



ASHEVILLE
Parks & Recreation

Riverside Cemetery Operations Manual

CONTENTS

1. Introduction
2. Section I - Management Study
3. Fees and Collection Procedures
4. Updated Policies, State and Local Laws
5. Cemetery Reorganization, 1982
6. Personnel
7. Record Keeping
8. Landscape Management Plan
9. Funeral Procedures (including pauper services)
10. Beth-Ha-Tephila Cemetery

INTRODUCTION

The Policy and Procedures Manual for Riverside Cemetery is to be used as a management guide by the Cemetery Manager. Its primary purpose is to clarify policies and procedures and to outline a systematic approach to managing the cemetery.

The City of Asheville took ownership of Riverside Cemetery in 1953 from the Asheville Cemetery Company. Section I of the Management Study of Riverside Cemetery, prepared in January, 1984, gives the historical background of the cemetery and explains how the City of Asheville became its "caretaker."

MANAGEMENT STUDY
JANUARY, 1984

SECTION I

Riverside Cemetery was organized in 1885 by the Asheville Cemetery Company. It remained a privately owned and operated cemetery until 1953, when the City of Asheville assumed its care, and accepted all financial responsibility.

As background, on October 16, 1952, a letter was sent from the Asheville Cemetery Company to the Mayor and City Council of the City of Asheville. This letter was written as an offer of transfer of Riverside Cemetery to the City of Asheville. The Asheville Cemetery Company was in financial trouble. Their trust fund was too small, and they could not adequately maintain the cemetery grounds. The letter also stated that "Riverside Cemetery has the closest possible tie both of history and sentiment, with the City of Asheville."

Despite written opposition from several of the local funeral directors and monument dealers, the City Manager, after careful consideration, decided that Riverside Cemetery would not be a "shock to the budget." The City of Asheville accepted the transfer offer.

The cemetery is situated off Pearson Drive at the end of Birch Street and covers approximately 87 acres. At the present time, the cemetery has over 13,000 known interments. Among those buried there are many of Asheville's "founding fathers," several famous writers, and once prominent political figures. For example, the graves of Thomas Wolfe, William Sidney Porter (O. Henry), Zebulon Vance, Jeter Conelly Pritchard, John Lyon, George Tayloe Winston, and Richard Pearson can be found at Riverside Cemetery.

During the warm weather months, buses filled with school children tour the cemetery. They come not only from local schools, but from all of the surrounding counties as well. The cemetery also has numerous visitors from all over the world interested in genealogy or one of the more famous graves, or enjoying the natural beauty and lovely landscaping on a morning job or afternoon walk.

Riverside Cemetery averages 85 interments per year. Seventy-five percent (75%) of all interments have been in the older sections of the cemetery where graves had previously been purchased. An average of 25 graves are sold each year, generating only a small amount of revenue. Since there are only 300 graves available for sale, one can foresee a time when no revenue will be forthcoming from grave sales, and yet the cemetery will continue to have burials for years to come.

It is impossible to estimate how many now empty graves will ever be used. Many of the families that previously purchased graves have moved away, or no longer wish to use the available spaces. The record system is also very old with many known discrepancies and inaccuracies. Surveying lots and individual graves is an almost impossible undertaking. Incorrect placement of burials, and the omission of burials in the records have only added to the confusion.

The original Asheville Cemetery Company had a perpetual care fund which lasted through the Great Depression. After 1928, little or no monies were spent on improvements, and when "Chick" Hunter, the first City Manager, took office there was only \$3.65 in the checking account for operations. Riverside Cemetery does not have a perpetual care fund. Perpetual care laws were set up in the North Carolina Session Laws of 1943. However, since the cemetery is operated by a governmental agency, it is exempt. Church operated cemeteries are also exempt from these laws.

Currently, revenues are generated through grave sales, the collections of interment fees, and interest from two small trust funds (set up for private donations).

In 1945, a trust fund was set up between Wachovia Bank & Trust Company and the Asheville Cemetery Company. When the City of Asheville accepted the transfer of Riverside Cemetery, the principal and interest income from that fund was also transferred. The income was to be used for maintenance of the cemetery. The principal of that fund is to remain with the Wachovia Bank and Trust Company or some other suitable corporate trustee.

In addition to the trust fund, interest from eighteen shares of AT&T common stock add to investment earnings totaling approximately \$10,000 per year. Those stocks were willed to Riverside Cemetery by Belle F. Meyers.

