

Submitted by: Chair of the Assembly  
at the Request of the Mayor  
Prepared by: Department of Health and  
Human Services  
For Reading: April 13, 2004

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 25.60 TO REPLACE REFERENCES TO PLANNING DEVELOPMENT AND PUBLIC WORKS WITH HEALTH AND HUMAN SERVICES, TO CLARIFY THE CEMETERY DECORATION POLICY, SPECIFY A TIMELINE FOR REMOVAL OF DECORATIONS FROM GRAVES, TO CLARIFY WHEN BOXES AND FENCES MAY BE PLACED ON GRAVES, AND TO AUTHORIZE PLACEMENT OF TRADITIONAL WOODEN RELIGIOUS SYMBOLS IN ANCHORAGE MEMORIAL PARK CEMETERY.

**Section 1.** Anchorage Municipal Code section 25.60.015 is hereby amended as follows (*the remainder of the section is not affected, and therefore not set out*):

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*Cemetery Director* means the person duly assigned by Health and Human Services [THE OFFICE OF PLANNING, DEVELOPMENT AND PUBLIC WORKS] for the purpose of administrating the cemetery.

**Section 2.** Anchorage Municipal Code section 25.60.020 is hereby amended as follows:

The Health and Human Services [OFFICE OF PLANNING, DEVELOPMENT, AND PUBLIC WORKS], Cemetery Director, shall manage the Anchorage Memorial Park.

**Section 3.** Anchorage Municipal Code section 25.60.025 is hereby amended as follows (*the remainder of the section is not affected, and therefore not set out*):

**25.60.025 Administration and appeal.**

- A. The cemetery director therefore reserves the right without notice to make exception, suspensions, or modifications to any rule and regulation when in his judgment such appears advisable, and will document all such actions. An aggrieved person may appeal a decision of the cemetery director to the [EXECUTIVE] director of Health and Human Services [THE OFFICE OF PLANNING, DEVELOPMENT AND PUBLIC WORKS] within ten days of the decision. The Health and Human Services [EXECUTIVE] director shall accept such written argument from the aggrieved party and make a written decision based on the standards provided in this chapter.

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AO No. 97-95, § 1, 7-1-97; AO No. 2001-90, § 5, 5-22-01)

*Note:* Formerly AMCR § 25.60.003

**Section 4.** Anchorage Municipal Code section 25.60.080 is hereby amended as follows:

**25.60.080 Gravesite decorations.**

- A [H]. Placing fresh cut flowers, potted plants or flowers, wreaths, or flower baskets are permitted anytime.

[REMOVAL OF GRASS OR SOD OR THE CONSTRUCTION OR PLACEMENT OF CONCRETE SLABS OR PLACEMENT OF ROCKS OR ANY OTHER COVERINGS OVER THE GRAVE SHALL BE PROHIBITED.]

- B [E]. Balloons, whirligigs, mobiles, or any other moving decoration, (with the exception of one small flag of no more than 36 inches high) clothing, candles, stuffed animals, toys, food, or any decoration other than the items listed in "A" above shall be allowed only in the first 30 days after a burial. After that time they are prohibited.

[REMOVAL OF SNOW FOR THE PURPOSE OF CREATING A WALKWAY TO AND FROM AN EXISTING GRAVE AND THE REMOVAL OF SNOW FROM AN EXISTING GRAVE IS PROHIBITED.]

- C [G]. Plastic or silk flowers and artificial decorations are prohibited except during the first 30-days after a burial, three day before and two days after Memorial Day and between October 1 and April 30.

[TEMPORARY BOXES, FENCES OR OTHER DECORATIONS ARE ALLOWED UNTIL THE PERMANENT MARKER IS INSTALLED.]

PERMANENT RAISED OBSTRUCTIONS (INCLUDING MOUNDS OR FENCES) SHALL NOT BE ALLOWED.]

