Pleasanton Pioneer Cemetery Rules and Regulations

The Pleasanton Pioneer Cemetery (PPC), a non-sectarian cemetery, is owned and operated by the City of Pleasanton (City). The following rules and regulations shall apply to the maintenance and operation of the Pleasanton Pioneer Cemetery.

Section 1 ADMINISTRATION

1.1 Operation of the Pleasanton Pioneer Cemetery shall be under the direction of the City of Pleasanton's Library and Recreation Department and are regulated by both the City of Pleasanton's Municipal Code Chapter 2.08.190 – Public Building Supervision and Chapter 13.08 - Parks and Recreation Facilities.

1.2 The Library and Recreation Department provides sales and burial coordination. Appointments may be made by calling their offices at (925) 931-5340 or emailing pioneercemetery@cityofpleasantonca.gov, Monday through Friday between 8am and 5pm.

1.3 The Library and Recreation Department is empowered to enforce all cemetery rules and regulations, and to exclude from the property any person in violation of the rules and regulations.

1.4 The Library and Recreation Department or their designee/contractor shall be in charge of the cemetery grounds and provide supervision for the grounds of the cemetery while conducting funerals and other memorials, ceremonies and remembrances.

1.5 The PPC shall be open daily from dawn to dusk. The Library and Recreation Administrative Department hours are Monday through Friday, from 8:00 a.m. to 5:00 p.m. (excluding holidays).

Section 2 RIGHT TO CORRECT ERRORS

2.1 The City reserves the right, and shall have the right to correct any errors that may be made by it past and present, either in making interments, dis-interment's or removals, or in the description, transfer or conveyance of rights of interment in any property, either by cancelling such conveyance and substituting and conveying in lieu thereof rights of interment in other property of equal value at similar location within the PPC grounds as far as possible; or, as may be selected by the City, by refunding the amount of money paid on account of said purchase. In the event the error shall involve the interment of remains of any person in such property, the City reserves and shall have the right to remove the remains and to re-inter the remains in other property of equal value and similar location within the PPC grounds and may be substituted and conveyed in lieu thereof.

2.2 The City shall also have the right to correct the improper placement of memorial markers and other items placed on gravesites and to correct any errors made by placing improper inscription, including an incorrect name or date, either on a memorial or container for cremated remains.

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Section 3 RIGHT TO REPLAT, REGRAD, AND USE PROPERTY

3.1 The City reserves the right and privilege, at any time and from time to time, to re-survey, enlarge, diminish, re-plat, alter in shape or size, or otherwise to change all or any part, portion or subdivision of the property hereby mapped and plotted (including the right to lay out, establish, close, eliminate, or otherwise modify or change the location of roads, walks, or drives) and to file amended maps or plats thereof, and to use the same for the erection of buildings or for any purposes or uses connected with, incident to, or convenient for the care, preservation, or preparation for the disposal or interment of human remains, or other cemetery purposes, together with easements and rights of way over and through said premises for, and the right and privilege of installing, maintaining, and operating pipelines, conduits, drains for sprinklers, drainage, electric or communication lines, or for any other purpose, is hereby expressly reserved to the City.

Section 4 SALES OF INTERMENT RIGHTS, SERVICES, FACILITIES, AND SUPPLIES

4.1 An established price list for the sale of burial properties and plots, niches and service fees shall be available on the City of Pleasanton website.

4.2 For all sections, including South Hill West after January 1, 2026, all sales of interment rights for graves, crypts, or niches shall be deemed to exclude burial services. Purchase of at-need burial services will be required unless evidence is provided that specific materials and services were included in the original purchase price (packages purchased prior to January 1, 2026, shall be honored accordingly).

4.3 Multiple interments may be permitted in a grave space and will be determined whether allowable by the City. Each interment will be charged a burial fee and applicable vault fee.

4.4 Individuals may purchase burial property only for themselves and their immediate family members for pre-need and/or at-need. Burial services may be purchased on an at-need basis only. Individuals may purchase burial property and burial services for non-family members on an at-need basis only and must provide the necessary legal documents to allow interment. For either case, authorization to inter must be provided to the City prior to the burial.

