

The Board of Supervisors of the Town of Corinna ordains:

## **CHAPTER 70: NORTH CORINNA CEMETERY REGULATIONS**

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### **SECTION 70.01 DEFINITIONS**

(A) Cemetery: The term Cemetery shall mean the North Corinna Cemetery, located at the intersection of State Highway 24 NW and 108<sup>th</sup> Street NW, Annandale, MN 55302.

(B) Cemetery Management: The term Cemetery Management shall mean the duly appointed board, committee, individual, or other entity appointed by Corinna Township, if any, to oversee management of the Cemetery. If no separate board, committee, individual or other entity is appointed by Corinna Township, this term shall mean the Corinna Township Board of Supervisors.

(C) Corinna Township or Township: The term Corinna Township or Township shall mean Corinna Township, a municipal corporation.

(D) Interment: The term interment shall mean the permanent disposition of the remains of a deceased person by entombment or burial.

(E) Lot, Plot or Burial Place: These terms shall be used interchangeably and shall apply with like effect to one grave or more than one grave.

(F) Marker: The term marker shall mean a permanent affixed marker flush with sod.

(G) Monument: The term monument shall include a monument, memorial, tombstone, raised marker, tablet, headstone, bench, private mausoleum, or tomb for family or individual use.

(H) Plantings: The term plantings shall mean permanent shrubs or trees or temporary live plants or wreaths.

## SECTION 70.02 INTERMENT

(A) No interment or grave opening shall be made except upon notice to Cemetery Management at least 24 hours in advance of the time of the intended interment.

(B) No grave shall be opened and no interment shall be made in the cemetery unless all ordinances, rules, and regulations regarding interments have been complied with and until the purchase price of the lot and all burial fees are paid, or until arrangements have been made with Corinna Township to pay for such costs. The cost of interment, including the burial of ashes, shall be determined by Corinna Township, and is subject to change. A current fee schedule may be obtained at the Corinna Township Office.

(C) All funerals shall be under the direction of the Cemetery Management upon entering the Cemetery. Prior to any interment, funeral directors or next of kin must present at the Corinna Township Office, 9801 Ireland Avenue, NW, Annandale, MN 55302, a disposition permit from the MN Department of Health or a Certificate of Cremation.

(D) No casket shall be interred unless enclosed in a concrete burial vault or concrete grave liner. No cremation remains shall be interred unless in an urn vault or in an urn that is substantial enough not to break apart. The urn must be made of non-deteriorating materials.

(E) The numbers and combinations of urns and caskets permitted to be buried in a single grave lot are as follows:

- One adult casket, or
- Two child's caskets, if two child's caskets are small enough to fit, or
- Two urns, or
- One casket and one urn (casket buried first – urn on top)

(F) No interment of two or more bodies shall be made in one grave lot without the written consent of Cemetery Management.

(G) Cemetery Management requests that grave diggers use care regarding soft ground conditions when graves are being opened or closed or when vaults are installed.

(H) Lot owners may not sell or assign a lot except as follows:

(1) The owner of a lot may sell or convey any part of it to the Township that is not actually occupied by interments or by entombed or interred human remains.

(2) A person who has inherited the lot may sell or convey any part of it to the Township that is not actually occupied by interments or by entombed or interred human remains.

(3) When, by the consent of the owner, the lot will be solely used by some other person as a family burial place, the owner may convey it to the person so using it,

provided a copy of an agreement of sale is filed with the Township, signed and acknowledged by the owner (and spouse, if any) and the proposed purchaser, transferring title to the Township and requesting that the Township issue a new conveyance of the lot or space directly to the purchaser in consideration of the payment by the purchaser to the owner of a specified price which must not be more than the price that would be charged by the Township in its sale of a similar lot or space.

Upon filing the agreement, a reasonable transfer and service charge of not more than \$15 must be paid to the Township, and the Township shall then promptly issue a new certificate to the designated purchaser.

(4) The Township may use any of its funds to repurchase lots, entombments, or interment spaces, as provided herein, and may hold or again sell and convey them.

(I) The historic portion of the cemetery located in the Northwest corner of the cemetery is now closed to further interment.

### **SECTION 70.03 DELAY OF INTERMENT**

In the event a protest to interment is made, Corinna Township, in its sole discretion, may delay interment. Corinna Township will not be liable for any delay in interment when a protest to the interment has been made or where failure to comply with rules and regulations results in a delay of interment.

### **SECTION 70.04 DISINTERMENTS**

(A) Before any grave containing remains may be reopened for any purpose, written approval by a duly authorized public authority must be provided to Cemetery Management.

(B) The costs of disinterment shall be determined by Corinna Township and shall be paid in full before disinterment is commenced.

