

ATTACHMENT "A"

PALM SPRINGS CEMETERY DISTRICT CEMETERY GROUNDS USE POLICY

Section 1. Definitions

The following words, terms and/or phrases shall have the following meanings:

- 1.01 *"Authorized District representative"* shall mean any District staff member, agent, independent contractor, elected official, appointed official, or volunteer directed by the District Manager or his or her designee to perform a certain function in connection with official District business.
- 1.02 *"Board"* shall mean the Board of Trustees for the Palm Springs Cemetery District.
- 1.03 "Cemetery Grounds" shall mean (1) that area of Wellwood Cemetery Park excluding any maintenance buildings or other District facilities reserved for official cemetery business and (2) that area of Desert Memorial Park excluding the administrative offices and any maintenance buildings or other District facilities reserved for official cemetery business.
- 1.04 "District" shall mean the Palm Springs Cemetery District.
- 1.05 "District Manager" shall mean the general manager of the District as appointed by the Board.
- 1.06 *"Interment"* shall mean the placement of human remains in a grave.
- 1.07 *"Inurnment"* shall mean the placement of cremated human remains in a niche.
- 1.08 *"Interment or Inurnment Service"* shall mean a proceeding conducted by the heirs, relatives or friends of any decedent whose remains have been or will be placed in the Desert Memorial Park or Wellwood Park.
- 1.09 *"Live ammunition and weapons"* shall include bullets, live hand grenades, fireworks, operable fire arms, and other such weapons.
- 1.10 *"Official Cemetery Business"* shall mean any meeting, activity, or event which is officially being conducted by the District.
- 1.11 *"Regular business hours"* shall mean the official hours that the cemetery grounds are normally open to the general public.
- 1.12 *"Sound amplifying equipment"* shall mean any loudspeaker or machine or device for the amplification of sound.

- 1.13 *"Veterans Chapel"* shall mean that building, structure and improvements named as the Veterans Chapel and the immediately surrounding area located in the Desert Memorial Park intended to be used as a venue to conduct burial services and memorial events.

Section 2. Purpose

- 2.01 The purpose of this policy is:
- (a) To reserve the use of the Cemetery Grounds for its lawful and intended purposes.
 - (b) To avoid unnecessary disruption of District business.
 - (c) To avoid visual clutter.
 - (d) To protect the public's investment of tax dollars in the maintenance of the Cemetery Grounds.
 - (e) To provide a safe and clean environment for District staff and representatives and members of the public to conduct, transact and/or participate in official activities.
 - (f) To maintain the security of the Cemetery Grounds.
 - (g) To maintain the aesthetics of the Cemetery Grounds.
 - (h) To establish reasonable and objective criteria for the use of the Cemetery Grounds in furtherance of its lawful and intended purposes.

Section 3. Intended and Permitted Uses of the Cemetery Grounds

- 3.01 Lawn Area. The lawn area of the Cemetery Grounds are intended to be used for interment and inurnment, interment and inurnment services, and shall remain open to members of the public for purposes of visiting interment and inurnment sites during regular business hours and/or conducting or performing official cemetery business.
- 3.02 Parking Lots. Parking lots of the Cemetery Grounds are intended to be used for parking vehicles and other modes of transportation for purposes of attending or participating in an authorized Veterans Chapel event, interment and inurnment services and/or visiting interment and inurnment sites during regular business hours and/or conducting or performing official

cemetery business.

- 3.03 Roadways, Driveways, Streets and Parkways. Roadways, driveways, streets and parkways of the Cemetery Grounds are intended to be used for driving vehicles and other modes of transportation for purposes of attending or participating in an authorized Veterans Chapel event, interment and inurnment services and/or visiting interment and inurnment sites during regular business hours and/or conducting or performing official cemetery business.
- 3.04 Sidewalks and Walkways. Sidewalks and walkways of the Cemetery Grounds are intended to be used by pedestrians for the purposes of attending or participating in an authorized Veterans Chapel event, interment and inurnment services and/or visiting interment and inurnment sites during regular business hours and/or conducting or performing official cemetery business.

