



**CITY OF VERO BEACH,
FLORIDA
CRESTLAWN CEMETERY
Rules, Regulations, Rates, Fees
and Operating Hours**

Effective June 21, 2016

RULES AND REGULATIONS FOR THE OPERATION OF CRESTLAWN CEMETERY

The following sections of Chapter 26 of the City of Vero Beach Code of Ordinances are provided to you as a guide for interment and lot decoration limitations in Crestlawn Cemetery. Any questions regarding the rules may be referred to the City Clerk's office.

This cemetery is operated as a non-profit enterprise of the City of Vero Beach. Consequently, the City does not maintain a sales force to sell lots, nor is an extensive maintenance crew used to support this cemetery. The underlying concept for the operation of Crestlawn Cemetery has been to provide reasonably priced cemetery lots for the interment of the deceased residents of the area and yet be able to assure the purchaser of a high probability of perpetual care of this facility throughout time. This blend of objectives required imposing certain limitations upon the lot owners and their survivors. These restrictions have been included in the rules outlined for the benefit of all.

Chapter 26 - City Cemetery

Section 26.1 - Establishment of City Cemetery

The Crestlawn Cemetery located within the City limits is designated as the municipal cemetery of the City. The boundaries of the cemetery are shown on the "map of the City of Vero Beach" adopted November 18, 1925, as revised. The cemetery is set apart only for the burial, entombment, or interment of human remains.

Section 26-2 – Definitions

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Blocks:	Subdivisions shown on the plat of Crestlawn Cemetery containing lots.
Burial Rights:	The right to use a burial space or lot, or a columbarium single or family niche for the interment of human remains or cremains.
Burial Space:	A single burial space measuring four feet by nine feet.
City Property Owner:	Those natural persons owning in fee simple real property located within the corporate limits of the City other than a cemetery lot, burial space, or burial rights.
City Resident:	Those natural persons who reside within the corporate limits of the City and have done so for at least one (1) year immediately preceding purchase of the cemetery lot, burial space, or columbarium burial rights and which residence within the City constitutes their actual and bonafied legal abode and

	permanent and principal home. For purposes of a descendent, such one (1) year period shall be measured from the date of death.
Closing a grave:	Re-sodding of the burial space by City employees after the burial service.
Columbaria:	Two or more columbarium structures.
Columbarium:	A structure or building that is substantially exposed above the ground and that is intended to be used for the interment of cremains.
Cremains:	Cremated human remains.
Family Niche:	A group of four (4) single niches, each with its own door or cover, which group is enclosed by a single exterior door or cover.
Family Plot:	A lot of 280 square feet or more.
Lots:	Subdivisions shown on the plat of Crestlawn Cemetery containing one or more burial spaces.
Niche:	A compartment or cubicle within a columbarium that measures approximately 11 ¾" wide x 11 ¾" high x 12" deep, having a single door or cover, for the memorialization and permanent placement of cremains contained within an urn or other approved container.
Opening a grave:	Locating the burial space within the cemetery by City employees for coordination of services with the funeral director.
Owner:	The original purchaser of a cemetery burial lot, burial space, or columbarium burial rights from the City or, in the case of the death or incapacity of the original purchaser, such person's heir, survivor, trustee, personal representative, guardian, or family member legally entitled to exercise ownership rights in place of or for the original purchaser.
Sections:	Subdivisions shown on the plat of Crestlawn Cemetery containing blocks and lots.

Section 26-3 - Cemetery Lots and columbarium burial rights; sale; proceeds from sales; reconveyance to City.

- (a) Cemetery lots. The City shall sell Crestlawn Cemetery burial lots, burial spaces, and related services at prices fixed by City Council Resolution. Sales shall be by issuance of a cemetery lot deed only upon receipt of full payment. No time payments or partial payments will be accepted. Each deed shall be subject to the applicable Ordinances and Resolutions of the City, the laws of the State of Florida, and such restrictions as are of record. No interment shall be permitted until full payment for the burial lot or space is received by the City. The cemetery lot deed should be kept in a safe place that is known to family members and friends. An easement is reserved along all lot lines for irrigation facilities.

