

VISALIA PUBLIC CEMETERY – HEADSTONE FOR A LOVED ONE

BACKGROUND:

Public Cemetery Districts were established by California legislature in 1909 to meet the cultural and economic needs for the interment of human remains in the state. The Visalia Public Cemetery District (VPCD) is a public cemetery district formed in October 1943 to provide burial services for residents within its jurisdictional boundary. The VPCD area includes the communities of Visalia, Ivanhoe, and Goshen. It is governed by a Board of Trustees (Board) which is appointed by the Tulare County Board of Supervisors to three-year terms. The VPCD and its board are members of the California Association of Public Cemeteries (CAPC) and California Special District Alliance (CSDA). Locally, the district is a member of the Visalia Chamber of Commerce.

The VPCD currently maintains three cemeteries within their jurisdiction: Visalia Public Cemetery, Elbow Creek Cemetery, and Lone Oak Cemetery; however, new burials are only allowed at the Visalia Public Cemetery location. The first burial was recorded at the Visalia Public Cemetery on September 7, 1860. The site has grown over the years with the community and now covers approximately 68 acres.

All public cemetery districts, including the VPCD, are required to follow State of California Health and Safety Code regulations for operations and management. Public cemetery districts are also allowed to develop and adopt policies and rules as they see fit, as long as they do not conflict with state regulations. Additionally, much of the business affairs of public cemetery districts must adhere to the California Department of Consumer Affairs, Cemetery and Funeral Bureau requirements as well.

REASON FOR INVESTIGATION:

The 2014-2015 Tulare County Grand Jury received a citizen's complaint in regards to the installation of an upright above-ground memorial marker (headstone).

The Complainant alleged that the VPCD did not cooperate to facilitate the purchasing of a headstone from a non-local manufacturer (Vendor). The complaint described poorly written specification documents and the lack of communication for the clarification of these specifications.

When the headstone was built and delivered by the Vendor, the complaint states that the VPCD did not allow for it to be installed, citing improper dimensions. The Complainant also claims the VPCD has granted exceptions and allowed the installation of headstones which do not meet their criteria.

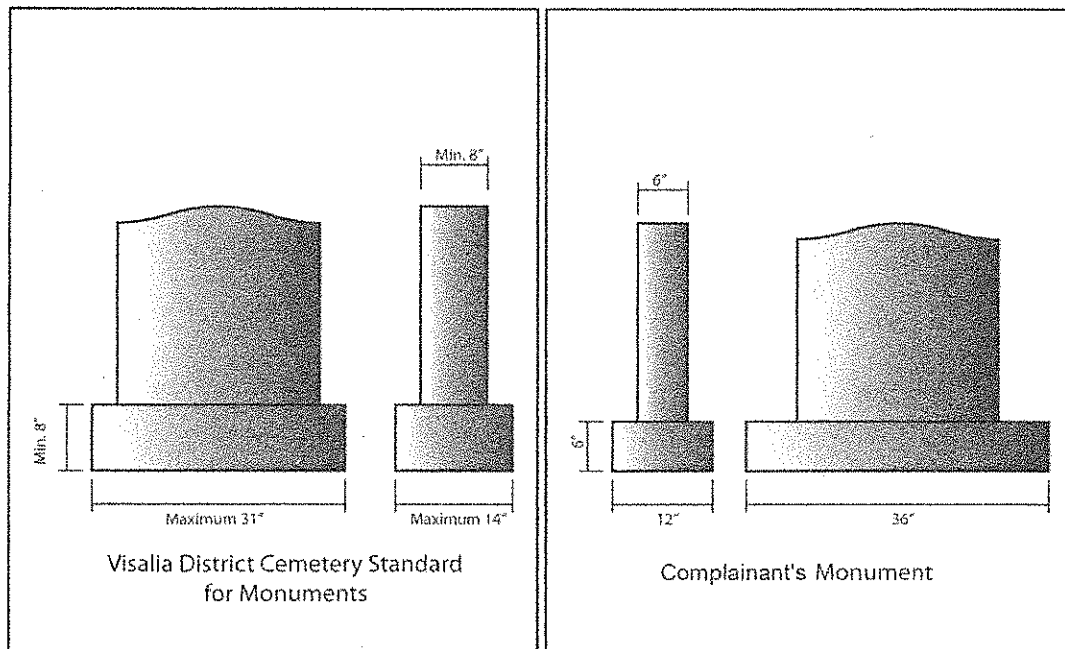
METHOD OF INVESTIGATION:

