

Chapter 14 - CEMETERIES

Sec. 14-1. - Scope of provisions.

All property owners and visitors within the Brooklet City Cemetery and all lots hereafter to be sold therein are and shall be subject to the rules and regulations set out in this chapter, formulated and adopted by the mayor and council, and subject further to such other and additional rules and regulations, amendments or alterations as shall be adopted by the city for said Brooklet City Cemetery, the same being a public cemetery owned and operated by the city; and reference to such rules and regulations in instruments or deeds conveying the ownership of lots and the right of interment, shall have the same force and effect as if the same were set forth herein.

(Code 1986, § 4-1)

Sec. 14-2. - City responsible for care, upkeep and maintenance.

All grading, landscape work and improvements of any kind, and care of lots shall be done, and all trees and shrubs moved, and herbage of any kind shall be planted, trimmed, cut or removed, only by the city. Permanent planting of grasses, shrubs, flowers, etc., shall be made by the city and further plantings may be permitted only at the discretion of the city council. The whole cemetery is to be landscaped. To keep it uniform, all plantings shall be under the control of the city, as shall removal of rubbish when necessary, raking and cutting of grass, trimming of trees and shrubbery and other care that the city may deem necessary. The ownership of rights of interment in lots shall not convey any right to do planting, etc., without express approval of the proper officials of the city. The city retains control and supervision of all lots that are sold in these sections, and retains the right to enter upon any lot and prohibit, modify or remove any structure, object, improvement, or adornment on such lot which may have been placed thereon, and which may be considered objectionable or injurious to the lot, adjoining lots, or the cemetery in general.

(Code 1986, § 4-2)

Sec. 14-3. - Reservation of rights.

The right to enlarge, reduce, replan, or change the boundaries or grading of the cemetery, or of the section or sections, from time to time including the right to modify and change the locations of, or remove or regrade the roads, drives, and walks, or any part thereof, is hereby expressly reserved to the city. The right to lay, maintain, operate or alter, or change pipelines and gutters for sprinkling systems, drainage, etc., is also expressly reserved as well as the right to use said land for cemetery purposes.

(Code 1986, § 4-3)

Sec. 14-4. - Liability of city.

The city shall not be liable for loss or damage to property or rights of lot owners arising from causes beyond its control, and especially from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, mischief-makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage is direct or collateral.

(Code 1986, § 4-4)

Sec. 14-5. - Order prerequisite to opening grave.

An order or request in writing is required of the lot owner or authorized undertaker before a grave is to be opened, giving the name, age, sex, date of death, and location of grave in reference to the lot.

(Code 1986, § 4-5)

Sec. 14-6. - Use, maintenance of cemetery lots.

- (a) *Family memorial.* Only one central or family memorial shall be allowed on a family lot, which said memorial shall be placed on the rear of the lot facing the drive, with a one-foot clearance between the base of the memorial and the back of the property line of said lot.
- (b) *Horizontal marker.* In the event a horizontal marker is used on a grave, only material consisting of stone, marble or bronze may be used, and the top of the marker shall be placed flush with the finished grade of the surrounding ground.
- (c) *Depth of vault.* The top of any vault or container holding a body shall be placed at least 12 inches below the finished grade of the surrounding ground.
- (d) *Borders, enclosures, walks.* No coping, curbing, fencing, hedging, grave mounds, borders, or enclosures of any kind shall be allowed around any lot, and no walks of brick, cinder, tile, stone, marble, or terracotta, sand, cement, gravel, or wood shall be allowed on any lot. The city shall have the right to remove the same if so erected or placed.
- (e) *Liability of city.* While the city shall exercise all possible care to protect raised lettering, carving or ornaments on any memorial or other structure on any lot, it shall not be liable for any damage or injury thereto.

(Code 1986, § 4-6)

Sec. 14-7. - Sale or resale of lots.

Only four lots shall be sold to any one person, and in the event of the sale by an owner of either lot before the same is used, it must first be offered to the city at a price not exceeding the original purchase price plus two percent per annum as interest. If the city refuses to purchase said lot, it may be then sold to

an individual on the same basis and at no greater price.

(Code 1986, § 4-7)

Sec. 14-8. - Removal of dead plants, flowers and containers.

The city shall reserve the right to remove all cut flowers and potted plants that may be dead or otherwise objectionable, and will hold the same or the containers for two weeks after their removal, using ordinary care and diligence for their protection and safety, but shall assume no further liability in connection therewith. Owners shall call for the same within the specified time.

(Code 1986, § 4-8)

Sec. 14-9. - Injuring trees or plants; disturbing bird or animal life.

All persons are prohibited from gathering flowers, either wild or cultivated, or breaking trees, shrubbery or plants or disturbing bird or other animal life in the cemetery.

(Code 1986, § 4-9)

Sec. 14-10. - Signs, notices, advertisements.

No signs or notices or advertisements of any kind shall be allowed in the cemetery unless placed by the city.

(Code 1986, § 4-10)

Sec. 14-11. - Price of cemetery lots.

The price of burial plots in the Brooklet City Cemetery shall be as established by the city council (see fee schedule).

(Code 1986, § 4-11; Mo. of 6-20-1983)