

Rules & Regulations

Hazelwood Cemetery Grinnell, Iowa



Effective July 1, 2015

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Forward

It is the desire of the City of Grinnell to make Hazelwood Cemetery a quiet, beautiful place and a symbol of love and faith. To this end and for the mutual protection of lot owners, the following rules and regulations have been adopted by the City Council of the City of Grinnell, Iowa, as the rules and regulations of Hazelwood Cemetery.

All lot owners and visitors within the Cemetery and all lots sold shall be subject to these rules and regulations, amendments, or alterations. Reference to these rules and regulations in the deed or certificate of ownership to a lot shall have the same force and effect as if set forth in full therein.

It is the duty of the City of Grinnell to preserve the rights conferred on them under the laws of the State of Iowa for insuring the stability of improvements, the good appearance of the grounds, a respectful manner of interment and a proper observance of the sacredness of the Cemetery.

The City reserves, at its option, to temporarily suspend or modify any rule or regulation and such temporary suspension or modification shall not be construed as affecting the general application and enforcement of such rules.

Section 1: Definitions

Cemetery

The term “Cemetery” is hereby defined to include a burial park for earth interments, a mausoleum for vault or crypt interments, a crematory and columbarium for cremation interments or a combination of one or more than one thereof.

Space

The term “space” shall apply to an area of sufficient size to accommodate one interment. “Space” shall be determined by the type of burial; i.e. adult, infant, ashes. Size of the space needed shall be determined by Cemetery Management.

Lot

The term “lot” shall apply to numbered divisions as shown on the plat maps.

Memorial

The term “memorial” shall include a monument or marker or private mausoleum for family or individual use.

Interment Rights Certificate

The term “interment rights certificate” shall apply to the original conveyance given by the City of Grinnell to the original purchaser.

Management

The term “Management” shall mean the person or persons duly appointed by the City of Grinnell for the purpose of conducting and administering the Cemetery.

City office

The term “city office” shall mean the office of the City Clerk located at 520 4th Avenue, Grinnell, Iowa.

Cemetery office

The term “cemetery office” shall mean the office maintained at Hazelwood Cemetery, Grinnell, Iowa.

Perpetual Care

The term “perpetual care” shall be construed to mean the obligation which the City of Grinnell assumes to use the net annual income received from the investment of the fund to furnish such care as covered by same, the fund to be invested in compliance of the laws of the State of Iowa.

Trust Agreement

The term “trust agreement” shall mean the document designating the City of Grinnell as the trustee of the perpetual maintenance of internment spaces and cemetery property at the Hazelwood Cemetery, Grinnell, Iowa.

Section 2: Perpetual Care

At the time of purchase of a cemetery lot in Hazelwood Cemetery, a fee shall be paid for the perpetual care of the cemetery lot. Monies to pay for the Perpetual Care shall be placed in a Perpetual Care fund. This fund is an irrevocable trust from which deposits cannot be withdrawn, and the income from said fund shall be used by the City of Grinnell for the maintenance, repair and care of Hazelwood Cemetery.

Amounts paid for Perpetual Care shall be set by Resolution of the City Council, and payments made for the purchase of a cemetery lot shall first be credited to the Perpetual Care fund.

If the owner of said lot wishes to sell the lot back to the City of Grinnell as specified in Section 4 of this document, only the fee for the Cemetery Lot is to be refunded. Perpetual Care payments cannot be withdrawn from this irrevocable trust, even in the event of cancellation or sale back to the City of Grinnell.

Section 3: Trust Agreement

The City of Grinnell has a Trust Agreement on file designating the City of Grinnell as the trustee of Hazelwood Cemetery, Grinnell, Iowa.

As the trustee of Hazelwood Cemetery, the City of Grinnell is responsible for the perpetual maintenance of interment spaces in the cemetery and the perpetual maintenance of cemetery property.

See Section 5: Lot Care for more information on the perpetual maintenance of Hazelwood Cemetery.

Section 4: Purchase of Lots

All lots sold and the use of such lots is subject to the rules and regulations of Hazelwood Cemetery now in effect or any amendments thereto. Any statements of employees or agents, unless confirmed in writing by the City Council, shall in no way bind the City.

