

Monmouth Cemetery Office*

720 N. 6th Street

Phone: 309-734-2532 or 309-734-2141

* Office Hours are varied as Sexton is part-time. Please call ahead to one of the above-listed numbers.

CITY OF

MONMOUTH
ILLINOIS

CEMETERY

720 N. 6th St.

RULES and REGULATIONS



2014 Edition

FOREWARD



For the mutual benefit and protection of every lot owner or plot owner these rules and regulations are hereby adopted as the rules and regulations of the Monmouth Cemetery and its additions. All lot or plot owners and visitors within the Cemetery shall be subject to said rules and regulations and any future rules and regulations, amendments or alterations as shall hereinafter be adopted by the Cemetery Board and the Monmouth City Council.

*** CEMETERY CLEAN-UP. Complete general clean-up of all flowers and grave decorations will be scheduled at the following times:**

- 1) The first Monday in April to allow for mowing to prepare for Memorial Day.**
- 2) The fourth Monday in October except for certain designated lots that are under separate contract and have been approved by Cemetery Sexton for later removal.**

During the scheduled clean-up times, all live flower arrangements along with any silk arrangements will be removed by the Cemetery and disposed of. The clean-up times will be advertised through the media and also posted at the entrances to the Cemetery, at City Hall and in the Cemetery Office.

Adoption and approval by the Cemetery Board and the City Council on June 16, 2014.

DECORATION OF PLOTS

* **FLOWER RECEPTACLES.** Flower receptacles must be set as part of the monument; set on the apron surrounding the monument/marker or placed in an approved in-ground vase. No glass receptacles are permitted. No more than one flower receptacle shall be placed per burial space.

* **ALLOWABLE GRAVE DECORATIONS.** The following decorations are permitted:

a. 1 Shepherd hook with single hook per monument unless two are interred then a double hook is allowed.

b. 1 basket or container hanging on a shepherd hook.

c. 1 or 2 vases on a monument either as part of the foundation or placed on the apron of the foundation.

d. Seasonal decorations that must be removed at the end of particular or pertinent season.

e. 1 Saddle placed on top of memorial stone.

f. 2 Solar lights if placed no more than one inch from the foundation of the monument on either side.

* **SHEPHERD HOOKS.** Shepherd hooks without any baskets or flowers for a period of a year or more may be disposed of by the Cemetery in any manner it sees fit. The placement of the shepherd hooks must be at the side of a monument no more than one inch from the foundation of the monument or if monument is for two plots, then the shepherd hook may be placed in the middle of and one inch from the back of the monument.

The Cemetery reserves the right to remove all other types of plot decorations if placed on any plot or lot as well as the right to regulate the methods of decorating plots so that a uniform beauty may be maintained for all those who remains are buried within its grounds.

INDEX

General InformationPages 4-8

* General Supervision	Page 4
* Cemetery Hours	Page 4
* Cemetery Behavior	Page 5
* Cemetery Rights	Page 6
* Service Fees & Charges	Page 7
* General Definitions	Page 8
- Cemetery	
- Lots, Plots or Burial Spaces	
- Cremains	
- Interment, inurnment	
- Duties of Officials	

Interments, Inurnments ...Pages 9-11

Continuing CarePages 12-13

* Fund	
* Duties of Officials for Fund	
* Lots	

Memorials, Monuments, Markers & Cremation Memorials Pages 14-17

Decoration of PlotsPages 18-19

GENERAL INFORMATION

*** GENERAL SUPERVISION:**

Sexton. Sexton is a combination of a cemetery manager and customer service employee who is an individual directly responsible for the operation, maintenance issues and improvement of a cemetery that is licensed under the Cemetery Oversight Act. As a customer service employee he or she also is an individual who has direct contact with consumers to explain cemetery merchandise, services and interment rights and to execute the sale of those items to consumers, whether at the cemetery or an off-site location.

Sexton in Charge. All funerals on reaching the cemetery shall be under the charge of the Sexton subject to the entire authority and instructions from the Cemetery Board and in this capacity he has police authority within the Cemetery grounds. He is also empowered to enforce all Rules and Regulations of the Cemetery.