With these facts in mind, one can foresee a municipally-operated service that generates little revenue, yet with a legal and moral obligation to all those who own graves, and to the general public as well. The City of Asheville has been providing the service for thirty years. Although a great deal of work has been accomplished to improve the overall conditions of the cemetery, maintenance is an ongoing and perpetual problem.

FEEES AND COLLECTION PROCEDURES

I. Interment Fees

A. Fees charges for opening and closing graves

1. Monday through Friday
8:00 a.m. - 4:30 p.m. \$1,100.00
2. After 4:30 p.m., on week-
ends and on City of Asheville
holidays \$1,200.00

B. Fees charged for cremation burials

1. Monday through Friday
8:00 a.m. - 4:30 p.m. \$350.00
2. After 4:30 p.m., on
weekends and on City
of Asheville holidays \$375.00
3. Tent Set-Up \$175.00

C. County cases (indigent burials) \$100.00

D. Disinterment fee \$100.00

E. Monument permit fee (per marker) \$ 50.00

F. Mausoleum openings Same fee as cremation

G. Opening and closing grave for infants \$200.00

II. Title Transfer Fee

A. \$100.00 - per adult grave space

B. City costs incurred by a transfer of grave ownership include staff time spent in the research of ownership records, execution of a notarized transfer, and insurance of a new title. Transfer files are kept at the cemetery office. It is the policy of the City of Asheville not to buy back single or multiple grave lots from the present owners.

III. Grave Prices

- | | |
|---------------------------------------|-------------------|
| A. All sections (excluding section V) | \$1,100.00 |
| B. Infant graves (1/2 grave space) | \$100.00 |
| C. Non resident fee | 25% of grave cost |

IV. Collection of Fees

A. Fees for interment

1. Interment fees, if paid by the funeral home or mortuary are due on the day of vault placement (or burial of cremated remains) and will become past due fourteen days after the service.
2. Fees paid by the family are due prior to the grave opening.

B. Graves

1. All graves shall be paid for in full, prior to use. For many years, individuals interested in purchasing a gravesite or cemetery plot were extended the privilege of paying for the space(s) in installments over a limited period of time. This practice was time consuming and costly to the City as the Cemetery Manager would often have to resort to billing customers who failed to make regular payments. Full payment is required at the time of purchase. Only then is a certificate issued.
2. At times when a funeral home or mortuary assumes responsibility for payment of a grave (for immediate use) said grave must be paid for prior to or on the day of the service.

UPDATED POLICIES

I. Vault Requirements

Effective July 15, 1972, either a concrete box or vault (steel or concrete) is required for burial in Riverside Cemetery.

II. Foundations and Veteran Grave Markers

A. With the reorganization of cemetery operations in 1982 (outlined in Cemetery Reorganization), the monument companies were informed that the cemetery would no longer pour foundations for grave monuments and headstones (effective June 23, 1983).

B. Riverside Cemetery will no longer set out government markers. Placement of markers may be handled through one of the local monument companies. Riverside Cemetery will still be responsible for the location of the markers' placement.

III. Certificate of Ownership Transfer

If a grave owner wishes to transfer ownership to a third party, the Certificate of Ownership must be returned to the cemetery office. The Cemetery Manager will void the old one and a new certificate will be issued to the new owner. A \$100 per grave transfer fee is collected at this time (effective July 1, 2000). All record changes will be made at this time.

IV. Cremation Interments and Use of Grave Spaces

A. The interment of cremation remains require a smaller space than that of a vault and the family of the deceased often wishes to use only half of a regular grave space. Therefore, two cremation interments are allowed in one grave space (4' x 10'). Post hole diggers are used to dig the hole at a minimum of two feet.

B. One traditional burial with a cremation on top is also allowed; in which case, the cremated remains are buried down to the top of the vault lid (effective June 23, 1983).

STATE AND LOCAL LAWS

(From Chapter 9 of the City of Asheville Code of Ordinances)

Sec. 9-1. POLICE POWERS OF SUPERINTENDENTS

All superintendents of cemeteries in the city shall have, within their respective cemeteries, the power and authority of police officers, and may arrest any person for any violation of law or of the ordinances of the city occurring within their respective cemeteries, and their legally appointed assistants shall have same authority.

