

City of Brownton

Oak Grove Cemetery Rules & Regulations

Oak Grove Cemetery is owned and operated by the City of Brownton. It is the city's goal to make Oak Grove Cemetery a quiet, peaceful and beautiful space, respectful of those buried here, and their families. To secure this effect and for the mutual protection of cemetery users, the city hereby adopts the following regulations. All lots, lot owners, and users of the cemetery shall be subject to these rules, regulations, amendments or alterations thereto that shall be adopted by this city from time to time. The cemetery operates under the supervision of the Public Works department, as directed by the Mayor and City Council. The City Council shall set rates, charges and fees for cemetery services.

- **Cemetery Deed.** The cemetery deed, these rules and regulations and any amendments thereto shall be the sole agreement between the city and the lot owner. The statement of any sales agent shall in no way bind the city.
- **Exceptions and modifications.** Special cases may arise in which the literal enforcement of any rule or regulation may impose unnecessary hardship. The city, therefore, reserves the right, without notice, to make exceptions, suspensions or modifications in any of these instances. These exceptions or modifications shall in no way be construed as affecting the general application of these rules or regulations.
- **Amendments.** The city may, and it hereby expressly reserves the right, at any time or times, to adopt new rules or regulations, or to amend, alter or repeal any, or portion thereof.
- **Lot Descents or Transfers.** The only regular and legal proof of title by descent from a deceased owner is a certified copy of the decree of the proper probate court assigning the lot of the deceased owner, or his or her interest in it, to the person claiming it. Whenever practicable, this proof will be required. If for any reason this proof cannot be obtained, application should at once be made upon the death of the lot owner to the cemetery to ensure the records show the lot owner as the proper living person. No transfer of any lot, or interest therein, shall be valid until the consent of the city has been obtained. The city may refuse to consent to a transfer or to an assignment as long as there is any indebtedness due the city from the record lot owner, including any fees charged for the transfer or assignment.
- **Transfer charges.** The city may fix a charge for all transfers of ownership in lots. No transfer of ownership shall be complete or effective until all charges are paid, if a charge is made.
- **Subject to laws.** Besides being subject to these rules and regulations, all interments and disinterments are subject to the rules, regulations and statutes of the city, county and state.
- **Required concrete box or vault.** The city requires a concrete box or vault for full-size casketed interments. Cremains and infant caskets are exempt from this requirement.
- **Number of interred on one lot.** One casket, or one casket and one cremains, or two cremains are allowed to be interred in one lot.

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- **Number of monuments allowed.** Only one central or family monument shall be allowed on a single lot.
- **Interment of human remains.** The use of the property in the cemetery is restricted to the interment of human remains only.
- **Removal for profit prohibited.** Removal of a body by the heirs so that the lot may be sold for profit to themselves, or removal contrary to the expressed or implied wish of the original lot owner, is repugnant to the ordinary sense of decency and is absolutely forbidden.
- **Work to be done by city.** The city shall perform grading, landscaping work and all care on lots, trees, shrubs and herbage of any kind, including trimming, cutting or removal.
- **Orders given by telephone.** The city shall not be held 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, size, and location in a lot where interment is desired.
- **Errors may be corrected.** The city reserves the right to correct any errors that may have been made in locating or placing a memorial within the cemetery. In the event the error shall involve the interment of the remains of any person in such property, the city reserves, and shall have the right to remove and reinter the remains of such property of equal value and similar location as may be substituted and conveyed in lieu thereof.
- **City directs and may remove improvements.** All improvements or alterations of individual property in the cemetery shall be under the direction of and be subject to the consent, satisfaction and approval of the city, and, should improvements be made without the city's consent, the city shall have the right to remove, alter or change those improvements at the expense of the persons making the improvement or the lot owner.
- **Floral regulations.** Ground planting of flowers is not permitted. The city shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind from the cemetery as soon as, in the judgment of the city, they become unsightly, dangerous, detrimental or diseased, or when they do not conform to maintenance standards. Glass containers are not allowed. Flower holders shall be placed in line with existing flower holders. Wreaths are permitted if they are attached to the monument or placed in approved holders. All plants, flowers and adornments must be removed by Labor Day each year. The city shall not be liable for or maintain floral pieces, baskets or frames in which floral pieces or monuments are attached. The city shall not be liable for lost, misplaced or broken flower vases. The city shall not be responsible for plants, herbage or plantings of any kind damaged by the elements, thieves, vandals or by other causes beyond its control.
- **Certain ornaments prohibited.** In no case shall any decoration or ornamentation be allowed if its design is deemed to be offensive or dangerous in nature. The city may remove any decoration or ornamentation immediately if it does not comply with this section.
- **Must use walks.** Persons within the cemetery grounds shall use only the avenues, walks, alleys and roads.

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- **Recreational vehicles.** No motorized recreational vehicles, including but not limited to, motorized scooters, snowmobiles, motorized carts, all-terrain and off-road vehicles or other similar recreational vehicles shall be admitted to the cemetery except those as may be in attendance at funerals or on business. This section shall not apply to any vehicle designed specifically for personal mobility.
- **Notices and advertisements.** No signs, notices or advertisements of any kind shall be allowed in the cemetery unless placed by the city.
- **City may charge for unusual repairs necessitated by acts of God and the like.** In the event that it becomes necessary to repair or reconstruct any natural stone or concrete work on any section or lot, or any portion or portions thereof in the cemetery which has been damaged as herein described, the city shall give a ten (10) day written notice of the necessity for the repair to the lot owner of record. The notice shall be sent to the address of the lot owner of record at his or her address if one is available. In the event the lot owner fails to repair the damage within a reasonable time, the city may direct that the repairs be made and charge the expense to the lot owner of record.
- **Damage done by dealers or contractors.** Damage done to lots, walks, drives, trees, shrubs or other property by dealers or contractors or their agents shall be repaired by the city, and the cost of such repairs shall be charged to the dealer or contractor or to his principal.
- **Perpetual Care funds.** Perpetual funds will be used for any care and maintenance necessary by natural growth and ordinary wear including planting, cutting, watering and care of lawns, trees and shrubs, the cleaning and upkeep of buildings and the maintenance of utilities, walls, roadways, walks and other improvements of the cemetery. The money shall be invested as provided by law. The city reserves the right, however, either to handle all investments itself, or to deposit said funds with any person, company or corporation qualified to act as trustee for such funds.
- **Adopting new rules and regulations.** The city may, and it hereby expressly reserves the right, at any time or times, to adopt new rules and regulations, or to amend, alter or repeal any rule, regulation, article, section, paragraph, or sentence in these rules and regulations.
- **Enforcement of rules.** The City Council and the Police Department are hereby empowered to enforce all rules and regulations, and to exclude from property of the city any person violating the same. They shall have charge of the grounds and at all times have supervision and control of all person in the cemetery, including the conduct of funerals, traffic, employees, lot owners and visitors.