- (b) Columbarium burial rights. The City shall sell Crestlawn Cemetery columbarium single and family niche burial rights and related services at prices fixed by City Council Resolution. Sales shall be by issuance of a certificate of burial rights only upon receipt of full payment. No time payments or partial payments will be accepted. No interment shall be permitted until full payment for the burial rights is received by the City. The certificate of burial rights should be kept in a safe place that is known to family members or friends. Legal fee ownership to each columbarium structure, as well as all niches, shall at all times remain vested in the City. The purchase or exercise of columbarium burial rights shall be limited by and subject to the conditions and regulations set forth in this chapter and all other applicable Resolutions and laws and shall not create, grant, or convey any fee ownership interest therein to any person.
- (c) Sale by City Clerk. Cemetery lots, burial spaces, and columbarium burial rights may be purchased during regular City Hall office hours at the City Clerk's office. In addition, provision has been made with funeral homes located in the City to provide access to and reservation of certain limited burial lots during off-duty hours. A cemetery plat shall be maintained by the City which shall delineate the burials spaces, lots, and plots, and the type of burials permitted. A diagram of each columbarium shall be maintained indicating the location of each single and family niche.
- (d) City resident/City property owner price. A purchaser providing proof of eligibility acceptable to the City Clerk for a City resident/City property owner price may purchase a cemetery lot, burial space, or columbarium burial rights as such. Eligibility for a City resident or City property owner price shall be determined by the City Clerk at the time of purchase as follows:
- (1) The purchaser is a City resident or City property owner, as defined in this chapter, at the time of the purchase; or
 - (2) The purchase is being made for the burial or interment of a decedent that was a City resident or City property owner, as defined in this chapter, at the date of death.

Regular prices shall otherwise apply. There shall be no partial refund or proration of any price difference when or if a purchaser that did not qualify for a City resident or City property owner price at the time of purchase subsequently becomes a City resident or City property owner.

- (e) Proceeds from sales; trust fund. All money received from the sale of cemetery lots, burial spaces, and columbarium burial rights shall be used only as follows:
- (1) As a goal, no more than 50% of the sale price of cemetery lots, burial spaces, and columbarium burial rights, together with other fees collected for cemetery services, shall be used for payment of current operating expenses of the cemetery. The remainder of all such revenue shall be

deposited in the Crestlawn Cemetery Trust Fund. If 50% of the revenue is insufficient in any fiscal year to meet the operating expenses, a greater amount of the revenue may be used for operating purposes with a corresponding decrease in funding going to the Trust Fund.

- (2) The Crestlawn Cemetery Trust Fund shall be used for capital expansion or improvement of the cemetery and any surplus funds shall be invested in accordance with general law governing municipal investments. Any income derived from fund investments shall be used solely for capital improvements, operation, care, or maintenance of Crestlawn Cemetery.
- (f) Reconveyance of lots and columbarium burial rights to City. Any owner of a cemetery lot, burial space, or columbarium burial rights may reconvey such lot, burial space, or columbarium burial rights to the City, if the City, at its sole discretion, determines that the lot, burial space, or burial rights in the columbarium niche are resalable and in accordance with this chapter. If a burial has been made on the lot or space, or interment made in the columbarium niche, the body or cremains must be disinterred and all markers, coffins, urns, and other containers must be removed at the expense of the owner or other authorized person making the request before the City may accept the reconveyance. In the case of columbarium burial rights, the owner or other authorized person making the request shall also pay the expense for installation of new niche covers if they require replacement, as determined solely by the City. The original purchase price or the current purchase price at the time of reconveyance, whichever is less, less any unpaid cemetery expenses or fees due the City, shall be paid by the City from the Crestlawn Cemetery Trust Fund to the owner or other authorized person reconveying the cemetery lot, burial space, or columbarium burial rights accepted by the City (effective October 20, 2015).
- (g) Order of sales.
 - (1) Lots in Section J, Block 2 (in-ground cremains lots in columbarium area) will only be sold consecutively (numbers 1-44 first, 45-88 second, and 89-113 third as shown on the map).
 - (2) Lots in Section K, Block 1 (family plots only) will only be sold consecutively, from lot numbers 1-54 and lot numbers 55-88. A minimum of three (3) consecutive lots must be purchased to constitute a family plot (as shown on the map).
 - (3) Lots in Section K, Blocks 2 and 5 are for family plots only.

Section 26-4 - Care of Crestlawn Cemetery

The City shall endeavor, at all times, to provide general maintenance and care to the cemetery to the extent that the Crestlawn Cemetery Trust Fund provides the necessary funds. General Revenue Funds shall not be expended for the continuing care of the cemetery except as specifically authorized by the City Council. The City shall be under

no obligation to maintain any set standard for such care and upkeep. Further, if in the course of maintenance a marker or monument shall be damaged, the City shall in no way be liable for such damage.