Sec. 9-2. BURIALS PROHIBITED EXCEPT IN SPECIFIED CEMETERIES

No human body shall be buried at any place in the city, except in Riverside Cemetery, West Asheville Cemetery or Green Hill Cemetery, including Pollock's Cemetery.

Sec. 9-3. EXCAVATIONS

No person shall excavate any earth in any cemetery, or remove the same therefrom, except by the consent or under the direction of the City Council or of the superintendent of the cemetery, or of some other officer legally authorized in the premises.

Sec. 9-4. DEPTH OF GRAVES

All graves in any cemetery in the city over four and one-half (4 1/2) feet in length shall not be less than five (5) feet deep.

Sec. 9-5. APPROVAL REQUIRED FOR MAUSOLEUMS

No mausoleum shall be erected in any cemetery, unless the location thereof is first approved by the cemetery superintendent, and unless plans and specifications are submitted to and approved by superintendent.

Sec. 9-6. INTERMENT OF ADDITIONAL BODY IN GRAVE

No person shall open any grave in any cemetery within the city and enter therein any additional body.

Sec. 9-7. PERMIT TO EXHUME BODY

No person shall exhume any human body in any cemetery in the city without a written permit from the health officer.

Sec. 9-8. PERMISSION REQUIRED TO WORK ON LOTS

No person shall do any work of any kind on any lot in any cemetery, which lot belongs to any other person, without first notifying the superintendent of the cemetery and presenting to him an order in writing from the owner or agent of the owner of the lot authorizing the bearer thereof to do such work.

Sec.9-9. INTERFERING WITH WALKS DECORATIONS, OR GENERAL ARRANGEMENT

No person shall perform any work in a cemetery in such manner as to interfere with the walks, decorations or general arrangement of the cemetery, except with the permission of the superintendent of the cemetery and under his supervision.

Sec. 9-10. NOT TO BE USED AS PLAYGROUND

No person shall use any part of any cemetery within the city as a playground.

Sec. 9-11. VEHICLES TO BE DRIVEN ONLY ON DRIVEWAYS OR ROADWAYS

No person shall drive any vehicle in any cemetery, except on driveways or roadways provided for that purpose.

Sec. 9-12. SALE OF MERCHANDISE OR FOOD PROHIBITED

It shall be unlawful for a person to sell or offer for sale any article of merchandise or any fruit, drink, or beverage, or any other thing of value within the limits of any cemetery in the city.

Sec. 3-27 No dogs allowed in Riverside Cemetery

This restriction shall not apply to dogs or domestic animals assisting persons with sight disabilities or other disabled persons who require the assistance of a dog or other domesticated animal.

Sec. 9-13. DISTURBING GRAVES OR INJURING OR REMOVING CEMETERY PROPERTY

It shall be unlawful for any person to destroy, mutilate, deface, injure or remove any tomb, monument, gravestone or other structure or thing placed in any cemetery in the city, or any fence, railing or other structure or thing placed in any cemetery, or any fence, railing or other work for the protection or ornamentation of any tomb, monument, gravestone or other structure, or for the ornamentation or protection of any cemetery, or to willfully destroy, cut, break, remove or injure any tree, flower, shrub or plant planted or growing in any cemetery, or commit an other depredation within the limits of any cemetery.

CEMETERY REORGANIZATION BEGINNING 1982

Procedure for Opening Graves and Set Ups

In September, 1982, the City of Asheville began contracting the opening and closing of graves to a private business. Through a sealed bid process, a contractor was selected. Under the agreement, Riverside Cemetery will no longer be responsible for funeral set ups. The set ups (tent, grass, chairs and lowering device) will be the responsibility of the funeral home (see note under Interment Fees for cremation burials, for exception, I.B.2.).

Personnel

At this time, changes were also made in personnel. A Backhoe Operator was no longer needed. Full-time Laborer positions were replaced with Seasonal Laborers, and a Cemetery Manager position was created, replacing a Foreman position. At the present time, the work force consists of a Cemetery Manager, one Labor Crew Supervisor I, and four Seasonal Motor Equipment Operators.

Cemetery Hours

The cemetery is closed after dark and the gate is to be locked every evening according to the hours posted. Visitors are requested to leave before dark (by a sign at the gate). The cemetery office is open Monday through Friday, 8:00 a.m. - 4:30 p.m. The cemetery is patrolled by the individual working the Park Watch Program, in cooperation with the Asheville Police Department.

