

TITLE 6

BAINVILLE CEMETERY

Chapters:

6.02.010	General Rules of Conduct
6.02.020	Acquiring Lots
6.02.030	Charges for Lots
6.02.040	Payment of Charges
6.02.050	Interments and Funerals
6.02.060	Monuments and Markers
6.02.070	Disinterments -Relocation of Bodies - Vacation of Lots
6.02.080	Grave Opening, Handling, Storing, and Replacement of Excavation
6.02.090	Repealed

6.02.010 General Rules of Conduct

- A. Lot owners, their families and visitors will be admitted daily and are required to observe all rules adopted for the regulation of visitors.
- B. Persons under the age of fifteen (15), unattended by adult persons who will be responsible for their conduct will not be admitted.
- C. Horseback, bicycle, motorcycle, 3 or 4 wheel all-terrain vehicle, or snowmobile riding will not be permitted within the grounds.
- D. Automobiles must proceed over approved routes, within posted speed limits, and be kept under complete control at all times.
- E. Alcoholic beverages will not be allowed within the grounds.
- F. Picnic and refreshments will not be allowed, with the exception of persons engaged in an organized clean-up or work day.
- G. No persons with firearms or dogs will be permitted within the grounds.
- H. Discharging of firearms, other than regular volleys at burial services, is prohibited in and around the cemetery grounds.
- I. All persons are forbidden to sit, walk upon or otherwise occupy any lot not their own. Strangers shall not approach an open grave during funeral interment services.
- J. Trucks and vehicles of cumbersome description or excessive weight *will* not be allowed to enter the grounds without special permission of the Town.
- K. All persons, with the exception of those engaged in Town authorized maintenance and clean-up, are prohibited from removing any plants, breaking any trees or shrubs, marking any stone work or monuments, or in any way defacing the property of lot owners or of the Town, excepting that lot owners may remove any temporary decorations they have previously placed, annually after Memorial Day until 5:00 PM on the second Sunday following Memorial Day or at that same hour on the second Sunday following a funeral, after which the Town shall dispose of such decorations in its sole discretion.
- L. No improper use of the National flag will be permitted in the cemetery,

nor will the display of any worn out and tattered flag be allowed.

M. The Town reserves the right to refuse admission of all improper persons and to expel those who may violate any of the rules of the cemetery.

N. The Town of Bainville as owner and operator of the Bainville Cemetery reserves the exclusive right to all landscaping design and installation to itself, excepting only those rights expressly granted herein to lot owners including, but not limited to, the planning, placement and type of trees and shrubs and the pruning and or removal thereof.

6.02.020 Acquiring Lots

A. Persons desiring to purchase lots are invited to visit the cemetery and the Town Hall where the Clerk will display the Cemetery plat for choosing a lot which will then be recorded in the proper journal and a cemetery deed will be issued.

B. Lots in the cemetery are conveyed to the purchaser, their family and heirs, forever for the purpose of burying the human dead.

C. Lot ownership will be kept in the record book of the Town under the direction of the Town Clerk and will be the only evidence of title of the property recognized by the Town. No lot shall be subdivided or transferred without Town approval. Abandon lots will revert to Town ownership.

D. The Town may, by mutual agreement with any lot owner, repurchase any unused lot from an owner or authorized person, by paying a sum not to exceed the sum originally paid to the Town for such lot.

E. No lots will be sold on ground that has not been pinned and platted.

F. Lots sold in new addition and thereafter shall be in sequential order.

6.02.030 Charges for Lots

A. The price for individual cemetery lots is \$50.00 for a 16' x 16' lot each

B. Arrangements for interment and disinterment by family, responsible person, or Morticians must be with qualified private contractors. The Town has no equipment to do the work nor is there a charge by the Town for excavating.

6.02.040 Payment of Charges.

A. All charges for lots, services, and devices, are payable in advance unless otherwise agreed and with a guarantee of payment.

B. In all instances where a Mortician arranges for the purchase of a lot or for interment, such Mortician shall assume the liability for payments to the Town for the cost of such lot or to others for interment.

6.02.050 Interments and Funerals.

A. The following particulars are required for record: Name of deceased; place of birth; last residence; age; disease; date of death; date of interment; place of death; whether married, single, or widowed; and names of the nearest of kindred.

B. If the order for interment is for a deceased not of the immediate family of the lot owner, permission in writing from such lot owner or authorized person must be filed with the Town Clerk.

C. When lots are held jointly by two (2) or more persons, either by descent, devise or purchase, an order will be accepted from either of them or their heirs for interment in such lots as they shall require.

- D. Orders for burials will be accepted in writing only addressed to the Town Clerk.
- E. Only one interment will be allowed in one grave except in case of mother and infant, or twin children, or two (2) children buried at the same time.
- F. Funerals while within the cemetery grounds will be under control of the respective Mortician and religious leader.
- G. Type of material used for a vault shall be concrete or otherwise within industry standards.

6.02.060 Monuments and Markers

- A. The use of monument is permitted in the cemetery centered on the plot.
- B. Monuments and markers can be made of no other material than granite, marble or standard bronze upon a cement pad.
- C. All stone work shall have the surface next to the foundation squared so as to allow full bearing on the foundation.
- D. The foundation pads of all monuments shall be built flush with the surrounding ground and to provide for a border of from 4 to 6 inches in width around the bottom for the base of the monument, and shall be of adequate strength to permanently support the monument in a true position.
- E. No person is allowed to erect, remove, or replace any monument or marker without first securing permission from the Town Clerk, these persons will be responsible for correct erection or replacement as describe in article "D" above.
- F. Any monument company or its agent may be prohibited from placing or setting a monument or marker in the cemetery -if it has mis-represented itself to the Town or client, if complaints have been received from purchaser's whose monuments or markers have been paid for -to the effect that such company has not lived up to its agreement.
- G. The small stake mounted markers normally supplied by Funeral Homes must be removed when permanent markers or monuments are installed. If monumentation is not planned, these markers must be driven flush with surrounding ground. All temporary marks in place after the adoption of this ordinance will be removed or driven flush with the surrounding ground.

6.02.070 Disinterments -Relocation of Bodies - Vacation of Lots

- A. Graves reopened for official inspection of for any other purpose will be allowed only when all statutory provisions relating to the procedure have been complied with.
- B. Reburial in another lot after disinterment will be allowed only after purchase of a new lot as per section 6.02.040 of this code and replacement and satisfactory closing of the original grave
- C. All costs incurred due to disinterments or relocation of bodies must be borne by the responsible family member or lawfully authorized representative.
- D. Vacation of previously occupied lots may be disposed of as per section 6.02.020-D of this code.

6.02.080 Grave Opening, Handling, Storing, and Replacement of Excavation.

- A. No grave will be dug unless staked by authorized personnel.
- B. No dirt will be placed directly on the ground, but will be either loaded on a truck or piled on a ground cover of material sufficient to keep dirt from the grass
- C. A mound of no more than 6 inches of dirt will be left on the grave, and excess dirt will

be removed from the grave site

D. Driving on existing graves is prohibited, unless absolutely necessary for excavation purposes, after which any damage must be repaired.

E. The responsibility of the above will lie with the person engaging in the work, and any and all costs involved for compliance will be theirs.

6.02.090 Repealed.

A. Those ordinances or parts of ordinances in conflict herewith are hereby repealed.