

City of Keokuk

Rules and Regulations

Purchase of Lots and Grave Plots

All lots **or portions of lots sold** and the use of such lots **or portions of lots** are subject to the rules and regulations of the Oakland, Catholic and Hebrew Municipal Cemeteries of Keokuk, Iowa.

Persons desiring to purchase a lot **or a portion of a lot** in the Cemetery are referred to the Cemetery Superintendent. The Superintendent shall have available suitable plats showing size and prices of lots **or portions of lots** and such other information as may be required and will be pleased to render assistance to those desiring to make lot purchases.

Upon having made a lot **or portion of a lot** selection, the Superintendent, after payment has been made will issue a receipt to the purchaser. The Superintendent will then procure a deed from the City Clerk and deliver same to the purchaser.

The terms "Lot Owner" and "Ownership" shall be construed to mean the right to use a lot **or portion of a lot** as purchased from the City for consideration for burial purposes only and under the existing or subsequent rules and regulations as prescribed by the City for such use.

Upon full payment of the purchase price of a lot **or portion of a lot** and after the City has issued a deed under its seal, the deed will be recorded in the records of the City as evidence of ownership of the lot **or portion of a lot**. All lots **or portions of lots** are exempt from taxation and cannot be seized for debt, (except those owed to the cemetery), nor can they be mortgaged.

The City Council shall set the purchase price for the sale of lots, portions of lots and subdivisions in the Oakland and Catholic Cemeteries and the fees for digging, filling, tamping of graves and other labor connected with said cemetery.

OWNERSHIP RIGHTS OF INTERMENT

The City shall have the right to assume at all times that the lot owner acquired his lot **or portion of a lot** for the interment of himself and members of his family. Unless otherwise directed in writing filed in the Cemetery office by the owner, his devisees or heirs, the Cemetery will permit the interment of members of his family at the request of any interested person upon proof of eligibility for burial as follows:

- A. The surviving spouse of the lot **or portion of a lot** owner shall have the first right of interment or to direct the right of interment.
- B. When there is no surviving spouse, the devisees or heirs of the owner may by agreement in writing, determine who among them shall have the right of interment or direct his interment, which agreement shall be filed with the Cemetery office.
- C. In the event the owner, his devisees or heirs shall not have arranged for future interments then the devisees or heirs as the case may be, of such owner shall have the right of interment in the order of their need.

When there are two or more persons interested as owners of a lot **or portion of a lot** no dividing line within same will be recognized by the Oakland and Catholic Municipal Cemeteries, all owners having equal right of interment.

All burial rights in Cemetery lots **or portions of lots** purchased from the City occupy the same position as real estate at the death of the owner. Only such persons as names appear on the Cemetery records of the family will be recognized as owners or part owners of lots **or portions of lots**.

The title to a Cemetery lot **or portions of lots** invests in the owner the right to use such lot **or portions of lots** for burial purposes only for themselves and heirs.

Owners may not resell or transfer their lot or parts of lots to anyone whomsoever. Transfer may be made only within the immediate family and only by surrender of the original deed and issuance of new deeds by the City to the new owners of lots or parts of lots so transferred.

It shall be a condition of all deeds issued that the purchaser in the event he should desire to dispose of his lot **or portions of lots** can sell only to the City of Keokuk.

CARE OF LOTS

The term "Perpetual Care" shall be construed to mean the obligation, which the City assumes to use the net annual income received from investment of the fund in furnishing such care as necessary. Such care shall include maintaining a pleasing lawn, leaf disposal, filling sunken graves, caring for avenues, alleys, fences, buildings and grounds in general, it being understood that such expenditures shall be made at the discretion and under the direction of the officer in charge of the Cemetery.

An annual care charge will be made by the City on those lots in the older portions of the Cemeteries which are not at present under perpetual care. Lot owners may if they so desire secure perpetual care for such lots by paying the current charge made in new lot sales. The City reserves the right to refuse to furnish services or to permit the erection of any monumental work to these lots not under perpetual care or when the annual care charge has not been paid in advance.

PRIVILEGES AND RESTRICTIONS

No mounds shall be raised upon any grave above the general level of the lot. Mounds are difficult to maintain as the sod grows in an unnatural position and is easily injured by heat, drought, and frost. The City reserves the right at any time to remove unsightly mounds and re-sod the grave in the general level of the lot.

No hedges, fences or enclosures of any kind will be permitted on or around lots. Wooden boxes, glass jars, bottles, toys and other unsightly objects will not be permitted and when used will be removed by the City without notice.

Flags and emblems may be used for a five-day period around May 30 but will be removed without responsibility for preservation if still in place after the five days.

Artificial flowers and wreaths will be removed by the Cemetery when they have lost their original color.

