

## **Section I:** Introduction

1. (A) Enrolled members of the Quapaw Tribe of OK may receive four (4) grave sites per family.  
  
(B) Any exceptions to 1(a) may be submitted in writing to the Cemetery Committee for consideration.
2. Representative(s) of the deceased requesting any additional structures, other than flat headstones, will submit in writing their request to the Cemetery Committee. It will be reviewed for action. Exception to this is deceased tribal officials. The headstones are to be placed at the West end of the plot.
3. Cemetery plots remain the property of the Quapaw Tribe of Oklahoma (even though burial rights are assigned) and cannot be sold, or otherwise disposed.

## **Section II:** Definitions

**REPRESENTATIVE:** The term representative(s) shall mean individual(s), such as, a spouse, family member, attorney/Power of Attorney, etc. acting on behalf of the deceased.

**PLOT:** The term plot shall apply to a space of sufficient size to accommodate one adult interment – Approximately five feet by ten feet (5'x10').

**LOT:** The term lot shall apply to numbered plots shown on the record plat which consists of four (4) plots.

**INTERMENT:** The term interment shall mean the permanent disposition of the remains of a deceased person by cremation, inurnment, entombment or burial.

**MARKER:** The term marker means a memorial flush with the ground.

**LOT MARKER:** The term lot marker means a post used by the Cemetery Committee to locate corners of the lot or plot.

**CEMETERY COMMITTEE:** The term Cemetery Committee shall apply to the person or persons duly appointed by the Quapaw Tribal Business Committee, for the purpose of conducting and administering the Quapaw Tribal Cemetery/Cemeteries.

**CEMETERY OFFICE:** The term Cemetery Office shall mean the main office maintained at the Quapaw Tribal Complex.

### **Section III: General Rules**

1. The cemetery shall be open to the public during all daylight hours, but Cemetery personnel will be available for business only from 8:00 am – 4:00 pm during working days.
2. Persons within the Cemetery shall use only the avenues, roads, walks, and alleys. No one is permitted to walk upon or across lots or lawns unless it is necessary to do so to gain access to one's own lot. The Cemetery Committee expressly disclaims liability for any injuries sustained by anyone violating this rule.
3. All persons are strictly prohibited from picking flowers (wild or cultivated), breaking or injuring any tree, shrub, or plant, or from writing upon, defacing, or injuring any memorials, fence, or other structure within the Cemetery grounds. Violators will be prosecuted.
4. Motor cars and vehicles must be kept under complete control at all times. When meeting a funeral procession, they must stop until the procession passes. They must not pass a funeral procession going in the same direction. Motor cars must not be left with the engine running and the emergency brakes must be set when the driver is not in his seat. Mufflers must not be opened, nor the horn sounded within the Cemetery.
5. The following things are prohibited:
  - a. The driving of motor cars or other vehicles through the gates, or in the Cemetery, at excessive speeds.
  - b. Driving any motor car, vehicle, or animal across or upon any grave, lot, lawn, or parking or leaving same thereon.
  - c. Parking or leaving any motor car or vehicle on any road or driveway within the Cemetery at such location or in such position as to prevent any other car or vehicle from passing the same, and if so parked or left, the Quapaw Tribe of Oklahoma reserves the right to remove the same at the owner's expense.
6. No bicycles or motorcycles will be admitted to the Cemetery except such as may be in attendance at funereal or on business.
7. Children under fifteen years of age are not permitted within the Cemetery, or its buildings, unless accompanied by proper persons to take care of them.
8. Receptacles for waste material are located at convenient places. Hence, the throwing of rubbish on the drives and paths or on any part of the grounds, or in the building is prohibited.

9. It is of the utmost importance that there should be strict observance of the proprieties in the Cemetery. Hence, all persons within the Cemetery should avoid conduct unbecoming a sacred place.
  - a. Loud and boisterous talking
  - b. Idling or loafing on the grounds or in any of the buildings
  - c. Peddling or soliciting of any commodity within the Cemetery
  - d. Placing of signs, notices, or advertisements of any kind within the Cemetery or on the boundary thereof.
  - e. Bringing firearms into the Cemetery except by a military escort accompanying a Veteran's funeral, or attending memorial services.
  
