

# 2018 BYLAWS OF THE EL RANCHO SIMI CEMETERY DISTRICT

## **NAME**

The name of this special district shall be El Rancho Simi Cemetery District, hereinafter called, "District".

## **ARTICLE I**

The El Rancho Simi Cemetery District is a Public Cemetery District, providing burial for all qualifying district residents and their families. The Cemetery District is composed of five members or "trustees" who are appointed by the Ventura County, District 4 Supervisor, and are collectively the "governing board" of the special district independent of oversight by their appointing agency (the County of Ventura). It is an endowment care interment cemetery.

## **ARTICLE II**

### **1. BOARD OF TRUSTEES**

The number of trustees may be either three or five by law, and may be changed upon petition by a majority of trustees of the District. The El Rancho Simi Cemetery District is governed and managed by five trustees, as certified in the July 22, 1963 County Clerks Copy of the Ventura County Board of Supervisor's July 2, 1963 meeting minutes agenda item increasing Board of Directors of Simi Valley Public Cemetery District from 3 to 5 members Item 50-A. The Trustees are appointed by the Ventura County Board of Supervisors upon the recommendation of the District 4 Supervisor.

The Trustees' terms run four years each to coincide with the supervised terms. In the event of an unexpected vacancy, the 4<sup>th</sup> District supervisor will fill the vacancy for the unexpired remainder of the term. Trustees may be re-appointed by the supervisor for multiple terms, not to exceed the term of office of the 4<sup>th</sup> District Supervisor.

The Board of Trustees shall exercise all District powers under the authority of the District, and shall control all business and affairs of the District as directed under the Special District Cemetery Laws of the State of California (Health and Safety Code Section 8890 – 9010).

### **2. POWER OF BOARD OF TRUSTEES**

The Board of Trustees shall have the power to:

- Make all rules, regulations and policies within the boundaries of the law that regulate both public cemeteries and cemetery districts;
- To select and remove at its pleasure any of the agents and employees of the District, to prescribe their powers and duties, and to fix their compensation and require from them security for faithful service.
- To borrow money, incur indebtedness for the District and to cause to be executed, and delivered therefore, in the District's name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecation, or other evidences of debt and securities therefore: raise and disburse funds, sell and exchange properties;
- To have custody and management of land, buildings, equipment and all properties of the District; and,
- To perform all other duties and to have other powers as may be necessary to carry out the purpose of the District.

## **ARTICLE III**

### **1. ELECTION OF OFFICERS**

The officers of the District will be elected by a simple majority vote of the Board of Trustees on an annual basis and for a term of one year. In the event a vacancy occurs in any office, a special election may be held to fill that office for the completion of that term.

### **2. OFFICERS AND THEIR DUTIES**

Officers of the District shall be a Chairman, Vice Chairman, Secretary and Treasurer. Officers shall be selected or removed by quorum action of the Board of Trustees. Duties of the officers shall be:

The **Chairman** shall have the executive supervision of the activities of the District within the scope provided by these bylaws and any laws governing the oversight of public cemeteries or special districts. The Chairman shall preside at all meetings and shall appoint the chairs of committees and delegates not otherwise provided for. The Chairman shall also be the spokesperson for the Cemetery District and all inquiries from the media or public shall be directed to the Chairman.

The **Vice Chairman** shall assume the duties of the Chairman in the event of absence, incapacity, or resignation of the Chairman.

The **Secretary** shall keep a book of minutes of all meetings of the Trustees, with the time and place of holding, whether regular or special, and if special, how authorized, the notice thereof given, the names of those present at Board meetings, the number of members present at meetings and the proceeding thereof. The secretary may require District Staff to actually prepare the minutes and notices, but it shall be the Secretary's responsibility to insure compliance with the Bylaws of this District and the law. Failure

to comply with public meeting laws is the responsibility of the entire Board of Trustees, who tasks the Secretary with compliance.

The **Treasurer** shall keep and maintain or cause to be kept and maintained, adequate and correct accounts of the properties and business transactions of the District, including accounts of its assets, liabilities, receipts, disbursements, gains, losses and capital. The Treasurer may require and monitor District Staff directed to deposit all moneys and other valuables in the name of and to the credit of the District with such depositories as may be designated by the Board of Trustees. The Treasurer of the District shall direct disbursement of the funds of the District in such manner as may be ordered by the Board of Trustees. The Treasurer shall be responsible for the custody of funds and assets of the District until such time as they may be deposited. The Board of Trustees and the Treasurer may direct District Staff to account for the funds and for administrative duties, including reports to the Board of Trustees regarding all income, inquiries, and payments; however the District shall ultimately have full fiduciary responsibility. Funds of the District shall be paid out by numbered checks with one signature. At regular Board Meetings, the Trustee shall order staff to prepare a summary report relative to the status of the District, which will include income and expenses. Each request for payment will require a proper invoice or bill before a check will be issued.

