

ANOKA

REAL. CLASSIC.

Forest Hill and Oakwood Cemeteries

RULES AND REGULATIONS

APPROVED BY
ANOKA CITY COUNCIL
DECEMBER 1, 2014

RULES AND REGULATIONS Forest Hill & Oakwood Cemetery

1) Purchase of Lots

- a) All fees, or charges, shall be set by the City of Anoka and are payable to the City of Anoka.
- b) Upon full payment of the purchase price of a lot, grave, or niche, the City of Anoka will issue a cemetery deed conveying the right of burial in the lot executed by the City, and the deed shall be recorded in the records of the City. Description of the lot(s) will be in accordance with the cemetery plats, which are kept on file at City offices.
- c) No lot, niche, or grave, will be permitted to be resold, disposed of, or otherwise used until the purchase price, and all unpaid charges, have been paid in full.
- d) Purchase of a columbarium niche includes the bronze plaque for the niche faceplate to identify the occupant(s). Size, style and layout shall be set by the City of Anoka.
- e) All lots will be sold subject to these rules and regulations, or those hereafter adopted. The purchaser shall expressly agree, in the deed conveying the lot, his rights are subject to such reasonable rules and regulations as the City Council may adopt. The deed, and these rules and regulations, and any amendments, constitute the sale agreement between the cemetery and the lot owner.
- f) No lot, grave or columbarium shall be used for any purpose other than the burial of human remains and the placing of appropriate memorials, as per the rules and regulations of the cemetery.
- g) No easement or right of interment is granted to any plot owner in any road, drive, alley, or walkway within the Forest Hill/Oakwood Cemetery; but such road, drive, alley, or walkway may be used as a means of access to the owner's cemetery lot or lots.
- h) The City reserves, and shall have, the right to correct any errors that may be made by it in the description, transfer, or conveyance of any interment property, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location, as far as possible, or as may be selected by the City, or in sole discretion of the City, by refunding the amount of money paid on account of said purchase.
- i) The City reserves, and shall have, the right to correct any errors that may be made by it, either in making interments, dis-interment, or removals. In the event that such error shall involve the interment of remains of any person in such property, the City reserves, and will have, the right to remove or transfer such

remains so interred to other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

2) Transfer of Lots

- a) The owner of a cemetery lot or grave may transfer said lot or grave: 1) to the City of Anoka at the original sale price, 2) to any of his/her relatives, who may survive him/her by will for the use and benefit of the person designated in the will, 3) to other persons not related to him/her.
 - i) The transfer of ownership document must be approved by the City prior to the transfer of lots by the owner.
 - ii) In all cases, the owner must complete and have signed by witnesses and a Notary Public, a transfer of ownership document provided by the City.
 - iii) Upon completion of a transfer made in conformance with these rules, the City will issue a deed to the new owner.
- b) The owner of a columbarium niche may transfer said niche to the City at the original purchase price less the cost of the bronze plaque, if applicable.
- c) No cemetery lot, or grave, may be transferred, resold, or otherwise disposed of without approval of the City.
- d) Lot owners may not allow interments to be made on their lots for remuneration unless the transfer of lot process has been completed and approved.
- e) In cases where the lot, grave, or niche to be transferred has a marker or niche plaque, the City shall remove the existing marker or niche plaque (original owner shall have 30 days to claim the existing marker or plaque, after such time has passed, the City will dispose of it). The new owner, once approved, shall be responsible for fees to purchase and install a new marker or niche plaque.
- f) An administrative fee shall be paid prior to administrating or recording an approved transfer.
- g) The Cemetery Administrator, on behalf of the City, reserves the right to refuse any buy back if the lot, grave, or niche is deemed to have no resale value.

3) Descent of Lots

- a) On the death of a lot owner, such lot shall be granted and conveyed by the City to the decedent's surviving spouse. If there is no surviving spouse, then to the decedent's eldest surviving child; if there is no surviving child, then to the

decedent's youngest surviving sibling; if there is no surviving spouse, child, or sibling of the decedent and the lot is not sold during the administration of the decedent's estate or otherwise provided for by will, the City may convey the lot to any of the decedent's parents, siblings or descendants as it deems fit.

