

Griswold Cemetery By-Laws

City of Griswold, Cass County, Iowa

The Griswold Cemetery is owned and operated by the City of Griswold. Operations are managed by the Griswold Cemetery Board which makes recommendations to the Griswold City Council as necessary.

CARE AND CONTROL OF GROUNDS

1. General: The Griswold Cemetery Board shall have and exercise the control and supervision of the Griswold Cemetery and all property located thereon and needed or used on the maintenance and operation of the cemetery.
2. Grounds: The City shall keep the roads, avenues, walks, and lanes in good condition and clear of snow accumulations when applicable. The Board is charged with the duty of trimming grass, trees and shrubbery when necessary, clearing the headstones and memorials of grass clippings. The Board may contract grounds maintenance of the Cemetery through a third party. The Board will use reasonable care in examining trees and removing those in apparent unsound or dangerous condition or portions of such that are unsound or dangerous. Lot owners may contact the City and/or Board Members at any time regarding concerns about the maintenance of their lots.
3. Control: Improvements within the grounds and upon the lots shall be under the control and direction of the Griswold Cemetery Board before and after internments have been made. The City shall have a right of ingress and egress over lots for the purpose of passage to and from other lots and to provide normal cemetery operations and may permit others to pass over for specific reasons. The City reserves the right to alter, change, or close roadways, and other physical properties of the Cemetery.

LOTS

1. Purpose: All lots shall be held as burial places for the human dead, and for no other purpose.
2. Sale of Lots: The term "lot owner" is intended to mean and shall be construed as meaning the Owner of Burial Privileges only and right of use in any burial lot or fractional lot, purchased from the City of Griswold for a consideration, evidenced by a deed or by a proved and recognized descendant. Lots in Griswold Cemetery are conveyed, by deed, for burial purposes only in accordance with the cemetery rules and regulations in effect at the time of burial. They are exempt from taxation and cannot be seized for debt, nor can they be mortgaged. Deeds are only issued after lot(s) are paid in full. The City does not repurchase lots previously sold. Lots may be donated back to the City with appropriate documentation of ownership.
3. Payment Arrangements of Lots: Payment arrangements for lot purchases may be requested if necessary. Payments for the purchase of lots are required to be completed within one (1) year from the date of the initial payment. If payment in full is not made within one (1) year all monies paid will be forfeited. There will be an additional cost of \$5.00 per month added to scheduled payments to cover the additional record keeping.

4. Transfer by Owners: No transfer of a lot by sale or otherwise shall be valid without registration at Griswold City Hall. The City will only issue a new deed if the original deed is surrendered to the City or if a notarized letter is provided. The letter must include the lots to be transferred, names of transferees, signatures of both parties, and date of transfer. A transfer registration document will be provided in the event a new deed cannot be issued.
5. Transfers between Family Members: In the event that multiple family members are the heirs to a deed, a notarized letter must be written and filed in City Hall. The letter shall state the current heirs and release heirs who surrender their privileges to said lot(s). The letter must also include the lots to be transferred, names of both parties (current and previous heirs), signatures of both parties, and the date of transfer.
6. Lots Abandoned: City may file an action to quiet title to determine whether lot has been abandoned if the lot is unoccupied in the preceding seventy-five years. City must serve notice on the owner of record or the owner's heirs declaring the lot is considered to be abandoned. If the owner or heirs do not respond within three years from the date that the notice is service, the abandonment is considered to be complete. The ownership in or right to an abandoned lot shall revert to the City and the City may sell and convey title to the lot. Service of notice shall be served personally or by mailing notice by certified mail at the last known address. If the address cannot be ascertained, notice of abandonment shall be given by one publication of the notice in the official newspaper of the City. *(Code section 566.20 – 566.27 of the Code of Iowa.)*
7. Signs: No sign indicating that a lot, or portion thereof, is for sale and no signs, notices or advertisements of contractors, stonecutters, undertakers, or any other person shall be permitted on the Cemetery grounds. Approaching the bereaved for purposes of soliciting business within the Cemetery is prohibited.
8. Burials per Lot: There shall be a maximum of one (1) burial per plot . The only instance where 2 burials are permitted is if they are cremated and the plot is a 5x10.
9. Price of Lots:
 - a. *Division 6 (new part)*:

a. Single Plot (1 space)	5x10	\$175
b. Companion Plot (2 spaces)	10x10	\$300
c. Alleyway	2x10	\$150
d. (2) Companion Plots and 2' Alleyway (5 spaces)	22x10	\$750
e. (3) Companion Plots and (2) 2' Alleyways (8 spaces)	34x10	\$1,200
 - b. *Divisions 1, 2, 3, 4, and 5 (old part)*:

a. Single Plot (1 space)	\$150
b. Alleyway	\$150
 - c. *Cremains Pricing*

a. 5x10	\$225
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MARKERS, MONUMENTS AND MEMORIALS