The Board of Trustees may establish the following committees in addition to any committees created by Board at their wish:

- Bylaws Committee
- Finance and Budget Committee
- Property Committee
- Public Relations Committee
- Long Term and Short Term Goal/Planning Committee
- Record/Endowment Committee

## **ARTICLE IV**

### **1. MEETINGS**

The Board of Trustees of the El Rancho Simi Cemetery District shall meet monthly on the second Wednesday of each month, or at such time and place as the Board determines. Special meetings may be called by the Chairman.

The Annual Meeting shall be held in the month of March each year, or as soon thereafter as circumstances allow.

Those members in attendance at a properly called meeting will constitute a quorum with no less than a majority of the currently appointed members present. At the meeting of the Board of Trustees, a majority of Board membership shall constitute a quorum.

Trustees shall be expected to attend all Board Meetings. Upon missing three consecutive meetings without prior notice or just cause, the remaining Trustees may recommend dismissal and the 4<sup>th</sup> District Supervisor will recommend any replacement.

A notice of each meeting shall be posted as appropriate under the Brown Act, with one posting at the Cemetery's website; [www.simipubliccemetery.com](http://www.simipubliccemetery.com) and one posted at the Cemetery; 1461 Thompson Lane, Simi Valley, CA 93065. It will be the responsibility of the District's paid staff to post the agenda of the meeting at least 72 hours before the meeting time, and said agenda will include the date, time, location and the agendized business of the Trustees of the District. Each member of the Board of Trustees will be notified in advance of the public posting, via U.S. Mail, fax or electronic mail, without exception.

## **2. PARLIAMENTARY AUTHORITY**

Roberts Rules of Order shall govern the proceedings of the District in such cases as are governed by the Bylaws or the law.

## **ARTICLE V**

### **1. 2018 BYLAWS**

The Trustees of the El Rancho Simi Cemetery District (the "District") ENACTS as follows:

- 1) This Bylaw may be cited as the "Cemetery Bylaw 2018".
- 2) The following lands owned by the District are set aside for cemetery use:
  - a) El Rancho Simi Cemetery District, comprising

A portion of Lot Twenty-Nine (29) as the same is designated and delineated upon that certain map entitled "Map of the Cal Mutual Benefit Colony of Chicago's Subdivision of the South 1/3 of Lot 9, Township 2 North, Range 18 West of the Rancho Simi" as recorded in the office of the County Recorder of Ventura County in Book 23, Miscellaneous Records (Maps) at page 19 and described as:

All of that parcel designated and delineated upon that certain map entitled "Map of the Simi Cemetery being a part of Lot 29 at Cal Mutual Benefit Colony of Chicago's Subdivision of the South ½ of Lot 9, Township 2 North, Range 18 West of the Rancho Simi", filed in the office of the County Recorder of Ventura County on October 26, 1896, in Map File "A" records of said County, together with a strip of land twenty eight (28) feet wide lying west of and adjacent to the east line of Lot 29 and extending from the above described parcel southerly to the southerly line of said Lot Twenty nine (29).

## **2. USE OF CEMETERY SPACE**

The District shall grant to any person upon payment of the approved sum set out in "Schedule A" approved by the Trustees and subject to the terms and condition of Section 4 hereof of this bylaw, permission for the use by him or his executors or administrators, of any one or more grave spaces, columbarium niches, or a combination of both, which may be vacant and unencumbered in the cemetery; pursuant to burial requirements of Health and Safety Code Division 8; Part 4; Chapter 5. Interments [9060 – 9069]

- 1) Lots in the cemetery are conveyed for burial purposes only, subject to such rules and regulations as are now or hereafter put in force by the Trustees.
- 2) No burials will be permitted in the cemetery without a permit from proper authorities. Burial orders must be signed by persons ordering burials before graves are opened. Cement or steel vaults must be used with all burials.
- 3) No person shall use grave space in that portion entitled "The Pioneer Cemetery" reserved for members of those families identified and recognized as "pioneer families" as set forth in Article V, Section 4-4.
- 4) The District reserves to itself the right to refuse to sell the use of grave spaces to any individual.
- 5) A Memorial Bench may be purchased, with permission from the board of Trustees, at a cost set by the board of Trustees, for any family who purchases 10 or more congruent full burial plots.