Section 26-5 – Limitation on City liability

The City shall have no liability to any person for any claim for loss, injury, or damages arising from destruction of or damage to any cemetery lot, monument, gravemarker, grave decoration, columbarium structure, columbarium single or family niche, columbarium single or family niche door, cover, or engraving, or any remains, cremains, coffin, urn, other container, or other contents as a result of any catastrophe of man or nature whatsoever, including but not limited to fire, lightening, windstorm, hurricane, flood, explosion, smoke, vandalism or malicious mischief, war or civil commotion, collapse, or accidental discharge, leakage or overflow of water.

Section 26-6 – Lot and burial rights owners to keep information current

It shall be the duty of each cemetery lot owner and columbarium burial rights owner to keep the City informed in writing as to his or her current and correct mailing address and the current and correct address of his or her legal representative if notices are to be sent to that representative. Notices and other correspondence mailed to the address on file with the City shall constitute actual delivery and notification. The City shall not be liable for any action or inaction by the City taken without the consent of a lot owner or columbarium burial rights owner if such person fails to keep contact information current. It shall be the duty of each lot owner and columbarium rights owner to keep informed of any changes in the rules, regulations and laws governing the operation of the Crestlawn Cemetery.

Section 26-7 - Interments and disinterments

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

Section 26-8 - Burial lot restrictions

- (a) Lots shall be used only for the burial of the human dead. Only one interment shall be made in a burial space, except for the following: a parent and infant: two children in one coffin: one coffin and two cremation urns: or three cremation urns in accordance with Subsection (b) of this section.
- (b) Cremains may be interred in an existing normal single space four feet by nine feet. No more than three interments of cremains can be placed in a normal single burial space. Under these conditions, each interment shall be centered within a one-third section not smaller than three feet by four feet. The three-foot dimension shall be along the nine-foot side distance of the four-foot by nine-foot single grave burial space. Only cremains authorized by the lot owner or his legal heir may be interred.

- (c) All burial spaces must be located by the cemetery personnel of the City. Burial spaces containing human remains must be dug not less than four feet six inches in depth and have a minimum cover of 18 inches of soil from the top of the vault or liner to the ground surface level. Burial mounds shall not be allowed. Persons digging the grave must place excavated soil on suitable material to protect the grass on adjacent lots. When the excavation of a grave has been completed, the gravedigger shall notify the cemetery foreman of the City for inspection. Concrete or metal lining or vaults shall be used in every uncremated interment. No burial above ground shall be permitted, except in a specially designed, City approved mausoleum. The burial spaces for the specific interments of infants shall not be smaller than 4 feet by 5 feet. No normal single burial space for the interment of human remains shall be smaller than 4 feet by 9 feet. Only human remains specifically authorized by a lot owner or his legal heir may be interred in a designated space in Crestlawn Cemetery. A City of Vero Beach grave opening and closing form, signed by a licensed funeral director, must be used for the interment of human remains.
- (d) Crestlawn Cemetery has specific areas established for the interment of cremains. These cremain spaces shall not be smaller than four feet by five feet, except in Section J, Block 1 (columbaria area). Two interments may be made in one of the designated cremain spaces. Only a single marker as specified in this chapter may be used. Only the cremains specifically authorized by the lot owner or his legal heir may be interred in designated cremain spaces. A City of Vero Beach grave opening and closing form must be used for the interment of cremains. These cremains cannot be interred at will by the lot owner. All cremain spaces must be located by the cemetery personnel of the City prior to the interment of cremains. Cremation urns must be covered by a minimum of 10 inches of soil.
- (e) Lot owners shall not allow interments on their lots for remuneration, nor shall any transfer of interest therein be valid except as authorized in Section 26-3 of this chapter.

Section 26-9- Monumentation Standards

- (a) Vertical monuments:
 - (1) General vertical monument regulations. Unless otherwise provided herein, the following general regulations shall apply to all vertical monuments placed pursuant to this chapter. Only one vertical monument will be allowed on any family plot. Vertical monuments shall be no more than four feet high from the top of the base and shall cover not more than seven percent of the plot area. Vertical monuments for plots fronting on roadways shall be located on the rear of the plot and farthest from the roadways. Vertical monuments and foundation details shall be submitted to the City for approval prior to installation. All vertical monuments shall be placed at the owner's expense, including foundation and restoration. Where foundations are required, they shall be designed to prevent settlement.