10. It is the duty of the Quapaw Tribe of Oklahoma/Cemetery Committee/Business Committee to see that the Rules and Regulations are complied with, and it is their duty to see that order is maintained, and to protect and promote the best interests of the Cemetery. To that end, they are authorized to make temporary additional rules which may be needed, from time to time, to meet emergencies which are not covered by these Rules and Regulations.
  
11. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Quapaw Tribe of Oklahoma/Cemetery Committee/Business Committee, therefore, reserves the right to make exceptions, suspensions, or modifications of any of these Rules and Regulations, without notice, when in their judgment of the management such action appears necessary; and such temporary exception, suspension, or modification shall in no way be construed as affecting the general application of such Rules and Regulations.
  
12. The Quapaw Tribe of Oklahoma/Cemetery Committee/Business Committee hereby expressly reserves the right to adopt additional Rules and Regulations, or to amend, alter, or repeal any rule, regulation, article, section, paragraph, or sentence in these Rules and Regulations, at any time, and without notice.

#### **SECTION IV:** Lots and Lot Owners

1. No lot shall be used for any other purpose than for the burial of the human dead.
  
2. No easement or right of interment is granted to any plot owner in any road, drive, alley or walk within the Cemetery but such road, drive, alley or walk may be used as a means of access to the Cemetery or buildings, as long as the Quapaw Tribe of Oklahoma/Cemetery Committee/Business Committee devotes it to that purpose.
  
3. The right to enlarge, reduce, replat, or change the boundaries or grading of the Cemetery, or a section or sections thereof, from time to time, including the right to modify or change the locations of, or remove or regrade roads, drives, or walks,

or any part thereof, is hereby reserved. The right to lay, maintain, and operate, or alter or change pipelines or gutters for sprinkling systems, drainage, etc., is also expressly reserved, as well as the right to use Cemetery property, not assigned to individual plot owners, for Cemetery purposes, including interment of the dead, or for anything necessary, incidental or convenient thereto. The Quapaw Tribe of Oklahoma/Cemetery Committee/Business Committee reserves to itself and to those lawfully entitled thereto, a perpetual right to ingress and egress over plots for the purpose of passing to and from other plots.

4. Description of lots will be in accordance with the Cemetery plats which are kept on file in the Quapaw Tribal Office.
5. The Quapaw Tribe of Oklahoma/Cemetery Committee/Business Committee will take all reasonable precautions to protect plot owners, and the property rights of plot owners within the Cemetery from loss or damage, but the Cemetery distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.
6. The instrument of conveyance of these Rules and Regulations, and any amendments thereto, constitute the sole agreement between the Quapaw Tribe of Oklahoma and the plot owner. The statement of any employee or agent, unless confirmed in writing by the Quapaw Tribe of Oklahoma, shall in no way bind the Quapaw Tribe of Oklahoma.

#### **SECTION V:** Care of Lots

1. The general care assumed by the Quapaw Tribe of Oklahoma shall in no case mean the maintenance, repair, replacement of any marker placed upon lots; nor the doing of any special or unusual work in the Cemetery, including work caused by the impoverishment of the soil; nor does it mean the reconstruction of any marble or granite work on any section or plot, or any portion or portions thereof, in the Cemetery-caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or by order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.

#### **SECTION VI:** Interments

Once a casket containing a body is within the confines of the Cemetery, no Funeral Director nor his embalmer, assistant, employee, or agent, shall be permitted to open the casket or to touch the body without the consent of the legal representative of the deceased or by an order signed by a Court of competent jurisdiction.

**SECTION VII:** Plants and Shrubs

1. The Quapaw Tribe of Oklahoma will undertake to maintain, as may be practicable, the planting of trees and shrubs, to preserve and maintain landscape features.
2. There shall be no individual beds of shrubbery or flowers allowed on the grounds.
3. The Quapaw Tribe of Oklahoma shall have the authority to remove all floral designs, flowers, weeds trees, shrubs, plants, or herbage of any kind from the Cemetery as soon, in the judgment of the Quapaw Tribe of Oklahoma, they become unsightly, dangerous, detrimental, diseased, or when they do not conform to the standard maintained.
4. The Quapaw Tribe of Oklahoma shall not be liable for floral pieces, baskets, or frames in which, or to which, such floral pieces are attached beyond the acceptance of such floral pieces for cemetery services held in the Cemetery.