- D [A]. Digging holes or the removal of grass or sod for any purpose or the construction or placement of concrete slabs or placement of rocks or any other coverings over the grave shall be prohibited.

[GLASS CONTAINERS OF ALL TYPES ARE PROHIBITED.]

- E [C]. Temporary boxes, fences or other decorations are allowed only in the first 30 days after a burial. Permanent raised obstructions (including mounds or fences) shall not be allowed.

[BALLOONS, WHIRLIGIGS, MOBILES, OR ANY OTHER MOVING DECORATION, (WITH THE EXCEPTION OF ONE SMALL FLAG OF NO MORE THAN 36 INCHES HIGH) CLOTHING, CANDLES, STUFFED ANIMALS, TOYS, FOOD, OR ANY DECORATION OTHER THAN PLANTS OR FLOWERS SHALL BE ALLOWED ONLY IN THE FIRST 30 DAYS AFTER A BURIAL. AFTER THAT TIME THEY ARE PROHIBITED.]

- F [D]. Glass containers of all types are prohibited.

[UNATTENDED LIT CANDLES ARE PROHIBITED AT ALL TIMES.]

- G [F]. Unattended lit candles are prohibited at all times.

[PLASTIC OR SILK FLOWERS AND ARTIFICIAL DECORATIONS ARE PERMITTED AS FOLLOWS:

1. DURING THE 30-DAY PERIOD AFTER BURIAL.
2. BETWEEN OCTOBER 1 AND APRIL 30.
3. THREE DAYS BEFORE AND ENDING TWO DAYS AFTER MEMORIAL DAY. ALL PLASTIC OR SILK FLOWERS AND ARTIFICIAL DECORATIONS SHALL BE REMOVED ON THE THIRD DAY AFTER MEMORIAL DAY.
4. IF NOT OTHERWISE REMOVED BY THE DEADLINES SET FORTH HEREIN, PLANTS, FLOWERS AND/OR DECORATIONS SHALL BE REMOVED BY CEMETERY PERSONNEL.
5. CEMETERY PERSONNEL ARE NOT RESPONSIBLE FOR PLANTS, VASES OR DECORATIONS AND ASSUME NO RESPONSIBILITY FOR THEIR RETURN.]

- H [J]. Decorations will not be placed in or attached to trees, shrubs, or bushes.

[FRESH FLOWERS ARE PERMITTED ANYTIME.]

I. New trees, plants or shrubs may be planted at a burial site only with the expressed authorization of the cemetery director, upon completion of a [CONDITIONAL] use permit issued by the Cemetery Director, and then only within 18 inches of the headstone. Planting of any sort is not authorized in the flat marker areas of Tracts AA, BB, EE, F1 or F2 except in the landscape easement areas within 10 feet of the fence. Existing plantings may remain but may not be replaced.

J [O]. If any tree, shrub or plant standing upon any lot encroaches on adjacent lots or avenues, the cemetery has the right to prune, cut or remove such plants or take other action needed to correct the condition.

[DECORATIONS WILL NOT BE PLACED IN OR ATTACHED TO TREES, SHRUBS, OR BUSHES.]

K [P]. No person shall pluck or remove any flower, plant or shrub, either wild or cultivated from the cemetery grounds or from one grave to another.

[PLACING POTTED, FRESH PLANTS AND FLOWERS, SUMMER WREATHS, OR BASKETS ON GRAVES IS PERMITTED AT ANY TIME. THE SAME SHALL BE REMOVED WITHIN TEN DAYS, UNLESS WATERED AND CARED FOR BY RELATIVES. DIGGING HOLES OR REMOVING GRASS IS STRICTLY PROHIBITED.]

L [Q]. A traditional wooden religious symbol such as a Christian Cross, Orthodox Cross, or Star of David or other religious icon of no more than 60 inches tall by 36 inches wide, white in color or natural finish and in good repair, may be placed centered at the head of the grave above the permanent marker in the upright marker sections of the cemetery. A temporary wooden upright marker is permitted in the flat marker sections of the cemetery between October 1 and April 30 to identify the grave during the winter months. Wooden markers of any type are not to be used in lieu of permanent memorilization markers as described in section 25.60.085.

