

## Chapter 7 - CEMETERY<sup>11</sup>

### Footnotes:

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**Cross reference**— Streets and sidewalks, Ch. 18; interment within or near water reservoir prohibited, § 22-8.

**State Law reference**— Municipal cemeteries, Ill. Rev. Stat., Ch. 24, § 11-49-1 et seq.; cemeteries generally, Ch. 21.

### Sec. 7-1. - Applicability.

The regulations set forth in this chapter apply to the East Lawn Cemetery.

(Code 1971, § 8.01)

### Sec. 7-2. - Sale of lots.

- (a) The mayor and city clerk shall execute and deliver to the purchaser a proper deed of conveyance for any cemetery lot sold in East Lawn Cemetery. All lots sold shall be shown on the plans and specifications on file in the office of the city clerk and all lots shall be properly designated on the plans and specifications prior to being sold.
- (b) A lot may be held in joint ownership but in such case only one (1) monument will be permitted on the entire lot. The records of the city must show what part of the lot is to be used by each of the owners, otherwise orders for interments therein will be accepted from either party, regard being had only for the capacity of such lots and the regulations governing them.

(Code 1971, § 8.02)

### Sec. 7-3. - Price and designation of lots.

- (a) All graves shall sell for five hundred dollars (~~\$500.00~~) (\$550.00) each.
- (b) Section G of the East Lawn Cemetery plat is hereby divided for special uses according to the following schedule:
  - (1) Block 1 is reserved for indigent burials. The price for the grave space and the grave opening is two hundred fifty dollars (\$250.00).
  - (2) Block 11 is hereby set aside for a "Baby Land" area and the fee is two hundred fifty dollars (\$250.00).
  - (3) Blocks 2 through 10 are hereby made available for sale and burial in accordance with charges for all other lots, except the above, throughout the cemetery.

(Code 1971, § 8.03; Ord. No. 96-13, § I, 5-6-96; Ord. No. 2008-35, § I, 12-1-08)

### Sec. 7-4. - Grave openings.

All graves in the East Lawn Cemetery in the city shall be opened for burial purposes by the employees of the city under the direction of the superintendent of the cemetery, or any person authorized

by law, and the owner of the lot involved shall pay the city clerk the sum of ~~five hundred dollars (\$500.00)~~ **five hundred fifty dollars (\$550.00)** for the opening of each grave, provided the same is done on weekdays, except **Saturday and** Sunday. If the grave opening is performed on **Saturday**, Sunday or a legal holiday, the price for such service shall be six hundred **fifty** dollars (~~\$600.00~~) (**\$650.00**) payable to the city clerk. Fees for burial of cremation remains or limbs or other body parts shall be two hundred **fifty** dollars (~~\$200.00~~) (**\$250.00**) weekdays, ~~two hundred fifty dollars (\$250.00) Saturdays~~ and three hundred dollars (\$300.00) on **Saturdays**, Sundays and legal holidays. Grave opening fees for burial of babies on private lots shall be one-half the normal charge. The fee for disinterment shall be one thousand dollars (\$1,000.00).

(Code 1971, § 8.04; Ord. No. 82-7, § 8.04, 4-26-82; Ord. No. 96-13, § II, 5-6-96; Ord. No. 2008-35, § II, 12-1-08)

Sec. 7-5. - Concrete encasements required.

In all burials use of a concrete box to encase the casket is required.

(Code 1971, § 8.05)

Sec. 7-6. - Grade of lots.

The grade of all lots as shown on the plans and specifications on file in the city clerk's office shall be the grade for all improvements of the cemetery and shall not be changed or altered, and the improvement of the cemetery and the development of the same shall be shown on the plans and specifications, reference being made thereto and the plans by reference being made part of this section. The grade of all lots is established when the ground is prepared and the lots placed on sale and no change of grade will be permitted thereafter.

(Code 1971, § 8.06)

Sec. 7-7. - Interment.