- **California Code of Regulations §13692. Immediate Family Member Defined.**

For purposes of subdivision (d) of Labor Code Section 2066, "immediate family member" means spouse, domestic partner, cohabitant, child, stepchild, grandchild, parent, stepparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, great grandparent, brother, sister, half-brother, half-sister, stepsibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin (that is, a child of an aunt or uncle).

4.5 A Purchase Agreement shall be prepared at the time of purchase of burial property and/or burial services for any grave or niche listing those supplies and services purchased by the purchaser with; one (1) copy to be retained by the Library and Recreation Department and one (1) copy to be provided to the purchaser. The purchase of burial property and/or burial services for graves or niches shall be cataloged according to the name of the purchaser and intended beneficiary.

4.6 Except as agreed to in writing between the City and the purchaser, no interment shall be permitted in any grave or niche, nor any memorial placed thereon, unless all purchase, service and transfer charges have been paid in full.

4.7 A full refund for unused plots may be given within 30 days of purchase. An Administrative Fee of $50.00 will be charged if the refund is granted.

4.8 Burial property or interment rights may not be resold except to the City, and any such repurchase shall occur solely at the City's discretion at the original purchase price paid on the date of purchase.

4.9 A "Certificate of Interment Rights" will be issued within 60 days of a completed purchase (paid in full) of interment rights in a cemetery grave or niche and will include the following provisions:

- This Certificate of Interment Rights conveys only a right to be interred in the space(s) purchased and in no way is any real estate title conveyed to the Purchaser.
- The Purchaser's rights are limited by and subject to the City of Pleasanton Pioneer Cemetery Rules and Regulations as now existing or as amended in the future.
- Transfer of Interment Rights and/or Burial Property is allowed through a Will or Trust and will be recognized by the City after said documents are provided to the City and recorded. A new Certificate of Interment Rights will be issued to beneficiary.

Section 5 SCHEDULING OF INTERMENTS AND INTERMENTS

5.1 No interments of bodily or cremated remains other than that of a human shall be permitted in the PPC. In all cases, bodily and cremated remains must be accompanied by a disposition permit issued by the local registrar of the County in which the death occurred, details of which shall be recorded in the record of interment along with the records of grave, lot and niche location of interment.

5.2 The City shall not be responsible for the identity of any remains received for interment. The funeral home selected by the family is responsible for this verification.

5.3 The City shall not be responsible for any personal effects or items left with, on, or in a body before or after the interment.

5.4 Requests for interment must be made to the City and received at least forty-eight (48) hours prior to the intended burial date and time. Services for interment will be scheduled between 9:00 a.m. and 1:00 p.m. based on availability Special arrangements may be made for interment services after 1:00 p.m. based on availability of personnel as determined by the City.

5.5 Services not completed by 3:30 p.m. and requests for interment to be scheduled with less than forty-eight (48) hour advanced notice will be accommodated on a case-by-case basis and additional services fees may be applied and charged to purchaser.

5.6 In the event of inclement weather, which makes interment inadvisable, the service will be postponed with no additional fees.

Section 6 TRANSFER, DISPOSAL, OR SUCCESSION OF INTERMENT RIGHTS

6.1 The transfer, sale or assignment of burial property, interment rights in any grave, crypt, or niche or any interest therein shall be strictly prohibited. A transfer, sale or assignment in violation of these rules shall not be binding on the City, and the City may refuse burial for those persons not designated as either purchase or beneficiary as specified in Section 4 of these Rules and Regulations.

6.2 In the event that the purchaser or their heirs decides not to utilize the burial plot(s) and/or interment right(s) in the grave, crypt or niche previously purchased, said purchaser may transfer back to the City the interest purchased for the burial plot(s) and/or interment rights in said grave, crypt or niche. Any such transfer shall occur solely at the City's discretion. In the event of such transfer, the purchaser shall be entitled only to that amount paid by the purchaser for the burial plot(s) and/or interment rights in said grave, crypt or niche at the time of purchase as evidenced by the Purchase Agreement pursuant to Section 4 of these regulations and less a $50.00 Administrative Fee. The purchaser shall not be entitled to any interest or other monies, other than reimbursement of the original purchase price as specified in Section 4.

