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**CHAPTER NINE -- PARKS, RECREATION AND CEMETERIES****PARKS AND RECREATION****9.005 PERSONS IN PARKS DURING  
CERTAIN HOURS PROHIBITED**

No person shall be in any City park or marina between the hours of one-half hour after sunset and 6:00 a.m. of the following day. This Section does not apply to City employees whose duties require them to be there and such other persons as may be authorized by the Parks Superintendent to use park facilities after hours or overnight in the manner and for such use as may be prescribed by the Council.

[Amended by Ordinance No. 13-07, enacted Oct. 7, 2013; Amended by Ordinance No. 14-11, enacted Nov. 17, 2014.]

**9.010 USE OF TENNIS COURTS**

No person shall use the tennis courts of the City for any activity other than tennis.

**9.015 FIRES**

No person, other than an authorized City employee, shall set or start any fire other than in the places provided therefore within any City Park.

**9.020 USE OF MARINA AND LAKEFRONT  
PROPERTY**

No person, other than an authorized City employee, shall wade, swim, or walk upon ice in the marina at Moore Park or on any contiguous lakefront property within any City Park.

**CEMETERIES****KLAMATH MEMORIAL PARK****9.100 DESCRIPTION**

[Repealed by Ordinance No. 15-02, enacted Feb. 2, 2015]

**9.102 USE LIMITED**

[Amended by Ordinance No. 06-28, enacted June 19, 2006; Repealed by Ordinance No. 15-02, enacted Feb. 2, 2015.]

**9.104 MAPS TO BE PREPARED; WHERE FILED**

[Repealed by Ordinance No. 15-02, enacted Feb. 2, 2015]

**9.106 OPENING PORTIONS FOR SALE OF BURIAL LOTS; CLASSIFICATION OF LOTS**

[Amended by Ordinance 06-18, enacted June 19, 2006; Amended by Ordinance No. 14-11, enacted Nov. 17, 2014; Repealed by Ordinance No. 15-02, enacted Feb. 2, 2015.]

**9.108 KLAMATH MEMORIAL PARK FUND**

[Amended by Ordinance No. 06-28, enacted June 19, 2006; Repealed by Ordinance No. 15-02, enacted Feb. 2, 2015.]

**9.110 TRUST FUND FOR CEMETERY**

[Amended by Ordinance No. 00-1, enacted Jan. 18, 2000; Amended by Ordinance No. 06-18, enacted June 19, 2006; Repealed by Ordinance No. 15-02, enacted Feb. 2, 2015.]

**9.112 - 9.114 REPEALED**

[Repealed by Ordinance No. 00-1, enacted Jan. 19, 2000.]

**LINKVILLE PIONEER CEMETERY****9.120 DESCRIPTION**

Linkville Pioneer Cemetery consists of the following-described property:

Situated in Klamath County, Oregon:

Beginning at the SE corner of the E2 of the NW3 of the SW3 of Section 29, T 38 S, Range 9 East, W.M.; thence N 0E15' W 1070.44 feet; thence S 89E46' W 655.5 feet; thence S 0E20' E 1073.5 feet; thence N 89E38' E 653.24 feet to the place of beginning.

[Amended by Ordinance No. 06-18, enacted June 19, 2006.]

**9.122 USE LIMITED**

Linkville Pioneer Cemetery shall be used exclusively for human burial purposes and City approved special events that educate the public about the history of the Linkville Pioneer

Cemetery while maintaining property respect and decorum.

[Amended by Ordinance No. 06-18, enacted June 19, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

**9.124 MAP ON FILE**

A plat of the premises known as Linkville Pioneer Cemetery, dedicating the premises for burial purposes, is on file with the County Clerk's office.

[Amended by Ordinance No. 06-18, enacted June 29, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

**9.126 LINKVILLE CEMETERY FUND**

[Repealed by Ordinance No. 15-02, enacted Feb. 2, 2015]

## CEMETERY OPERATIONS

### 9.130 APPLICATION

The provisions of [Sections 9.132 to 9.170](#) shall apply to the operation of Linkville Pioneer Cemetery unless otherwise specifically noted.

[Amended by Ordinance No. 06-18, enacted June 19, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

### 9.132 RECORDS

The City shall furnish a record book in which designated staff shall enter information pertaining to all lots and burials (both interments and inurnments) on the premises as follows:

- (1) The name of the deceased person, if known and when applicable the identifying metal disc number provided by the Oregon State Registrar's office.
- (2) The place of death.
- (3) Printed name, signature and phone number and written permission for final disposition of the person who has the right to control disposition.
- (4) Place of burial (block, lot, plot) or other disposition.
- (5) Date of interment/inurnment.
- (6) Name and address of the funeral service practitioner.