The 2014-2015 Tulare County Grand Jury (Grand Jury) investigated the issues of the complaint. Members of the Grand Jury visited the Visalia Public Cemetery on two (2) occasions and measured the headstones of a large number of gravesites. Emphasis was placed on noting dimensions, styles, and types of upright headstones installed after the adoption date for the current VPCD policies. The Complainant's headstone was observed and measured. Relevant witnesses were interviewed. Guideline material published for and provided by VPCD were reviewed, along with documents containing their standards and specifications. Various transactions, receipts, commercial advertisements, communications, letters, and other documents provided by pertinent sources were also scrutinized. Additional examination of relevant public codes and statutes, applicable government websites and news articles was also performed.

FACTS:

1. As per the California Department of Consumer Affairs - Cemetery and Funeral Bureau, public cemeteries must allow customers to purchase a headstone from the vendor of their choosing as long as it meets the cemetery's standards.
2. Public cemeteries may adopt standards for headstone specifications; therefore, they can and will refuse any headstone that does not meet their requirements.
3. The Visalia Cemetery District adopted standards July 1, 2003, which requires specific dimensions for the upright headstones. The principle reason for the revised standards is to assure sufficient material dimensions for improved durability.
4. All upright headstones measured by the Grand Jury that were installed after 2003 met VPCD standards; except two (2) styles: the "Pillow" Stone style, and headstones provided for veterans by the United States Department of Veterans Affairs (VA).
5. The "Pillow" Stone style is a shorter, trapezoidal-shaped stone which is thicker at the bottom and narrower at the top. The VA provides one standard of headstone for the veterans. These headstones are significantly thinner and narrower than the VPCD standards.
6. Communication between the Complainant and the Vendor containing pertinent headstone standards were made available to the Grand Jury.
7. Required headstone dimensions were sent from the Complainant and the VPCD to the Vendor.
8. The headstone which the Complainant purchased in 2008 is currently in storage. The cost of storage is accrued at the Complainant's expense.

9. The headstone received from the Vendor did not meet VPCD standards. (See illustration below)



FINDINGS:

- F1. Both the Complainant and the Vendor stated difficulty in understanding the dimensions within VPCD standards pamphlet.
- F2. Prior to the manufacture of the headstone, communication between the Vendor and the Complainant stated references to correct dimensions. Those references were not adhered to with the finished product received from the Vendor.
- F3. From information provided to the Grand Jury, despite the Complainant or the Vendor having some misunderstanding of the specification documents, there was evidence indicating an awareness of the proper dimensions for the headstone.

RECOMMENDATIONS:

- R1. Make a new pamphlet with drawing of all headstone with all specifications on each type of headstone.

REQUIRED RESPONSES:

1. Visalia Public Cemetery

Disclaimer

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

VISALIA PUBLIC CEMETERY DISTRICT

1300 WEST GOSHEN AVENUE, VISALIA, CA 93291
PHONE: 559-734-6181 FAX 559-734-9337

March 25, 2015

Tulare County Grand Jury
5963 s. Mooney Blvd.
Visalia, CA. 93277

Dear Grand Jury,

The Visalia Public Cemetery District appreciates all the time and effort that is given to Special Districts by the Tulare County Grand Jury.