## **3. FEES AND CHARGES**

- 1) The Trustees shall fix the size and sale price of grave spaces; fix the price of opening graves and disinterments. Information with reference thereto will be given upon inquiry by the appointed Cemetery Authority.
- 2) Schedule "A" sets out cemetery fees, including fees for interment, disinterment, use of grave space, care of graves. Inurnment, transfer of use and occupation privileges, and the charges for goods offered for sale by the District. Cemetery fees shall be paid at the Office of the District at the time of application and at the time of purchasing goods or services sold or provided by the District in connection with the operation of the cemetery.

## **4. INTERMENT AND INURNMENT**

- 1) No remains other than human remains shall be interred or inurned in the cemetery, and no interment or inurnment shall be made until the appropriate fee as approved by the Board of Trustees has been paid to the District.
- 2) No interments or inurnments shall be made in the cemetery except between the hours of 10:00 AM and 2:00 PM.
- 3) No deceased person shall be interred in the sections of cemetery, which are reserved under Section 4 of this bylaw, if the identity shown on the burial permit differs from that of a person to whom the permission for use and occupation of the relevant space was granted by the District.
- 4) Only those persons and their spouses residing in Simi Valley prior to 1900 and their direct blood descendants and spouses, may be inurned in the Pioneer cemetery section, with the absolute discretion to approve such burials retained by the Board of Trustees. Full burials are not permitted in the Pioneer Section
- 5) All interments of human remains and cremated remains must comply with all applicable State of California statutes and regulations and the terms and conditions of the Board of Trustees.
- 6) Each grave liner used in the cemetery shall be made of reinforced concrete not less than one and one-half inches thick, or shall be approved purpose-built fiberglass liner, and capable of covering the entire casket or coffin.
- 7) Columbaria shall be the only aboveground disposition of human remains permitted in the cemetery.
- 8) Applications for columbarium niche plates must be made in a form approved by the Board of Trustees.
- 9) No one other than the District, its authorized representatives or agents, or those authorized by a court of cemetery jurisdiction, shall dig or open any grave, install or remove memorial tablets, markers, monuments, curbing, etc., construct foundations produced by other agencies, or carry out, or cause to be carried out, the general work of the cemetery to maintain them in a neat and tidy condition, unless permission is first obtained from the District.

## **5. FUNDING**

- 1) All income to the District shall be paid into the District Fund and regulated as set forth in the appropriate County rules and regulations.
- 2) All expenses of the District shall be paid from the District Fund.
- 3) The District Fund shall be maintained at a bank which is a member of the FDIC.

- 4) All expenses must be approved by the Board of the Trustees and be retained to support the maintenance and operation of the cemetery.

## **6. MEMORIALS**

- 1) All markers, stones, or monuments must be approved by the cemetery Board of Trustees or by its directives to their staff members.
- 2) A memorial may be installed on a grave in the cemetery upon payment of the applicable sum approved by the Board of Trustees, and is subject to the following:
  - a) any plot holder, next-of-kin, or legal representative of the deceased may authorize the District to remove curbs and cappings and reseed the lawn, and shall pay to the District the sum for such services as approved by the Board of Trustees
  - b) in the Pioneer section of the cemetery, memorials may match the appearance, setting, and size of adjacent markers; memorials in the remainder of the cemetery must be installed with their top surface level and flush with the surface of the ground
  - c) all grave markers or memorials must conform to the specifications as approved by the Board of Trustees
- 3) No grave or grave space shall be defined by a fence, railing, curbing, hedge, or by other marking save by a memorial marker, tablet or monument
- 4) The Board of Trustees reserves the right to exclude from any lot, any headstone, monument, or other structure, trees, plastic or real flowers, plants or other object, which may conflict with the regulations, or which may be considered injurious to the general appearance of the grounds, lawn or plots.