Lots may be purchased on deferred payments, on terms embodied in a contract made with the City. In the event an interment is made on a lot so purchased, the purchaser must have equity in the lot equal to or greater than the amount cost of the space to be used.

Cost of cemetery lots and perpetual care shall be set by Resolution of the City Council. Perpetual Care for these lots is to be paid at the time of the purchase. Any monies paid to the City of Grinnell for the purchase of a Cemetery Lot shall first be credited to the cost for the Perpetual Care.

Burial and cemetery operation costs will be set in the Rental & Equipment Fees and Policies.

Cemetery lots must initially be purchased at the cemetery office at Hazelwood Cemetery. Cemetery employees will then transfer the payment for the lots and the lot sale information to the city office.

If a purchase is made on a time-payment basis, a down payment of \$100 must be obtained. Cemetery lot ownership records will not show that the lot has been purchased until payment is made in full for the lot.

Arrangements for a time-payment plan for a cemetery lot must be made in order to designate or specify a lot for a particular owner. Lots will not be "held" pending a possible sale unless a down-payment has been made.

Policy – Procedure on Sale of Cemetery Lots and Perpetual Care will be provided to individuals who request a copy.

It is the duty of the lot owner to notify the city office of any change in address.

Section 5: Ownership Rights of Interments

- A. The surviving spouse of the lot owner shall have the first right of interment.
- B. In the event the owner shall not have arranged for further interments, then the individual(s) specified in the owner's will shall have the right of interment in the order of descent of title according to Cemetery Law.

If it isn't specified in the will, then the executor of the estate shall determine who has the right of interment. Signatures will be required from any remaining heirs approving the executor's decision.

If the owner of a lot gives permission for others to be buried on remaining spaces on the lot, this permission must be given in writing to the city office, and the owner's signature shall be notarized.

- C. The Certificate of Interment Rights to a cemetery lot invests in the owner the right to use such lot for burial of the human dead only.

If a lot owner wishes to relinquish ownership of a cemetery lot in Hazelwood Cemetery, the owner has the right to cancel by returning the deed to the City of Grinnell only if the City of Grinnell has a buyer for that particular lot. A refund of the original cost of the Cemetery Lot shall be made to the owner. Perpetual Care costs are non-refundable.

If the owner of a cemetery lot requests a transfer of a lot from one section of Hazelwood Cemetery to another section of Hazelwood Cemetery, a fee in the amount of \$20 shall be paid by the owner to cover the cost of the transfer. If an increase in the sale price has been made since the original lot was purchased, the owner shall be required to pay the difference from the original lot price and the current lot price.

Section 6: Lot Care

The fee for the Perpetual Care for a cemetery lot will be the first amount paid and will be placed in the Perpetual Care Fund as explained in Section 2 of this document.

The Perpetual Care shall include the cutting of grass at reasonable intervals, the raking and cleaning of the grounds, and the pruning of shrubs and trees that may be placed by Cemetery Management.

The general care or perpetual care assumed by the City of Grinnell shall in no case mean the maintenance, repair, or replacement of any memorial, tomb, or mausoleum placed or erected upon lots, or the doing of any special or unusual work in the cemetery, including work caused by the impoverishment of the soil, nor does it mean the reconstruction of any marble or granite work on any section or lot, or any portions thereof in the cemetery caused by the elements, an act of God, common enemy, thieves, vandals, accidents, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be direct or collateral other than as herein provided.

Section 7: Rules for Visitors

The Cemetery grounds will be open to visitors except during the hours of 11:00p.m. to 4:30 a.m. daily, as provided by ordinance of the City Council.

Rules and regulations regarding use of the cemetery grounds are set by Ordinance of the City Council.

The following is expressly prohibited:

- Loud or boisterous talking
- Idling or loafing on the grounds or in any of the buildings
- Bringing lunches or refreshments into the Cemetery or consuming them on the grounds, unless a part of the burial ritual
- City ordinance prohibits dogs from running at large
- Firearms will be allowed in the Cemetery for a military funeral only.

Section 8: Privileges & Restrictions

The driving of motor cars or other vehicles through the gates or in the Cemetery at a speed greater than 15 mph is prohibited.

Driving any motor car or other vehicles across or upon any grave, lot or lawn or parking or leaving the same thereon is prohibited.