(a) *Definitions:* [The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

*"Burial"* means the disposition of human remains underground.

*"Casket"* includes a coffin and means a ridged container designed for the encasement of human remains and customarily constructed of wood or metal, ornamented and lined with fabric.

*"Cremated remains"* means the remains after the cremation process is completed.

*"Cremation vault"* means a container for an urn; made of concrete, metal, fiberglass, or durable plastic.

*"Crypt"* means a space in a mausoleum used or intended to be used for the entombment of human remains.

*"Grave"* means an easement right to internment in a space of land in the cemetery used or intended to be used for the burial of human remains.

*"Interment"* means the (a) burial, or (b) entombment of human remains or (c) the inurnment of cremated human remains.

*"Inurnment"* means the placement of cremated human remains in an urn and a placement of such urn in a niche, crypt, grave or other suitable location in the cemetery.

"Urn" means a receptacle designed for burial into which the cremated human remains of one (1) person are placed, which is usually made of bronze, bronze plate, durable plastics, or a combination thereof.

"Vault" means any container, encasement or enclosure made of concrete, fiber-glass or steel which is placed in a grave around a casket to prevent the collapse of the grave and/or to protect the casket or, for burial of an urn.

(b) *Interment.*

- (1) Only one (1) casket may be placed in one (1) grave or family mausoleum crypt; or
- (2) One (1) casket and two (2) cremation vaults, may be placed in one (1) grave only when the casket is placed in the grave first; or
- (3) ~~Three (3)~~ Six (6) cremation vaults and no casket may be placed in one (1) grave or mausoleum crypt. Providing the size of urn allows for 2 cremains per box.
- (4) East Lawn may restrict the interment or inurnments of any combination of legal or blood relatives;
- (5) ~~East Lawn will allow three (3) names on a grave marker or three (3) name bars on a crypt;~~
- (6) East Lawn will require a cremation vault for burials of cremated remains and will require a permanent container (urn) for mausoleum inurnment of cremated remains.
- (7) The cremation vault will be placed at a location within a grave space as determined by East Lawn.
- (8) Dimensions of cremation urns 15" length 8 " width 8" height. Any urn larger than specified will be considered a full burial.

(Code 1971, § 8.07; Ord. No. 2007-02, §§ I, II, 2-20-07)

Sec. 7-8. - Iron work and guy ropes.

- (a) No iron work may be used in any structure, but dowels, anchors, and other necessary metals shall be in standard bronze, copper, and brass.
- (b) Guy ropes may not be fastened to trees or monuments without permission of the superintendent, and sufficient padding shall be used at all times to protect the grass on lots and walks while dumping, rolling, and handling stone in the erection of all structures.

(Code 1971, § 8.08)

Sec. 7-9. - Plantings.

~~No shrubbery may be planted without the permission of the superintendent. No shrubbery or trees may be planted on any lots located in the cemetery. Shrubs may be planted only at the places and shall be of the character indicated on the cemetery plans.~~ No added landscape rock or borders around headstones will be permitted.

(Code 1971, § 8.09)

Sec. 7-10. - Monument restrictions.

- (a) ~~The following named granite will be permitted for monuments and markers in the cemetery; all others are barred.~~