*** CEMETERY HOURS:**

Visitors will be allowed within the Cemetery between the hours of 7:00 a.m. and 9:00 p.m. and if found in the Cemetery after hours will be subject to fines.

d. Placement of cremation memorial. A Cremation memorial can not be installed at the head of a grave that has a previously installed monument or marker; however, a Cremation Memorial may replace a previously installed monument or marker at the expense of the lot owner.

e. Number of interments allowed. No more than two urn interment spaces is allowed in any Cremation Memorial installed.

f. Disinterment of Cremains. Removal of cremains from a sealed Cremation Memorial shall be considered a disinterment and a grave opening fee will be charged for each disinterment.

g. Other rules and regulations. All other Cemetery rules and regulations shall also apply in addition to these rules and regulations



j. Defacing Memorials, Monuments or Markers. It shall be an infraction, subject to penalty, for any person to injure, deface, break, destroy or remove any headstone, footstone, monument or any other property in the Cemetery.

k. Veteran Markers. All veteran markers must be installed as a flush-with-the-ground footstone or affixed to the back of a monument inscribed with the veteran's name on the face of the monument.



*** CREMATION MEMORIALS.**

a. Placement fee. A Cremation Memorial Placement Fee of \$300 for the 1st urn and \$150 for the 2nd urn is required for each interment space within the Cremation Memorial being installed and is to be paid to the Cemetery before installation. No installation of a Cremation Memorial will be permitted until the Placement Fee has been received either by the Cemetery Sexton or the City Clerk.

b. Foundations. The Cremation memorial must be installed to Cemetery specifications on a concrete foundation with a minimum 6-inch concrete flange. No interment of an urn, animal cremains or the mixing of ashes in the foundation of a Cremation Memorial is allowed

c. Placement of urns. A member of the family, the funeral home or the monument company may place the urn in the Cremation Memorial at the time of interment.; however, the monument company is responsible for sealing the Cremation Memorial after the placement of each urn being interred.

***CEMETERY BEHAVIOR:**

a. Inappropriate Behavior. No loud talking, profanity or carousing shall be permitted in the Cemetery. Consumption of drugs or alcohol within the Cemetery is expressly forbidden and a person found to be guilty of this offense is subject to prosecution and/or fines. Improper gatherings are not allowed and the Sexton shall have the power to prevent such.

b. Rubbish. Throwing of rubbish on the drives and paths, or any part of the grounds or in the buildings is prohibited. Receptacles for waste material are located at convenient places.

c. Firearms. No firearms shall be permitted within the Cemetery grounds with the exception of firing squads performing at military funerals and/or other ceremonial events.

d. Vehicles. No bicycles, scooters, skateboards, rollerblades or any other means of mobility that might pose a danger to either themselves or other visitors in the Cemetery will be allowed within the Cemetery. No automobiles or motorcycles will be allowed to pass through the grounds at a rate exceeding 20 miles per hour and **no one will be permitted to drive upon the grass or walks without specific permission of the Cemetery Sexton.** Drivers will park on the right side of the roadway and keep off lots or lawns.

CEMETERY RIGHTS

* CEMETERY RESERVES:

a. The right to restrict, specify, limit sizes, styles and inscriptions on any memorial, monument or marker in all sections or areas of the Cemetery.

b. The right to remove, **without notice**, anything within the Cemetery considered by the Sexton or Cemetery Board, that warrants removal, violates Cemetery rules or regulations, or may be considered in his/her judgment to be unsightly, dangerous, objectionable or interferes with Cemetery operations.

c. The right to remove and dispose of, **without notice**, any structure or enclosure which has been placed on or near any lot, plot, memorial, monument or marker in violation of any Cemetery rule or regulation.

d. The right by the Cemetery Board to adopt additional rules and regulations or to amend, alter or repeal any regulation or rule, paragraph or sentence in these rules and regulations at any time they deem it necessary. (and such amendments are approved by the City Council)

e. Exceptions to these rules and regulations may be made by the Sexton or the Cemetery Board when, in their judgment, special cases may arise in which the literal enforcement of a rule or regulation may not appear advisable. Temporary exceptions shall in no way be construed as affecting the general application of such rule or regulation.

