



Rules and Regulations

Revised by Board of Directors – July 2025

I. Cemetery Purpose and Mission

1. Our *purpose* is to provide for the burial of casketed human remains in sealed concrete vaults and the burial of cremains (cremation ashes) in sealed urns. Cremains may be interred in a columbarium niche in lieu of direct burial. Full green burials and natural burials are not permitted.
2. Our *mission* is to be the most trusted cemetery to our families, interment rights owners, neighbors, funeral homes, contractors, volunteers, and community by providing for the perpetual care and maintenance of all cemetery gardens to ensure continuation of a beautiful resting place and a beautiful place to visit.

II. General Information

1. The by-laws that define the matters of interment rights owners, the Board of Directors, committees of the Board and which guide the management and operations of the cemetery are available for review at the cemetery office or online at www.sunsetmemorialfargo.com.
2. Sunset Memorial Gardens, Inc. (hereafter referred to as SMG) management and staff shall have the right to correct any errors in interments, disinterment's, reinterments, grave marker settings, and all office records.
3. SMG management and staff will take reasonable precautions to protect property within the cemetery grounds from loss and damage. SMG claims no responsibility for direct or indirect damage and/or loss to personal belongings of interment rights owners from causes beyond our control. These causes shall include but are not limited to weather elements, storm damage, floods, an act of God, terrorism, vandalism, thievery, explosion, un-avoidable accidents, animals, acts of war and non-terrestrial forces.
4. SMG is a non-sectarian cemetery which provides places for human burials for persons of any race, color, creed, religious denomination, or sexual orientation. Pets are not allowed to be buried at SMG.

5. SMG is managed by a Board of Directors that is elected by the interment rights owners. The Board may periodically recommend changes or modifications to these Rules and Regulations. Any proposed changes or modifications will be presented to the Office Committee for approval prior to implementation. Once approved, the changes or modifications will be effective immediately.
6. Twenty percent (20%) of revenue from the sale of interment rights is deposited into a perpetual care trust fund to ensure the future maintenance of the grounds, monuments, and buildings within the cemetery.
7. The reason for these rules and regulations is to ensure the overall beauty, character, and maintenance of all gardens within the cemetery. All persons visiting the cemetery grounds shall follow these rules and regulations.

III. Administration and General Rules

1. All funerals, interments, disinterment's, and reinterments entering or leaving the cemetery shall use and park on established roads and /or paths and shall be under the regulations of the cemetery management and in compliance with all applicable North Dakota statutes. SMG management and staff reserve the right to ingress and egress over lots for the purpose of passage to and from burial sites and for construction, development, and maintenance of the cemetery.
2. Visitors to the cemetery grounds are to drive and keep vehicles and bicycles on the established roads. Visitors who require electric cart and/or special wheelchair transport shall exercise proper care while moving throughout the Gardens. All motor vehicles shall give the right of way to pedestrian visitors and shall not speed over ten miles per hour limit within the cemetery grounds. Motor vehicles shall park only on roadways and not on roadway shoulders or grassy areas.
3. Visitors to the cemetery grounds shall respect the area as a sacred and restful memorial to honor those who have passed before us. The following are prohibited within the confines of the cemetery:
 - A) The use of alcohol, illegal substances, and hallucinogenic drugs.
 - B) Satanic ritual ceremonies.
 - C) Fireworks and explosives of all kinds.
 - D) Sleeping, or loitering on the grounds after sunset.
 - E) Advertisements, including political ads, solicitation, and disturbing signs of any kind.
 - F) Unlawful behavior and/or conduct.
4. No firearms are permitted within the cemetery property except in conjunction with a veteran's funeral, authorized Memorial Day services or by law enforcement. There is no hunting allowed on cemetery property.

5. Pets and service dogs are allowed on cemetery property, but persons in control of the animals must follow the leash law of North Dakota and pick up any animal waste. Visitors and dog walkers who do not have their animal on a leash and/or act in disrespect of the cemetery may be asked to leave the premises immediately.
6. Hired contractors will exercise reasonable care in the disinterment, or removal, of a casket/vault or urn. SMG is not liable for payment for any damages caused by the removal process.
7. No interment, disinterment or reinterment shall be permitted in any lot or niche if there is an outstanding financial obligation to the cemetery.
8. Each burial space may hold a casket burial and a cremation burial, or two cremation burials. The following situations are exceptions: (1) a mother and infant child, (2) two infants buried in one casket, or (3) interring cremains within a headstone.
9. SMG allows for interment of cremains within a grave marker. The cemetery office must be informed prior to the burial, and an administration fee will apply.
10. In a cremains interment within the Columbarium, each of the cremains is to be in an urn type container that is permanent, rigid, and non-combustible and made of a thermally stable material of a size and shape that will fit into the confines of a niche. Each columbarium niche is approximately 10 inches wide, 10 inches deep and 10 inches high. Containers can be purchased of such a size that two will fit into one niche.
11. The marker for a niche is a Serenity Bronze style plaque. Design options and purchases may be made through the cemetery office. A Veteran marker is allowed in addition to the plaque. These plaques are for use only in the Columbarium.
12. Two grave markers are allowed per lot. One grave marker shall be placed at the head (West) of the lot. A second marker may be placed at the foot (East) of the lot. Both markers shall be placed in a direction so that they are both read from the foot (East) of the lot.
13. Flat grave markers must be made of granite, or a similar product. Concrete is not allowed. The maximum measurements may not exceed 36" x 24" x 4" for a single marker, and 60" x 24" x 4" for a double marker (when it is centered on the two lots).
14. The Garden of Resurrection is the only garden within the cemetery that allows for upright headstones.
15. Temporary markers placed by the funeral homes will be removed after a permanent marker is placed. Temporary markers will be disposed of after the permanent marker is placed unless special arrangements have been made with the cemetery staff.