4) Interment

- a) If the person(s) to be interred is not the lot/grave/niche owner, the owner must authorize the interment in writing, signed/witnessed by a Notary Public and approved by the Cemetery Administrator.
- b) No interment shall be made in the cemetery except upon at least 2 business days notice in advance of the time set for the funeral service.
- c) No lot, grave, or niche shall be used for any purpose other than the interment of human remains or ashes.
- d) No casket shall be interred in the cemetery unless it is enclosed in a concrete vault, or box. Ashes must be placed in an urn of like material prior to burial.
- e) No interment of two (2) or more bodies shall be made in one grave, except in the following cases:
 - i) A mother and child may be buried in one casket,
 - ii) Two (2) infants may be buried in one casket,
 - iii) Two (2) urns of cremains/ashes may be buried in one cremation size grave, one full size grave, or in one columbarium niche.
 - (1) When two (2) cremains/ashes exist in one container, even if having the same last name, they shall be considered as two (2) interments.
 - (2) Partial human cremains/ashes are acceptable in the container/urn; however, any cremains/ashes added to a container/urn in a columbarium niche or grave, whether same person or deceased family member, will not be allowed except by special permission of the Cemetery Administrator and payment of applicable interment fee.
 - (3) Urn, vase or similar container to be interred in a 12 inch columbarium niche shall not exceed a base width of 5.5 inches by 11 inches in height by 11 inches in length if the niche is to be used for 2 interments.
 - (4) Urn, vase or approved container, and/or urn vault (not required), to be buried in a cremation size grave, may not exceed a base width or diameter of 20 inches.

- (5) The urn, vase or approved container, and/or outer most container used for the interment of cremains/ashes shall be sealed and labeled/inscribed with name and date of death of the deceased.
- iv) One body and one urn of cremains/ashes may be interred in one full size grave.
- f) Should the lot owner or funeral director, fail or neglect to designate the location, the City of Anoka reserves the right to make the interment in a location designated by the City. The City will not be responsible for any order given by telephone, or for any mistake occurring from the want of precise, proper instructions as to the particular location within a plot where interment is desired.
- g) The City will not be liable for the interment permit, nor the identity of the person sought to be interred.
- h) No interment may 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/grave to be used and all burial/interment fees are paid in full, or arrangements have been made with the City to be paid.
- i) The cost of interments, including burial or ashes, shall be set by the City.
- j) The scattering of remains/ashes on any grave, walk way, etc in the cemetery is strictly prohibited.

5) Delay of Interment

- a) The City of Anoka will be in no way liable for any delay in the interment of a body when a protest to the interment has been made, or where rules or regulations have not been complied with.

6) Dis-Interment / Removals

- a) Written permission of the lot owner, the next of kin, or by person with legal right to manage the remains or cremains shall be filed with the City; a permit from the County Health Officer shall be secured and presented if applicable, and the required fees paid before any grave/niche may be opened for any purpose.
 - i) A certified copy of the Death Certificate, Burial/Transfer Permit, and/or Certificate of Cremation must be submitted to the City before the dis-interment shall occur.
- b) A licensed Funeral Director, at the expense of the lot owner, the next of kin, or by person with legal right to manage the remains, shall oversee the dis-interment of a casket/vault.

- c) At least seven (7) business days notice must be given prior to any dis-interment. This provision does not apply when disinterment is ordered by a duly authorized public authority.
- d) The cost of dis-interment will be the same as interment.
- e) The lot owner, next of kin or by person with legal right to manage the remains/cremains must indemnify and hold harmless the City of Anoka for any and all action which may result from the disinterment.
- f) In the event that the Cemetery Administrator denies any right to disinterment of remains/cremains; the applicant may elect to seek an order of disinterment by the Anoka County District Court.

7) Markers

- a) Every marker must be placed in the space reserved, therefore, as shown upon the plat of such lot, or as directed by the City.
- b) Markers embracing more than two graves will not be permitted, unless otherwise approved.
- c) No monuments will be allowed upon a lot unless otherwise approved by the City.
- d) Only flat markers of the sizes specified by the City will be allowed in the cemeteries. All markers will be set flush with the ground.
 - i) Single Full Size Grave & Cremation Size Grave - marker size is limited to 12" x 24" x 4"
 - (1) Only one marker will be permitted on a cremation grave regardless if it is to include individual or companion information.
 - (2) The addition of a second marker will not be permitted on a cremation grave.
 - (3) If a lot owner wishes to inter a second set of ashes/cremains in a cremation grave with an existing marker installed with individual information, said owner must replace the marker at their expense or forego the placement of a marker for the second interment.
 - (4) Markers embracing more than 1 grave will not be permitted on cremation graves.
 - ii) Two full size graves (side by side) - marker size is limited to 12" x 36" x 4" also known as a companion marker