All landscaping, care of lots and other work in the cemetery will be done by the City but each lot owner should feel free to consult with the Superintendent at any time for advice. Assistance will be cheerfully given and may be of much value to those contemplating the purchase of monumental work or of making lot improvements.

The Cemetery reserves the right for its workmen and those persons necessary to perform all normal cemetery operation to enter upon or cross over any lot in the performance of such duties. The Cemetery or its employees assume no liability for damage, actual or mental anguish, in the performance of its normal operation, or loss by vandalism or other acts beyond its reasonable control.

The City reserves the right to amend or change rules and regulations to conform with newly developed Cemetery practice.

The City reserves the right to alter, change, or close alleys, roadways, water mains, and other physical properties of the Cemetery. Trees will not be removed to make additional burial space.

RULES FOR VISITORS

The Cemetery will be open to visitors at all times during daylight hours.

Persons or picnic parties with refreshments will not be admitted.

Dogs will not be allowed in the Cemetery.

Firearms will **not** be allowed in the Cemetery, **the exception being those used** at Military funerals.

Visitors are required to use walks and drives and are forbidden to trespass on cemetery lots or pick any flowers (either wild or cultivated) or injure, deface or destroy any shrub, tree, flower, stake, post, fence, monument, vault or other fixture, building or thing of value or ornament in the Cemetery or to erect any monument bearing the words "Perpetual Care" unless the perpetual care fee has been paid.

Boxes or wilted flowers must not be deposited on roadways, gutters, walks or lots but must be either removed from the grounds or placed in the containers provided by the cemetery.

INTERMENTS

Interments will be made on all days of the year except Easter, Memorial Day, and Christmas Day. Interment on these days will be made only by order of the Board of Health. An additional charge will be made for all interments made on **Saturday**, Sunday, or legal holidays.

All interments shall be made in a permanent type outside container. The City reserves the right to supply a minimum quality outside case of sufficient strength to support earth covering at a cost, plus handling charge if not otherwise supplied.

All graves shall be dug by the City under the direction of the Superintendent. Depth of graves shall conform to the rulings of the Iowa State Board of Health.

A charge for opening and closing a grave and the necessary sodding or seeding of the grave will be made at the current rate set by the City, which shall be paid in advance of interment and include opening of grave, removal of excessive material, refilling and sodding or seeding.

The City reserves the right to designate and set aside portions of the Cemetery for the exclusive use of fraternal, religious, and other groups.

The lot owner or funeral director shall designate the location of the graves on the lot to the Superintendent on an approved form furnished by the City. Any interment directions received by telephone will make the person calling responsible. Any change of location made after the opening of the grave has begun shall be at the expense of the lot owner. When definite information for location of the grave is not available in ample time for grave preparation to meet the time requested for interment, the Cemetery will exercise its best judgment in making location in order that the requested time of interment may be met. The Cemetery assumes no responsibility for any error in such location and an additional charge will be made for any change requested.

The Cemetery Superintendent shall be given 24 hours' notice in summer and 36 hours' notice in winter when the ground is frozen for the opening and preparation of the grave prior to interment.

The interment of two bodies in one grave will not be allowed except in case of mother and infant, twin children, or two children buried at the same time.

The interment of one body and a cremation or two cremations will be allowed in each grave site.

A double depth grave will be permitted providing that ample time is given the Cemetery to make it ready. An additional fee will be charged for the opening and closing of a double depth grave. No interment of a body other than that of a human being will be permitted.

As soon as flowers, wreaths, emblems, etc., used at funerals or placed on graves at other times become unsightly and faded, they will be removed and no responsibility for their protection or maintenance is assumed.

REMOVALS

Removal of bodies from the graves in the Cemetery must be done in the manner prescribed by law.

STONES AND MONUMENTAL WORK

All stone and monumental work shall be subject to the following regulations. All memorial foundations shall be placed on solid ground not included in actual grave space except where grave liner is of permanent type and of sufficient strength to support weight of foundation and memorial and will not interfere with future grave openings.

Each monument or grave marker shall rest on a foundation constructed by a reputable monument dealer. **Charges for foundation work will be the sole responsibility of the lot or grave owner.** Such foundations shall be specifically approved by the Cemetery Superintendent before construction.

For large monuments the City reserves the right to require the construction of a foundation of such material, size and design as will provide ample insurance against possible settlement or injury to the stonework, The top of the

concrete foundation will be constructed approximately one inch below the base of the stonework so as to permit the monument or marker to be set in a bed of concrete mortar evenly covering the concrete base. No foundation will be installed under two feet in depth.

Heavy trucking will not be permitted within the Cemetery, when in the opinion of the Superintendent, such trucking might cause injury to the driveways.