[THE CEMETERY IS NOT LIABLE FOR DAMAGES CAUSED TO, OR THE DISAPPEARANCE OF FLOWERS, PLANTS, SHRUBS OR DECORATIONS PLACED ON A LOT.]

M [B]. Removal of snow for the purpose of creating a walkway to and from an existing grave is permitted only with approval of the cemetery staff. [AND] [t]The removal of snow from an existing grave is prohibited.

[THE CEMETERY RESERVES THE RIGHT TO REMOVE ALL FLOWERS, POTTED PLANTS, WREATHS, BASKETS, ETC., WHEN THEY BECOME WITHERED, AND ARTIFICIAL FLOWERS WHEN THEY BECOME

DISCOLORED, OR ANY OTHER DECORATION WHEN IN THE JUDGMENT OF THE CEMETERY THEY SHOULD BE REMOVED.]

N. All decorations (except those on burials of less than 30 days) will be removed on the first and third Wednesday of every month from May through October [DURING A SELECTED WEEK IN THE MONTH OF MAY EACH YEAR TO CLEAN THE CEMETERY]. The cemetery is not responsible for replacing such decorations. [A 20-DAY NOTICE WILL BE POSTED IN THE CEMETERY.] Family and friends are encouraged to [MAY EITHER] remove their properly placed decorations prior to [DURING] the clean-up day [WEEK] and replace them later [, OR REQUEST THE CEMETERY NOT TO REMOVE THEIR PROPERLY PLACED DECORATIONS BY CALLING OR WRITING THE CEMETERY DIRECTOR].

O [M]. The cemetery reserves the right to remove all flowers, potted plants, wreaths, baskets, etc., when they become withered, and artificial flowers when they become discolored, or any other decoration, wooden religious symbol or marker when in the judgment of the cemetery director they should be removed.

[IF ANY TREE, SHRUB OR PLANT STANDING UPON ANY LOT ENCROACHES ON ADJACENT LOTS OR AVENUES, THE CEMETERY HAS THE RIGHT TO PRUNE, CUT OR REMOVE SUCH PLANTS OR TAKE OTHER ACTION NEEDED TO CORRECT THE CONDITION.]

P [L]. The cemetery is not liable for damages caused to, or the disappearance of flowers, plants, shrubs or decorations and assume no responsibility for their return.

[NO PERSON SHALL PLUCK OR REMOVE ANY FLOWER, PLANT OR SHRUB, EITHER WILD OR CULTIVATED FROM THE CEMETERY GROUNDS OR FROM ONE GRAVE TO ANOTHER.]

[Q. TEMPORARY WOODEN CROSSES OR UPRIGHT MARKERS ARE PERMITTED BETWEEN OCTOBER 1 AND APRIL 30 TO MARK THE GRAVE FOR THE WINTER MONTHS.]

(AO 97-95, §1, 7-1-97; AO No. 2001-90, §11, 5-22-01; AO No. 2002-78, §4, 6-25-02)

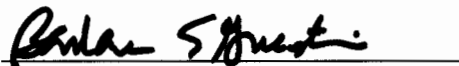
**Note:** Formerly AMCR § 25.60.005

**Section 5.** This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 11<sup>th</sup> day of May, 2004.

  
Chair

ATTEST:

  
Municipal Clerk

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

AO Number: 2004- 78

Title: Anchorage Memorial Park Cemetery AMC Chapter 25.60 Amendments

Sponsor: Department of Health and Human Services

Preparing Agency: DHHS/Cemetery

Others Impacted: None

<b>CHANGES IN EXPENDITURES AND REVENUES:</b>		<b>(In Thousands of Dollars)</b>				
	<b>FY04</b>	<b>FY05</b>	<b>FY06</b>	<b>FY07</b>	<b>FY08</b>	
<b>Operating Expenditures</b>						
1000 Personal Services						
2000 Non-Labor						
3900 Contributions						
4000 Debt Service						
<b>TOTAL DIRECT COSTS:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
Add: 6000 Charges from Others						
Less: 7000 Charges to Others						
<b>FUNCTION COST:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>REVENUES: N/A</b>						
<b>CAPITAL: N/A</b>						
<b>POSITIONS: FT/PT and Temp      None</b>						

