

II. PURCHASE OF CEMETERY PROPERTY

Persons desiring to purchase a grave space in the Cemetery are referred to the Cemetery staff. The staff will have available suitable plats showing size and price of lots, and such other information as may be required and will be pleased to render assistance to those desiring to make a purchase. Upon having made a selection, the staff will take payment in full.

Veteran Grave Spaces. Shall be provided for individual veterans upon receiving payments from the County Commission of Veterans Affairs at rates charge for like care and maintenance of other lots of of similar size in the same Cemetery, as provided in Iowa Code Sections 35B.13, 35B.14, 35B.15, 35.b.17 and 35B.18..

City Lots (Potters Field). Shall be provided for needy individuals upon certification from the County Human Services Department that said individual has no resources to pay for the lot and perpetual care. Interment fee shall be required in advance of the burial. No monument work on the grave shall be allowed until the full price of the grave space and perpetual care is paid in advance.

III. OWNERSHIP RIGHTS OF INTERMENT

The terms “owner” or “ownership” shall mean the right to use a space or spaces as purchased from the City for a consideration for burial purposes (right of interment) only and under the existing or subsequent rules and regulations as prescribed by the City for such use.

Upon payment of the purchase price the City will issue an interment certificate under its seal and the interment certificate will be recorded in the records of the City as evidence of right of interment. All spaces are exempt from taxation and cannot be seized for debt, nor can they be mortgaged.

The City shall have the right to assume at all times that the owner acquired the grave spaces for the interment of the purchaser and members of the family. Unless otherwise directed in writing, filed with the City Clerk by the owner, the devisees, or heirs, the Cemetery will permit the interment of members of the family at the request of any interested person upon proof of eligibility for burial, as follows:

- A. The surviving spouse of the lot owner shall have the first right to interment or to direct the right of interment.
- B. When there is no surviving spouse, the devisees or heirs of the owner may be in agreement in writing, determine who among them shall have the right of interment, which agreement shall be filed with the City Clerk.

- C. In the event the owner, devisees or heirs shall not have arranged for future interments, then the devisees or the heirs, as the case may be, or such owner shall have the right of interment in equal successorship.

Cemetery easement holders wishing to dispose of property must finalize the transaction at the cemetery office. An interment rights certificate (deed) change fee of \$25.00 will be charged for each transaction.

The right of interment to Cemetery property invests in the owner the right to use such property for burial purposes only, for themselves, their heirs, or for any such persons as they choose to admit, and in accordance with the Cemetery rules and regulations.

IV. CARE OF CEMETERY PROPERTY

The term "Perpetual Care" shall mean the obligation, which the City assumes to use the net annual income received from investment of the fund, in furnishing care in the Cemetery. Such care shall include maintaining a pleasing lawn, leaf disposal, filling sunken graves, seeding, caring for avenues, alleys, fences, buildings, and grounds in general. It is understood that such expenses shall be made at the discretion and under the direction of the officer in charge of the Cemetery. The City shall not be bound to make a separate investment of the money set aside for perpetual care from a particular sale, but the same shall be added to the perpetual care fund of the City and the proceeds therefrom used by the City in the manner as heretofore provided. Nothing herein shall be construed as modifying any existing contract as to perpetual care. Monuments, markers, vases and other privately owned property are not covered under perpetual care.

V. PRIVILEGES AND RESTRICTIONS

Each grave space in the Cemetery will be suitably marked by the City with a permanent type marker and placed on each corner. To maintain accuracy and uniformity of marking, substitute or additional corner posts may be used only under the supervision of the Cemetery Director.

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 injury by heat, drought, and frost. The City reserves the right at any time to remove unsightly mounds and to re-seed the graves at the general level of the lot.

Hedges, trellis, fencing, glass jars, or bottles of any kind will not be permitted on or around lots. The City without notice may remove wooden boxes, flowers, wreaths, toys, cans and other objects when used. Flags and emblems may be used for a period prior to Memorial Day and Veteran's Day. When the United States flag

is in such a condition that it is no longer a fitting emblem for display it may be removed without notice and destroyed in a dignified manner.

All landscaping, care of grave spaces and other work in the Cemetery will be done by the city, but it is desired that each property owner feel free to consult with those in charge of the Cemetery at all times. Their advice and assistance will be given without charge and may be of much value to those contemplating the purchase of property, of monumental work or making lot improvements.

The Cemetery reserves the right for its workforce and those persons necessary to the performance of normal Cemetery operation to enter upon or cross over any property in the Cemetery 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 operations, or loss by vandalism or other acts beyond its reasonable control.

The City reserves the right to alter, change or close alleys, roadways, waterways, drainage systems and other physical properties of the Cemetery. Please remember the City reserves the right to amend or change rules and regulations to conform to newly developed Cemetery practice.

VI. RULES FOR VISITORS

The Cemetery will be open to visitors at all times between the hours of sunrise and sunset. Permission to enter the Cemetery at any other time must be obtained from the Cemetery staff or the Police Department.

Persons or picnic parties with refreshments will not be admitted. Dogs, cats and all other domesticated animals will be permitted in the roadways and must be under the control of their owner.