PERSONNEL

CEMETERY MANAGER

The Cemetery Manager's responsibilities include:

- personnel hiring and supervision
- policy changes
- contract renewals
- cash reports
- all record keeping
- funeral arrangements
- grave sales
- budget preparation
- written correspondence
- cemetery tours
- landscape maintenance
- public awareness programs

This position also requires the Cemetery Manager to be on call seven days a week, primarily to handle burial arrangements.

CEMETERY SUPERVISOR

The Cemetery Supervisor performs laborer tasks (see seasonal laborers), supervises a crew of three seasonal Motor Equipment Operator I's, and is also used, in a limited capacity, to fill in for the Cemetery Manager.

SEASONAL Motor Equipment Operator I

There are three seasonal positions. Their responsibilities are mowing grass, weedeating, mulching leaves, removing fallen tree limbs, sowing grass, filling in sunken graves, tree planting and pruning of shrubs, and resetting fallen monuments and markers.

RECORD KEEPING

I. There are seven basic files that are used to record information

A. Interment File - The interment file is an alphabetical listing of all people who are buried. Information listed includes:

- interment number
- name
- age
- death date
- section, lot, and grave number
- genealogical information

Information also to be listed in Day Book.

B. Lot owners

The lot owners' file is also an alphabetical listing which typically shows name, address, Certificate of Ownership number, square footage of the lot or grave, and date of purchase.

C. Certificate of Ownership

All Certificates of Ownership must be signed by the City Clerk and stamped with the City of Asheville seal. At the time of a grave sale the Cemetery Manager signs the certificate and fills in the appropriate information. The left-hand stub is kept on file and a card is then filled out and placed in the Lot Owners' File.

D. Plot Book

The Plot Book shows diagrams of all sections, lots and individual graves within the cemetery. It shows graves that are both filled and empty. It also designates who is buried there along with their interment number.

E. Maps

There are maps for all sections. These are sections A through Z, old Y, W-2, W-3, Z and several old "black" sections. These maps help in locating a particular grave lot.

F. Receipt Book

A written receipt and/or cash report is used to keep track of all monetary transactions.

Note: Questions concerning the use of appropriate forms and code numbers to be used can be answered by referring to the City of Asheville Fiscal Procedures Manual.

G. Daily Interment (see example)

II. Computer files

To date all lot diagram files have been scanned. Individual files are being created for all sections and individual plots. All interment information has been added is also being updated.

III. Historical Record Information

Genealogical studies can be of great historical significance. Many of those buried in Riverside Cemetery have contributed a great deal to the development of Asheville and Western North Carolina. Those that have left their mark in history should be recognized. Information that has been researched is available to the general public. It is kept in the Riverside Cemetery office. In addition self guided walking tour information and maps are also available to the public. In July of 1997 a cemetery video, Journey Beyond The Gates, was produced by an AP US History Class from Charles D. Owen High School. This video is available for purchase.

LANDSCAPE MANAGEMENT PLAN

The Cemetery Manager must address all immediate and long-range landscape concerns. Attention should be focused on a comprehensive plan that will ensure a balanced landscape in the years to come. The cemetery has numerous varieties of trees and shrubs. Pruning and the removal of dead trees and shrubs are done as needed. Replanting dead trees soon after they have been removed will allow for the continued existence of these species for many years. The condition of the grass, roads and water supply system are another major focus in the development of this plan.

Phase I, which began in 1983, paid primary attention to immediate needs such as soil erosion, tree care, paving of gravel roads, and water system replacement. Restoration work to the office building also began at this time.

Phase II, which begins in 1988, will focus on the leveling of sunken graves and the resetting of fallen grave markers. This involves tilling, filling in with topsoil, fertilizing, liming and seeding the grave sites. In addition, a yearly turf maintenance program will continue to be carried out. This involves soil testing, fertilizing, liming and seeding all those areas in need.

Landscape planting projects have been spearheaded by local volunteers, who have donated a great deal of time and energy towards beautifying the cemetery.

FUNERAL PROCEDURES (including pauper services)

STEP I

It is important that the Cemetery Manager verify two factors before a grave space can be used. First, ownership of a grave or lot must be determined and, second, whether or not the deceased person has a legal right to be interred in a grave.