**PUBLIC SECTOR ECONOMIC EFFECTS:**

No substantial increase is associated with these changes.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

No substantial increase is associated with these changes.



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 315 -2004

**Meeting Date:** April 13, 2004

**From:** Mayor

**Subject:** AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 25.60 TO REPLACE REFERENCES TO PLANNING DEVELOPMENT & PUBLIC WORKS WITH HEALTH AND HUMAN SERVICES, TO CLARIFY THE CEMETERY DECORATION POLICY, SPECIFY A TIMELINE FOR REMOVAL OF DECORATIONS FROM GRAVES, TO CLARIFY WHEN BOXES AND FENCES MAY BE PLACED ON GRAVES, AND TO AUTHORIZE PLACEMENT OF TRADITIONAL WOODEN RELIGIOUS SYMBOLS IN ANCHORAGE MEMORIAL PARK CEMETERY.

First, oversight of the cemetery has moved from the Office of Planning Development and Public Works to the Department of Health and Human Services. This change reflects that administrative move.

Second, over the years Section 25.60.080 has changed to improve the decoration rules. Those changes were, for the most part, for betterment of cemetery operations. Unfortunately, some redundancy exists and the decoration rules are not in a logical order. This change corrects those deficiencies by removing redundant statements and logically arranging the rules. Additionally, minor changes were made to clarify some of the sections.

The floral and decoration removal policy is always a difficult issue for cemeterians and families alike; nevertheless, the rules must be codified and enforced. If left unchecked, the cemetery grounds would be unmaintainable, decorations would pile up on the graves, and the cemetery would not be attractive. Research has been done in this area and nearly all cemeteries across the nation schedule a day to clean-up the cemetery and do not waiver from that schedule. The day is advertised with signs at the exit points and, over time, families come to know that decorations will be removed on a particular scheduled day. They may come and remove their decorations and replace them at a later date if they desire, or they may just let the cemetery remove them from the grave. In either case, the cemetery is cleaned for grounds maintenance and beautification twice a month.

Some cultures request installation of fences or boxes on the graves of loved ones after burial. Unfortunately, permanently installing these items makes it nearly impossible to care for the cemetery grounds without expensive hand-maintenance and trimming. The current policy of allowing a temporary fence or box on a grave until a permanent marker is installed means the



1 structure may be on the grave for nearly a year, depending on the time of burial and winter  
2 conditions. Authorizing a temporary fence or box for 30 days after a burial is a good  
3 compromise, and one many cultures feel satisfies their belief.

4  
5 In 1993, at the request of the Anchorage Memorial Park Cemetery Advisory Board, the  
6 Anchorage Municipal Code was amended to prohibit the use of wooden crosses as  
7 memorialization markers in the Anchorage Memorial Park Cemetery. As expected, wooden  
8 markers eventually deteriorate to the point where they no longer serve the purpose of marking the  
9 grave. At that point, both the cemetery and the family end up with an unmarked grave. Although  
10 prohibited with good intentions - to maintain the beauty of the cemetery for the long term by  
11 eliminating badly weathered and deteriorated wooden markers - prohibiting wooden crosses has  
12 resulted in the cemetery losing its distinctiveness and historic beauty. Additionally, many  
13 families felt they could not fulfill their long-standing tradition of marking the grave of their loved  
14 one with a symbol of their religion.