Firearms will be allowed in the Cemetery only at Military funerals and for Memorial Day services.

Visitors are required to use the roads and are forbidden to pick any flowers (either wild or cultivated) or injure any shrub, tree or plant, or mar or deface any monument, stone or structure in the Cemetery.

Vehicles traveling within the Cemetery shall proceed at a speed not to exceed fifteen (15 miles) per hour.

VII. INTERMENTS

Interments will be made on all days of the year except Sundays and City Holidays. Interments on these days will be made only by order of the Board of Health and/or the Public Grounds Supervisor. All interments with the exception of cremated remains shall be made in a permanent-type outer container that will offer grave support.

The City Cemetery staff shall dig all graves. Depth of graves shall provide a minimum cover of 18 inches. The charge for opening and closing a grave will be made at a current rate set by the City Council. The person making the funeral arrangements and funeral director shall designate on a grave location form the

location of the grave opening on the lot to the Cemetery staff. Any change of location made after the opening of the grave has begun shall be at the expense of the person authorizing the grave opening. Definite information for locating the grave must be available in ample time for grave preparation to meet the time requested for the interment. The Cemetery assumes no responsibility for any error in such location and an additional charge will be made for any change requested.

The Cemetery staff requires twenty-four hours notice prior to grave opening, and additional time may be required when the ground is frozen, for opening and the preparation of the grave prior to interment.

The interment of two or more burials in one grave space will not be allowed (two bodies in the same vault will be considered as one burial). Cremains may be interred in an occupied grave at the discretion of the cemetery supervisor. Above ground interment of cremated remains will not be provided by cemetery staff.

As soon as flowers, wreaths, emblems, flags, 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.

VIII. REMOVALS

Removal of bodies from graves in the Cemetery will be made in accordance with the requirements of the statutes of the State and by the rules of the State Board of Health. The disinterment fee will be the current rate as set by the City Council. Owners or their heirs desiring graves opened shall secure the necessary disinterment permit from the State and deliver the same to a funeral director. All removals will be made under the supervision of a licensed funeral director. The City of Webster City requires all persons desiring any grave to be reopened to complete a grave reopening authorization form before the work will be started.

Graceland Cemetery staff will provide the following service for disinterment:

1. Locate the grave or graves.
2. Accomplish grave opening or openings.
3. Back fill the grave or graves and provide grass seed as needed.

Someone other than the Graceland Cemetery staff must be retained to remove the remains from the grave, accomplish any transporting needed and placement in the relocated grave.

IX. STONE AND MONUMENT WORK

Monument Fees: Permits are required for the installation of monuments. The permits will be applied for at the Cemetery office. No

installations will be allowed without proof of receiving a permit. The fees and charges shall be established by resolution of the City Council.

All stone and monument work shall be subject to the following regulations and requirements:

All foundations shall be placed on solid ground and should not interfere with future grave openings.

The City reserves the right to limit the size of monuments and to restrict the placement of monuments and grave markers on burial lots. This is deemed necessary so the opening of graves can be accomplished by the use of a mechanical grave opening machine (backhoe).

For large monuments the City reserves the right to require the construction of the foundation of such material, size and design that will provide ample insurance against possible settlement or injury to the stonework. The top of the concrete foundation will be constructed so that there is at least a four-inch margin surrounding the monument or marker.

The setting of monuments, stones and markers, and the transportation of all tools, materials, etc., within the Cemetery grounds shall be subject to the supervision and control of the Cemetery staff. Heavy trucking will not be permitted within the Cemetery when in the opinion of the staff such work might cause injury or damage to roads or landscaped areas.

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

Stone or monument work once placed on its foundation shall not be removed, except by permission of the Cemetery staff.

The following restrictions regarding monuments and grave markers apply to the designated sections of the Cemetery as designated below:

Burial Park sections have been designated for the use of flush-type memorials only.

Monuments or markers may be placed only as the design of each individual section allows.

The temporary marker provided at the time of the funeral is considered by the Cemetery not to be permanent. The City assumes no responsibility for these temporary markers.

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

X. MAUSOLEUM

Graceland Cemetery does not have a section or any lots designated for the erection of such structures. If this type of building is desired by a

property owner, that person must make a request in writing to the City Manager and the City Council to provide such a designated area.

XI. TREES, SHRUBS, AND FLOWERS

Until recent years indiscriminate plantings of trees, shrubs and flowers on the Cemetery lot was common practice. This was well and good when cemeteries were small and care 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 proportion 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 plantings in the hands of the Cemetery with much nicer appearance and better-maintained Cemeteries as a result. With this in mind, property owners are urged to limit the use of flower boxes, artificial wreaths, and other objects to a minimum. The indiscriminate use of such objects detracts from the general appearance of the Cemetery and makes good care of the area very difficult. Any flower boxes, flowers, artificial wreaths and similar objects may be removed when not kept in good repair or appearance.

No trees or shrubs shall be planted on any lot without first securing permission of the Cemetery staff. Permission will not be granted unless the proposed planting is in harmony with the surrounding landscape and will not interfere with the care of the area. Only trees and shrubs hardy in this climate will be permitted.

