

GENOA CEMETERY ASSOCIATION

This institution is operated as a “non-endowment care” interment property (NRS 452.140(1))

P.O. Box 971
Genoa, NV 89411
genoacemetery.org

CEMETERY ASSOCIATION RULES AND REGULATIONS

1.0 GENERAL INFORMATION.

- 1.1 **“NON-ENDOWMENT CARE CEMETERY” DEFINED.** A “non-endowment care cemetery” is one that is exempt under the provisions of NRS 452.050(2). The GCA is a tax exempt 501.c.13 cemetery and was deemed a cemetery on July 1, 1971. Your purchase is not tax exempt. Genoa Cemetery Association (GCA) can accept tax exempt donations and endowments.
- 1.2 **PLOT SALES.** Plot sales will be made in accordance with present mapping and boundary locations. The public may purchase plots only in the sizes and in locations designated by the Association to be open and available for purchase. Burial plots are only for the interment of human remains. Every effort will be made to convey only non-owned and unoccupied plots according to present records. However, due to the age of the GCA cemetery and possible lapses or incomplete record keeping, the GCA shall not be held responsible or liable for consequences of the sale or use of any previously sold or previously occupied plot of which the status was unknown by the Association. Every effort will be made to accommodate the purchase to secure a new location if a previously sold or occupied plot is resold. Once the Property Deed has been signed by the GCA, the sale of the plot is final.
- 1.3 **CONTRACTOR DEFINED.** The term “contractor” as used in these regulations or any other document generated by the GCA does not mean an individual licensed by the State Contractors Board. It is a general description of an individual and/or firm used by the GCA or the purchaser/owner of a plot to designate a specific individual/firm to provide services to the GCA or the purchaser/owner for a fee. A “contractor” must carry and provide to the GCA proof of liability insurance of at least \$1,000,000.00 and include the GCA as an additional insured.
- 1.4 **DE-ROCKING DEFINED.** Removal of large rocks/boulders from a cemetery plot and backfilling with clean fill to facilitate hand digging of a gravesite, if necessary. Some of the plots sold currently have been de-rocked
- 1.5 **CASKET/COFFIN DEFINED.** A case/container for the reception of a corpse for burial in the Genoa Cemetery. A container is preferred and must be sturdy and of sufficient strength to hold the remains of the deceased during transportation and burial. The casket/coffin must have handles to allow for grasping the casket/coffin during transportation. A natural burial is subject to board approval.
- 1.6 **PLOT DEFINED.** A plot consists of a curbed land burial site in the Genoa Cemetery. Plots are sold in the following dimensions: 2’x4’ (cremation only), 5’x10’, 10’x10’, 10’x20’ and 20’x20’ feet. The GCA hires a “contractor” to do the curbing. Depending on the work schedule of that contractor and weather, the curbing could take up to six months from the time of the purchase to be completed.

2.0 PLOT MARKER. At the time of a sale/purchase of a plot, the GCA member making the sale shall place a stake or marker at each corner of the plot and such marking will remain until curbing is in place.

3.0 PLOT COST. The sale of a plot includes the cost of the curbing. The GCA Board of Trustees will adjust plot costs to meet changing material and labor costs.

4.0 ANNUAL ASSESSMENT. An **annual assessment** shall be charged for the cleaning and maintenance of common areas of the cemetery. These expenses continue to rise and as such the annual fee can change annually. Currently the annual fee is **\$35.00** for plots 5'X10', 10'X10', 10'X20', and 20'X20'. The annual fee is **\$20.00** for plots 2'X4'. Any clarification needed, please email request to genoacemeterynv@gmail.com. Payment of these fees is optional for current Board members, in recognition of their volunteer service.

5.0 DELINQUENT ASSESSMENTS

5.1 If you have family members or individuals who would be financially responsible after your passing, please provide their names, addresses, phone numbers and email addresses to the GCA. It is the responsibility of the plot owner to keep this information updated with the GCA. The CGA website is genoacemetery.org and email is genoacemeterynv@gmail.com.

6.0 BURIALS

6.1 All cremations and full burials must comply with Nevada State Statutes. Interment without a burial permit is prohibited (NRS 440.560). A copy of both the Death Certificate and a Mortuary Burial Permit (or a Transit Permit) must be received by the GCA prior to any burial.

6.2 Burials are permitted only in de-rocked plots. De-rocking is usually done at the time the plot is curbed. In the new sections, the cost is included in the purchase price.

6.3 Single depth graves only. Each gravesite may contain only one full burial and cremation urns as approved by the GCA. No above ground burials. Cremation urns should be buried approximately two feet deep. Full burials should be buried approximately six feet deep, four feet wide and eight feet long.

6.4 A burial plot must be backfilled within 24 hours of a burial. GCA may arrange backfill the plot if the time limit is not met, and the reasonable cost will be borne by the plot owner. The purchaser will hold harmless and indemnify the GCA from all costs incurred by the GCA.

7.0 MAUSOLEUMS. The GCA does NOT allow the construction of any mausoleum, vault, or crypt above ground.

8.0 HEADSTONES. The GCA requires headstones or permanent markers for burials to be placed within one year of interment. Wooden headstone markers are prohibited.

9.0 MAINTENANCE. GCA is responsible for arranging cleaning and maintenance of the common areas as well as tree and shrub trimming, and removal of pinecones and pine needles. Plot owners are responsible for cleanup and maintenance within the curbing of their plots. The GCA

is not responsible for erosion or weather-related damage, compaction or damage caused by tree roots.