[Amended by Ordinance No. 6635, enacted April 6, 1992; Amended by Ordinance No. 06-18, enacted June 19, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

### 9.134 PURCHASE OF BURIAL LOTS

[Amended by Ordinance No. 6411, enacted Jan. 3, 1983; Amended by Ordinance No. 6635, enacted May 6, 1992; Amended by Ordinance No. 06-18, enacted June 19, 2006; Repealed by Ordinance No. 15-02, enacted Feb. 2, 2015.]

### 9.136 TRANSFER OF LOTS

[Amended by Ordinance No. 6635, enacted May 6, 1992; Amended by Ordinance No. 06-18, enacted June 19, 2006; Repealed by Ordinance No. 15-02, enacted Feb. 2, 2015]]

### 9.138 INTERMENTS

No interment shall be made until an order is secured from the designated staff. The burial order shall be applied for at least forty-eight (48) hours (not counting weekends and legal holidays) before burial, except in cases of

emergencies when shorter times may be arranged. The burial order shall be issued by designated staff. All requirements of State laws and regulations pertaining to interment or burial shall be complied with. Burial of more than one in the same grave is only allowed in cases of parent and baby, and baby, babies less than 18 months old whose deaths occurred at the same time, the combination of an interment, or two inurnments. When a cremation urn is placed in a casket for burial in the responsible Funeral Director must notify cemetery personnel of such action for the state required record keeping.

[Amended by Ordinance No. 6411, enacted Jan. 3, 1983; Amended by Ordinance No. 6635, enacted May 6, 1992; Amended by Ordinance No. 06-18, enacted June 19, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

### 9.140 CLASSIFICATIONS FOR BURIAL PURPOSES

A person buried in a casket 2 feet or longer shall be classified as an adult or child. A person buried in a casket less than 2 feet shall be classified as a baby.

[Amended by Ordinance No. 06-18, enacted June 19, 2006.]

### 9.142 CASKETS

All caskets shall be enclosed in a concrete liner, polypropylene liner, or a steel vault or other non-corrosive material approved by the Parks, Recreation and Cemeteries Advisory Board and the Parks, Recreation and Cemeteries Manager, except in the case of the burial of babies when a casket/vault combination is permitted.

[Amended by Ordinance No. 06-18, enacted June 19, 2006.]

### 9.144 BURIAL OF OTHER THAN OWNER IN LOT

The owner of a lot has a right to give permission by written directive for the burial in his/her lot of the remains of others than his/her immediate family.

[Amended by Ordinance No. 06-18, enacted June 19, 2006.]

### 9.146 AFFIDAVIT BY HEIRS

After the death of an owner of a lot, an affidavit of one of the heirs showing the facts relating to

the heirship must be filed with the designated staff. Blank affidavit forms can be obtained from the designated staff. Ownership of the lot will be determined based on the information in the affidavit. In addition, notarized letters from all other heirs stating they claim no interest in the lot must be submitted to designated staff.

[Amended by Ordinance No. 06-18, enacted June 19, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

#### **9.148 PARK SERVICE**

There shall be a charge for park services which must be paid for prior to burial. Park services shall include burial plot location and inspection prior to the opening and closing of a grave, a marker placement inspection prior to placement of a grave marker and such other services as the Council or the City Manager may approve. When placing a cremation urn in the ground a cremation vault will be required.

[Amended by Ordinance No. 6635, enacted May 6, 1992; Amended by Ordinance No. 06-18, enacted June 19, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

#### **9.150 PLANTING; LANDSCAPING**

All landscaping work such as planting trees, shrubs, landscaping and other work, shall be done by the City.

[Amended by Ordinance No. 6411, enacted Jan. 3, 1983; Amended by Ordinance No. 6635, enacted May 6, 1992; Amended by Ordinance No. 06-18, enacted June 19, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

#### **9.151 CONTRACTED WORK**

Any entity contracted to do work on Linkville Pioneer Cemetery properties shall be required to furnish satisfactory evidence of liability insurance providing for a minimum of \$1,000,000 per occurrence, and \$2,000,000 aggregate. The City shall be named as an additional insured. The liability insurance shall apply to and provide coverage for any and all claims for bodily injury, death and property damage arising from or caused by the activities of the said entity in performing the work.