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

The City reserves the right to:

1. Enlarge, reduce, replat or change the boundaries or grading including the right to modify or change the location of or remove or re-grade roads, drives, or walks, or any part thereof.
2. Lay, maintain and operate, or alter or change pipe lines or gutters for sprinkling systems, drainage, et cetera.
3. Use Cemetery property not sold to individual plat owners for cemetery purposes, including interment of the dead or for anything necessary, incidental or convenient thereto.
4. Perpetual right and control of ingress and egress over lots for the purpose of passing to and from other lots.

Descriptions of lots shall conform to the cemetery plats which are kept on file in the cemetery office and the city office.

The City reserves, and shall have the right to correct any errors that may be made in making interments, disinterment, or removals or in the description, transfer or conveyance of any interment property, either by canceling such conveyance or by replacing with a similar location, as may be selected by the City, or in the sole discretion of the City, or by refunding the amount of money paid on account of said purchaser.

In the event an error involves the interment of the remains of any person in such property, the cemetery reserves, and shall have the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

Section 9: Interments & Disinterment

The Cemetery will open for interments from 7:00 a.m. to 3:00 p.m. daily with the exception of Sundays and holidays.

Interments may be scheduled on a Saturday and additional charges will be applied.

Exceptions may be made where an unreasonable hardship may be caused or by order of the Board of Health. Special interments made by this cause may carry an additional charge.

All funerals on entering the Cemetery shall be under the charge of the Cemetery Management and once a casket containing a body is within the confines of the Cemetery, no funeral director nor their embalmer, assistant, employee, or agent shall be permitted to open the casket or to touch the body without the consent of the legal representative of the deceased or an order signed by a Court of Competent Jurisdiction.

All orders for interments in lots must be approved by the owner of the lot or the owner's legal representative. When this is impossible because of illness or other reasonable cause, telegraphic or telephone permission will be accepted but will make the person calling responsible and any change of location made after the opening is begun shall be at the expense of the lot owner. Should the lot owner fail or neglect to make such designation, the Cemetery reserves the right to make interment in accordance with normal cemetery procedure. The Cemetery assumes no responsibility for any error in such location and an additional charge will be made for any change requested.

If Cemetery Management receives direction from a lot owner or funeral home to open a grave site, and then a change is made after the site is opened, an additional charge will be assessed to the owner or funeral home making the initial request.

Cemetery personnel or designated contractual services hired by the City of Grinnell will be the only workers permitted to open and close graves.

All charges for interments or services in connection therewith, shall be paid at the city office and payment of any and all indebtedness due the Cemetery must be arranged for before interment is made.

The right is reserved by the City to require at least 24 hour notice in summer and 48 hours in winter when the ground is frozen, prior to any interment. All interments, disinterment and removals must be made in the manner, and upon the charges fixed by the City.

Section 10: Floral Decorations & Plantings

The Cemetery will undertake to maintain, as may be practicable, the planting of trees and shrubs, to preserve and maintain landscape features, but does not undertake to maintain individual plantings or urns of plants.

Your Cemetery encourages the use of floral tributes on the graves of your loved ones, however, the beauty and continuity of your Cemetery depends on the cooperative efforts of all families who have loved ones in our care. Therefore, some regulations of grave decorations must be adhered to.

Regulations Regarding Items Other Than Flowers

The permanent placing of tows, boxes, ornaments, chairs, settees and similar articles may ONLY be located on the foundation – at the side of the monument. The City reserves the right to remove these items.

Flower Regulations

Fresh cut flowers and plantings which are set into the permanent containers on the foundations will be permitted at all times.

Flowers/plantings will be removed when they become unsightly.

Fresh cut flowers and fresh potted plants will be permitted on new graves, but will be removed when they become unsightly. All flowers shall be placed on the foundations where possible. Planting flowers or digging up the turf on the graves is not permitted.

Artificial bouquets or plants which are set into the permanent containers on the foundations will be permitted at all times, but will be removed when they become unsightly.

Artificial wreaths and evergreen blankets are permitted between November 15 and March 15. All other memorials not permanently affixed to the foundation shall be removed by April 15 of each calendar year.

GLASS RECEPTACLES WILL NOT BE PERMITTED IN HAZELWOOD CEMETERY.

The City of Grinnell and Hazelwood Cemetery does not assume any responsibility for the loss or damage of any floral decorations or other memorials or their containers.