Be it resolved that the following regulations shall apply to the setting of the Markers and Monuments in the Griswold Cemetery:

1. Definitions: The term memorial means any stone, marker, monument marking a grave site.
2. Placement and Location:
 - a. Cement shall extend a minimum of 5" beyond nominal measurements of stone, except markers smaller than 20" long by 8" wide which may be 4"
 - i. These dimensions shall be maintained to the bottom of the main cement base. (Does not apply to legs and post holes)
 - ii. Sides of hole shall be straight and clean, bottom of hole shall be flat and level.
 - iii. Cement aprons (wash) shall generally follow the contour of the ground and sod may be lowered and raised to make a better appearing setting, or where it is not practical to completely follow the contour of the ground. The sides of the cement base shall be constructed to present a clean, even, vertical surface where exposed above ground.
 - iv. No memorial work of any kind shall be set without a foundation.
 - b. Metal markers, such as Legion markers, shall be placed in the cement aprons as close to the stone as practical and if not available a hole shall be made in which it can be placed.
 - c. Stones for back half of 18' deep lots shall be located in the middle of the lots as to:
 - i. Maintain a minimum of 96" from the foundation of an existing stone for a burial on the front half which with the foundation for the new stone plus 96" shall not extend more than 24" into the alley way for a burial.
 - ii. If there is not a stone on the front half, or if there are burials on the front half, the front edge of the new foundation shall be 10' from the front line.
 - d. In the instance that a flag pole is donated in memory of the deceased, the Cemetery Board has the final decision of the placement of the pole.
 - e. All memorials must comply with Cemetery rules. In the event of noncompliance, the person installing the memorial is responsible for removal of the memorial and shall pay any reasonable expenses incurred by the City in connection with the memorial's removal.
 - f. No memorial work shall be done until the ground is thoroughly settled and in good condition and no movement of memorials shall be permitted when the avenues and lanes are soft. The turf must always be protected by planks and boards.
3. Responsibility of Contractor:
 - a. Contractors and workmen engaged in the setting of memorials shall be held responsible for any and all damage done to the Cemetery grounds and shall be prohibited from attaching ropes to trees, shrubs or other memorials and from scattering material on adjoining lots.
 - b. If a memorial sinks, tilts, or becomes misaligned within twelve months of its installation, and the City believes the cause is faulty installation, the City shall send notice to the person who installed the memorial in writing. The person who installed the memorial shall be responsible to correct the damage.

4. Responsibility of Lot Owner:
 - a. The memorial is the private property of the Owner and/or subsequent heir(s). Each Lot Owner shall keep in good repair all memorial work upon his Lot. In case of failure to do so, the City may either repair or have repaired, or remove the same at the Lot Owner's expense. If the City is unable to locate the Owner and/or heir of a memorial which is in need of repair, the City may authorize reasonable repairs to be paid for by the City. The City is not obligated to repair a memorial to its approximate state when original. The City has a right to remove a memorial that is in disrepair. The City is not obligated to replace a memorial with the like or same.

5. Restrictions of Decorative Materials:
 - a. No trees, shrubs or flowers shall be planted on any lot unless they are placed in a permanent flower receptacle. The Board reserves the right to remove unauthorized plantings, including the removal of existing plantings on individual lots. The Board is under no obligation to replace the plantings nor to compensate the owner and/or heirs of the lot for the plantings.
 - b. Permanent flower receptacles shall be placed at the end of the stone. Stone and footings shall not be removed. No such planters or vases are to be located in the mower right-of-way.
 - c. No hedges, fences or other lot enclosures of any kind will be permitted on or around Lots.
 - d. No responsibility is assumed by the City for the protection or maintenance of decorative items placed on lots or graves.
 - e. All decorations and flowers shall be removed two weeks following Memorial Day. Only permanent flower receptacles will be kept. Any decorations not removed by Lot owner or heirs may be removed and disposed of by Cemetery Board or its representatives.
 - f. The City reserves the right to remove and dispose of any flowers, wreaths, emblems or other decorative items that are deemed dangerous, inappropriate, have been damaged by weather, vandalized, or have deteriorated over time without notice to the Lot owner or its heirs.
 - g. The digging of holes on Graves or Lots, or the mutilation of sod for any reason, or other such willful destruction is specifically forbidden and the cost of repairing any such damage to sod or turf will be charged directly to the Owner of the Lot.
 - h. Glass containers for flowers or other breakable materials along with wire used for anchoring and/or stabilizing decorative materials are strictly prohibited.
 - i. Decorations placed on Lots shall not extend beyond 18" around the memorial or prohibit or interfere with the mowing between lots.