f. The right to enlarge, reduce, re-plat and/or change boundaries or grading of the cemetery or of a Section or Sections, from time to time, including the right to modify and/or re-grade roads, drives, and/or walks, or any part thereof is hereby expressly reserved. The right to lay, maintain and operate, or alter or change pipe lines and/or gutters, drainage, etc. is also expressly reserved along with the right to use the Cemetery including the interment of human bodies or for anything incidental thereto. The Cemetery also reserves to itself and to those lawfully entitled thereto, a perpetual right of ingress and egress over plots for the purpose of passing to and from other plots.

d. Foundations. All foundations must be installed to Cemetery specifications. On lots measuring 8 feet by 8 feet and 8 feet by 10 feet the monument foundations must be no wider than four feet per burial space. On lots measuring 10 feet by 10 feet the monument foundations must be no wider than five feet per burial space.

e. Inclement weather installation. No foundations will be installed during inclement weather.

f. Placement of Memorials, Monuments or Markers. All memorials, monuments and markers, except foot markers, must be placed on the monument section, or head of the grave as platted. A minimum 6-inch flange of concrete is required. One (1) flush-with-the-ground foot marker with a minimum 6-inch flange of concrete is permitted on each **No above ground memorial, monument or marker is permitted as a foot marker, grave or burial space.** *****

g. Work on Memorials, Monuments or Markers. All work to be performed on any memorial, monument or marker must be done by a monument company or a permitted contractor at the owners expense. This includes, but is not limited to, installations, moves and repairs of any type.

h. Benches. Benches must be made of granite and placed on a concrete foundation with a 6-inch flange extending out and measured from the outer edge of the bench legs. The placement of the bench on the lot must be in line with the all ready installed headstones within each Block or Section.

i. Monument Inscriptions. There may be no more than three (3) names of interred persons inscribed per monument and the inscription must be flush with the monument. Any additional cremated burials within the lot may only have a flush-with-the-ground marker set in a concrete foundation with a 6-inch flange extending out from the marker.

MEMORIAL, MONUMENTS & MARKERS

* **MEMORIALS.** Memorials mean a monument, marker, mausoleum, headstone, bench or tombstone for family or individual use placed above ground to indicate a burial plot or grave. Memorials shall be of natural stone except limestone. Approved bronze memorials will be permitted.

a. Types of Memorials.

1) **“monument”** means a memorial that extends above the surface of the ground.

2) **“marker”** means head or footstones that are flush-with-the-ground.

3) **“Headstone”** means a monument placed at the head of a grave.

4) **“Footstone”** means a marker placed at the foot of a grave.

5) **“Cremation memorial”** is any monument, marker or headstone designed to internally contain one or more cremation urns for the purpose of **inurnment** of human cremains.

b. Installation. All memorials, monuments and markers must be installed by a monument company on a permanent foundation and be set on uniform lines to conform to the general plan of the cemetery.

c. Permit Necessary. Letter cutters, persons or firms engaged in the business of cleaning monuments (not connected with established retail dealers all ready on the list of approved dealers) and all other persons or firms must first produce a permit issued by the Sexton before any work in the Cemetery may be done. In order to secure a permit it shall be necessary for the person or firm to submit satisfactory evidence of their ability to properly perform the work for which they have been assigned along with an Insurance Certificate of Liability.

SERVICE FEES & CHARGES

* **VALUATION of LOTS:** The Cemetery Board shall from time to time recommend to the City Council adjustments to the fees charged for the various Cemetery services provided, which shall, once approved by the Council, be set by ordinance.

a. Continuing Care lot purchase price per Ordinance 13-015, July 1, 2013:

Cemetery Plot for an infant \$ 250

Mausoleum Crypt \$1,200

Mausoleum Deluxe Crypt \$1,500

All other Cemetery Plots. \$ 550

* **LOT SALES:** The City Clerk and Cemetery Sexton are hereby authorized to sell the use of a plot or plots in the Monmouth Cemetery for burial purposes only and to collect all sums arising from the sale.