If an item has been removed from a grave site, please check with Cemetery Management.

Section 11: Monument Regulations

In order to perpetuate the beauty and continuity of the Cemetery, the City reserves the right to enforce all rules and regulations here set forth and others that might seem necessary for a particular situation.

1. All monument work must be approved by the City as to material, design, inscription and location on the lot.
2. Any unauthorized monument work will be removed from the grave until proper arrangements have been made at the city office or cemetery office.
3. No monument work will be allowed on lots or graves until all cemetery obligations to the City are paid in full.
4. In the event that a lot is purchased for multiple cremation burials, only one monument per single space is allowed. A “monument” may be a “Head Marker” (single stone), a “Flush Marker” (the temporary marker set by the funeral home), or “Companion Marker” (a single or double stone with more than one name inscribed).

5. The City has approved the purchasing of lots for the purpose of erecting a memorial. Cost for the lot shall be the same as for a burial lot.
6. Military markers will be allowed on lots.
7. Markers, in addition to the monument, may either be attached to the monument or flush with the ground.
8. Lots now containing a certain size or style of marker may be duplicated.
9. Only granite or bronze will be permitted in all monument work.
10. Any monument work not approved by the Cemetery Management and not meeting the criteria set forth in this section shall be removed at the expense of the contractor.
11. Striving for surrounding of peace and beauty as a setting for monument work prohibits advertising of any description within the Cemetery. However, a small emblem or insignia inconspicuously located on the memorial will be permitted.
12. No monument will be permitted without a foundation permit. All foundations shall comply with City specifications or be subject to removal. Foundation specifications are stated in Section 11 of this document.

Inspection permit costs for foundations are set by Resolution of the Grinnell City Council. It shall be the responsibility of the individual or company selling the monument to obtain and pay for the foundation inspection.

The temporary marker provided by the funeral directors are assumed to be short lived and the City assumes no responsibility for same.

Section 12: Foundation Specifications

The following specifications are for foundations installed in Hazelwood Cemetery and will be enforced by the Management of said Cemetery.

Location

Cemetery staff shall mark the location of the lot for each foundation order and shall approve the location of the foundation on the lot. Cemetery Management is responsible for the positioning of the foundations, so long as that position is not in conflict with established city guidelines.

Size

The size of the foundation is determined by the size of the monument being placed on the foundation. The monument shall be centered on the foundation with 10 inches on each side of the monument, and 4 inches on front and rear of the monument. Floral containers may be placed in this 10 inch space at each end. Example: A monument that measures 36" x 10" would need a foundation that measures 56" x 18". The maximum width of the foundation shall be 24".

Note: It shall be the responsibility of the individual or company selling the monument to contact Cemetery Management, to assure the size of the lot will accommodate the foundation.

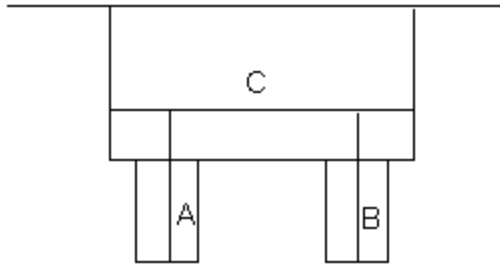
Depth

The foundation shall be dug at minimum of 2 feet deep, the full width of the foundation, with a 12 inch post hole another one foot deep. One post hole for every 20 inches of foundation. Example: 60 inch long foundation will need 3 post holes.

In the event that a marker is to be placed on the lot, such that it is over the vault, the foundation shall be in contact with the burial vault.

Re-rod

Re-rod shall be used to tie the post holes together with the rest of the foundations. (See illustration below.)



A & B: 2' Long Re-rod

C: Re-rod run full width of foundation and tied to A & B

Alternative

If the post holes and re-rod are not desirable to the contractor, then the foundation may be dug 3 feet deep the full width of the foundation.

Inspection

Cemetery Management shall inspect all foundations prior to delivery of concrete. If any violations are found, said violations must be corrected prior to delivery of concrete. All cost associated with the foundation will be the responsibility of the contractor and not the City of Grinnell.

Fee

An inspection fee as approved by the Grinnell City Council shall be charged for each foundation.

Hazelwood Cemetery Map

