

INTERMENTS

Rule 1. The Cemetery will open for Internments from 9:00 a.m. until 2:30 p.m. daily (a \$50.00 over time fee will be charged for funerals arriving after 2:30 p.m.) with the exceptions of Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and New Years Day.

Rule 2. Funeral directors, upon arrival at the Cemetery, must present the necessary burial permit from the local health office.

Rule 3. When an Internment is to be made on a lot, the location of such Internment shall be designated by the lot owner. Should the lot owner fail or neglect to make such designation, the city reserves the right to make the Internment in a location agreed upon by the Funeral Director and the Cemetery Sexton.

Rule 4. The Cemetery Sexton and the employees of the Cemetery are the only persons permitted to open plots.

Rule 5. All charges for Internment or services in connection therewith, shall be paid to the Cemetery Sexton who will issue a receipt.

Rule 6. Arrangements for the payment of any and all indebtedness due the city must be made before Internment will be made.

Rule 7. The right is reserved by the city to insist upon at least twenty-four hours notice prior to any Internment and at least one week's notice prior to any disinterment's or removal. Disinterment's will be made during times of favorable ground conditions only.

Rule 8. All Internments, disinterment's, and removals must be made at the time, and in the manner determined by the Sexton and upon the fees established by the city.

Rule 9. Besides being subject to these Rules and Regulations, all Internments, disinterment's, and removals are made subject to the orders and laws of the properly constituted public authorities.

Rule 10. The city will not be responsible for any order given by telephone or for any mistake occurring from the want of precise and proper instructions as to the particular space, size of plot, and location on a lot, where Internment is desired.

Rule 11. The Cemetery will not be responsible for the Internment permit nor for the identity of the person sought to be interred.

Rule 12. There is an area in the southeast part of the Rose Hill area of the Cemetery known and designated as the "Barham Cemetery". After all of the lots in the "Barham Cemetery" had been assigned to members of the Barham family the "Cemetery" was transferred to the city. The city cannot sell or transfer any title to any plot or lot in the "Barham Cemetery" nor does the city have the authority to determine ownership of any such plot or lot.

All requests to open a plot for an internment in the "Barham Cemetery" must be in writing by an individual who presumptively has authority to make such a request.

While the city will provide the same degree of maintenance and care in the "Barham Cemetery" that is provided the rest of the cemetery, the "Barham Cemetery" and the owners of plots and lots therein shall be subject to these rules and regulations and (including mausoleum, monument and marker restrictions) any changes of modifications thereof.

Rule 13. All internment's will require the use of a concrete, fiberglass or metal grave liner.

PLANTS AND SHRUBS

Rule 1. The city will undertake to maintain, as may be practicable, the planting of trees and shrubs and to preserve and maintain landscape features within the cemetery grounds. If a lot owner wishes to plant an "in memory of" tree the Sexton or his/her designee may provide a location for such planting. All effort will be made to place the planting as close as possible to the desired location, but in "most" cases it (the planting) may not be allowed to be placed on the individual plot or lot. If a memorial plaque or marker is to be placed at the base of such planting (at the owners expense) the cemetery or it's staff will not be responsible for said planting, plaque or marker. If an unauthorized planting is made the cemetery will have the right to remove said planting thereto.

Rule 2. There shall be no individual beds of shrubbery or flowers or personalized landscaping allowed on individual lots. This includes the installation of copings, rock, mulch, bark, trees, bushes, grasses, toys, box's, metal or glass containers of any kind. If said landscaping material is discovered it will be removed by the cemetery at the owners expense. An attempt will be made to contact the family in reference to a violation. A registered letter outlining the violation will be sent to the last address (if known) of a family member. If no response (from the family) is received within 5 working days of the letter being sent the cemetery Sexton and the Commissioner in charge of the Cemetery Department will determine what action should be taken.

All landscaping on the ground prior to the approval of this ordinance will be allowed to remain (grandfathered) until such time the landscaping design becomes dilapidated and/or unsightly. At that time it (the landscaping) will be removed by the cemetery staff.

Rule 3. There shall be no jars, glass, or metal receptacles, or other containers used on the premises for the holding of floral bouquets. All such form of decoration shall be in approved containers.

a) Approved containers are described as: Vases attached to the monument, hanging baskets, and monument saddles.

Rule 4. The city shall not be responsible for any kind of plantings damaged by the elements, vandals, thieves or by other causes beyond its control. The Sexton shall have the authority to remove all floral designs, flowers, weeds, trees, as in the judgment of the Sexton, they become unsightly, dangerous, detrimental, or diseased, or when they do not conform to these rules and regulations as stated herein.