INTERMENT AND FUNERALS

1. Arrangements for interment shall be made with City Hall *at least one day prior* to the interment. The individual making the arrangements for interment shall furnish the following information:
 - a. Full name of deceased
 - b. Date of birth
 - c. Place of birth
 - d. Date of death

- e. Age
- f. Address
- g. Sex
- h. Proposed Date of Interment
- i. Funeral Home and Funeral Director
- j. Marker Type
- k. Location of grave
- l. Type of burial

Other Information to be provided:

- m. Uniformed Service Status
 - n. Religion
 - o. Marital status
 - p. Cause of death
 - q. Mortician
 - r. Next of Kin Information including address and relation to deceased
2. Lot Owners, or their heirs, desiring Graves opened will be required to exhibit the Deed for the Lot or give other satisfactory evidence of ownership. If an order is given for the interment of a person who is not a member of the immediate family, permission in writing from the Lot Owner, or if deceased, their immediate heirs, must be filed at City Hall signed by a notary. The City is not liable for relying upon such written declaration of ownership and/or permission if due diligence is exercised.
 3. The same information shall be required when a body is removed from one part of the Cemetery to another as prescribed for permits for interment. Lot owners or their heirs shall secure the necessary disinterment permit from the State and deliver the same to City Hall. Person, or persons, seeking reopening of a grave will be responsible for all costs related to the reopening.
 4. No change of location, after interment, shall be made, except at the expense of the lot owner.
 5. If the lot owner or funeral home incorrectly identified the Lot location, the lot owner will pay the expense after the opening of the incorrect grave has begun. If the City incorrectly identified the lot location based on the City's records, the City will pay the expense after the opening of the incorrect grave has begun. The City is not civilly or criminally liable for an erroneously made interment that is corrected in compliance with state law unless the error was the result of gross negligence or intentional misconduct.
 6. The placement of a casket in the cemetery must be in a concrete or steel container. Vaults are not required for cremains.

VISITORS

1. Visitors shall be admitted to the grounds between sunrise and sundown but no visitors or vehicles shall be permitted on the grounds between sundown and sunrise.
2. No children shall be admitted to the grounds unless attended by a parent, guardian or other adult responsible for their conduct.
3. Picking flowers, whether wild or cultivated, breaking or injuring any tree or shrub, marring any memorial or defacing of any object or structure within the Cemetery shall be prohibited.
4. The spreading of cremated remains above ground is strictly prohibited.
5. Trespassing and Vandalism Not allowed: Any person who trespasses upon Griswold Cemetery by defacing, damaging, destroying or removing any memorial or other form of

notification identifying the location of the deceased, grave, burial, or other form of interment; or any grounds or vegetation (flower, shrub, tree, etc); or physical improvements (fence, gate, sidewalk, building, etc); or anything in or belonging to the Cemetery/City, is guilty of a misdemeanor and liable for any and all damage.

6. The carrying or discharging of fire arms by any person on the grounds of the Cemetery is prohibited, except at military funerals.
7. No dogs shall be allowed in the Cemetery.
8. No automobiles, bicycles or other vehicles shall be driven off the roadways or driveways. All vehicles must proceed at slow speed and be kept under complete control at all times.
9. No person shall deposit rubbish, papers, dried flowers or other waste upon the Cemetery grounds.
10. Complaints/questions should be directed to City Hall or to the Cemetery Board.

The Griswold Cemetery is owned and operated by the City of Griswold. Please contact City Hall for general information and/or to notify the City of an interment.

P.O. Box 760
601 2nd Street
Griswold, IA 51535
712-778-2615
griscity@netins.net

Moved by Nicklaus. Seconded by Patterson.

PASSED and ADOPTED this 7th day of August, 2018.

Duhn: Aye

Nicklaus: Aye

Patterson: Aye

Attest:

City Clerk, Hannah Bierbaum