

# **The Rosebrough Monument Rules**

**736 F.2d 441 (8th Cir. 1984)**

(1) the cemetery may establish specifications for the foundation of each type memorial which it permits in the cemetery. Those specifications shall be the same as the cemetery itself utilizes in preparing foundations for particular type memorials;

(2) the cemetery may schedule, upon reasonable notice, all installations, taking into account weather and ground conditions, cemetery burial services, availability of personnel, etc.;

(3) the cemetery may not, without appropriate cause, require that the foundation site be laid out by cemetery personnel;

(4) the cemetery may not require supervision of the foundation and installation process or require inspection of the foundation prior to placement of a memorial;

(5) the cemetery may require removal of excavated dirt and cleanup of the installation site;

(6) the cemetery may require evidence that the installer's employees are covered by workman's compensation insurance and that the installer carries adequate public liability insurance in which the cemetery is a named insured;

(7) the cemetery may require a reasonable bond to insure compliance with the rules and regulations;

(8) the cemetery may charge a fee based on its actual labor costs to inspect the finished work product of third-party memorial foundation services; and

(9) the cemetery may require that the installer expeditiously correct any deviations from the specifications. If, after notice, any deviation is not corrected the cemetery may make such corrections at the installer's expense. All such rules and regulations which the cemetery may hereinafter adopt are to be reasonable in nature and application.