Rule 5. The Cemetery shall not be liable for floral pieces, baskets, or frames placed on or near gravesites that are damaged or stolen.

ENFORCEMENT OF RULES

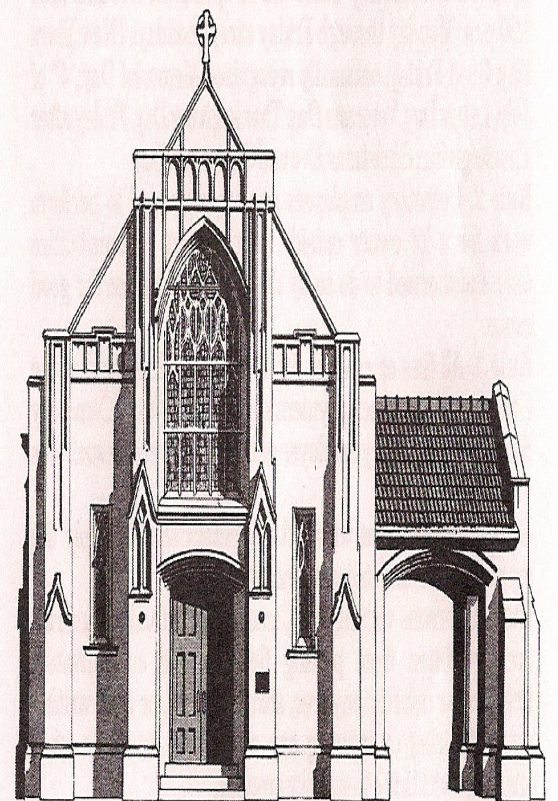
Rule 1. The Sexton is hereby empowered to enforce all Rules and Regulations and to exclude from the Cemetery any person or persons violating the same. The Sexton shall have charge of the grounds and buildings including the conduct of funerals, traffic, employees, plot or lot owners, visitors and private vendors conducting business at the Cemetery.

RULES and REGULATIONS

ROSEHILL CEMETERY

MAPLEWOOD CEMETERY

ODDFELLOWS CEMETERY



MARION CITY CEMETERIES

(Intersection of Rts. 13 & 37)

216 West McDonald

Marion, IL 62959

618-997-6251 • Fax 618-993-6314

marioncemetery@hotmail.com



Effective December 5, 2005

Ordinance 2050 adopted by the Marion City Council December 5, 2005

SPECIAL EXCEPTIONS CLAUSES

Rule 1. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Cemetery Sexton, therefore, reserves the right to make exceptions, suspensions, or modifications to any of these Rules and Regulations, without notice, and such temporary exception, suspension or modification shall in no way be construed as affecting the general application of such Rules and Regulations.

Rule 2. The City of Marion hereby expressly reserves the right to adopt additional Rules and Regulations or to amend, alter or repeal any rule, regulation, article, section, paragraph or sentence in these Rules and Regulations at any time. Sufficient notice will be given by the City of Marion of any rule change that will create expense, hardship, or inconvenience to lot owners or other individuals having business with the Cemetery.

GENERAL RULES

Rule 1. The Cemetery Office will be open from 7:00 a.m. until 3:00 p.m. Monday through Friday except holidays (New Years Day, Good Friday, nationally recognized Memorial Day, 4th of July, Labor Day, Veterans Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Eve and Christmas Day.

Rule 2. Cemetery employees are not permitted to perform work for a lot owner outside their regular responsibilities unless authorized to do so by the Cemetery Sexton for good cause.

Rule 3. All fees or charges for services shall be paid at the Cemetery Office. Such payment shall be made to the Cemetery Sexton or a cemetery employee authorized to receive such fees or charges.

Rule 4. Pedestrians within the cemetery shall use only the avenues, roads and indicated walkways.

Rule 5. Persons visiting the Cemetery or attending funerals are prohibited from picking flowers, wild or cultivated, breaking or injuring any tree, shrub or plant, or from writing upon, defacing or injuring any memorials, fence, or other structure within the Cemetery grounds.

Rule 6. All vehicles must be kept under complete control at all times. When meeting a funeral procession they must stop until the procession passes. They must not pass a funeral procession going the same direction. Mufflers must not be opened nor the horn sounded within the Cemetery.

Rule 7. The following things are prohibited:

- (a) The operation of a motor vehicle in the cemetery at excessive speed. A speed greater than 20 MPH shall be considered excessive.
- (b) The operation of a motor vehicle in any part of the cemetery not designated an avenue road.
- (c) The operation or parking of a motor vehicle within the cemetery on any avenue or road in such a manner as to prevent another vehicle from passing.
- (d) Making a complete or partial reverse turn of any motor car or vehicle on any road or drive way within the Cemetery.

