

**ADMINISTRATIVE REGULATIONS TOWN OF BRECKENRIDGE,
VALLEY BROOK CEMETERY**

ARTICLE I – GENERAL PROVISIONS

A. Authority and purpose. These regulations are adopted by the department of public works and the clerk of the Town of Breckenridge per authority of the municipal code. Application and permission for interment, and permissible use of burial space shall be governed by the rules and regulations of the cemetery. These regulations supplement the requirements of the municipal code. These rules and regulations supersede and terminate any and all prior rules and regulations.

B. Effective date. These administrative rules and regulations are effective upon publication as required under 1-18-3 of the municipal code.

C. Interpretation. These rules and regulations have the force and effect of law. To the extent there is any conflict between the municipal code and these regulations, the municipal code shall govern.

ARTICLE II -DEFINITIONS

Burial Space means a single space within a platted lot designed for the interment of one human body.

Lot means a platted lot within the cemetery consisting of ten (10) burial spaces.

Memorial means a monument, monolith or marker for family or individual use.

Monument. The term “Monument” refers to a stone memorial of more than one piece.

Monolith. The term “Monolith” refers to one-piece memorials of a particular design, usually tall stone of narrow width and depth.

Marker. The term “Marker” refers to one-piece stones (other than monolith) or bronze, usually used to mark individual or companion gravesites.

ARTICLE III - PURCHASE OF BURIAL SPACES

A. Requirements for purchase.

1. Completed application for purchase of a burial space on the form provided by the office of the clerk.

2. Proof of residency or property ownership will be due at the time of purchase.

3. Executed purchase agreement on the form provided by the clerk.

4. Purchase of single burial spaces. Single burial spaces shall be sold within lots which are partially full only.

B. Eligibility to purchase burial site; Purchase price; Perpetual care fee:

Eligibility Requirements	Purchase Price	Perpetual Care Fee
In Town property owners and/or residents	\$500.00	\$800.00
Unincorporated Summit County property owners	\$800.00	\$1200.00

**ADMINISTRATIVE REGULATIONS TOWN OF BRECKENRIDGE,
VALLEY BROOK CEMETERY**

and/or residents		
Others residing outside boundaries if have relatives buried in Valley Brook Cemetery. \$2500.00	\$2500.00	\$2500.00

C. Lot and burial space sizes.

Per burial space: 4 feet by 10 feet
per lot (10 spaces): 20 feet by 20 feet

**ADMINISTRATIVE REGULATIONS TOWN OF BRECKENRIDGE,
VALLEY BROOK CEMETERY**

F. Limit on purchase of lots and burial spaces. Purchasers of lots shall be limited to a maximum of one lot (10 spaces) per family.

G. Notification of change of address. It is the duty of the burial space owner to notify the town clerk in writing of any change in his/her post office address. Notice sent to an owner at his/her last known address on file with the town clerk shall be deemed sufficient and proper legal notice.

H. Transfer or assignment of cemetery lots or burial spaces. No transfer or assignment of any cemetery lot or burial space in the town cemetery shall be valid without the consent in writing of the town clerk.

I. Re-Sale of cemetery lots or burial spaces. Re-sale of cemetery lots or burial spaces may only be made to the Town of Breckenridge. Said lots or spaces may be repurchased by the Town at a price equal to the price originally paid by the owner. No cemetery lot or burial space shall be sold to or purchased by a funeral director or other persons for purposes of re-sale or speculation.

J. Errors may be corrected. The Town reserves the right, and shall have the right to correct any errors that may be made by it in the description, transfer or conveyance of any interment property, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and in similar location if possible, or as may be selected by the Town; or, in sole discretion of the Town, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property, the Town reserves the right to have removed and/or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof at the expense of the Town.

ARTICLE IV - INTERMENTS AND DISINTERMENTS

A. No interment or disinterment will be allowed without the prior written approval of the town clerk.

B. No burials will take place during the winter months (November 1 – June 1).

C. One body per space. Not more than one body or the remains of one body may be interred in any one burial space unless otherwise approved in writing by the town clerk.

D. No corpse may be interred in the Cemetery except within a casket, unless another appropriate container is approved by the Town Clerk.

D. In the case of cremated remains, two cremated remains are allowed to be interred in any one burial space, provided the initial burial takes place at the head of the space (and is known to be in that location).