Section 4. Prohibited Uses and Activities

- 4.01 Private exclusive use. The District is prohibited from issuing any permit or written or oral licence which purports to or otherwise attempts to authorize the exclusive use by any individual, private organization or private entity of the Cemetery Grounds for any purpose whatsoever for any period of time unless otherwise specifically permitted by this policy.
- 4.02 Distributing materials. No person shall distribute any leaflets, pamphlets, newspapers, magazines, advertising, merchandise, or any other items to the public within or upon the Cemetery Grounds unless such distribution is conducted by an authorized District representative in connection with official cemetery business.
- 4.03 Solicitations. No person shall solicit any contributions from any other person within or upon the Cemetery Grounds unless such solicitation is conducted by an authorized District representative in connection with official cemetery business.
- 4.04 Displaying and Posting signs, etc. No person shall display any hand-bill, poster or sign within or upon the Cemetery Grounds, or paint, mark or write on, or post, apply, affix or otherwise place any hand-bill, poster or sign upon any wall, fence, door, floor, ceiling, post, wire, furniture, sidewalk, curb, fire hydrant, telephone, tree, shrub, tree stake or guard, light fixture, drinking fountain, sign, or any surface of any fixture on or within the Cemetery Grounds unless such activity is conducted by an authorized District representative in connection with official cemetery business.

4.04.01 Cost of removal. Any paint, mark, writing, hand-bill, poster or sign which has been placed on or within the Cemetery

Grounds in violation of this policy shall be removed immediately by the District, and the person, applicant or organization responsible for such paint, mark, writing, hand-bill, poster or sign shall be liable for the cost incurred in the removal thereof.

4.05 Sitting or lying down. No person shall sit or lie down upon the surface of any parking lot, roadway, driveway, street, parkway, sidewalk or walkway of the Cemetery Grounds unless such person needs to sit or lie down due to a medical emergency; (b) needs to sit or lie down, as a result of a disability, to utilize a wheelchair, walker, or similar device to move about; (c) is sitting on a chair or bench located in the subject area and which is supplied by the District; (d) is sitting for purposes of attending or participating in interment or inurnment services; or (e) is sitting or lying down for official cemetery business purposes.

4.06 Bicycling, skateboarding, scootering. No person shall ride any bicycle, skateboard, or scooter on any parking lot, roadway, driveway, street, parkway, sidewalk or walkway of the Cemetery Grounds unless the person is using a bicycle for official public safety purposes or conducting or performing official cemetery business or using a bicycle on any parking lot, roadway, driveway, street, or parkway as a mode of transportation for purposes of or attending or participating in interment or inurnment services or an authorized Veterans Chapel event.

4.07 Sound amplifying equipment. No person shall use any sound amplifying equipment within or upon the Cemetery Grounds unless such a device is used by an authorized District representative in connection with official cemetery business or by the heirs, relatives or friends of a decedent for interment or inurnment services.

4.08 Radios. No person shall be permitted to play or operate a radio within or upon the Cemetery Grounds unless the radio is being used by an authorized District representative in connection with official cemetery business or by the heirs, relatives or friends of a decedent for interment or inurnment Services.

4.09 Animals. No animals shall be permitted within or upon the Cemetery Grounds unless the animal is an official public safety dog or a "service

working dogs” as that term is defined in the Americans with Disabilities Act (“ADA”, 42 U.S.C. Sections 12101 et seq.).

- 4.10 Live ammunition and Weapons. No person other than a public safety officer or an authorized representative officially participating in official cemetery business or interment or inurnment services shall be permitted to enter the Cemetery Grounds with live ammunition or weapons.
- 4.11 Picnicking. Picnicking is prohibited on or within the Cemetery Grounds.
- 4.12 Alcoholic Beverages. Consumption of alcoholic beverages is prohibited on or within the Cemetery Grounds.
- 4.13 Burning. Burning any materials other than tobacco products or any substance associated with an interment or inurnment services shall be prohibited on or within the Cemetery Grounds.
- 4.15 Littering and Disposal of Unhealthful Substances.

All litter shall be deposited, disposed or placed in waste receptacles provided by the District and under no circumstances shall any person deposit, dispose or place any unsanitary substance including but not limited to human or animal waste or fluids on the Cemetery Grounds.

Section 5. Exemptions

- 5.01 Employee activities. Nothing set forth in this policy is intended nor shall be construed to preclude or prohibit any District employee from conducting or performing any activities within or upon the Cemetery Grounds which the subject employee is legally permitted to conduct or perform pursuant to any employee policy or regulation.
- 5.02 Pedestrian Use. Nothing herein shall be interpreted to prohibit pedestrians from crossing any parking lot , roadway, driveway, street, or parkway (when it is safe to do so) for purposes of attending or participating in an authorized Veterans Chapel event, interment and inurnment services and/or visiting interment and inurnment sites during regular business hours and/or conducting or performing official cemetery business.

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