

Additional Notes: Vista Memory Gardens

No Burials on Sundays, Thanksgiving or Christmas.

Cremains are allowed in the same plot with someone already buried.

Headstones at Vista Memory Gardens must be flat.

Pets can be buried with the owner in the same casket as long as they died at the same time. A separate casket for an animal will NOT be allowed. The animal cannot be buried at a later date.

National Guard members are considered official veterans if they have served at least 180 active days, were called for active duty, or if they provide discharge form DD214.

Two cremations can be put in one cremation lot. However, only one headstone is allowed, no longer than 20 in.

Cremations can be buried in a regular plot. However, only one headstone is allowed. (Up to 10 can be buried if in a regular sized urn/box.)

Oversized caskets for burial in Vista Memory Gardens also require liners unless okayed with the City Manager.

The Veteran's Section is for Veterans only. If they want to be buried with family, they must buy lots in the Regular Section or the Veteran's and Family Section.

If a person has 2 lots and is burying cremains, they are allowed to have a single headstone, or several headstones not to exceed the requirements of 14X44 regardless of how many headstones, as long as they do not exceed 14X44.

RULES AND REGULATIONS
OF THE
VISTA MEMORY GARDENS CEMETERY

Truth or Consequences, New Mexico

Adopted 11/26/73

Amended 04/11/2006

The Vista Memory Gardens Cemetery (hereafter referred to as the "Cemetery") must always be kept a place of beauty. To this end, certain rules and regulations are necessary for the protection of lot owners, including but not necessarily limited to, assurance that unsightly or objectionable objects are barred.

These Rules and Regulations are designed for the protection of owners of interment rights as a group. Their enforcement will protect the Cemetery by creating, and preserve its beauty.

The following Rules and Regulations of the Cemetery, and amendments or alterations thereto, as may be adopted from time-to-time by the City Commission of Truth or Consequences (hereinafter referred to as the "Commission"), apply to all lots, owners of lots, visitors and those performing work within the Cemetery.

The Cemetery will be managed by a City staff member as designated by the City Manager.

Sale and Title of Lots

(a) No transfer of title to lots will be recognized unless such sale and transfer will be duly entered upon the City records by the City Clerk and an Administrative transfer fee, per lot, as set by the Commission, is paid to the City Clerk.

(b) The Commission reserves the right to refuse any transfer, assignment, or conveyance of any lot, and any right or interest therein, as long as there is any indebtedness due upon the purchase price of said lot, or for any interment therein.

(c) The sale or transfer of any lot by the owner must be recorded in the office of the City Clerk of Truth or Consequences, New Mexico.

(d) The subdivision of lots or interment rights is not allowed without the written consent of the Commission and no one will be buried in any lot not having an interest therein, except by written consent of interested parties and the Commission.

(e) Interments will not be allowed in any lot to which title remains undetermined.

Use of Lots

(a) Lots in the Cemetery will be used for no other purpose than the burial of the human dead. Grave liners must be used on all graves.

(b) No enclosure of any kind, such as a fence, coping, hedge, or ditch, are permitted around any burial space or lot. Mounds are not allowed and no lot will be raised above the Section's established grade.

(c) No dogs, except service dogs, are permitted in the Cemetery.

(d) Food and beverages are strictly forbidden.

(e) Ingress and Egress to the Cemetery is prohibited except by way of the Public Gates and during such hours as are specified from time-to-time by the City.

(f) The City reserves the right to remove flowers and flower holders as soon as the flowers wither without liability for their safekeeping.

(g) The Cemetery grounds are sacredly devoted to the burial of the human dead and the provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wanton injury, disturbance and disregard of these rules.

(h) Firearms are forbidden on the Cemetery grounds except for the use of law enforcement officers or Military Honor Guards, Military Honor Guards are permitted only during a Military service and must be conducted under the oversight of City law enforcement officer.