E. Burial permit required. An authorization for final disposition must be submitted to the Town Clerk before any interment or disinterment, in accordance with Section 25-2-111, C.R.S.

F. Disinterment or removal. Disinterment shall only take place upon written consent of the next of kin of the deceased or upon court order and may need to be contracted out by the requestor.

G. Opening and closing graves. The Town Clerk shall be notified as early as possible, to coordinate burial timing with public works, no less than 72 hours in advance of an

**ADMINISTRATIVE REGULATIONS TOWN OF BRECKENRIDGE,
VALLEY BROOK CEMETERY**

interment. Timing is ultimately up to staffing availability, but reasonable efforts will be made to accommodate timing desires.

Service	Fee Amount
Open and Close Casket	\$1,225.00
Open and Close Cremation	\$700.00
Licensed Contractor / Self Dig Fee (with prior approval from Town Clerk)	\$200.00
Emergency/After Hours Hourly Fee (defined as outside regular business hours, Mon-Fri 8am-5pm, and holidays):	\$200.00
Infant Burial (Ages 2 years or younger – space purchase and casket open/close included):	\$.00

ARTICLE V - CONDUCT WITHIN THE CEMETERY

Visitors shall observe the following rules in the interest of all space owners and for the protection of the grounds:

- A. Enter only during cemetery hours from 6 a.m. – 8 p.m. unless public works determines that the cemetery shall be closed to the public due to weather or other circumstances that public works determines, in its sole discretion, warrants closure. Intermittent road or cemetery closures due to winter conditions should be expected from November through April.
- B. Be respectful of the cemetery, its occupants, monuments and other visitors.
- C. Dogs are prohibited in the cemetery.
- D. Children must be accompanied and supervised by an adult.
- E. Trash and/or other discarded materials shall be discarded in public trash containers or removed from the cemetery grounds.
- F. Glass containers are prohibited.

ARTICLE VI – MAINTENANCE AND CARE OF CEMETERY AND BURIAL SPACES

- A. The public works department is responsible for maintaining the common areas, roads, and tree removals, winter plowing; provided, however, only the main driving loop of the cemetery will be plowed in the winter, and only after other town plowing priorities are complete.
- B. Burial space owners are responsible for maintenance of their own spaces, including but not limited to weed management, cleaning/clearing headstones and pruning bushes. In addition,

**ADMINISTRATIVE REGULATIONS TOWN OF BRECKENRIDGE,
VALLEY BROOK CEMETERY**

1. Unless authorized in writing by the Town clerk, burial space owners shall not install lot fencing or ornamental boundaries or otherwise impede the Town's access to burial spaces.

2. Fences authorized by the clerk shall be maintained by the burial space owner and replicate the general character of historic fences by adhering to the following criteria:

a. Material for fences shall be wood picket (painted or stained), wrought iron, or simple iron fences. Chain link or concrete barriers are prohibited.

b. The height of the fence should be less than three feet and installed six (6) inches inside all plot or lot boundaries and easily disassembled for future interments/disinterment.

ARTICLE VII - MEMORIALS

A. All memorials shall be in harmony with other memorials within the cemetery with respect to size and design.

1. The height of monoliths, shafts, columns or crosses shall not exceed eight feet (8') above grade, nor shall they be wider than thirty inches (30") or greater than two feet (2') deep.

2. Monuments and markers shall not exceed five feet (5') above grade, nor shall they be wider than four feet (4') or greater than eighteen inches (18") deep.

B. All memorials must be completely contained within space boundaries and shall be in harmony with other memorials within the cemetery with respect to size and design.

C. Only one memorial on each burial space shall be allowed. Individual memorials shall be centered on the burial space and shall be placed at the head of the grave, facing East. No individual memorial shall be wider than the burial space on which it is located.

D. Only one central family memorial shall be allowed on a family lot (10 burial spaces).

E. Private mausoleums or sarcophaguses are not allowed.

F. Any monuments placed prior to burial will result in a reduced space size.

ARTICLE VIII – TOWN RIGHT OF ACCESS

The Town has the right to access the cemetery and any and all burial spaces to maintain the cemetery and access for internment and disinterment at all times. The Town further reserves the right to remove any installations, materials, fences, whether authorized or not, that are made by owners and the Town shall not be liable or responsible for repairs or returning burial spaces to their original condition.

ARTICLE IX - COMPLIANCE

Any violation of the code or these rules or regulations may be prosecuted or otherwise punishable as provided in the municipal code.