a. Deed: The City Clerk shall deliver to each purchaser a deed that describes the location of the lot, the purchase price, and certain conditions required by the Cemetery that the purchaser is subject to. It is the recommendation of the Cemetery Board and the City to have each deed recorded with the Warren County Clerk’s office at the time of purchase.

b. Purchase Price, Scope of: At the time of purchase of a lot or plot, payment is required to be made in two separate payments of which the 1st payment pays for the burial space and the 2nd payment is deposited in the Continuous Care Fund. A deed and rights to burial shall be exempt from taxation or assessment for care and maintenance from and after full payment of the purchase price.

c. Payment of Charges. The charges for cemetery service must be paid for at the time of the issuance of the order for internment, entombment, disinterment or removal of any full body remains or cremains.

d. Transfers & Assignments. No transfer or assignment of any lot or interest therein shall be valid unless a quit claim deed or space permission form is executed and presented to the City Clerk or Sexton to be entered in the Cemetery records.

GENERAL DEFINITIONS

a. CEMETERY. Cemetery means all the property and grounds owned by the City of Monmouth for the purpose of interment or inurnment of human remains.

b. LOT. Lot means space that will hold 2 (8' X 10' or 10' X 10') or 4 (10' X 20') adult full body burials or 1 (2' X 3') infant full body burial or 1 (3' X 5') child full body burial in the cemetery reserved for the interment of humans remains.

c. LOT OWNER. Lot owner means any person owning or possessing the privilege or right of interment in a designated grave or lot platted in Monmouth Cemetery and subject to the rules and regulations of said Cemetery.

d. PLOT OR BURIAL SPACE. Plot or burial space means an area within a lot that is used for one adult, child or infant full body interment or cremation urn/urns. The terms plot or burial space shall be used interchangeably and shall apply with like effect to either an entire lot or a portion of a lot.

e. LOT MARKER. 'Lot marker' refers to the method used by the cemetery to locate corners of a lot or grave.

f. CREMAINS. Cremains mean the ashes of a cremated body.

* **DUTIES OF OFFICIALS for CARE FUND.**

a. City Clerk/Cemetery Manager. It shall be the duty of the City Clerk to receive quarterly accurate records of the Continuing Care Fund account from the City's Account Manager in order to determine that the principal portion thereof is properly invested in accordance with the laws of the State of Illinois and that the interest received from the investments is being deposited in the Continuing Care Fund as directed by the Cemetery Board and approved by the City Council.

CONTINUING CARE LOTS

* **SCOPE OF CARE.** The essential continuing care that the City agrees to give for as long as it owns and maintains said Cemetery shall consist of care of the Cemetery generally, and shall include, but is not limited to, mowing of all lots and graves at reasonable intervals; resodding; seeding and filling in sunken graves; sodding the surface of the graves to lot level; removing dead flowers; trimming trees and shrubbery when necessary; raking and cleaning the lots; and straightening of tilting stones or markers, but shall not include repairing or replacing markers or memorial structures of any nature, except when the need for repair or replacement is directly caused by the City.



CONTINUING CARE FUND

* **CARE FUND.** A care fund is a designated fund which receives a specified percentage from the sale of each burial space or lot and from which only the interest may be used for the care, beautifying, improvement and upkeep of the grounds contained within Monmouth Cemetery

* **USE OF CONTINUING CARE FUND.**

a. There hereby is established a Continuing Care Fund according to the laws of the State of Illinois and this Chapter. A percentage established by the Cemetery Board from each lot or plot sale shall be deposited into this special Care fund to be invested in compliance with the laws of the State and used for the purposes herein provided. The balance of the fee from the lot or plot sale shall be deposited into the City's General Fund.

b. The following percentages and the dollar amount to be placed in the Continuing Care Fund from the lot or plot sales is as follows:

- 1) Infant plot = 40% (\$100) of \$250.
- 2) Mausoleum Crypt = 33% (\$400) of \$1,200.
- 3) Deluxe Mausoleum Crypt = 33% (\$500) of \$1,500.
- 4) All other Cemetery plots = 45% (\$250) of \$550.