Stone or monumental work will not be permitted on a lot until lot is fully paid for and the City reserves the right to refuse permission to erect any monument not in good keeping with the appearance of the grounds.

Stonework or monumental work once placed on its foundation shall not be removed except by permission of the Superintendent of the Cemetery in writing.

The temporary marker provided at the time of interment is considered by the Cemetery to be a temporary marker. The City assumes no responsibility for these temporary markers. Temporary markers will be permitted for a reasonable length of time for the lot owner to erect a permanent marker or memorial.

The erection of a temporary marker with the intention that it will serve as a permanent marker is forbidden. Temporary markers will be removed when they no longer present a neat appearance.

VAULTS

Vaults and mausoleums may be placed only on such lots as may be set aside or designated by the City for such structures. All applications for permits to erect such structures shall be made in writing to the Cemetery Superintendent. Complete plans and specifications of the proposed construction, including details of materials, workmanship, method of construction, etc. shall accompany such application and the approval of the Cemetery Superintendent shall be obtained thereon before any construction work is begun. **This** right is reserved to prohibit the erection of any structure that is not considered safe, suitable or desirable.

Before any vault or mausoleum may be erected the lot owner will be required to deposit in the Perpetual Care Fund of the City such amounts as the City may deem necessary as a trust, the income from which is to be used in the care and maintenance of the structure and the ground. Such amount in no case shall be less than ten percent (10%) of the cost of the structure.

Vaults or mausoleums will not be permitted on lots containing less than one thousand (1000) square feet and the portion of the lot occupied by the building shall not exceed twenty percent (20%) determined by the City, but in no case will permission be given to set the building within ten (10) feet of lot line.

TREES, SHRUBS, AND FLOWERS

All landscaping including planting of trees, shrubs, and flowers will be done by the cemetery, but lot owners are urged to feel free to consult with the Superintendent regarding matters pertaining to the general beautification, care, and maintenance of lots in the Cemetery. Existing individual lot plantings may be removed by the City when they become unsightly or undesirable and may not be replaced.

Until recent years indiscriminate plantings trees, shrubs and flowers on the cemetery lot was common practice. This was well and good when cemeteries were small and cared for largely by individual lot owners. As they grew in size and lot owners passed away or migrated to other localities, care and maintenance was left more and more to cemetery management to perform. In time this became a problem of increasing proportions for the cemetery from the standpoint of finances and labor required to do the job, and general landscape appearance.

A growing tendency has developed through maintenance problems and desire by lot owners, to concentrate cemetery planting in the hands of the cemetery with much nicer appearance and better maintained cemeteries as a result. The Oakland Cemetery has proved to be no exception to this growing practice.

Fresh cut flowers may be used any time and will remain until, in the judgment of the Cemetery, they become wilted or unsightly. Containers for cut flowers are to be of a type level-with the ground surface and not holding water when not in use; or of the type to be disposed of when flowers are removed.

Potted plants may be set on lots, without disturbing sod, on special occasions such as Memorial Day, birthdays, anniversaries, etc., but, if not removed within 5 days, will be picked up and destroyed if unsightly.

Artificial decorations are discouraged in summer months and when used will be treated as fresh flowers and potted plants. Artificial pieces may be used between November 15th and March 15th.

No person will be permitted to trim, prune, or remove branches from any tree or ornamental shrub in the Cemetery whether on his lot or not. All work of pruning or trimming trees and shrubs shall be done by the Superintendent or under his direction. Upon request the Superintendent will do any pruning needed without charge.

Plants or flowers may not be taken up or removed from the Cemetery or cuttings removed from plants without permission from the Superintendent or under his direction. The observance of this rule is necessary to prevent the theft of plants. Many plants, especially vines, interfere with the proper care of the lots and graves and injure the grass. Such plants will be removed when found objectionable. All grave and flower beds will be cleaned of tender plants after the first frost in the fall.

SUGGESTIONS

It is urged that lot owners interest themselves in the present and future care of their lots, as a single neglected lot mars the beauty of an entire section.

It is important that care be taken in selecting a monument to get a design which will harmonize with its surroundings and not be a monotonous repetition of other stones in the Cemetery. Marble monuments are not permanent in this climate and their use should be avoided. Granite offers the greatest permanency of any of the stones commonly used. It is desirable that the Cemetery Superintendent be consulted before ordering monumental work.

Purchase of a cemetery lot before need is deemed wise and is strongly urged. A pre-need selling campaign is not carried on by the City Cemetery, but instead uses the expensive cost of a selling campaign for improvement, care, and perpetual care fund.

Prospective patrons may feel free to visit the Cemetery for information without obligation or pressure to select. Lot owners are urged to feel free to contact the cemetery at any time if the meaning of these Rules and Regulations are not clear or if other information is desired.