

CHAPTER 93: CEMETERIES

Section

- 93.01 Rules and regulations
- 93.02 Charges and fees
- 93.03 Perpetual maintenance
- 93.04 Monument restrictions

§ 93.01 RULES AND REGULATIONS.

(A) Persons within the cemetery shall use only the walkways and roads, and no one is permitted to walk upon or across lots or lawns unless it be necessary to do so to gain access to one's own lot. The town expressly disclaims liability for any injuries sustained by anyone violating this rule.

(B) Persons visiting the cemetery or attending funerals are strictly prohibited from picking flowers, wild or cultivated, breaking or injuring of any tree, shrub or plant, or from writing upon, defacing or injuring any memorial, fence or other structure within the cemetery.

(C) The following traffic conditions are prohibited.

(1) The driving of motor vehicles through the cemetery at a speed in excess of 15 mph.

(2) Driving or riding any vehicle or animal across or upon any grave, lot or lawn or parking or leaving the same thereon.

(3) Parking or leaving any vehicle on any road or driveway within the cemetery at such location or in a position as to prevent any other car or vehicle from passing the same.

(4) Making a complete or partial reverse turn of any motor vehicle on any road or driveway within the cemetery. Motor vehicles must continue forward to the next intersection of the drive before changing direction of progress.

(D) Throwing rubbish on the drive and paths or any part of the grounds is prohibited.

Knightstown - General Regulations

(E) The placing of boxes, shells, toys, metal designs, ornaments, chairs, settees, pumpkins, Easter egg trees, fencing, gravel of any kind, upon lots will not be permitted and if so placed, the town reserves the right to remove them.

(F) It is of the utmost importance that there should be strict observance of the proprieties in the cemetery. All persons within the cemetery should avoid conduct unbecoming a sacred place. The following actions are expressly forbidden:

- (1) Loud or boisterous talking;
- (2) Idling or loafing on grounds;
- (3) Bringing lunches or refreshments into the cemetery or consuming them on the grounds;
- (4) Peddling or soliciting the sale of any commodity within the cemetery;
- (5) Placing of signs, notices or advertisement of any kind within the cemetery.
- (6) Bringing unleashed dogs into the cemetery;

(7) Bringing firearms into the cemetery, except by a military escort accompanying a veteran's funeral or attending memorial services.

(G) Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Superintendent, therefore, reserves the right to make exceptions, suspensions or modifications of any of these rules and regulations, without notice, when in the judgment of the Superintendent the action appears necessary; and the temporary exception, suspension or modification shall, in no way, be construed as affecting the general application of the rules and regulations.

(H) No lot shall be used for any other purpose than for the burial of the human dead.

(I) The town will take all reasonable precautions to protect lot owners and the property rights of lot owners, within the cemetery, from loss or damage; but the town distinctly disclaims all responsibility for loss or damage caused beyond its reasonable control, and, especially, from damage caused by the elements, an act of God, thieves, vandals, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.

(J) It is the duty of the lot owner to notify the Superintendent of any change in his or her address. Notice sent to a lot owner at the last address on file in the office of the cemetery shall be sufficient and proper legal notification.

(K) The general care of the cemetery is assumed by the town and includes the cutting of the grass at reasonable intervals, the raking and cleaning of the grounds and the pruning of shrubs and trees; meaning and intending the general preservation of the lots and grounds shall remain and be reasonably cared for as cemetery grounds forever.

(L) The general care assumed by the cemetery shall, in no case, mean the maintenance, repair or replacement of any memorial, tomb or mausoleum placed or erected upon lots, nor the doing of any special or unusual work in the cemetery, including work caused by impoverishment of the soil; nor does it mean the reconstruction of any marble, granite, bronze or concrete work on any section or lot, or any portion thereof in the cemetery, caused by the elements, an act of God, thieves, vandals, malicious mischief makers, explosions, unavoidable accidents, invasion, insurrections, riots or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.

(M) No interment, other than that of an immediate relative or heir of the lot owner, may be made in any lot without written consent of the owner.

(N) No interment in excess of two or more bodies shall be made in one grave, except in the case of remains.