A certificate detailing the percentage of the plot or lot sale paid that shall be deposited in the Continuing Care Fund shall be issued to the plot or lot owner along with a deed to the plot or lot purchased upon payment in full.

c. The interest income only from the Continuing Care Fund shall be used to pay the maintenance and development of the Cemetery. The principal according to the laws of the State of Illinois must be maintained intact in a fund that cannot be borrowed from or spent in any manner other than that directed by the State of Illinois.

INTERMENTS

DEFINITIONS:

* **INTERMENT.** The word interment shall mean the permanent disposition of the full body remains of a deceased person by burial or entombment.

* **INURNMENT.** Inurnment means the permanent disposition of human cremains by burial or entombment.

INTERMENTS & DISINTERMENTS:

All interments and removals are subject to the orders and laws of the properly constituted authorities of the City, County and State, as well as these rules and regulations and any modifications or alterations which might be made in the future..

a. **TIME AND CHARGES.** All interments, disinterments and removals shall be made at the time, manner and charges fixed by the Cemetery Board and approved by the City Council.

b. **HOLIDAYS.** Interments, disinterments, removals or interment services shall not be permitted on Sundays, or on any of the following holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day nor Christmas Day except in cases of extreme necessity.

c. **NOTICE.** Right is reserved by the Sexton to be given at least 48 hours notice prior to any interment and at least one week notice prior to any disinterment or removal.

d. **APPLICATION for INTERMENT.** No interment shall be allowed without the written permission (on forms provided by the Cemetery office) of the lot or plot owners as shown by the Cemetery records and presentation of a burial permit from a Registrar of the Board of Health of the State of Illinois. The permission and burial permits are obtained at the time of family meeting with individual funeral directors, who then provide the Cemetery with the proper forms.

e. NO INTERMENT PERMITTED UNLESS BURIAL SPACE IS PAID IN FULL.

No interment shall be permitted or memorial placed in or on the burial space or lot not fully paid for except by special consent in writing by the Cemetery Board.

f. INTERMENT OF MORE THAN ONE BODY.

Not more than one full body burial per adult burial spaces shall be permitted except in the case of:

- a. Parent and child
- b. Two children in the same casket

g. INTERMENT OF CREMATED REMAINS. Not more than four (4) cremains shall be permitted in one adult burial space.

h. AUTHORIZATION OF RIGHT OF INTERMENT. The cemetery reserves the right to make an interment of any member of the immediate family of the lot or plot owner (s) upon his/her written authorization. No other person may be interred in any lot without the written authorization of the lot owner (s) or known heirs of the lot owner (s).

i. LOCATION OF INTERMENT SPACE.

When instructions regarding the location of an interment space in a lot cannot be obtained or are indefinite or if for any reason the interment space cannot be opened where specified, the Sexton may at his discretion open it in such location in the plot as he deems best and proper in order not to delay the funeral. The Cemetery shall not be liable in damage for internment so made.

j. ERRORS MAY BE CORRECTED. The Cemetery reserves and shall have the right to correct any errors made by it, either in making internments, disinterments or removals at its own expense.

k. NOT RESPONSIBLE FOR IDENTITY. The Cemetery shall neither be responsible for the internment permit nor for the identity of the person sought to be interred.

l. ORDERS GIVEN BY TELEPHONE. The Cemetery shall not be responsible for any order given by telephone or any mistakes occurring from lack of correct and proper instructions as to the particular space, size and location in a plot where interment is desired.

m. OPENING AND CLOSING GRAVES. Graves for full body burials or cremains shall not be opened and closed except by Cemetery personnel or by an independent contractor hired by the Cemetery.

n. DISINTERMENTS. All disinterments must have a funeral director present to ensure compliance with Illinois law and it must be recorded in the Cemetery records. Also, all disinterments must be done by a licensed outside vendor or certified Cemetery personnel and a grave opening fee equal to the current grave opening rate at the time of the disinterment will be charged.

o. PUBLIC ASSISTANCE. In the event an application is made from any person for an interment at the expense of any governmental body, the Sexton shall contact the proper authority who submitted the application and verify same before the grave is opened. No interment of indigent persons will be made in sections set aside for such burials other than those who were residents of the City of Monmouth or Monmouth Township.