In all sections the planting of flowering or decorative plants will be permitted only by the direction of the Cemetery staff.

The City will assume no responsibility of any kind for the planting, care, trimming, or preservation of any such plants, or for mowing grass or weeds within the area occupied by them.

Lots on which plantings are made in violation of the above regulations will be mowed only to the extent that the mowing equipment ordinarily used can be used without slowing the progress of the work.

At certain time periods during the year, all flowers and other decorations may be removed from the Cemetery area. The spring cleanup will begin on April 1. To assist the staff in the removal process all persons are asked to remove above ground and on the ground flower boxes, wreaths, decorations, flowers, and shepard hooks (as well as items similar to these temporary hangings). After April 10 persons will be permitted to place flowers and other decorations on above ground fixtures (i.e., saddles, vases, planters, and shepard hook type hangings as long as they do not interfere with mowing/trimming). All decorations that will be placed on the ground will not be permitted until nine days prior to Memorial Day. The post Memorial Day removal of flowers and other decorations that are placed on the ground will begin on June 10 of each year. Placement of decorations will be

permitted on November 1st. This will assist in the trimming around monuments and other permanent objects.

The United States' flags placed on the Veteran's graves will be removed in the spring around April 1 and after Labor Day in the summer. New flags will be placed on these graves in time to observe Memorial Day and Veteran's Day.

The use of glass containers is forbidden and will be removed without notice.

No person will be permitted to trim, prune, or remove branches from any tree or ornamental shrub in the Cemetery regardless if it is on the easement owner's grave space. All work of pruning or trimming trees and shrubs will be done at the direction of the Cemetery staff. Upon request the Cemetery staff will do any pruning needed without charge.

XII. FEES, CHARGES, AND PAYMENTS

The payment of all fees and charges shall be made at the Cemetery office where receipts will be issued for all amounts paid. Said effect as adopted by the City Council. Purchase of grave spaces and perpetual care shall be paid upon applying for the purchase. Interments and disinterments shall be paid prior to the work being started.

Monument Fees. Permits are required for the installation of monuments. The permits will be applied for at the Cemetery office. No installations will be allowed without proof of receiving a permit. The fees and charges shall be established by resolution of the City Council.

Veteran Grave Spaces. Shall be provided for individual veterans upon receiving payment from the County Commission of Veterans Affairs at rates charge for like care and maintenance of other lots of similar size in the same Cemetery, as provided in Iowa Code Sections 35B.13, 35B.14, 35B 15, 35B 17 and 35B 18.

City Lots (Potters Field). Shall be provided for needy individuals upon certification from the County Human Services Department that said individual has no resources to pay for the lot and perpetual care. Interments fee shall be required in advance of the burial. No monument work on the grave shall be allowed until the full price of the grave space and perpetual care is paid in advance.

The provisions for fees, charges, and payments are set out in Section 110.06 of the Code of Ordinances of the City of Webster City, Iowa 1990 and Resolution No. 91-13 which set out the original lists of fees and charges including

the provision that charges shall be adjusted annually by the Municipal Cost Index beginning July 1, 1992.

Current listing of fees and charges as of January 1, 2004 are as follows:

GRACELAND CEMETERY CHARGES

CHARGES FOR INTERMENTS AND DISINTERMENTS

Infant Graves (Newborn to 2 Years Old)	\$250.00
Child/Adult Graves	\$450.00
Burial of Ashes (Cremation Urn)	\$175.00
Burial of Ashes Requiring Greater Than a 12 Inch Diameter Opening	\$350.00
<u>Additional Charges</u>	
Saturday & Holiday Burials	\$120.00
Weekday Burials Departing Cemetery after 3:00 p.m.	\$ 80.00
Thaw Grave	\$ 80.00
Removing Monuments	\$ 50.00/Ea.
Disinterments will be charged double the cost of regular interments	

CHARGE FOR GRAVE SPACE

Traditional Grave (5' x 10')	\$550.00
Cremation Grave (5' x 5')	\$275.00

For each grave space sold, 21 percent will be deposited into the perpetual care trust account.

CHARGE FOR MONUMENT PLACED IN GRACELAND CEMETERY	\$ 40.00
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EASEMENT (DEED) CHANGE FEE	\$ 25.00
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XIII. GENERAL INFORMATION AND SUGGESTIONS

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

At times work being accomplished in the Cemetery may be done other than City of Webster City Cemetery staff. Examples of outside contractors or work crews are persons doing tree removal, stump removal, spraying for weed control, engineering and survey work, drainage line installation, burial vault and tent setup work, and persons installing monuments. Area residents should feel free at any time to contact the Cemetery staff (832-9125) with questions or concerns on any work being accomplished in the Cemetery.

Purchase of grave spaces before the need is deemed wise and is strongly urged. A pre-need selling campaign is not carried on by the Cemetery.

Prospective patrons should visit the Cemetery for information without obligation or pressure to select. These rules and regulations are intended to be in compliance with any State and/or Federal policies. Citizens are urged to contact the Cemetery at any time if the meaning or the intent of these Rules and Regulations are not clear or if other information is desired.