- iii) Baby Section - is not to exceed 8" x 12" x 4" unless otherwise approved.
- iv) Columbarium - only the specified bronze niche plaque will be allowed
 - (1) Only one (1) bronze plaque is permitted on the columbarium per niche per columbarium design.
 - (2) If a niche owner wishes to inter a second set of ashes/cremains in a columbarium with an existing marker installed with individual information, said owner must replace the plaque at their expense.
- e) A white cement skirt, not exceed 5 inches encasing the marker, will be allowed in the cemeteries. Such marker, set in white cement, will be the responsibility of the lot owner to set. All markers set in white cement will be supervised by the City. Contractors and others engaged in such work must notify the City before beginning the same. The City is not responsible for damage to cement skirts.
- f) No marker, nor any part thereof, may be constructed of limestone, sandstone, wood, or any artificial material.
- g) No foundation will be required for markers, which shall be set flush with the ground. The City of Anoka personnel may set markers without cement skirts per the grave owners' request.
- h) No marker may be placed in the cemetery until payment of the marker permit fee has been made to the City of Anoka. The marker permit fee, as determined by the City Council, will remain the same whether the City or a private monument company sets the marker.
- i) City personnel will set markers during the week, prior to Memorial Day, Fourth of July, Labor Day, and Veterans' Day. Grave owners may, at their discretion, request that the monument company set their marker at any time during the growing season. Monument companies must first receive location information and approval from the Cemetery Administrator prior to setting a marker.

8) Permanent Care

- a) The general care of the cemetery is assumed by the City and includes the cutting of the grass at reasonable intervals, the raking and cleaning of the grounds, and the pruning of the shrubs and trees, maintaining the general preservation of the lots and grounds, walks, roadways, boundaries, and structures, to the end that said grounds shall remain and be reasonably cared for as cemetery grounds.
- b) General care assumed by the cemetery shall in no case mean the maintenance, repair, or replacement of any marker or memorial placed or erected upon lots, nor the doing of any special unusual work in the cemetery.

9) Landscaping Improvements

- a) Plants, flowers, and all decorations must be placed above ground in pots on stands. One (1) pot stand per grave is allowed. Shepherd hooks with hanging pots or decorations are not allowed. Pot stands may not be cemented in or installed in a means to make them "permanent".
- b) Any pot or decoration placed on the ground/grave will not be the responsibility of the City of Anoka or its employees should it be destroyed.
- c) The City will remove flowers and decorations placed directly on the ground/grave prior to routine cutting of the grass without notice.
- d) Artificial decorations that do not resemble plant life are not permitted. The use of live potted plants is encouraged and preferred.
- e) A grace period of 6-months for the enforcement of the landscaping policy will be allowed for recent interments.
- f) Wreaths and holiday arrangements will be allowed on graves from Dec. 1 to Jan. 15. Tinsel, tree ornaments, etc is not allowed.
- g) Non-conforming items will be removed during routine maintenance activities.
- h) No painting, decorating, defacing or alteration of the columbarium, fixture, or tree shall be permitted.
- i) No trees, shrubs, plants, flowers or vines may be planted directly on graves, nor may fences be erected around individual graves or plots.
- j) The City reserves the right to remove any tree, shrub, vine, plant, or flower, which may become unsightly, dangerous, or not in keeping with the landscape design of the cemeteries.
- k) Pots and stands should be removed by November 20 of each year and can be replaced at the appropriate gravesite beginning May 1 of each year. If pots and stands are left year-round, the City takes no responsibility for the pots or stands should they be destroyed.
- l) City staff will remove pots, urns, or stands that are left unused on a grave for a period of one year. These will be stored in a City facility for an additional year. If they are not claimed after that time period, they will be disposed of.
- m) All landscaping, grading, and seeding shall be done by the City and its employees. All graves will be seeded and kept flush with the adjacent ground.