(2) Sections A, B, C, D, E, F, and G. Vertical monuments shall be allowed in Sections A, B, C, D, E, F, and G, only in areas designated for family plots. Vertical monuments may also be allowed on groupings of certain lots in Section I as depicted on an additional family plots map on file in the office of the City Clerk. No vertical monuments will be allowed on plots of less than two hundred eighty square feet, except that the City Manager may allow a family plot of 270 square feet in these sections where an exception is necessary to prevent a hardship.

(3) Section K, Block 1. Vertical monuments shall be allowed only on family plots that contain at least 252 square feet (three consecutive lots).

(4) Section K, Blocks 2 and 5. Vertical monuments shall be allowed only on family plots that contain at least 320 square feet. Monuments shall be located on the rear of the plot and farthest from the roadway and walkway (west side of Block 2, east side of Block 5).

(5) Section K, Blocks 3 and 4. A single vertical monument shall be allowed on lots that contain two burial spaces (72 square feet). Lots in the east ½ of Block 3 shall be sold as full lots (two (2) burial spaces) only, with monuments located on the west side of the lot. Lots in the west ½ of Block 3 and lots in the east ½ of Block 4 shall be sold as ½ lots (one (1) burial space), with a flat marker. Lots in the west ½ of Block 4 shall be sold as full lots (two (2) burial spaces) only, with monuments located on the east side of the lot. Vertical monuments in Section K, Blocks 3 and 4 shall not exceed the following measurements:

(i) Base: 1'6" in width x 4'0" in length

(ii) Marker: 1'0" in width x 3'0" in length x 1'6" in height, with a beveled face.

(b) Gravemarkers:

1) Single grave or cremain space markers shall not exceed 30 inches by 20 inches and shall be at least four inches thick. Where cremains are added to an existing occupied lot, there shall be no additional marker added.

a) Where a lot is used exclusively for two or three cremains, only one grave marker shall be allowed on the total four-foot by nine-foot lot, oriented with the marker's greatest dimension parallel to the four-foot side.

b) In cremain spaces, only one gravemarker shall be allowed.

2) Double gravemarkers for two burial spaces shall be centered between the two adjoining graves and shall not exceed a facing size of 62 inches by 20 inches. All double grave markers shall be at least four inches in thickness.

- 3) Three grave markers (lots 12 feet by nine feet or larger), when used to designate three adjoining burial spaces, shall have a maximum size of 66 inches by 20 inches. This type of marker shall be at least four inches in thickness.
- 4) A gravemarker may contain the full name of the individual, date of birth, and date of death. In addition, symbolic floral carvings, family crests or emblems, religious markings, fraternal emblems, information relating to the decedent's military service, if any, suitable epitaph, and designation as to relationship of the deceased (such as son, daughter, husband, father, etc.) may be used. All embellishments shall be recessed within the marker, if stone: and no protrusions of any type shall exceed one-half inch.
- 5) Veterans markers received from the Veterans Administration may include such information as name, rank, serial number, date of death, and other information as the Veterans Administration from time to time place on such markers.
- 6) All gravemarkers shall be flush with the ground, except authorized vertical monuments in specially designated areas.
- 7) All monuments or gravemarkers shall be of metal, granite, or marble composition. Any variation in these materials must be requested in writing to the City Manager for his consideration prior to installation. Variance in the maximum size of all monuments or markers shall not exceed one-half inch.
- 8) Family vertical monuments may include multiple family names together with symbolic floral carvings, family crests, or religious markings only.
- 9) Foundations are required for all markers greater in area than two square feet and less than 4 inches thick at the thinnest point. All foundations shall be designed to prevent settlement, tilting, or cracking of the markers. All foundations must be approved by the cemetery foreman prior to installation of the marker.

Section 26-10 - Marker Requirements in Sections H, I, and J except for family plot areas

In addition to the other requirements in this Chapter, Section H, I, and J of Crestlawn Cemetery, except for family plot areas, shall be subject to the following:

- (1) All grave markers shall be flush to the ground.
- (2) Grave markers shall be granite or bronze. If a bronze memorial, the base shall be a minimum of five inches thick with a border not to exceed two inches to protect the bronze marker attached to the base.
- (3) No objects of any type other than provided for in this Chapter shall be placed on a gravesite in Section H, I, or J of Crestlawn Cemetery.

