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## Cemetery Rules

The Wasilla Aurora Cemetery (Cemetery) is owned and operated by the City of Wasilla (City).

1. All plots, lots, and niches (burial spaces) in the Cemetery shall be used for no other purpose than as a place of burial for the deceased. All burial spaces shall be subject to Wasilla Municipal Code 13.24 (attached) and the Cemetery Rules below:
2. The Cemetery is open daily, from 8 a.m. to 10 p.m.
3. No transfer or assignment of a burial space or any interest therein shall be valid until such transfer or assignment is approved by the City.
4. All grave excavations (opening and closing) must be coordinated with the City.
5. Persons must contact the City at least two (2) business days prior to a burial and at least seven (7) business days for any disinterment or removal.
6. All non-cremated remains entering the cemetery for interment must be contained in a coffin or casket.
7. Persons in need of grave excavation must engage private contractors for these services. The City may maintain a list of contractors who indicate a desire and capability to perform the work.
8. A private contractor must certify that they are insured with minimum general liability coverage of \$1,000,000 and that the City of Wasilla is named additional insured on the policy. A copy of such policy shall be provided to the City before work begins.
9. A City employee shall mark the excavation limits for each grave prior to excavation. All graves shall be excavated to an east-west length direction and to the depth provided for in WMC 13.24.090. Cremains must be in a sealed container and may be dug with an auger.
10. The ground surface of all grave lots shall be level and at the same elevation as the surrounding surface.
11. All persons must contact the City at least two (2) business days prior to the installation of a memorial headstone, plaque or other memorial marker.

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12. All markers shall be placed on a cement foundation with 5” depth and 5” clearance around the marker to allow proper ground maintenance.
  13. Private contractors must not trespass on burial spaces other than the ones on which the work is to be done.
  14. The City may prohibit any contractor or worker from working in the Cemetery if such contractor or worker prove to be unreliable or incapable and if he or she refuses to abide by the rules and regulations.
  15. Private contractors and others will be held responsible for any damage done to memorial markers, burial spaces, paths, roads, plantings, structures, etc., including damage to the lawn, and shall take all necessary precautions to avoid such damage.
  16. Contractors and others are required to interrupt their work pending a nearby funeral service or procession.
  17. If any headstone, plaque, or other memorial marker or any inscription placed in or upon any burial space is determined, by the City, to be offensive or improper or harmful to the appearance of the surrounding burial spaces or grounds, the City shall have the right to remove the offensive or improper object(s), should the owner fail to do so within thirty (30) days from the mailing of the written demand to the owner at his or her last known address.
  18. Headstones, plaques, and other memorial markers which have fallen or require repair may be removed or the condition corrected by the City.
  19. No planting of trees is allowed on any burial space. The City shall have the right to remove any trees without notice to the owner.
  20. Burial Lots 1 – 329 (lower section only): If any tree, because of its roots, branches or otherwise, becomes detrimental to the adjacent burial spaces, or unsightly or inconvenient to passengers or pedestrians, the City shall have the right to remove said trees or shrubs or such parts thereof as it determines to be detrimental, unsightly or inconvenient without notice to the owner.
  21. No memorials, including, but not limited to candles, flags, stuffed animals, balloons, mobiles or other moving decorations, clothing, toys, food, drinks, fabric materials, or any other items are allowed on or around a burial space. All items shall be removed by the City without notice to the owner.

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22. Fences, rock, outlines, benches, or other like structures are not permitted on or around a lot. The City is not responsible for items placed on or around a lot and assumes no responsibility for their return. At the discretion of the City, decorations may be removed and discarded by the City without notice to the owner.
  23. The City may at any time enter upon any burial space to keep it neat and clear off the grass, weeds, wilted flowers, and debris.
  24. In making improvements to the Cemetery, the City reserves the right to use temporarily the adjoining burial spaces necessary to perform all work.
  25. The City may construct or alter paths or roads.
  26. No "For Sale" signs are allowed on any burial space. No advertisement, in any form, is allowed in the Cemetery and the City reserves the right to remove any such signs or advertisements.
  27. Solicitation of business in the Cemetery is prohibited.
  28. The City reserves the right to prohibit enclosures on any grave.
  29. The City shall take reasonable precaution to protect burial spaces and memorial markers from loss or damage; but it disclaims all responsibility for loss or damage from causes beyond its reasonable control, and from damage caused by the elements, an act of God, thieves, vandals, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.
  30. The City may revise these Rules.

Approved this 16 day of April, 2024.

  
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Erich Schaal, Public Works Director

## Chapter 13.24 WASILLA AURORACEMETERY

Sections:

- 13.24.010**    **Definitions.**
- 13.24.020**    **Purpose.**
- 13.24.030**    **Intent.**
- 13.24.040**    **Exercise of powers.**
- 13.24.050**    **Financial.**
- 13.24.060**    **Administration.**
- 13.24.070**    **Lot maintenance and memorial markers in the cemetery.**
- 13.24.090**    **Interment and disinterment procedures.**
- 13.24.100**    **Columbarium.**

### **13.24.010**    **Definitions.**

When used in this chapter, the following words and phrases shall have the meanings set forth in this section:

“Burial permit” means a valid state of Alaska permit allowing the burial of a deceased person in the cemetery.