In determining ownership, a Certificate of Ownership or a receipt for payment is usually sufficient. Determination of ownership can be verified over the telephone or in person when contact is first made by a funeral home or family member. However, if a receipt or certificate is not available, the Cemetery Manager may request a sworn affidavit from said owner supporting the claim. After examination, the Cemetery Manager will determine to the best of his ability that the claim is a valid one. If a dispute arises as to grave or lot ownership, the Cemetery Manager will contact the City Attorney.

A grave owner can allow anyone they wish to have a grave reserved in their lot. It does not have to be a relative. Legal right to be interred could have been established years ago and is usually shown in the lot book. Letters stating the wishes of grave owners are also kept in the office file cabinet.

In regard to pauper services, the Cemetery Manager has the authority to bury a pauper in a designated pauper section. The decision to inter can be made after a disclosure statement is received. This statement is provided by Buncombe County Social Services in writing, outlining the financial status of the deceased. It should list any known living relatives and any funds available. Based on this information, the Cemetery Manager will make a decision. An interment fee of \$100. is charged (for cremation grave and opening and closing) to Buncombe County Social Services. See file under Paupers.

STEP II

Once ownership is established, the Cemetery Manager is informed which grave has been chosen for burial. (This can also be done over the telephone.) The plot book usually shows a diagram for each lot, the square footage available, the number of graves used, and the position of the full and remaining empty graves. The record books are over 100 years old. The Cemetery Manager needs to verify lot information by going out to the lot and checking to see if the information is correct.

If there is a question about a position of a grave, or information given by the family or funeral home does not agree with cemetery

records, the Cemetery Manager should contact a family member (which usually is the lot owner) in order to correct any problem.

In cases where a body was placed in a grave where it should not have been or where graves show ownership by more than one individual and it is clear that the cemetery was at fault, the Cemetery Manager may have to provide another grave at no expense to the family. This does not happen very often. However, because the possibility of this incident does exist, graves must be held in reserve to provide an alternative burial space.

STEP III

The next step is to mark off the grave site with a 3' x 8' wooden frame. The order is then called in to the contractor to have the grave opened. The location of the grave is also marked with a flag, next to the road at the point closest to the grave. This gives the grave digger a reference point which makes it easier to locate the grave.

It is the responsibility of the Cemetery Manager to see that the City of Asheville Codes governing grave openings are complied with at all times.

Prior to the time of the funeral service, every effort is made to see that in the general area of the service the grass is cut and trimmed, dead tree limbs and leaves are picked up, and the overall appearance of the grave site is a pleasing one. During the winter months, the roads should be cleared of snow and ice and a pathway should be made to the grave.

If the funeral is a graveside service, there must be someone at the cemetery entrance 45 minutes prior to the time of the service to give directions. If a family car or limousine is used, they are to be escorted to the grave site using the cemetery jeep. If the service is at the funeral home or church, the procession of cars is met at the gate and escorted to the grave. Cemetery personnel may also be requested to serve as pallbearers.

BETH-HA-TEPHILA CEMETERY (organized in 1891)

For many years, Riverside Cemetery personnel has been responsible for both funeral procedures and ground maintenance services for Beth-Ha-Tephila Cemetery. A yearly charge was assessed for maintenance (grass cutting, etc.). Interment fees were also charged when providing funeral arrangements (grave openings). The Temple Cemetery is directly behind the Riverside Cemetery office building. Providing these services were convenient for Riverside Cemetery personnel. No formal written agreement was in effect.

On May 3, 1983, a formal agreement was reached outlining the specific duties that the Riverside Cemetery personnel will be performing and charges that will be invoiced. These charges for ground maintenance will be on a cost basis determination. The Cemetery Manager uses a Daily Time Sheet to keep track of employees' time spent and equipment used. The cost for use of equipment is determined by the Cemetery Manager and represents a charge similar to charges used by rental companies in the area. The actual time spent multiplied by the hourly rates for each employee is the formula used when determining labor costs.

Interment fees are charged according to the fees set by Riverside Cemetery. Procedures for payment are the same as outlined under Collection of Fees, Part I.

Mr. Hyman Dave is the contact person in charge of the Temple Cemetery. He is responsible for the sale of graves and record keeping. He informs the Cemetery Manager which grave is to be used. A duplicate record book is kept in the Riverside Cemetery office safe.

The Riverside Cemetery Manager is responsible for notifying the Temple in case of any problems that arise while opening a grave. It will be the responsibility of their representative to correct such problems.