Section 26-11 - Cost to open and close graves

An opening and closing fee based upon locating the burial space for burials, disinterments and removals, restoration of the burial space, including sodding, and administrative costs incurred by the City shall be made by the City when the service is rendered.

Section 26-12 - Hours of operation

The cemetery shall be open during hours established by the City Council and such hours shall be posted at the cemetery gates.

Section 26-13 - Grave decorations

- (a) Grave decorations of any kind may be removed when, in the judgement of the City Manager, or his designee, they do not conform to the decorum of the cemetery. Further, the City shall not be responsible for the loss of any decorations by any cause whatsoever. Decorations may be removed periodically by cemetery personnel if they become unsightly, interfere with maintenance or are otherwise objectionable.
- (b) Special decorations placed on a gravesite on holidays shall be removed within seven calendar days after the holiday. Decorations not removed within the specified time will be removed by the cemetery personnel and stored, if space is available, at no risk to the City, for a limited time, in order for owners to reclaim such property.
- (c) No enclosure of any nature such as fences, copings, hedges, or ditches shall be allowed on or around any lots.
- (d) No trees, plants or shrubs shall be planted, pruned or removed from or on any lot except by cemetery personnel. The cemetery foreman shall have the authority to direct and perform this maintenance when he considers such a course of action necessary.
- (e) A receptacle for fresh flowers is permitted; however, it shall be either:
 - (1) a recessed space provided in the marker to house the vase; or
 - (2) a tube of Schedule 40 or 160 PVC pipe not to exceed 3 inches in diameter with a length of 8 inches to 10 inches, which is installed flush with the ground at the top of the marker.
- (f) Only one floral arrangement per lot or grave space shall be permitted and then only in a vase or receptacle approved by the City. Fresh or artificial arrangements are authorized only in approved vases. Approved vases may be of the recessed type constructed as an integral part of the marker/monument. Fixed vases, permanently attached to the center of flat

markers shall not exceed 6 inches in diameter and 10 inches in height. No other type of receptacle may be used as a permanent vase. Potted plants are not permitted except as a special decoration on the dates indicated in Subsection (b) of this section.

- (g) In addition to the permitted decoration allowed in paragraph (f) above, one additional item per occupied burial space shall be allowed to be placed on the flush grave marker. The item shall be similar to a religious statue, image or icon constructed of concrete or similar material, and it shall not exceed 18 inches in height with a base not larger than one square foot. The memorial must be placed on top of the grave marker and not in the grass area. All such items are subject to the approval by the cemetery foreman and must be kept in good condition.
- (h) Benches shall be permitted on family plots only and shall be consistent with existing benches in the cemetery in size, material, and location as approved by the City.

Section 26-14 – Columbarium restrictions and regulations

The following additional restrictions and regulations shall apply to the Crestlawn Cemetery columbaria.

- (a) Interment restricted to cremains. Each columbarium niche is restricted to the interment of cremains within an appropriate urn or other container only. No other items, including but not limited to deceased pets, valuables, flowers, decorations, mementoes, or other personal property, shall be allowed or placed in any columbarium single or family niche.
- (b) Openings and closings. Columbarium niche openings and closings shall be performed by designated City employees. A columbarium niche opening and closing fee in an amount established by City Council Resolution shall be paid in full in advance of the opening. Weekend and after-hours rates shall also apply to opening and closing fees. It shall be unlawful for any person, other than a designated City employee performing official duties, to open or attempt to open any columbarium single or family niche. Any unauthorized person opening or attempting to open any columbarium niche and any person committing or attempting to commit any act of vandalism or damage shall be prosecuted pursuant to applicable law.
- (c) Limitation on number of interments. No more than two interments of cremains may be placed in a single niche. No more than eight interments of cremains (two per each of four niches) may be placed in a family niche. The total combined dimensions of the urns or containers in any niche may not exceed 11” wide x 11” high x 11” deep.
- (d) Composition of urns and other containers. All urns and other containers used for interment of cremains in a columbarium niche shall be composed of non-

biodegradable “forever” materials such as, but not limited to, bronze, steel, plastic, glass, or ceramic.