“Cemetery” means several tracts within the Wasilla Aurora Cemetery described as Parcel 1, 2, 3, 4 and 5 of Plat No. 63-22, dated August 2, 1963, Palmer Recording District encompassing an area of 10 acres more or less.

“Columbarium” means a structure, either free standing or part of another building, containing niches for the interment of cremated remains.

“Grave” means an individual place of burial.

“Lot” means a parcel of land within a plot for burial of one or more persons, as designated by city regulations.

“Niche” means a compartment in a columbarium for permanent placement of an urn or urns containing cremated remains.

“Plot” means a ground area containing four lots or as shown on the official cemetery plats.

“Remains” means any part or parts of the body of a deceased person.

“Urn” means a container designated to permanently store and transport the human cremated remains of one person. (Ord. 15-19 § 2, 2015; Ord. 08-29 § 21, 2008; prior code § 13.16.005)

### **13.24.020 Purpose.**

The city assumes cemetery powers to serve the residents of the city as set forth in AS [29.35.010](#). (Ord. 15-19 § 2, 2015; prior code § 13.16.010)

### **13.24.030 Intent.**

- A. The intent of the city is to sell the remaining lots and columbarium niches in the Wasilla Aurora Cemetery and to maintain in perpetuity. No further acquisitions of land are anticipated at the Wasilla Aurora Cemetery or at other new sites.
- B. Only natural persons may purchase a lot or niche and each purchaser shall be limited to acquisition of no more than 10 grave lots or niches. The intention of this subsection is to encourage family-motivated use and discourage institutional speculation on purchasing lots or niches for resale. However, mortuaries, funeral parlors or other similar corporate or business entities may purchase lots and niches upon presentation of satisfactory evidence that the purchase is not for speculative or profit purpose. (Ord. 15-19 § 2, 2015; prior code § 13.16.014)

### **13.24.040 Exercise of powers.**

- A. The public works director shall be responsible for administration of the Wasilla Aurora Cemetery.
- B. The city will take all reasonable precautions to protect the property within the cemetery, and disclaims all responsibility for loss or damage from causes beyond its reasonable control, and from damage caused by the elements, an act of God, thieves, vandals, malicious mischief makers, unavoidable accidents, whether the damage be direct or collateral, other than as provided from within this chapter. (Ord. 15-19 § 2, 2015; prior code § 13.16.020)

**13.24.050 Financial.**

All sales of cemetery lots and niches shall be deposited in an irreducible nonexpendable trust accounting fund, the interest of which shall be used exclusively for the maintenance, operation of and capital improvements construction in the cemetery. Actual operations will continue in the general fund. Capital expenditures resulting in additional sales shall be provided from the irreducible nonexpendable trust accounting fund. Interest earnings, when available, will be transferred through an operating transfer to the general fund. (Ord. 15-19 § 2, 2015; prior code § 13.16.025)

**13.24.060 Administration.**

A. *Fees.* Any lot or niche may be purchased or reserved by purchase, on a first-come, first-served basis by any person. Purchase fees are as follows:

Lot – includes one small flat lot marker with inscription to include name, date of birth, and date of death.	\$1,000
Niche – includes one initial opening and closing and one niche inscription to include name, date of birth and date of death.	\$1,000
Additional niche opening and closing, each occurrence – two business days’ advance notice needed.	\$100
Evening or weekend employee call-out charge after 3:00 p.m. – one week advance notice needed.	\$200
Holiday employee call-out charge for city-recognized holidays – one week advance notice needed.	\$300

B. *Record.* The public works director, or his or her designee, shall maintain permanent records indicating the lot and plot numbers of grave sites, columbarium niches, names and burial date of all deceased persons interred in Wasilla Aurora Cemetery, and the name and contact information of the purchaser, and the date of purchase. A properly completed state of Alaska burial permit shall be provided at the time of interment. Such permits shall be permanently maintained on file by the city.

C. *Purchase.* The city shall not authorize the use of purchased lots or niches to anyone other than the purchaser or properly designated representative of the purchaser. A purchaser may relinquish rights to any unused lot or niche and receive full refund of the purchase price paid, and shall not sell to a third party.

D. *Disinterment.* The remains of any person may be disinterred upon submission of a state disinterment and re-interment permit to the public works director. The purchase price of lots will not be refunded and the lot shall return to the pool of unsold lots. The public works director shall maintain records to indicate the interment and disinterment. (Ord. 15-19 § 2, 2015; prior code § 13.16.030)

### **13.24.070 Lot maintenance and memorial markers in the cemetery.**

A. Headstones, plaques or other memorial markers may be placed on westerly end of each lot and shall not extend beyond the width of the lot, nor extend more than 30 inches from the westerly end of the lot. All permanent markers shall be constructed from such materials and in such a manner as to assure long-term permanence in good condition. All markers shall be placed on a foundation of solid material at a depth and size and in a manner to be determined by the public works director. The public works director will have the final decision as to whether a marker meets the requirements. Notification to the public works director is required prior to the installation of any type of permanent memorial marker.