(O) All burials must be made in outside containers approved by the Superintendent according to specifications, (life and load, 30 years, 3,000 pounds).

(P) The right is reserved by the town to insist upon at least 24-hours' notice prior to any interments for normal working hours (Monday through Friday). Internments directly following a weekend or holiday could possibly take longer; the Superintendent will always try to work with the funeral home making arrangement to keep all delays at a minimum.

(Q) All charges must be paid before interment. Burial permits must also be in order and in possession of cemetery before interment.

(R) Besides being subject to these rules and regulations, all interment, disinterment and removal are made subject to the orders and laws of the properly constituted public authorities.

(S) The cemetery will not be responsible for any order given by telephone, or for any mistake occurring from the want of precise and proper instructions as to the particular space, lot and section, size of grave, where interment is desired.

(T) The town reserves the right to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind, from the cemetery as soon as they become unsightly, dangerous, detrimental or diseased, or when they do not conform to the standards prescribed by the town.

(U) The town will not be liable for floral pieces, baskets or frames in which floral pieces are attached beyond the acceptance of the floral pieces for funeral services held in the cemetery.

(V) Lot owners may erect proper memorial work on their respective lots subject to the approval of the Superintendent. All memorials shall be set on foundations built of concrete and of the size and depth prescribed by the town.

(W) The town does not provide foundation work for markers and memorials. The town disclaims liability for any errors in the placement or markers and memorials and their foundations.

(X) Approaching the bereaved and soliciting memorial business, within the cemetery is not permitted.

(Y) Persons engaged in erecting monuments or other structures are prohibited from attaching ropes to monuments, trees and shrubs, or from scattering their material over adjoining lots, or from leaving their material on the grounds longer than is absolutely necessary. They must do as little injury to the grass, trees and shrubs as possible and must remove all debris and restore the ground and sod to its original condition.

(Z) When heavy material is to be moved over paths or grass, planks must be laid for protection.

(AA) The right is reserved by the town to refuse to permit the work unless the grounds are thoroughly settled and in good condition.

(BB) While a funeral or interment is being conducted nearby, all work of any description must cease.

(CC) Should any memorial become unsightly, dilapidated or a menace to life and limb, the town will notify parties to correct or remove same. Any cost incurred shall be at the expense of the lot owner.

(DD) On placing a stone or monument that takes a departure from the present and established types; (such as specialized themes, extreme size and the like), must first be approved by the Superintendent.

(EE) Special care and maintenance of lots may be done with prior permission of the Superintendent.
(Prior Code, Ch. 17.02, § A)

§ 93.02 CHARGES AND FEES.

The following charges and fees are established for the cemetery.

(A) The space fee for ground burial: \$500.

(B) The opening and closing for in-ground burial.

(1) Monday through Friday: \$500.

(2) Saturday: \$600.

(C) Foundations for monuments: \$15 per cubic foot.

(D) Burial for cremation remains: \$200.

(E) Burial lots for cremation: \$200, except that the burial in a regular lot will be \$500.

(F) A baby space or lot: \$150.

(G) A baby burial: \$150.

(H) Foundations for military plaques: \$100.

(I) Removal of a body, such as, disinterment: \$500.

(Prior Code, Ch. 17.02, § B) (Am. Ord. 2-2003, passed 4-16-2003)

§ 93.03 PERPETUAL MAINTENANCE.

A fund is established to provide resources for the perpetual maintenance of the cemetery.
(Prior Code, Ch. 17.02, § C)

§ 93.04 MONUMENT RESTRICTIONS.

(A) All grave lots, regardless of size, are restricted to 1 upright marker. Each space within the lot may have a flush marker.

(B) The following size restrictions on upright markers shall be enforced:

(1) For single spaces: 42-inch width.

(a) Maximum foundation length: 40 inches.

(b) Maximum memorial base width: 12 inches.

(c) Maximum memorial height: 30 inches.

(2) For double spaces: 84-inch width.

(a) Maximum foundation length: 80 inches.

(b) Maximum memorial base width: 12 inches.

(c) Maximum memorial height: 30 inches.

(3) Maximum foundation width for single and double spaces shall be 18 inches.

(Prior Code, Ch. 17.02, § D)