10.0 TREES/SHRUBS. No trees or shrubs are allowed to be planted in the cemetery plot or general area without specific approval of the GCA Board of Trustees. All plot owners must contact the Secretary of the GCA with a planting proposal to include the type of tree/shrub, its size at maturity, and proposed location. The GCA has final decision-making authority regarding planting in the Genoa Cemetery. It is the plot owner's responsibility to care for the planted tree/shrubs. If the tree/plant becomes overgrown or begins to affect any plot curbing or headstones, the GCA has the authority to trim or remove the tree/bush at the plot owner's expense. Tree or plant removal is subject to Board approval.

11.0 RESALE OF PLOT

11.1 If the plot has not been de-rocked, the plot must be de-rocked, curbed and backfilled within one year from the date of the purchase. No burials are permitted if the plot has not been de-rocked, curbed, and backfilled. The purchaser of the plot and the "contractor" engaged to work on the plot must remove all material extracted from the plot from the cemetery and properly and legally dispose of such material. If all the materials are not removed from the Cemetery grounds, the GCA will bill the owner for the removal. With Board approval and supervision, some large boulders may be placed on the cemetery property.

11.2 If the plot has been de-rocked and curbed, the GCA will issue a Property Deed and provide the new owner with a copy of the current Rules and Regulations and the By-laws. These may also be found on the Genoa Cemetery website: genoacemetery.org.

11.3 The seller agrees to provide the Secretary of the GCA, P.O. Box 971, Genoa, NV 89411, a notarized letter of intent to sell the existing plot. In addition, provide in writing: new owner's name, address, phone number, alternate names and addresses of additional family or financially responsible individuals for the future assessment payments and acknowledge whether plot has been de-rocked and curbed. The seller will be responsible for the deed transfer fee.

11.4 The owner of the plot does have the option to have GCA buy back the plot. If the GCA buys back the plot, it will be at the original purchase price the owner paid. If the GCA purchased the plot back, there will be no deed transfer fee.

12.0 DEED. A plot Property Deed is mailed to the new owner when the payment check has cleared the bank. A copy of GCA Rules and Regulations will be included. Owner must notify the Secretary of any address change(s) including those of the person responsible for the annual assessments.

13.0 PLOT DECORATIONS AND CONTAINERS. Any plot decorations left on plots and deemed unsightly may be removed by the GCA. All decorations must be securely fastened. No glass containers are allowed. No mylar decorations are allowed. No decorations may be hung on the perimeter fencing. All decorations must be kept to reasonable standards.

14.0 DE-ROCKING/BURIAL

14.1 All plots must be de-rocked before a burial may take place.

14.2 Any individual performing de-rocking and/or burial work on the GCA premises must carry and provide proof of a \$1,000,000.00 liability insurance policy and must include the CGA as an additional insured. A copy of the insurance policy must be provided to the Secretary of the CGA prior to any work being done. The plot owners are responsible for any damage to the Genoa Cemetery grounds and/or adjoining plot sites. The owner of the plot site acknowledges this responsibility at the time of the purchase and deed transfer.

15.0 MORTUARIES. Mortuaries or their designated representatives must arrange for the opening and closing of burial site, furnish the lowering device, chairs, grass carpet and other material/services if required.

16.0 DISINTERMENT

16.1 The GCA requires a permit for disinterment or removal of human remains from the local health officer in accordance with NRS 451.045 and any other applicable county and state requirements. All costs and expenses of obtaining the permit shall be the responsibility of the plot owner or a personal representative and must meet all legal requirements.

16.2 Plot owner must comply with the State Board of Health regulations section NAC 440.190 that requires a copy of the permit to be sent to the State Registrar and must meet all legal requirements.

16.3 Plot owner or a personal representative must contact a mortuary for assistance and guidance and must meet all legal requirements.

16.4 The mortuary, at the plot owner's expense, will hire a "contractor" to perform the disinterment or removal of the remains. The "contractor" must provide to the GCA proof of liability insurance of at least \$1,000,000.00 and include the GCA as an additional insured.

16.5 GCA will require the plot owner to sign a disclaimer that will hold GCA harmless and indemnify GCA from any damage done to the remains or adjacent gravesites during the disinterment or removal of human remains. If the owner refuses to sign such a disclaimer, GCA will note on the disclaimer and request plot owner acknowledge refusal. Failure to sign the disclaimer will give GCA cause to deny disinterment. Any damage to adjacent plots becomes the responsibility of the person requesting the disinterment.

17.0 CEMENT CURBING, BLOCK CEMENT, BRICK CURBING DETERIORATION. Curbing must be installed by the GCA designated "contractor" or a contractor approved by the GCA. All curbing will be in accordance with the regulations set by the GCA. Curbing regulations will be provided upon request. Due to the extreme high and low temperature range in the Genoa area, the Genoa Cemetery Association (GCA) is not responsible for the deterioration of the curbing after a twelve (12) month period from date of installation. Tree roots or tree root damage is not the responsibility of the GCA.

18.0 VEHICLES. Any motorized vehicles shall not exceed a speed of five (5) miles per hour and shall not trespass onto any deeded plot.

- 19.0 FIREARMS.** No firearms are permitted in the cemetery except for military and law enforcement funerals.
- 20.0 DISTURBANCES.** Any disturbances of serenity at the cemetery should be reported to Douglas County authorities.
- 21.0 GARBAGE.** All garbage must be removed from the cemetery by the plot owner.
- 22.0 AMENDMENT.** These Rules and Regulations may be amended by the Board of Trustees.

If you have any questions or concerns regarding the cemetery, please contact email the Genoa Cemetery Association at genoacemeterynv@gmail.com.