6.3 Succession of ownership of burial property and/or interment rights is governed by California state law. Rights of burial property and/or interment revert to the cemetery when a person dies without heirs and owns rights of interment in which he or she is not interred.

Section 7 DISINTERMENTS AND REMOVALS

7.1 All interments, dis-interments, and removals shall be subject to State and Local Law.

7.2 No bodily remains of any deceased person interred shall be removed from the Pleasanton Pioneer Cemetery without a written order from an official government agency such as the Health Department or a court order. A copy of the order shall be maintained as part of Pleasanton Pioneer Cemetery records.

7.3 No cremated remains of any deceased person interred shall be removed from the Pleasanton Pioneer Cemetery until the City receives proper written authorization from the person(s) legally authorized to sign for the dis-interment or removal.

7.4 The remains of a deceased person may be dis-interred and removed from one grave, crypt or niche and re-interred in a grave, crypt or niche in a different location within the boundaries of the Pleasanton Pioneer Cemetery upon authorization of the owner or legal heir of the right in interment for the grave in which interment was first made, in which case the removal permit will not be required.

7.5 All charges for the facilities, supplies and services must be paid in full at the time of issuance of the order for disinterment and removal.

7.6 The City reserves the right to require, at minimum a two (2) week notice prior to any disinterment and removal.

Section 8 GRAVE MARKERS (aka, memorials and monuments)

8.1 Only one grave marker is allowed per grave space.

8.2 Acceptance or rejection of grave marker shall be based on the specifications of the material, size, color, design and inscription, and placement requirements or standards of each interment location. The City reserves the right to limit and approve the size, type style and content of any lettering, emblems, floral tributes, photographs or any other object affixed to, or placed upon, the graves, crypts or niches in accordance with its Rules and Regulations.

8.3 In the South Hill West section, memorials shall consist of a single 28-inch by 20-inch lawn-level granite or bronze grave marker secured in a cement foundation. In any other section (excluding South Hill West), allowable memorials shall consist of a lawn-level granite, marble or bronze marker secured in a cement foundation.

8.4 A cement foundation is required for bronze grave markers and will be placed by the City or its designee/contractor. The cement foundation must be as wide and as long as the base of the marker resting upon it and buried at a depth the City's or its designee/contractor shall determine. The top of all foundations shall be kept one and one-half (1-1/2) inches below ground level.

8.5 No upright grave markers shall be erected on any part of the Pleasanton Pioneer Cemetery.

8.6 All grave markers, including urns, niche fronts; niche plates, engravings, or vases are subject to the acceptance or rejection by the City or its designee/contractor prior to their placement.

8.7 The placement of grave markers shall be completed by The Library and Recreation Department personnel or its designee or by an approved monument company with notification.

8.8 Coping, curbing, fencing, hedging, borders or enclosures of any kind in the cemetery are prohibited.

Section 9 CARE OF THE CEMETERY

9.1 Motorized vehicles must follow the one-way traffic designation and adhere to a 5 mile per hour speed limit on all Pleasanton Pioneer Cemetery roadways.

9.2 Firearms, air rifles or pistols shall not be permitted in the Pleasanton Pioneer Cemetery except with prior permission of the Pleasanton Police Department.

9.3 No pets or domesticated animals of any kind, except those trained as assistants to persons with disabilities, are permitted on the Pleasanton Pioneer Cemetery grounds.

9.4 No one is permitted to remove/damage any tree, shrub or plant from the Pleasanton Pioneer Cemetery except the City or its designee/contractor.

9.5 Signs or advertisements on Pleasanton Pioneer Cemetery grounds are prohibited. No person shall be permitted to sell or solicit for sale any monument work or other services on Pleasanton Pioneer Cemetery property.