## **7. GENERAL**

- 1) No person or persons not employed or otherwise authorized by the cemetery authorities shall excavate any earth, lay or remove any sod, alter the grade of any lot within the cemetery, either on or about his own lot or the lots of others, or plant, remove or trim any shrub or tree.
- 2) Adornment of the gravesite:
  - a) cut flowers, wreaths, and floral offerings may be placed on graves but may be removed at the discretion of the District staff

- b) no artificial flowers may be used
  - c) no glass containers may be used for any purpose in the cemetery
  - d) no person other than an employee or agent of the District shall plant, remove, cut down or destroy any trees, shrubs, plants, flowers, bulbs, or rocks in the cemetery
- 3) No person shall remove, damage, or deface any memorial, monument, fence, gate structure, plan, lot, or improvement in the cemetery.
  - 4) No person shall disturb the quiet and good order of, or otherwise violate the cemetery.
  - 5) The District reserves the right to change the grading of the cemetery or of any sections, thereof, from time to time, and to remove or re-grade roads, drives, and walks. The right to lay, maintain and operate, or alter the pipelines or gutters for sprinkling systems, drainage, etc., is also expressly reserved. The District reserves to itself and to those lawfully entitled thereto, a perpetual right of ingress and egress over grave spaces for the purpose of passage to and from other grave spaces.
  - 6) The District reserves and shall have the right to correct any and all errors that may be made by it, either in making interments, disinterments or removals, or in the inscriptions, transfer, or conveyance by substituting and conveying in lieu thereof other interment rights of equal value and similar location as far as possible, or as may be selected by the District or, in the sole discretion of the District, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property, the District reserves the right to remove and transfer such remains so interred to such other property of equal value and similar location as may substituted and conveyed in lieu thereof. The District shall not be liable in respect of any such errors, except as aforesaid.
  - 7) The Board of Trustees reserves the right of passing other rules and regulations or amending these rules and regulations at any time the occasion arises.
  - 8) Any previous bylaws are hereby repealed.



## SCHEDULE A

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# El Rancho Simi Cemetery District

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(DBA) Simi Valley Public Cemetery  
A State of California PIONEER Cemetery  
Office Telephone: (805) 526-8245  
1461 Thompson Lane  
Simi Valley, California 93065

## PRICE LIST

Price List Effective April 2018

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<b>PLOT SALE FEES</b> (Right of Interment/Inurnment)	<b>SINGLE</b>	<b>DOUBLE DEPTH</b>	<b>ENDOWMENT CARE</b> (Endowment Fees are Non-refundable)
<b>Adult Burial</b>	<b>\$1,950</b>	<b>\$2,950</b>	<b>\$400</b>
<b>Infant Burial Plot 2' x 4'</b>	<b>\$600</b>	<b>N/A</b>	<b>\$200</b>
<b>Cremation Plot 2' x 2'</b>	<b>\$700</b>	<b>\$900</b>	<b>\$200 (Each Inurnment)</b>
<b>Cremation - 2<sup>nd</sup> Right of Inurnment (Inurnment Over an Existing Casket Burial)</b>	<b>\$450</b>		

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### INTERMENT AND INURNMENT CHARGES (OPENING AND CLOSING OF GRAVE SITE)

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<b>Adult Burial</b>	<b>\$1,550</b>	<b>\$2,550</b>
<b>Infant Burial</b>	<b>\$750</b>	
<b>Cremation</b>	<b>\$750</b>	

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### VAULTS (Required Outer Container)

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<b>Poly-Guard Full Burial Vault</b>	<b>\$850 + Tax</b>
<b>Poly-Guard Cremation Vault</b>	<b>\$250 + Tax</b>
<b>Poly-Guard Large Cremation Vault (For Two)</b>	<b>\$300 + Tax</b>
<b>Plastic Lined Concrete Cremation Vault (For Two)</b>	<b>\$400 + Tax</b>
<b>Infant Vault Small</b>	<b>\$250 + Tax</b>
<b>Infant Vault Large</b>	<b>\$500 + Tax</b>

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**MEMORIAL SETTING FEES**

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<b>Granite Marker (Up to 16" x 28")</b>	<b>\$250</b>
<b>Bronze Marker Mounted on Granite (Up to 16" x 28")</b>	<b>\$250</b>
(Setting Fee for Larger Markers – Cost Will be Determined at Time of Delivery)	
<b>In-Ground Vase</b>	<b>\$75 + Tax</b>

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**OTHER CHARGES**

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**Non-Resident Fee - \$1,550**

**Canopy and Chairs (We Provide Up to 15 Chairs) Set-Up Fee of \$150**

**Transfer of Ownership - \$100 Administration Fee**

**Disinterment Fee - \$5,000**

**Burials Taking Place on Saturday Will Incur an Additional Fee of \$850**

**No Burials on Sunday or Monday**

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*On behalf of the Trustees of the Simi Valley Public Cemetery, our goal is to make this process as gentle and smooth as possible for you in this delicate time in your lives.*

*We understand this is a difficult time for our families, and we are here to assist you in any way we can. If there is something about the Price List you do not understand, please do not hesitate to ask questions. I am here to help you.*

*Sincerely,*

*Juanice Neal (CMS)*