B. The ground surface of all grave lots shall be maintained to be level and at the same elevation as the surrounding surface.

C. No fences, rock outlines, benches, or other structures are permitted on or around a lot without prior approval of the public works director, or his or her designee. The city is not responsible for items placed on or around a lot and assumes no responsibility for their return to the owner. At the discretion of the city, decorations may be removed and discarded by city employees without notice.

D. No planting of trees is allowed at any time. The planting of flowers or shrubbery on or around a lot is not permitted without prior approval of the public works director, or his or her designee. Fresh or potted flowers are permitted at any time. Plastic or silk flowers are only permitted during the months of October 1 through March 31 of each year. Plants, flowers, or containers placed beyond the dimensions of the lot for more than 72 hours shall be considered abandoned and may be removed and discarded

by city employees without notice. The city is not responsible for items placed on or around a lot and assumes no responsibility for their return to the owner.

E. No memorials, including and not limited to candles, flags, stuffed animals, balloons, mobiles or other moving decorations, clothing, toys, food, drinks, fabric materials, or any other items, shall be placed on or around a lot. The city is not responsible for items placed on or around a lot and assumes no responsibility for their return to the owner. At the discretion of the city, decorations may be removed and discarded by city employees without notice.

F. Structures, benches, plants, trees, flowers, and other adornments, other than headstones or memorial plaques that do not comply with the provisions of this section may be removed and discarded by city employees without notice. (Ord. 15-19 § 2, 2015; prior code § 13.16.040)

### **13.24.090 Interment and disinterment procedures.**

A. At least two business days' notice before an interment, and up to seven business days' notice to any disinterment or removal is required to be given to the public works director. Persons in need of grave excavation are encouraged to engage in private contractors for these services. The public works director may maintain a list of contractors who indicate a desire and capability to perform the work. Emergency grave excavation services may be provided by the city employees at rates to be established by the mayor.

B. The public works director, or his or her designee, shall mark the excavation limits for each grave prior to excavation. All graves shall be excavated to an east-west length direction and to the depth designated below. Cremains must be in a sealed container and may be dug with an auger.

	<b>Depth</b>	<b>Length</b>	<b>Width</b>
Single interment (adult)	6 feet	7 feet	3 feet
Double interment (adult)	8 feet	7 feet, 6 inches	3 feet
Single interment (child)	6 feet	6 feet	3 feet
Double interment (child)	8 feet	6 feet	3 feet
Cremains	2 feet	As needed	As needed



C. No person shall prepare a cemetery lot for burial unless that person has received instruction and orientation as to proper grave excavation and closing procedures by the public works director, or his or her designee. (Ord. 15-19 § 2, 2015; prior code § 13.16.050)

### **13.24.100 Columbarium.**

- A. *Inurnment.* Only human cremated remains in an urn may be placed in the niche and shall be of a size suitable for the niche. The ownership of the niche and the structure remains with the city.
- B. *Opening and Closing.* A niche may be opened only at the request of the niche owner as listed in the cemetery records or as determined by the public works director. All opening and closings and work related to the niches shall be completed by the public works director, or his or her designee. The initial opening and closing of the niche is included in the original cost of the niche. If it is necessary to reopen the niche at a later date, an additional fee will be incurred.
- C. *Inscriptions.* The public works director will select a standardized font and size of the lettering for the inscriptions on the niche. One initial inscription is included in the original cost of the niche. An additional fee will be incurred for each additional inscription.
- D. *Decorations.* Fresh flowers are permitted in niche base at any time. Plastic or silk flowers are only permitted during the months of October 1 through March 31 of each year. No memorials, including and not limited to candles, flags, stuffed animals, balloons, mobiles or other moving decorations, clothing, toys, food, drinks, or any other items, shall be placed at the columbarium. Wire to fasten items to a niche is not permitted at any time. No arrangements, flags, decals or other items shall be taped, wired, glued, pasted, or otherwise affixed to a niche or the columbarium. The city is not responsible for items placed on or around the columbarium and assumes no responsibility for their return to the owner. At the discretion of the city, decorations may be removed and discarded by city employees without notice.
- E. *Vacancy.* Should a niche become vacant by the removal of cremains without prior notice to the city, all rights of the owner in said niche shall revert to the city. The city reserves the right to retain all funds related to that niche. (Ord. 15-19 § 2, 2015)

**The Wasilla Municipal Code is current through Ordinance 24-13(AM), passed February 26, 2024.**

Disclaimer: The Office of the City Clerk has the official version of the Wasilla Municipal Code. Users should contact the clerk's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.cityofwasilla.gov](http://www.cityofwasilla.gov)

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