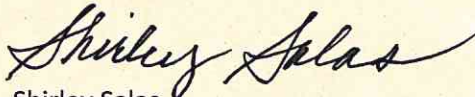
Our marker policy was a document meant to be interpreted by a qualified company which sells, manufactures and delivers headstones to memorialize the passing of a loved one buried at our cemetery. It is the goal and wish that all graves be marked. The headstone is the sole responsibility of the family of the deceased.

The Visalia Public Cemetery District provides the families and any headstone company with the dimension that are approved by the Board of Trustees. These policies are in place to make the selecting, digging and preparing of gravesites as safe and uneventful as possible.

At our regular Board of Trustees meeting held on February 25, 2015 a new marker policy that includes pictures was reviewed and adopted by the Trustees.

Please see attached policy for your review.

Thank You



Shirley Salas,
Chairperson of the Board of Trustees

RECEIVED
4/6/2015

**MARKER POLICY
VISALIA PUBLIC CEMETERY
1300 W. GOSHEN AVE. VISALIA, CA. 93291
BOARD APPROVED 2/25/2015**

DEFINITIONS:

- Single Grave:** One plot in cemetery. Typically would have one full body burial.
- Double Grave:** Two full body burials in the same grave with a stacked orientation.
- Cremation Grave:** Cremains buried. (Up to 4 cremains in one grave.)
- Side by Side Grave:** Two single graves owned by the same family, (Typically husband and wife) which are side by side in the same tier.
- Monument Die:** The top portion of an upright monument which typically sits on a base. **(Not a part of the marker setting fee. Coordination of placement and fees are the responsibility of the family).** Family should contact a reputable monument dealer for placement.
- Monument Base:** The bottom portion of the monument on which the die is normally placed. **(Setting of the base is included in your setting fee).**
- Niche Plate:** Bronze, granite or marble remembrance for the cremains in a mausoleum or columbarium. Cremation areas include; Visalia Memorial Gardens, Eagles Niches and Southland Niches.
- Crypt Plate:** Bronze, granite or marble remembrance for full body burials in the mausoleum located in the Visalia Memorial Gardens and Old Mausoleum.
- Memorial:** Also known as monument, headstone, flush or flat marker, must be made of high quality granite, marble or U.S. Standard bronze. Height of monument must be in proportion to the width except where grave marker is flush with ground or otherwise noted.

All memorials placed on the ground will be set in a concrete foundation. A minimum of one flower vase shall be required for each memorial placed in the cemetery. Only vases that can be stored when not in use flush with concrete borders or foundations will be accepted. Exception – monuments may have incorporated into their design an above ground granite, marble or bronze vase/vases, provided these are mounted and permanently affixed to the monument base or are incorporated into the monument die.

IMPORTANT: Owner of gravesite is responsible for Marker Policy compliance. Memorial marker or monument will not be allowed to be placed in the Visalia District Cemetery if it does not meet compliance. Please ask cemetery management if you are unsure as to the requirements before you order.

FLUSH HEADSTONE REQUIREMENTS WHEN NOT OTHERWISE SPECIFIED

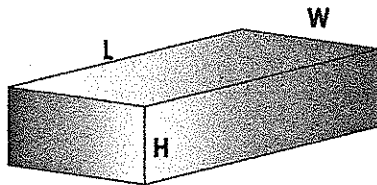
DESCRIPTION	MIN. SIZE	MAX. SIZE	MIN. VASES	MAX. VASES
Infant Marker	18" x 10" x 3"	18" x 10" x 4"	1	2
Single Marker	24" x 12" x 3"	31" x 14" x 4"	1	2
Double Marker	24" x 12" x 3"	31" x 14" x 4"	1	2
Side by Side Marker	30" x 14" x 3"	72" x 16" x 4"	1	3

UPRIGHT HEADSTONES (MONUMENTS)

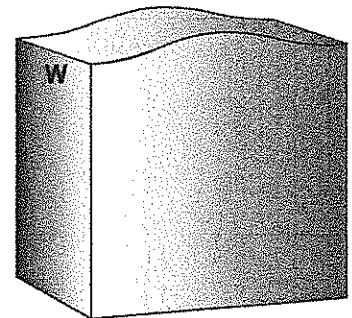
The person holding the burial rights to a grave may place a flush marker in the upright headstone areas with the exception of Silent Hearts.