### **SECTION 70.05 MONUMENTS, MARKERS, AND PLANTINGS**

(A) General

(1) No monument, marker, or permanent planting may be placed in the Cemetery without the written approval of Cemetery Management and compliance with all applicable rules and regulations.

(2) All work in the Cemetery, of whatever kind, must be carried on subject to the direction and control of Cemetery Management. Contractors and others engaged in such work must notify Cemetery Management before beginning the same.

(3) Persons engaged in erecting a monument or other structure upon a lot are prohibited from attaching ropes or cables to trees or other objects in the Cemetery

without written permission from Cemetery Management and are likewise prohibited from placing material on adjoining lots or allowing the same to remain on the ground longer than is necessary, and they must permit no unnecessary delay in completing the work after it has been commenced. In order to protect grass from injury, Cemetery Management may require that planks be laid over it when heavy material is to be moved.

(4) No coping, curbing, fencing, hedging, borders, or enclosures of any kind shall be allowed around any lot; and no walks of brick, cinders, tile, terra cotta, sand cement, gravel, wood, or other materials shall be allowed on any lot. Cemetery Management reserves the right to remove the same if so erected, planted, or placed.

(5) No memorial may be placed on any lot until all fees and costs related to the lot and memorial are paid in full.

(6) No photograph, or reproduction of a photograph, may be affixed to any memorial except with the written approval of Cemetery Management.

(7) Epitaphs and symbols on monuments shall be dignified in character, in the sole discretion and judgment of Cemetery Management, at the risk of removal by Cemetery Management.

(8) No artificial lights are permitted. Artificial plants or flowers are allowed one week prior to Memorial weekend and must be removed one week after Memorial weekend. No shepherd hooks in excess of three feet high are permitted.

#### (B) Monuments

(1) All monuments shall comply with these regulations except for monuments currently in place in the historic portion of the Cemetery, which may remain and be maintained.

(2) All monuments shall be placed in accord with the instructions and conditions of the Cemetery Management. All raised monuments shall be at the west end of the grave, and all monuments flush with the ground shall be at the east end of the grave. All memorials shall read from the east.

(3) Cemetery Management shall, so far as is practicable, require that placement shall be made to allow and facilitate the use of mechanical cleaning and mowing equipment:

(a) Each monument shall be placed on the concrete ribbon. The base of the monument shall be a minimum of three inches from the edge of the concrete ribbon.

(b) The maximum height of a monument is 32 inches; the maximum

length is 36 inches; the maximum width is 18 inches.

(4) All monuments and markers shall be constructed of bronze or natural granite. No monument or marker or any part thereof may be constructed of limestone, sandstone, artificial stone, wood or any other material which is not approved by the Cemetery Management. No above ground monuments or markers are allowed on the grass except the standard bronze insignia provided for the graves of veterans.

(5) Workers employed in placing or erecting monuments or other structures, or bringing in materials, shall operate as independent contractors, but must do so under permission from Cemetery Management.

(6) Cemetery Management reserves the right to refuse to permit such work unless the grounds are thoroughly settled and in good condition.

(7) Cemetery Management reserves the right to stop all work of any nature, whenever, in its sole discretion, proper preparations therefore have not been made; or when tools and machinery are insufficient or defective; or when work is being executed in such a manner as to threaten life or property; or when a monument dealer has been guilty of misrepresentation; or when any reasonable request by Cemetery Management is disregarded; or when work is not being executed according to specifications; or when a person employed on the work violates any rules of Cemetery Management or this ordinance.

(8) When a monument or marker has been set in place, it shall not be removed without due process of law, or written permission of Cemetery Management.

(9) Only one central or family monument shall be allowed on any lot.

#### (C) Markers

(1) Every marker must be placed as directed by Cemetery Management.

(2) Four-inch wide white, cement skirts around markers are required for all flat markers in the cemetery. It is the responsibility of the owner to have the marker set; however, Cemetery Management shall supervise the work. All lettering or carving on flat markers must be sunken or incised. The use of raised letters in sunken panels or incised letters with a raised border will be at the lot owner's risk and Corinna Township expressly disclaims any responsibility for damage the letters may sustain. Any contractors and others involved in such activity must notify Cemetery Management before commencing any work thereon.

(3) Markers shall be set level with the sod.

(4) Markers shall not exceed the following dimensions: three feet in length, one and one-half feet in width, and four inches in depth.

(D) Plantings and Wreaths

(1) Plantings are not permitted within Cemetery except those authorized in writing by Cemetery Management.

(2) All temporary plants must be contained within separate containers which do not rest upon the grass. Glass containers are not permitted. All items left at the grave should be within the confines of the cement ribbon. Routine maintenance will remove all temporary plants without notice at the sole discretion of Cemetery Management. Corinna Township is not responsible for items lost, stolen, or broken.