[Added by Ordinance No. 06-18, enacted June 19, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

#### **9.152 GRAVE MARKERS**

(1) The specifications and materials of all markers and other articles to be used and the procedures for placing such markers and other articles shall be established pursuant to Section 9.170(1). No marker shall be placed until all fees due the City have been paid in full.

(2) Any person setting a marker in the park shall be required to furnish satisfactory evidence of liability insurance providing for a minimum of \$1,000,000 per occurrence, and \$2,000,000 aggregate. The City shall be named as an additional insured. The liability insurance shall apply to and provide coverage for any and all claims for bodily injury, death and property damage arising from or caused by the activities of the said entity in performing the work.

[Amended by Ordinance No. 6411, enacted Jan. 3, 1983; Amended by Ordinance No. 6635, enacted May 6, 1992; Amended by Ordinance No. 06-18, enacted June 19, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

#### **9.154 REPEALED**

[Repealed by Ordinance No. 6411, enacted Jan. 3, 1983.]

#### **9.156 BURIAL OF URNS**

For the burial of an urn or other form of burial not provided for in [Sections 9.130 to 9.170](#), the Council shall establish proper methods and charges by Resolution.

#### **9.158 GRAVE ADORNMENTS**

During the mowing season, 1 permanent vase per grave plot as approved by designated staff will be allowed, except on holidays when this rule shall not apply. Flowers must be placed in the approved flower vase. Wire hooks or tie downs for any grave adornment are prohibited. The Parks Manager may, at his/her discretion authorize additional grave adornments to be placed during the year at times other than the mowing season. Replacement of any memorial marker or flower vase stolen is the sole responsibility of the lot owner and not the responsibility of the City.

[Amended by Ordinance No. 6635, enacted May 6, 1992; Amended by Ordinance No. 06-28, enacted June 19, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

**9.160 CUTTING, PICKING OF FLOWERS;  
INJURING PROPERTY**

No person shall cut, pick or remove flowers or plants without permission of the designated staff; or break or injure the trees or shrubs on any lot or grave, or injure or deface any monument, vault, structure or other property.

[Amended by Ordinance No. 06-28, enacted June 19, 2006.]

**9.162 REMOVAL OF FUNERAL DESIGNS**

Funeral designs and floral pieces will be removed from graves when they become wilted or unsightly. Persons desiring to retain any design or floral pieces must remove them within two business days after interment.

[Amended by Ordinance No. 06-28, enacted June 19, 2006.]

**9.164 FOR SALE SIGNS**

Signs indicating that a lot is for sale, or signs, cards or advertisements of any kind, are prohibited.

**9.166 MINORS TO BE ACCOMPANIED BY  
ADULTS**

No minor shall be admitted unless attended by a responsible person. Children are not allowed to run at will over the grounds.

**9.168 DISINTERMENTS AND REBURIALS**

- (1) No body, once buried, may be removed from one part of the cemetery to another part thereof without a permit having first been obtained for that purpose from the Parks, Recreation and Cemeteries Manager. The application for the permit shall state the reason for relocation. Designated staff shall, if there is no cause for denying the request, issue a permit for the removal. Upon removal, the cemetery records shall be amended by designated staff to show the new burial location.
- (2) No body, once buried, may be disinterred and removed until all state laws pertaining to disinterments and removals have been complied with. Before the disinterment, application for a permit for such removal shall be made to the State Health Division's vital statistics section.
- (3) The burial transit permit issued by the health authorities must be deposited with the designated staff at or before the time of

burial.

[Amended by Ordinance No. 06-28, enacted June 19, 2006; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

**9.170 RULES, REGULATIONS AND PRICES**

- (1) The Council may, on its own motion or by recommendation of the Advisory Board, adopt by Resolution reasonable rules and regulations for the control and use Linkville Pioneer Cemetery. The rules and regulations may be modified or changed as the Council may determine.
- (2) Charges for park services shall be set by the written order of the Parks Superintendent and may be modified from time to time to reflect increased costs to the City.

[Amended by Ordinance No. 6635, enacted May 6, 1992; Amended by Ordinance No. 06-28, enacted June 19, 2006; Amended by Ordinance No. 14-11, enacted Nov. 17, 2014; Amended by Ordinance No. 15-02, enacted Feb. 2, 2015.]

**PENALTY****9.990 PENALTY**

Violation of any provision of this Chapter shall be punishable by a fine not to exceed \$250 per occurrence.

[Amended by Ordinance No. 06-28, enacted June 19, 2006.]