- (e) Interment arrangements. Interment arrangements are the responsibility of the columbarium burial rights owner or the owner’s family, guardian, survivor, heir, trustee, or personal representative. Arrangements may be made through a funeral home, crematorium, or by contacting the City. A copy of the certificate of cremation must accompany the cremains. Any and all interment expenses, including but not limited to funeral home and cremation costs, are the responsibility of the columbarium burial rights owner or the owner’s family, guardian, survivor, heir, trustee, or personal representative.
- (f) Engravings. Arrangements for engraving columbarium niche doors and covers and the engraving costs thereof shall be the responsibility of the columbarium burial rights owner and such owner’s family, guardian, survivor, heir, trustee, or personal representative. In order to maintain the columbaria in a uniform manner, all engravings shall be in the font and size approved in advance by the City. Engravings shall be completed no later than one month after the interment. Engravings shall be done only by those vendors on the City approved vendor list. Any vendor desiring to be included on the approved vendor list shall prepare and submit a sample engraving in the approved font and size to the City. All engraving shall be done on site and no columbarium single or family niche door or cover shall be removed from the cemetery property. The engraver and the burial rights owner and such owner’s family, guardian, survivor, heir, trustee, and personal representative shall be responsible for repair or replacement of niche doors and covers damaged due to or in the course of engraving or unauthorized engraving.
- (g) Attachments to columbarium niche doors and covers. No items, including but not limited to vases or plaques, shall be attached to columbarium single or family niche doors or covers or to any columbarium structure or placed or installed on the columbaria grounds. No plantings, including but not limited to flowers, shrubs, or trees, shall be placed or installed on the columbaria grounds other than those installed by the City.
- (h) Columbarium decorations. No columbarium decorations or memorials, including but not limited to flower arrangements, plants, wreathes, toys, photos, paintings, or mementoes, shall be allowed in or at any columbarium except temporarily at the time of interment as permitted herein. One flower arrangement or one potted plant or one wreath shall be allowed next to the columbarium structure on the day of interment. Any such flower arrangement, potted plant or wreath shall be removed by the family or other responsible party no later than five days after the date of interment. Decorations remaining after such time period shall be removed and disposed of by cemetery personnel without liability to the burial rights owner or any other person.
- (i) Removal of cremains for repairs. Each burial rights owner, for himself and on behalf of such owner’s family, guardians, survivors, heirs, trustees, and personal

representatives, agrees that the City, its employees, agents, and contractors may move and temporarily store at the cemetery or another location any interred remains in the event maintenance or repairs to the columbarium or any part of it become necessary. The removed remains shall be returned to the assigned columbarium niche upon completion of the maintenance or repairs.

- (j) Removal of cremains by family. If cremains must be removed from the columbarium by the burial rights owner, such owner's family, guardian, survivors, heirs, trustees, or personal representatives, or other person authorized thereby, a written request shall be made to the City explaining the reasons for removal, whether the removal is temporary or permanent, the person making the request, such person's relationship to the deceased, the day and time requested for the removal, and who will take possession of the cremated remains at the time of removal. Any such removal shall be done in compliance with all applicable regulations and laws. An opening and closing fee shall be paid to the City in full in advance of the opening. In addition, any person requesting permanent removal of the cremains shall also pay in advance the replacement cost of the columbarium niche doors and covers if such have been engraved.
- (k) Replacement of damaged columbarium niche doors. If the City, in its sole discretion, determines that a columbarium single or family niche door or cover is damaged and requires repair or replacement, the City will repair or replace the cover but the burial rights owner, such owner's family, guardians, heirs, trustees, or personal representatives shall be responsible for the costs of engraving the replacement door or cover. However, any person found by the City to be responsible for causing such damage shall be responsible for the costs of the repair or replacement and reimburse the City for such cost.
- (l) Relocation of columbarium. The City reserves the right to move a columbarium structure to another location should it be determined by the City, in its sole discretion, that such a relocation is necessary. No relocation of a columbarium shall be made without the approval of the City Council. The cremains interred in any columbarium may be removed and stored for purposes of such relocation by any persons authorized by law to do so and upon compliance by such persons with all applicable laws and regulations.
- (m) Columbarium burial rights owners shall not allow any interment in a columbarium niche for remuneration, nor shall any transfer of interest in columbarium burial rights be valid except as authorized in Section 26-3.