(i) Decorations, flowers, and other objects that interfere with Cemetery maintenance will be removed by Cemetery personnel without liability for their safekeeping.

(j) Trash containers are placed throughout the Cemetery for use by the public and are to be so used.

(k) Funeral floral pieces and designs will be removed from burial spaces as soon as they wither or become unsightly in the Cemetery Manager's sole judgment, without liability for their safekeeping.

(l) Small United States flags may be displayed on burial spaces on those days and occasions when it is customary to do so. However, at the expiration of three (3) days, Cemetery employees may remove such flags. All flags of the United States will be collected by the Cemetery Manager and given to the local VFW Post for proper disposal.

(m) The Commission expressly reserves the right to perform all landscaping and planting of any nature whatsoever. Cutting or trimming by lot owners is forbidden.

Opening and Closing of Burial Spaces

(a) Applications for the opening and closing of all spaces and for disinterment must be presented at the Office of the City Clerk of the City of Truth or Consequences, New Mexico, during normal business hours, on, or before the day prior to the day on which the space is to be used.

(b) The opening and closing of all spaces will be done only by Cemetery personnel.

Interment

(a) No interment will be permitted, nor marker placed, upon any lot not fully paid for, except by special consent of the Commission in writing. The granting of any such consent will not thereafter be construed as a waiver of this provision. In the event such consent is given, any and all interments placed in, or markers placed on, said lot will be considered temporary, and no rights will be acquired by the lot owner to said interment or marker until such property is fully paid.

(b) In order to avoid confusion and misunderstandings regarding the location and size of lots and the specific space to be used therein, no interment will be permitted unless a member of

the family signs an interment order that selects the lot and space to be used for the interment. The content of such Interment Order will be as follows:

INTERMENT ORDER

I, _____, being the owner, or an immediate member of the family of the owner, hereby authorize the City to intern the remains of _____, in Space _____, Lot _____, Section _____, of the Vista Memory Gardens Cemetery.

Signature

Filed in the Office of the City Clerk of Truth or Consequences, New Mexico, this _____ day of _____, 20____.

Signature of City Employee

(c) Not more than one interment in one burial space will be allowed, except in the case of special written request of the owner or an immediate family member.

(d) Interment will be made between the hours of 8:00 A.M. and 5:00 P.M. on any day of the week.

Disinterments

A permit for disinterment shall be required prior to disinterment of a dead body or fetus except as authorized by regulation or otherwise provided by law. The permit shall be issued by the state registrar and state medical investigator to a licensed funeral service practitioner or direct disposer.

Markers, Liners and Vaults

(a) Permitted Materials and Design

1. The only marker permitted on a single burial space will be sixteen (16") inches by twenty-eight (28") inches in size or 24" x 12". A double for two adjacent burial spaces, will be fourteen (14") inches by forty-four (44") inches in size or 36" x 12".
2. All markers must be made of the best grade granite or United States Standard bronze. Granite markers will be a minimum thickness of three (3") inches and a maximum thickness of no more than four (4") inches.
3. The City reserves the right to reject all markers that are, in its opinion unsatisfactory, whether by reason of design, workmanship, material or fault.
4. All gravesites are required to have an approved liner or vault.
5. All markers will be installed by the City. Arrangements for setting markers must be made through the Office of the City Clerk.
6. All markers will be set flush and level with the grade of the burial space Section.
7. All spaces, except grass, will be sodden-level and no mounding or planting will be allowed on any space.
8. Written permission must be obtained from the City Clerk for each marker setting, alteration or removal.

Fees and Charges

All fees and charges will be approved by separate resolution from time-to-time by the Commission. These fees are charges include, but are not necessarily limited to, marker installations, lots, and openings and closings.

City Liability

(a) The City of Truth or Consequences, New Mexico (hereinafter referred to as the "City") will not be liable for any act of lot owners, visitors, licensees or trespassers within the Cemetery or for any damage to persons or property within the Cemetery.