

# **Old Saltillo Cemetery Rules & Regulations**

as of August 21, 2021

**The Old Saltillo Cemetery Association** was created and organized for benevolent purposes. As set forth in the Charter of the organization, filed with the State of Texas:

The association is created and organized as a non-profit corporation chartered solely for the purposes of maintaining the graves of early settlers of Hopkins County, Texas, and their descendants who are buried in the Old Saltillo Cemetery of Hopkins County, Texas; and to preserve, erect and maintain such fences and walkways as may be necessary to such care, and to provide for the disposal of human bodies or human remains (cremains) by burial, such disposal to be in the Old Saltillo Cemetery of Hopkins County, Texas under the direction of the association's officers and directors, and for the operation and upkeep of the cemetery grounds in a perpetual state of repair.

Paragraph one of the General Operating Manual, The Old Saltillo Cemetery Association, states that:

The cemetery shall operate under the authority of the Board of Directors elected pursuant to the bylaws of the cemetery association. The Directors may designate one or more individuals to serve as caretaker(s) or managing director(s) who shall implement these rules and oversee the operations of the cemetery in the interim periods between meetings of the directors.

The Rules and Regulations of the Old Saltillo Cemetery have been adopted as the Rules and Regulations of the Cemetery and all persons with Interment Rights, visitors and persons performing work within the Cemetery shall be subject to them, and to all their amendments or modifications thereto, as shall be adopted by the Board of Directors of the Old Saltillo Cemetery Association.

The General Operating Manual of The Old Saltillo Cemetery defines specific policies and procedures for actions to be taken by the Board of Directors in working for the mutual protection of families who have loved ones buried in the Cemetery and for those charged with enforcement of the rules that will protect the Cemetery and create and preserve its beauty.

Acting in compliance with the General Operating Manual of the Old Saltillo Cemetery, Hopkins County, Texas and Section 711.031, Vernon's Texas Codes Annotated, Health and Safety Code, Part II, Titles 6 to End, the Old Saltillo Cemetery Association reserves the right to adopt and enforce rules to regulate the following:

1. The uses, care, control, management, restriction and protection of the Cemetery operated by the Cemetery organization;
2. To restrict the use of Cemetery property;
3. To regulate the placement, uniformity, class and kind of markers, monuments, effigies, and other structures in any part of the Cemetery;
4. To regulate the planting and care of plants in the Cemetery;
5. To prevent the interment or remains not entitled to be interred in the Cemetery;
6. To prevent the use of a plot for a purpose that violates the Cemetery organization's restrictions;
7. To regulate the conduct of persons on Cemetery property and to prevent improper meetings at the Cemetery; and

8. For other purposes the Directors consider necessary for the proper conduct of the Cemetery organization's business, and for the protection of the premises and the principles, plans and ideals on which the Cemetery was organized.
9. Rules adopted under this section will be plainly printed or typed and maintained for inspection.

On page five, Paragraph "Rules; Civil Penalty" of the General Operating Manual of the Old Saltillo Cemetery, Hopkins County, Texas, it states that Any individual violating any of the rules adopted by the Board of Directors as set forth in this manual shall be subject to a penalty as allowed pursuant to Section 711.031, Vernon's Texas Codes Annotated, Health and Safety Code, Part II, Titles 6 to End. A person found in violation of a rule adopted herein shall be subject to a civil penalty of not less than \$100.00 nor more than \$2000.00. The amount of the penalty shall be subject to the discretion of the Directors who may sue to enforce and collect such penalties according to the severity of infringement of the particular rule.

The Cemetery organization may recover the amount of the penalty in a civil action.

In order to preserve and perpetuate the beauty of the Old Saltillo Cemetery, and to alleviate or avoid undue hardships in the care and upkeep of the Cemetery, the Board of Directors of the Old Saltillo Cemetery Association, elected by the members of the Cemetery Association, hereby implements the following operating policies and procedures.

1. Prior to the opening of any grave space in the Old Saltillo Cemetery, an official Representative of the Funeral Home in charge of the burial must contact one of the listed members of the Board of Directors of the Old Saltillo Cemetery Association:
  - Managing Director – 903.588.2445
  - Historian – 903.434.2343
  - Alternate – 214.850.3234
  - Alternate – 903.588.2227
2. Burial spaces in the Old Saltillo Cemetery are currently \$750.00 per space. No space shall be reserved until the \$750.00 reservation prices is paid in full to the Old Saltillo Cemetery Association.
3. Graves shall be opened and closed by the use of hand shovels, picks and other hand tools. If conditions necessitate the use of machinery, then and only then, the official Representative of the Funeral Home in charge of the burial must obtain approval from the Managing Director of the Old Saltillo Cemetery Association prior to the opening of the grave site for permission to use, e.g. the Kubota Excavator, Model Number KX41 which weighs approximately 3,000 pounds, or a machine of like kind. No backhoe or other large machinery shall be permitted in the burial areas for the purposes of opening or closing graves. It is the experience of the Directors that too much damage results when such machinery operates in or near other graves. No exception shall be permitted within the Cemetery grounds.
4. Only Human Beings shall be permitted to have interment rights and such plots shall be used for no other purpose than the burial of the human dead.
5. Funerals, after entering the gates of the Cemetery, shall be subject to the direction of the Cemetery's Managing Director as determined by the Directors.