Section 26-15 - Appeals

An aggrieved party shall appeal a decision of the City regarding application and enforcement of this chapter as provided by Article V, Chapter 2 of this Code or such appeal is waived. The decision of a Department Head, Charter Officer, or the City Council shall be in writing and a copy of the decision provided to the parties. A final written decision of the City Council may be submitted to the Florida Department of

Financial Services, Division of Funeral, Cemetery, and Consumer Services, as provided by Florida Statutes.

Section 26-16 – Council discretion to make rule exceptions

The City Council recognizes that hardships may arise from time to time from strict application of the provisions of this chapter. Therefore, the City Council reserves its discretion to make reasonable exceptions or modifications to the provisions of this chapter in order to address any hardship that may arise. Request for an exception or modification shall be filed with the City Clerk in writing and state with specificity the nature of the hardship and the exception or modification requested. The City Council, in its sole discretion, may allow the exception or modification to the provisions of this chapter to the extent that it finds is reasonable and in the best interest of the public and the Crestlawn Cemetery while also serving to prevent or alleviate the stated hardship.

Section 26-17 – Conflict and Severability

In the event that any provision of this chapter conflicts with any other provision of this Code or any other Ordinance or Resolution of the City of Vero Beach on the subject matter of this chapter, the more strict provision shall apply and supersede. If any provision of this chapter is held to be invalid, unconstitutional, or unenforceable for any reason by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this chapter, which shall be deemed separate, distinct, and independent provisions enforceable to the fullest extent possible.

RATES, FEES, AND OPERATING HOURS FOR CRESTLAWN CEMETERY

The City Council of the City of Vero Beach, Florida established the following rates and hours:

- 1) For the purpose of this Resolution, the terms “City resident” and “City property owner” shall have the meanings set forth in Chapter 26, Cemetery, of the Code of the City of Vero Beach.
- 2) In addition to the below prices and fees, the City Public Works Director is hereby authorized to establish charges and fees for any other requested services based on the City’s prevailing costs for labor, materials, overhead, and administration.
- 3) The cemetery will be open between the hours of 7:30 a.m. until dusk daily, including weekends and holidays. The City Manager shall have authority to modify such hours or order the cemetery closed during any emergency or disaster.

RATES

	CITY RESIDENT AND CITY PROPERTY OWNERS	COUNTY/OUT OF COUNTY RESIDENT
Single Space (except Section K)	\$1,200.00	\$2,400.00
Full Lot (2 spaces) (except in Section K)	\$2,400.00	\$4,800.00
Single Space in Section K, W ¹ / ₂ of Block 3 (Flat marker)	\$1,320.00	\$2,640.00
Full Lot (2 spaces) in Section K, W ¹ / ₂ of Block 3 (Flat marker)	\$2,640.00	\$5,280.00
Full Lot (2 Spaces) in Section K, E ¹ / ₂ of Block 3 (Small upright marker)	\$2,880.00	\$5,760.00
Cremation Lots	\$600.00	\$1,200.00
Cremation Lots at Columbarium (Section J)	\$900.00	\$1,800.00
Family Lots per sq. ft.	\$40.00	\$80.00

COLUMBARIUM RATES

UPPER FOUR ROWS

(Each single niche)

City Resident and City Property Owners	\$1,200.00
County / Out of County Resident	\$2,400.00

LOWER TWO ROWS

(Each single niche)

City Resident and City Property Owners	\$800.00
County / Out of County Resident	\$1,600.00

FAMILY NICHES
UPPER TWO ROWS

City Resident and City Property Owners	\$4,800.00
County / Out of County Resident	\$9,600.00

LOWER ROW

City Resident and City Property Owners	\$3,200.00
County / Out of County Resident	\$6,400.00

FEES

Opening/Closing of Single Lot Space (Each) 7:00 a.m. to 2:00 p.m.	\$200.00
Opening/Closing of Single Lot Space (Each) after 2:00 p.m., Weekdays, Weekends, and Holidays	\$300.00
Cremain Interment, Removal, or Relocation (each) Weekdays 7:00 a.m. to 2:00 p.m.	\$250.00
Cremain Interment, Removal, or Relocation (each) Weekdays after 2:00 p.m., Weekends and Holidays	\$350.00
Columbarium Interment, Removal or Relocation (each) Weekdays 7:00 a.m. to 2:00 p.m.	\$200.00
Columbarium Interment, Removal or Relocation (each) Weekdays after 2:00 p.m., Weekends and Holidays	\$300.00

**** PRICES EFFECTIVE June 21, 2016 ****