15  
16 In 1999, the Anchorage Municipal Code was amended to require all graves be marked with a  
17 brass, bronze, aluminum or natural stone marker, and options are in place to ensure compliance  
18 under AMC subsection 25.60.085A. Since the graves now have permanent markers installed,  
19 deteriorated wooden symbols could be removed with no detriment to the cemetery and families  
20 would be able to satisfy their tradition and identify the religious preference of the deceased.

21  
22 It should be noted this change does not extend to the flat marker sections of the cemetery except  
23 for temporary wooden markers (crosses or other markers) during the winter months so families  
24 can readily identify their graves in the snow. All wooden markers must meet the standards  
25 established in this change or be removed from the cemetery in accordance with procedures  
26 established in AMC subsection 25.60.080M.

27  
28 In 1993, the Anchorage Memorial Park Cemetery was honored by being placed on the National  
29 Registry of Historic Places. Part of the selection was based on the appeal and historical  
30 significance of our cemetery, and the traditional wooden religious symbols are part of that legacy.  
31 The Anchorage Memorial Park Cemetery Advisory Board and the Cemetery Director recommend  
32 allowing families the option to again install traditional wooden religious symbols.

33  
34  
35 THE ADMINISTRATION RECOMMENDS APPROVAL OF THE AMENDMENTS TO  
36 ANCHORAGE MUNICIPAL CODE CHAPTER 25.60.

37  
38 Prepared by: Donald B. Warden, Director, Anchorage Memorial Park Cemetery  
39 Recommended by: Beverly K. Wooley, Director, Department of Health and Human Service  
40 Concur: Denis C. LeBlanc, Municipal Manager  
41 Respectfully submitted: Mark Begich, Mayor

	PM				
HHS_SubWorkflow	3/17/04 5:21 PM	Approve	wooleybk	Public	001630
OMB_SubWorkflow	3/18/04 4:38 PM	Approve	pearcydl	Public	001630
Legal_SubWorkflow	3/18/04 4:42 PM	Approve	fehlenrl	Public	001630
MuniManager_SubWorkflow	4/2/04 8:12 AM	Approve	leblancdc	Public	001630
MuniMgrCoord_SubWorkflow	4/2/04 2:00 PM	Approve	katkusja	Public	001630

### ***CONSENT AGENDA – INTRODUCTION***

5/11/04  
RESUBMIT MTH

Ref. A0200478

Date: Fri, 16 Apr 2004 10:33:38 -0800  
From: "Warden, Don B." <WardenDB@ci.anchorage.ak.us>  
Subject: Cemetery Code Change  
To: "Shamberg, Janice" <jcshamberg@gci.net>  
Cc: "Wooley, Beverly K." <WooleyBK@ci.anchorage.ak.us>  
Thread-topic: Cemetery Code Change  
Thread-index: AcQj4VWG47ib/8sGQWmAEbBI1LM62w==  
X-MS-Has-Attach:  
X-MS-TNEF-Correlator:  
Original-recipient: rfc822;jcshamberg@gci.net  
X-OriginalArrivalTime: 16 Apr 2004 18:33:38.0616 (UTC)  
FILETIME=[55BB2B80:01C423E1]

Good morning Mrs. Shamberg,

Thank you very much for stopping by to discuss your concerns with the section of code dealing with creating walkways in the snow at the cemetery. I think it's a good idea and I have no problem at all adding a comment requiring approval.

May I suggest the following change:

*Amend to  
Shamberg  
for day*

M [B]. Removal of snow for the purpose of creating a walkway to and from an existing grave is permitted only with approval of the cemetery staff. [AND] [t]The removal of snow from an existing grave is prohibited.

Also, would it be easier if I did an "S" version for consideration or would you rather introduce the change yourself?

Please let me know what you prefer so I can begin the process or defer to your expertise.

Thank you very much for your consideration.

Respectfully,

Don Warden

Anchorage Memorial Park Cemetery

Director

907-343-6814

wardendb@ci.anchorage.ak.us

<http://www.ci.anchorage.ak.us/cemetery>