6. Only one grave memorial shall be permitted on one grave space except a companion/family memorial or military marker. All memorials shall be set on uniform lines as prescribed by the Cemetery Association, to conform to the general plan of the Cemetery.
7. The name and inscription on each memorial must correspond with the legal name of the deceased interred in the interment space or memorialized on that interment space, where there is not interment.
8. If any memorial, or any structure whatsoever, or any inscription placed or to be placed on a memorial or structure, shall be determined by the Board of Directors to be offensive, the Board of Directors shall have the right and it shall be its duty, to enter upon such plot and remove, change or correct the offensive or improper object(s) or language at the expense of the owner.
9. The Association shall have charge of the planting, sodding, surveying and improvements in general.
10. No one other than the proper Directors of the Association or their agents shall be allowed to perform any work on any grave or lot within the grounds without a permit from the Association or its Directors.
11. No curbs shall be placed or otherwise installed in the Cemetery.
12. No person shall pluck, poison or remove any flower or plant, wild or cultivated, from any part of the Cemetery.
13. Holders containing flowers or other decorations will be removed as soon as the flowers or decorations wither and/or fade and the right is reserved by the Cemetery Association to make such removal through the direction of the Cemetery's Managing Director. No glass containers shall be permitted on the Cemetery grounds.
14. No person shall be permitted to enter or exit the Cemetery grounds except by the public gates. The Cemetery shall be open to the public between 8:00 a.m. and 6:00 p.m.
15. The Cemetery Association is not responsible for the theft or damages to any personal property, including artifacts, personal effects, etc. placed on or near interment spaces or elsewhere in the Cemetery.
16. No benches, chairs or like items will be permitted on the Cemetery grounds, unless authorized in writing by the Board of Directors.
17. Trenching and installation of borders around the grave and marker are not permitted. Placement of any wooden, metal or glass objects is likewise prohibited. The Cemetery Association reserves the right to remove said prohibited items/objects.
18. Markers and/or monuments will be made of granite, marble, bronze or materials approved by the Board of Directors.
19. In order that the improvements and appearance of the Cemetery be kept uniform, the Cemetery Association reserves and will exercise the right to regulate the kind, size, design, quality, and material of all outer burial containers, memorials, and foundation which are placed in the Cemetery.
20. Possession or consumption of illegal drugs or alcoholic beverages within the Cemetery is strictly forbidden.
21. No person shall be permitted to use profane or boisterous language or in any way disturb the quiet and good order of the Cemetery.

22. All foot stones (not monuments) will be placed level with the ground.
23. No dogs or other animals, except guide dogs, shall be permitted in the Cemetery.
24. No boxes, shells, toys, glassware, sprinkling cans, receptacles, or similar items (other than vases meeting the Cemetery's specifications which have been placed with the permission of the Board of Directors) will be permitted to be placed on any interment space or elsewhere within the Cemetery, and if placed, the Board of Directors will remove any such items.
25. Should any memorial become unsightly, dilapidated, or a nuisance, the Board of Directors shall have the right to repair the memorial or, at its option, to remove and replace said memorial. The cost of any repair, removal or replacement shall be paid by the Owners of the Interment Rights.
26. A record shall be kept of each interment including the date the remains are received and identify the plot in which the remains are interred.
27. The Cemetery grounds are sacredly devoted to the burial of the human dead and the provisions and penalties of the law, as provided by the statute, will be strictly enforced in all cases of wanton injury, disturbance, and disregard of these Rules and Regulations.
28. Burials of cremains (human remains resulting from cremation) are allowed, as well as multiple burials of cremains in one space, pursuant to other provisions of the regulation regarding placement of markers and designation of graves.
29. No lights or light fixtures of any kind (solar, electrical, etc.) shall be placed or otherwise installed in the Cemetery. The right is reserved by the Cemetery Association to make such removal through the direction of the Cemetery's Managing Director. (Rule 29 adopted 2009)
30. Prior to the installation of any marker and/or monument, the Managing Director shall be notified of the installation and the Managing Director or his/her designee shall be present at the installation of the marker and/or monument (*Rule 30 adopted 2013, modified 2021*)

The Rules and Regulations of the Old Saltillo Cemetery are subject to change, without advance notice, by the Old Saltillo Cemetery Association Board of Directors.

As of publication date, the Board of Directors of the Old Saltillo Cemetery Association are as follows:

Randy Agee ● Ryan Agee ● Lou Briley Daniel ● Lucas Dennis ● Johnny McAfee

Vivian Dennis-Monzingo ● Kathy Whitten Patterson ● Kenneth Patrick ● Sara Wardrup

Quarterly meetings of the Board of Directors of the Old Saltillo Cemetery Association are held on the third Saturday evening of each of the following months:

March ● June ● August ● November

Quarterly meetings are held at 6:30 p.m. in the Woodrow Kirby Memorial Center, unless otherwise announced, and are open to the public. The annual meeting of the Old Saltillo Cemetery Association is held on the third Sunday of July at 10:30 a.m. at the Old Saltillo United Methodist Church, directly across CR 3357 from the Cemetery.