(3) All wreaths must be mounted on above-ground stakes, not to exceed three feet in height.

(4) All wreaths and temporary plants may be removed by Cemetery Management at its sole discretion.

(5) Artificial plants or flowers are allowed one week prior to Memorial weekend and must be removed one week after Memorial weekend.

**SECTION 70.06 PERMANENT CARE**

(A) The general care of Cemetery is assumed by Corinna Township and includes the following, budget considerations permitting:

(1) Cutting of grass at reasonable intervals.

(2) Raking and cleaning the grounds.

(3) Pruning and removal of shrubs and trees.

(4) Periodic removal of all temporary or other plantings and flowers.

(5) Maintaining the general preservation of the lots and grounds, walks, roadways, boundaries, and structures.

(B) The general care of the Cemetery may be delegated to private firms by Corinna Township, in the Township's sole discretion.

(C) General care of the cemetery assumed by Corinna Township shall not include the maintenance, repair, or replacement of any memorial placed or erected upon lots, care for plantings, nor watering or sprinkling of lots, nor shall it include any special or unusual work.

**SECTION 70.07 GENERAL PROVISIONS**

(A) Persons visiting the Cemetery or attending funerals are strictly prohibited from

writing upon, defacing, breaking or injuring any memorial, marker, planting, tree, shrub, or other structure within the cemetery grounds.

(B) The following acts in addition to any other applicable violations of Corinna Township ordinances and regulations are expressly prohibited:

(1) The driving of motor vehicles into Cemetery, unless attending a funeral, visiting a grave site, or carrying on maintenance work authorized by Cemetery Management.

(2) The driving or parking of any motor vehicle across or upon any grave or lot.

(3) The driving of any motor vehicle in excess of ten miles-per-hour within Cemetery grounds.

(4) Loud or boisterous talking or music.

(5) Bringing lunches or refreshments into the Cemetery or consuming them on the grounds.

(6) Dogs and other family pets are not permitted on Cemetery grounds, with the exception of service dogs.

(7) Peddling or soliciting the sale of any product or service within Cemetery grounds.

(8) Placing of signs, notices, or advertisements of any kind within the Cemetery.

(9) Bringing firearms into the Cemetery except by military escort accompanying a funeral, attending memorial services, or by licensed peace officers.

(C) Special cases may arise in which the literal enforcement or interpretation of a rule may impose an unreasonable hardship. In such cases Cemetery Management reserves the right, in its sole discretion, to make exceptions, suspensions, or modifications of any of these rules and regulations, when it deems such action necessary. Such temporary exception, suspension, or modification shall not be construed as affecting the general application of such rules and regulations.

(D) Cemetery Management reserves the right to remove all monuments, markers, flowers, plants, trees, decorations or other similar objects whenever they become unsafe or unsightly, or as a part of routine maintenance without incurring any liability to any party.

(E) Specific costs for lots, interments, disinterment, burial of ashes, and setting markers are set by periodic action of Corinna Township. A current schedule of fees can be obtained at the Corinna Township office.

(F) Corinna Township reserves the right to amend these rules and regulations in its sole discretion. Corinna Township is not required to give notice of any amendments to any person.

#### **SECTION 70.08 HOURS**

The Cemetery will be open to visitors during the hours of 7:00 a.m. to sunset. Permission to enter at all other times shall be secured from Cemetery Management. Corinna Township reserves the right to refuse admission to the Cemetery and to refuse the use of Cemetery facilities, at any time, to any person or persons whom Corinna Township deems, in its sole discretion, to have no proper business in the Cemetery.

#### **SECTION 70.09 CORRECTION OF ERRORS**

Corinna Township reserves and shall have the right to correct any errors that may have been made by it either in making interments, disinterments, or removals, or in the description, transfer, or conveyance of any interment property.

#### **SECTION 70.10 PENALTY**

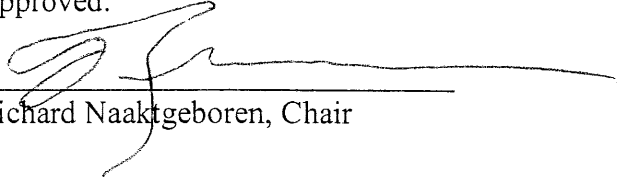
Any person violating any provision of this ordinance shall, upon conviction, be punished by a fine not exceeding \$1,000 or by imprisonment for a period not exceeding 90 days, or both, plus, in either case, the costs of prosecution.

#### **SECTION 70.11 EFFECTIVE DATE**


This ordinance becomes effective from and after its passage and publication.

Passed by the Board of Supervisors of the Town of Corinna on Oct. 20,  
2009.

Approved:

  
Richard Naaktgeboren, Chair

Attested:

  
Mary Barkley Brown, Town Clerk