- (1) ~~For polished or partly polished monuments and markers: "Guardian Memorials," Extra Dark Barre granite, Bothnea Scotch granite, Rock of Ages Dark Burre, Dark Quincy, Black Swede, North Star Red Cloud, Wausau Red, Red Scotch or Ruby Red.~~
- (2) ~~For axed, hammered, or rustic monuments: Fine-grained Light Barre granite, Jones Brothers, or Wetmore and Morse Light Barre granite.~~
- (3) ~~For polished, hammered, paramount, or rustic memorials: Egyptian Pink, Golden Pink, Millstone Gray, Montello, Pink, Gray, or White Westerly granite.~~
- (b) ~~Marble for monumental purposes shall be guaranteed by the producer by certificates and the producer shall have samples on display in the cemetery office.~~
- (c) ~~Soldier marble monuments are allowed.~~
- (d) ~~Where monuments are erected of the above-named granites the base must either be of the same material as the die or of Light Barre granite.~~
- (e) All monuments, markers and vaults or mausoleums shall be set upon foundations of solid masonry or concrete of sufficient size and depth approved by the superintendent. ~~Foundations shall be built by employees of the cemetery only.~~
- (f) All corner posts **and foot markers** shall be set even with the top of the ground. Copings and all other enclosures are prohibited. **No foot marker that would block the view of another lot will be allowed. Foot markers must be set even with the ground.**
- (g) ~~Only one (1) monument may be erected on any lot the base of which shall not cover more than five (5) percent of the area of the lot.~~
- (h) Monuments may not be erected at single graves but markers will be permitted under certain conditions. Foot markers are not permitted **at single graves.**

(Code 1971, § 8.10)

#### Sec. 7-11. - Rubbish.

All rubbish generated by builders or their employees shall be removed without delay. Builders or their employees failing to conform to the rules of the cemetery or the direction of the superintendent will be prohibited from working on the grounds.

(Code 1971, § 8.11)

#### Sec. 7-12. - Vehicle speed, paths.

No vehicle shall exceed a speed of ten (10) miles per hour in the cemetery nor shall any vehicle under any circumstances leave the avenue.

(Code 1971, § 8.12; Ord. No. 76-38, 6-21-76)

#### **Cross reference**— Motor vehicles and traffic, Ch. 12.

#### Sec. 7-13. - Damaging property.

No person shall carry away or remove, or wilfully, maliciously, or negligently break, deface, destroy, or otherwise injure any monument, tombstone, tree, shrub, railing, fence, or other property or article or thing belonging to the cemetery of the city.

(Code 1971, § 8.13)

Sec. 7-14. - Investment in trust funds.

Any money or funds received in trust by the council from the proprietors or owners of any lot or ground or any person interested in the maintenance of the same, shall be invested or loaned by the council, taking therefor real estate security, and applying the income thereof perpetually for the care of such cemetery lot, the grass, graves, trees, and ornaments as may be provided in the trust.

(Code 1971, § 8.14)

Sec. 7-15. - Restrictions on flowers and containers.

No more than one (1) container of flowers shall be placed at any grave site except during the period running from ~~two (2) days~~ **1 week** before to ~~four (4) days~~ **1 week** after ~~Decoration~~ **Memorial** Day, Mother's Day, Father's Day, the Fourth of July, Easter and **Christmas**. **One shepards hook will be allowed at each grave space but under no circumstance can it be mounted in concrete. Any hook without hanging baskets will be removed and placed behind the cemetery building. No glass containers, trinkets, windchimes or miscellaneous items shall be placed at any grave site at any time.**

(Code 1971, § 8.15; Ord. No. 74-13, § 8.15, 7-15-74)

Sec. 7-16. - Visiting hours.

The regular operating hours for public visitation shall be from 6:00 a.m. to 9:00 p.m. each day.

(Ord. No. 76-38, § 8.15, 6-21-76)

**Cross reference**— Visiting hours for city parks, § 15-5.

Sec. 7-17. - Columbarium.

- (a) A columbarium is a vault with niches for urns containing ashes of the dead. **The price to purchase a niche from the East Lawn Cemetery will be (\$550.00).**
- (b) A **private** columbarium may be permitted in East Lawn Cemetery with prior approval of the Salem City Council. If approved, the cremation vault shall be placed at a location within a grave space as determined by the superintendent.
- (c) An interment fee of ~~one hundred dollars (\$100.00)~~ **three hundred dollars (\$300.00)** shall be paid to the City of Salem each time the columbarium is opened.
- (d) Scattering of created remains over the cemetery or over any space within the cemetery is prohibited.

(Ord. No. 2005-15, § I, 8-15-05)