- (e) Loud or boisterous conduct.
- (f) Idling or loafing within the cemetery or buildings.
- (g) Bringing into and consuming while in the cemetery any food or beverage.
- (h) Peddling or soliciting the sale of any commodity.
- (i) Placing of signs notices or advertisements of any kind within the Cemetery.
- (j) Bringing dogs into the Cemetery or any of its buildings. Exceptions made for specially trained dogs used by the handicapped.
- (k) The presence of children under the age of 15 years unless accompanied by a responsible adult
- (l) Any conduct unbecoming a sacred place

Rule 8. It is of the utmost importance that there should be strict observance of the proprieties in the cemetery. Hence, all persons within the cemetery should avoid conduct unbecoming a sacred place.

Rule 9. The placing of boxes, shells, toys, metal designs, ornaments, chairs, settees, vases and similar articles, upon plots will not be permitted as they hinder maintenance efforts and present a safety hazard. Items left on the ground (during mowing season) other than flowers in approved containers will be removed by cemetery employees.

- (a) Approved containers consist of: Vases attached to the monument, hanging baskets, and monument saddles.

Flower Regulations

Rule 1. No floral decorations allowed on the ground during mowing season (April 1 through November 1) except for the Thursday preceding the nationally recognized Memorial Day.

Rule 2. Decorations allowed in vases permanently attached to the monument, hanging baskets, and monument saddles. 1 shepherd staff per single plot lot is allowed, a maximum of two shepherd staffs are allowed for multiple plot lots).

Rule 3. All shepherd staffs not by monuments or without flowers on them are subject to removal.

Rule 4. Memorial Day decorations that remain on the ground will be removed after 7 calendar days.

LOTS AND LOT OWNERS

Rule 1. Cemetery lots shall be purchased at the Cemetery Office. The Cemetery Sexton or his designated representative is authorized to conduct the sale of such lots.

Rule 2. After the payment of the purchase price the City of Marion will issue a Deed of Conveyance describing the purchased lot.

Rule 3. No burial will be allowed on such lot until the purchase price is paid in full.

Rule 4. The cemetery is owned and maintained by the city. Therefore, the city retains the right to enlarge, reduce, re-plot or change the boundaries or grading of the Cemetery, or a section or sections, from time to time, including the right to modify or change the locations of roads, drives, or walks, or any part thereof. The city retains the right to lay, maintain and operate, or alter or change pipelines or gutters for sprinkling systems, drainage, etceteras, as well as is the right to use Cemetery property not sold to individual lot/plot owners for Cemetery purposes, including Internment of the dead, or for anything necessary, incidental or convenient thereto. The city reserves to itself and to those lawfully entitled thereto a perpetual right of ingress and egress over plots and lots for the purpose of passing to and from other plots and lots.

Rule 5. Descriptions of lots/plots will be in accordance with the Cemetery plats which are kept on file in the Sexton's office at the Cemetery.

Rule 6. The city will provide all reasonable precautions to protect plot and lot owners, and the property rights of plot owners, within the Cemetery from loss or damage. However, the city disclaims all responsibility for loss or damage from causes beyond its control. For example, damage caused by the elements, an act of God (ground cave in's), common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral. Damages caused by private businesses such as monument or vault companies shall be the responsibility of said company; the city shall be held harmless in such situations.

Rule 7. The instrument of conveyance of these Rules and Regulations and any amendments thereto constitute the sole agreement between the city and the lot/plot owner. The statement of any employee or agent, unless confirmed in writing by the Sexton, shall in no way bind the city. All plots and lots conveyed by deed and owners of plots are subject to these Rules and Regulations

Rule 8. The general care assumed by the Cemetery shall in no case mean the maintenance, repair or replacement of any memorial, tomb, or mausoleum placed or erected upon lots; nor the doing of any special or unusual work in the Cemetery. Nor does it mean the reconstruction of any marble or granite work on any section or lot, or any portion or portions thereof in the Cemetery, caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided

CORRECTION OF ERRORS

Rule 1. The city reserves, and shall have, the right to correct any errors that may be made by it either in making internments, disinterment's or removals, or the description, transfer or conveyance of any internment property, either by canceling such conveyance and substituting any conveying in lieu thereof other internment property of equal value and similar location as far as possible, or as may be selected by the Sexton, or, in the sole discretion of the Sexton, by refunding the amount of money paid on account of said purchase, in the event such error shall involve the internment of the remains of any person in such property, the city reserves, and shall have the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

DESCENT OF TITLES

Rule 1. The laws of the State of Illinois govern the descent of title to Cemetery lots as well as other matters pertaining to assignments, conveyances, devises, and trust deeds