions to protect plot assignees and the rights of plot assignees within the Cemetery from loss or damage, but the

Cemetery distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided. As these cemeteries are located on KCA Land it is under the protection of the KCA and Bureau of Indian Affairs. Any violation of the Tribal or Federal Law will be tried according to appropriate jurisdiction per violation.

CARE OF PLOTS

1. The general care assumed by the KCAILUC Maintenance includes regular scheduled maintenance at reasonable intervals, the raking and cleaning of the grounds and the pruning of shrubs and trees within the boundaries of the cemetery.
2. The general care assumed by the KCA Maintenance shall in no case mean the maintenance, repair, or replacement of any monument, placed on the plots; nor the doing of any special or unusual work in the Cemetery, including work caused by the impoverishment of the soil; nor does this mean the reconstruction of any marble or granite work on any plot; or any portion thereof, in the Cemetery – caused by the elements, and act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or by order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.
3. Tribal members desiring to care for their relatives grave themselves may arrange to do so by phone or letter to the KCAILUC. Plot care by RELATIVES must meet Cemetery standards. KCAILUC reserves the right to notify the relatives who have chosen to maintain their relatives grave of any unkept maintenance of the grave and any such notification will then be followed be resumed maintenance care by the KCAILUC MAINTENANCE CREWS.

INTERMENTS

1. Burials may take place on any day and time that the family so chooses, and/or when the family is able to arrange for the opening and closing of the grave by a certified backhoe operator (experienced in grave digging) as approved by the KCAILUC administrative office. The funeral home in charge of the services will be responsible for the cleanup and any removal of access dirt from burial site within seven (7) working days. If cleanup has not been done within the time frame given, an invoice will be sent to the funeral home detailing the expenses incurred by the **KCAILUC** to have burial site cleaned and dirt removed. A designated representative from the KCAILUC Administrative Office must be contacted and present for every grave opening/burial. If no contact has been made by funeral home to **KCAILUC** before opening the gravesite, trespassing charges will be filed. Graves opened must be closed on the same day during daylight hours. The KCAILUC will not be responsible for opening or closing graves unless a burial request form is completed.
2. If unknown burial is exposed during excavation, the funeral home in charge of hiring excavation company to dig the grave site, will be responsible for the expenses of all detailed work it will take to clean the exposed site by a recommendation from one of our tribal THPO offices. The funeral home will also be responsible for the expenses of a proper re-internment of unknown human remains.
3. All funerals entering the Cemetery shall be escorted by law enforcement and shall be under the supervision of desired funeral home unless otherwise permitted by the admin.
4. Once a casket containing a body is within the confines of the Cemetery, no Funeral Director, nor his/her embalmer, assistant, employee, or agent shall be permitted to open the casket or to touch the body without the consent of the legal representative of the deceased or by an order signed by a court of competent jurisdiction.
5. All orders for internments must be signed by the plot assignee or his legal representative. However, when this is impossible because such person is absent or does not exist, a member of the deceased may appoint an internment representative for the purpose of burial in the Cemetery.
6. Plot assignee shall not allow internments in their plots in return of remuneration of any kind.
7. No internment of two or more bodies shall be made in one grave except in the following:
 - a. Two urns holding ashes of cremated individuals;

- b. Division of one plot for separate burial of two infants or a single burial of one casket with two infants;
 - c. A single casket with an urn
 - d. a single casket with a mother and child or father and child.
- 8. The KCA shall allow for disinterment only by order of a Court of competent jurisdiction through a certified copy of such order filed with Management. Then KCA shall not be responsible for performing the disinterment and /or shall not be responsible for any costs associated with disinterment.
- 9. Burial depth of human remains shall be as follows:
 - a. Casket burial with a liner/vault, 6 feet deep;
 - b. Casket burial without a liner/vault, 6 feet deep;
 - c. Other container (cedar box, urn, etc.) 3 feet deep;
 - d. Traditional burials must receive approval from the KCAILUC prior to interment. (If approved non-casket burials must be 8 feet deep)
- 10. The Family of the deceased is responsible for all charges related to a burial. The KCAILUC provides a burial plot to all Tribal members at no cost.
- 11. If any damage is done to headstones or markers during the excavation, the funeral home in charge of the excavation and services will be responsible of payment for repair of the damage. Arrangements for the payment of all indebtedness due the Cemetery, or a plot assignee, due to damage to the cemetery, other plots, headstone, monuments, etc., which occur during an interment/burial must be made within 30 days of damage assessment report. Arrangements should be made through the KCAILUC office.
- 12. No burial will take place without validation of plot assignment. If a burial is to take place without permission from the KCAILUC, this will be considered trespassing. All records must be given to the KCAILUC office so that proper records can be kept of everyone in our cemeteries.
- 13. The right is reserved by the KCAILUC to insist upon at least 12 hours' notice prior to any interment, and at least one week's notice prior to any disinterment or removal.
- 14. Besides being subject to the Rules and Regulations, all interments, disinterment or removals are subject to the orders and laws of the properly constituted Tribal authorities.
- 15. The KCAILUC will not be responsible for any order given by telephone, or for any mistake occurring from lack of precise and proper instructions as to the particular plot, or location of plot where interment is desired.

16. The KCAILUC will not be responsible or liable for the interment permit nor for the identity of the person sought to be interred.

PLANTS AND SHRUBS

1. The Cemetery Management will maintain the KCA jointly owned cemeteries and the landscaping on a regular schedule.
2. There shall be no individual beds of shrubbery or flowers allowed on the grounds except by special permission of the KCAILUC. If you chose to maintain your relatives grave you must contact the KCAILUC and notify them of name on tombstone and cemetery which deceased is laid to rest at. Only then through the KCAILUC approval will you be allowed to plant your own flowers and plants. If the KCAILUC notices the grave site has not been upkept by family the authorization will be given to maintenance crew to remove the plants and flowers and resume regular scheduled maintenance. Planting of trees in NOT allowed.
3. Decorating of graves is allowed. Decorations will be left a reasonable amount of time then removed and disposed of at the discretion of Management. KCAILUC Administration Office is not responsible for the accepting delivery or placement of flowers or decorations.
4. The digging of holes, mutilating, or disturbing the turf upon any plot is strictly prohibited without the written permission of KCAILUC.
5. KCAILUC Management shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants, or herbage of any kind from the Cemetery as soon as they have become unsightly, dangerous, detrimental, diseased, or when they do not conform to the standard maintained.
6. KCAILUC Management shall not be liable for floral pieces, baskets, or frames in which, or to which, such floral pieces are attached beyond the acceptance of such floral pieces for Cemetery services held in the Cemetery.
7. KCAILUC Management reserves the right to prevent the removal of any flowers, floral designs, trees, shrubs, plants or herbage of any kind unless the Management gives consent.

SPECIFICATIONS FOR HEADSTONES

1. Headstones and Markers shall be made of rock, concrete, granite, bronze or any other weather proof material. All headstones or markers must have a proper concrete base. (Due to the softness of the cemetery soil.) These bases must have the prior approval of KCAILUC management. *All headstone and marker installations must be done under the supervision of KCAILUC management.*
2. Headstones and markers must be of the standard granite or marble material. Plot owner must have prior approval from cemetery management to place headstone or marker of any other material.
3. Markers may lie at ground level however markers lying above ground must have a concrete base

ENFORCEMENT OF RULES, REGULATIONS, AND SPECIFICATIONS

1. The Cemetery Management and/or the KCAILUC Executive Director are hereby empowered to enforce all Rules, Regulations and Specifications and to exclude from the Cemetery any person or persons violating the same.