Only the placement of the base is included in the marker setting fee. The placement of the Die (top piece of monument) must be placed by the company providing the stone (or a company licensed to provide this service). Companies setting the stone must provide the Visalia District Cemetery with proof of auto and liability insurance with at least a one million dollar policy for each, and policy must be on file with the cemetery naming Visalia District Cemetery as an additional insured before any work is performed.

DESCRIPTION (BASES)	MIN. SIZE	MAX. SIZE	MIN. VASES	MAX. VASES
	L W H	L W H		
Single Monument (Single Grave)	30" x 14" x 8"	31" x 14" x 8"	1	2
Double Monument (Single Stacked)	30" x 14" x 8"	31" x 14" x 8"	1	2
Side by Side Monument	30" x 14" x 8"	72" x 14" x 8"	1	3
Triple Grave	30" x 14" x 8"	120" x 14" x 8"	1	5



DESCRIPTION (DIES) Min. Size shall be 8" width and proportional to the base set by industry standards unless otherwise noted.



Note: Side by Side graves in upright areas can accommodate 1 bench. Dimensions shown below.

Seat	48" x 14" x 4"	48" x 14" x 4"
Legs	4" x 12" x 14"	4" x 14" x 14"
(Min. of one flower vase must be placed in the concrete foundation for benches.)		

Headstones and monuments are the responsibility of the owner of the burial rights. The Cemetery District will not accept delivery of the "Die". The "Die" can only be set by a licensed headstone company or other reputable company with like in kind experience. All insurances must be in place with the cemetery before any work may proceed.

TUESDAYS ANGELS INTERMENT AREA (INFANT GRAVE MARKER)

DESCRIPTION	MIN. SIZE			MAX. SIZE			MIN. VASES	MAX. VASES
	L	W	H	L	W	H		
Infant Flush Marker	18"	10"	3"	18"	10"	4"	1	2
Infant Pillow Marker	18"	10"	6/4"	18"	10"	8/6"	1	2
Infant Slant Marker	18"	10"	16"	18"	10"	24"	1	2
Infant Grave Marker Base	18"	10"	6"	18"	10"	8"	1	2
Infant Grave Marker Die	14"	4"	14" Pinned	16"	6"	18" Pinned		

SILENT HEARTS INTERMENT AREA (UPRIGHT ADULT GRAVE MARKERS FOR FAMILY PLOTS WITH GRANITE CURBING)

DESCRIPTION (BASES)	MIN. SIZE			MAX. SIZE			MIN. VASES	MAX. VASES
	L	W	H	L	W	H		
Side by Side Monument	54"	14"	8"	96"	18"	10"	1	3
Triple Grave	72"	14"	8"	120"	18"	10"	1	5

DESCRIPTION (DIES)

Side by Side Monument	36" x 8" x 24"	90" x 10" x 72"
Triple Grave	48" x 8" x 30"	114" x 10" x 72"

SILENT HEARTS INTERMENT AREA (UPRIGHT CREMATION GRAVE MARKERS)

DESCRIPTION (BASES)	MIN. SIZE			MAX. SIZE			MIN. VASES	MAX. VASES
	L	W	H	L	W	H		
Single Monument (Single Grave)	30"	14"	8"	31"	14"	8"	1	2

DESCRIPTION (DIES) Min. Size shall be 8" width and proportional to the base set by industry standards and no taller (H) than 42"

	L	W	H	L	W	H
Single Monument (Single Grave)	24"	8"	16"	28"	10"	42"