9.6 Neither the City of Pleasanton, nor its officers, employees, nor designees/contractors shall be responsible for any article or personal property damaged, lost, stolen or misplaced in the Pleasanton Pioneer Cemetery grounds.

9.7 Should any grave, memorial, mausoleum or niche become unsightly, dilapidated, or a menace to visitors, in its sole judgment, the City or its designee/contractor shall have the right to either correct the condition or to remove the same. This includes removal of coping, curbing, fencing, hedging, borders or enclosures of any kind.

9.8 All improvements or alterations of all property within the Pleasanton Pioneer Cemetery grounds shall be under the control and direction of, and subject to the consent, satisfaction, and approval of the City. The City or its designee/contractor may, at any time, remove or alter any improvement or alteration when, in its sole judgment, the same becomes unsightly, dangerous, or detrimental.

9.9 It shall be unlawful to trespass or loiter without lawful business in the Pleasanton Pioneer Cemetery.

9.10 Food and beverages are not allowed in the Pleasanton Pioneer Cemetery, except for water in non-glass containers.

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Section 10 CEMETERY DECOR

10.1 The City or its designee/contractor may remove and/or discard any items that interferes with the maintenance of the grounds, deemed dangerous, and /or inappropriate.

10.2 All cemetery decor will be removed on the first and third Friday of each month. If any holiday falls on that Friday, the City or its designee will remove the decor the following Friday.

10.3 Allowable items in the Pleasanton Pioneer Cemetery:

- Floral arrangements, floral frames, and/or potted plants
- Plastic mementos, including toys, framed items
- Decorative banners and/or flags
- Wreaths

10.4 Prohibited items in the Pleasanton Pioneer Cemetery

- Glass objects including vases, and mementos
- Ground covering and borders, including Rock, Sand, Glass Beads, Fencing
- Solar lights
- Candles
- Windmills
- Statues
- Plants, shrubs, or trees may not be implanted and/or installed in the ground

10.5 Allowable items must be placed on top of a grave marker. Items preventing maintenance will be removed by the City or its designee/contractor. The City is not responsible for any item left on a grave marker. Items left on a grave marker shall be less than 18", and not exceed the width of the individual plot. Items must not impede onto adjacent graves sites, excluding memorial service arrangements.

10.6 The planting of any kind on graves or anywhere within the Pleasanton Pioneer Cemetery is strictly prohibited. Previously planted trees, shrubs or plants that become overgrown, unsightly, dangerous, or a detriment or hazard to the Pleasanton Pioneer Cemetery shall be removed by the City, or its designee/contractor.

Section 11 EVENTS AND CEREMONIES

11.1 All City of Pleasanton Veteran-related events, including flag and/or wreath distribution and removal, will be coordinated with and through the Library and Recreation Department. Providing burials is the primary function of the Pleasanton Pioneer Cemetery. Burials take precedence over any event or ceremony.

11.2 The Pleasanton Pioneer Cemetery may not be used for public ceremonies and/or events without the written permission of the Library and Recreation Department. Persons or organizations wishing to hold events, ceremonies, or coordinated remembrance activities must complete a Special Event Permit Application, found on the City website, and return

it to the Library and Recreation Administrative Office via email at recreation@cityofpleasantonca.gov.

11.3 Ceremonies or events using gunshot salutes must also receive permission from the Pleasanton Police Department at (925) 931-5100.

Section 12 EXCEPTIONS TO RULES AND REGULATIONS

Exceptions to Rules and Regulations may be considered on a case by case basis. For an exception to be considered a request in writing must be sent to the Director of the Library and Recreation Department. Please enclose the following contact information in your request.

- Name
- Mailing address
- Phone number
- Email address
- Location of grave site
- Name of purchaser of grave site
- Copy of Purchase Agreement
- Description of and Justification for Request

Exception requests may be sent via email to: pioneercemetery@cityofpleasantonca.gov
Or via mail to:

City of Pleasanton
Library and Recreation Department
P.O. Box 520
Pleasanton, CA 94566
ATTN: Director of Library and Recreation

Request will be reviewed and considered by staff and a response will be provided in writing within 30 business days.