- n) The City will make water available to lot owners for care of flowers and plants in pots, set in stands, from May to October of each year, depending on weather. Lot owners may water the grass covering graves.
- o) The month of April will be designated as Spring Cleanup in the cemeteries. All materials in pots or stands will be removed and disposed of to allow for replanting on, or after May 1. Easter arrangements will be allowed one week before and one week after Easter.
- p) The City cannot be held responsible for any damages, loss, or theft of any personal property such as flowers, plants, decorations, vases, solar lights, markers, monuments, etc.

10)Cemetery Management

- a) The responsibility for the management of City cemeteries, and all matters relating thereto, shall be vested in the City.
- b) The Public Services Department shall be responsible for the care and maintenance of the cemetery. The Public Services Department shall also be responsible for provision of labor for interments, dis-interments, and re-interments.

11)Fees and Administration

- a) Grave prices shall be established by resolution of the City Council
- b) Rules and Regulations, and any future revisions, shall be approved by the City Council.

12)Permanent Care and Improvement Fund Established

- a) This, presently known as Perpetual Cemetery Care Fund, is a trust account, managed by the City of Anoka for the purpose of perpetual care of said columbarium(s) and/or the cemetery lots of the deceased. The principal of said account shall draw interest, which shall be used to maintain the cemetery in proper order.
- b) Any withdrawal from the fund principal shall be approved by a vote of 3/5ths of the Mayor and City Council and may be used to make improvements to the Cemetery per State Statutes.

- c) The City Finance Director shall forward to the Mayor and City Council an Annual Report of all trust account activities including, but not limited to, the principal balance and the interest return from the principal.
- d) The principal amount to be deposited into the trust account for grave/niche sales is 60% of cost.

13)Hours

- a) 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 the City. The City reserves the right to refuse admission to the cemetery and to refuse the use of any of the cemetery's facilities at any time to any person or persons whom the City may deem objectionable to the best interest of the cemetery.

14)General

- a) Persons within the cemetery shall use only the paths and walkways, and no one is permitted to walk upon or across lots or graves unless it is necessary to do so to gain access to one's own lot. The cemetery expressly disclaims any liability for any injuries sustained by anyone violating this rule.
- b) Persons visiting the cemetery or attending funerals are strictly prohibited from writing upon, defacing, or injuring any memorial, breaking or injuring any tree, shrub, or plant, or other structure within the cemetery grounds.
- c) The following acts are expressly prohibited, as well as any other violations of City ordinances and regulations that may apply:
 - i) The driving of motor vehicles into the cemetery, unless attending a funeral, visiting a relative or friend's gravesite, or carrying on maintenance work authorized by the City.
 - ii) The driving or parking of any motor vehicle across or upon any grave or lot.
 - iii) Loud or boisterous talking.
 - iv) Bringing of lunches or refreshments into the cemetery or consuming them on the ground.
 - v) Peddling or soliciting the sale of any commodity within the cemetery.
 - vi) Placing of signs, notices, or advertisements of any kind within the cemetery.

- vii) Bringing firearms into the cemetery, except by military escort accompanying a veteran's funeral, attending memorial services, or by police officers while in the line of duty.
- viii) The throwing of rubbish on any part of the ground.
- d) Special cases may arise in which the literal enforcement or interpretation of a rule may impose an unnecessary hardship. The City reserves the right to make exceptions, suspensions, or modifications of any of these rules and regulations when in the judgment of the City such action appears necessary, and such a temporary exception, suspension, or modification shall in no way be construed as affecting the general application of such rules and regulations.
- e) The City of Anoka reserves the right to remove all monuments, markers, flowers, plants, trees, decorations, and other similar things without liability to the owner whenever any of these objects becomes unsafe or unsightly.
- f) Specific costs for lots, interments, disinterments, burial of ashes, and setting markers are not included in these rules because of the necessity to revise these rates. A current schedule of fees can be obtained from the City. Graves purchased and not paid for within one year of the purchase date shall return to the ownership of the City of Anoka unless prior arrangements have been made with the Cemetery Administrator.
- g) No dog, cat, or other household pet will be allowed in the cemeteries unless on a leash secured by the pet owners. Any and all pet droppings will be removed promptly by the pet owner.
- h) The City of Anoka reserves the right to amend these rules and regulations in the best interest of the cemetery and is not required to give notice of such intended action.

Approved By Anoka City Council 12/1/2014