16. The transfer of interment rights must take place through the cemetery office. An administrative fee may be charged for this transfer. The current owners of interment rights are responsible for informing the office of any updates or changes to their personal information. The rights of ownership will follow the succession rules as provided in the North Dakota Century Code.
17. If SMG is unable to allow an interment in a designated space due to factors beyond our control, another space of equal value shall be offered at no cost to the current owner of the interment rights. If the owner chooses not to accept the proposal, then SMG shall issue a full refund for the amount paid. The cemetery assumes no liability or costs associated with this action.
18. SMG reserves the right to reject any monument, marker or memorial which does not conform to these Rules and Regulations.

IV. **Specific Rules for the Grounds, Property, Burial Lots, Niches, Planted Flowers, Decorations and Cemetery Maintenance.**

1. The following are not allowed on or around the gravesites: planted trees, shrubs, planted flowers, landscape rocks/stones, edging material, plaques, metal or plastic fences, large concrete pots, or any materials other than black dirt, hydro mulch, fabric mulch, turf, or sod. All benches must be approved by the Board of Directors prior to final design approval. No subsurface excavation may take place.
2. Cemetery staff and volunteers place all black dirt, seed, and sod. They also maintain all trees, shrubs, hedges, flower gardens and grounds within the confines of the cemetery.
3. In other areas of the cemetery, removable vases on flat grave markers must be emptied and turned down by the second weekend of October for the duration of the winter. When items in the vases become unsightly, they will be removed and discarded.
4. All decorations placed on the gravesite must be placed as close as possible to the grave marker. At their discretion, cemetery staff and volunteers will remove and discard any decorations that are not properly maintained. Decorations in the Resurrection Garden may be placed within 12 inches of the headstone. Decorations in all other Gardens may be placed within 8 inches of the grave marker.
5. The Spring & Fall clean-up dates for seasonal decoration removal are April 1st and October 1st. These dates are subject to change. Winter decorations can be in place from October 26 to March 30.

6. All decorations that interfere with the normal grass mowing in the cemetery will be removed and discarded by cemetery staff and volunteers. Persons placing decorations on gravesites must assume the responsibility, with approval of cemetery management, for maintenance of the site including the trimming of grass that cannot be mowed in the normal grass mowing process. Failure by the responsible party to do this will result in the items being removed and discarded by cemetery staff.
7. Any decorative items a family wishes to keep must be removed prior to full cemetery clean up dates. These dates are posted in advance on our website, www.sunsetmemorialfargo.com. Cemetery staff and volunteers will be discarding all decorations pulled from gravesites on full cemetery clean up dates.
8. Due to frequent windy conditions in the Fargo area, no flowers, plants, or decorative items are permitted in the columbarium area except on the day that cremains are to be placed in a columbarium niche.
9. Memorial Day decorations must be removed from the gravesites within ten (10) days after Memorial Day.
10. Grave marker installation and leveling is done only by cemetery staff and contractors. Inquire at the cemetery office if leveling is needed or desired. Fees may be involved for this service.
11. Trees will be planted within the confines of the cemetery property only by cemetery staff or by contractors hired by the cemetery.
12. The cemetery is not liable for any costs or damage to items removed from gravesites and discarded by staff in accordance with these Rules and Regulations.

V. **Definitions**

- Columbarium: A structure with the sole purpose of interment of cremated human remains in separate chambers called niches. Each niche can hold two small individual cremation urns or one larger urn that may contain two human cremains.
- Niche: A chamber within the columbarium in which cremation urns are placed.
- Cremains: Cremated human remains also known as “ashes.” The remains of a human body after cremation.
- Interment: Burial or niche entombment of a deceased person.
- Burial: Placement of human remains in a grave.
- Lot, Grave, or Burial Space: Terms that may be used interchangeably which refers to one or more graves and/or niche. An interment space located in a particular garden identified by a block number, a quadrant letter, and a lot number.
- Burial Right: The right of interment. Burial/interment rights – the owner of the rights dictates which deceased person is allowed to be buried/interred in their space(s).
- Burial Space: A lot or niche.
- Disinterment: Removal of human remains from a burial space.
- Interment Right: The right to burial in a specific location. The holder of the interment rights has the authority to direct which deceased person is allowed to be buried in their lot(s).