



Cedar Springs Elmwood Cemetery Rules

1. The rules and regulations of the Elmwood Cemetery are approved of and adopted by the City Council of Cedar Springs. The rules and regulations are enforced by the cemetery sexton and city staff.
2. The rules and regulations of the cemetery shall be adhered to except in special circumstances where literal enforcement of the rules would impose unnecessary hardship. The sexton or city manager shall determine what constitutes special circumstances that would impose an unnecessary hardship and may alter, suspend or modify any rule or regulation in the minimum amount necessary to relieve the hardship. No hardship relief exceptions shall be made if doing so would negatively impact the general application of the rule or regulation.
3. All burial space/s shall be paid in full before a certificate of ownership (deed) is issued. No burial of any kind or use of any cemetery space shall be made except by persons having ownership interest of that space/s.
4. Burial space rights, plot ownership and ownership interest shall be determined by a cemetery deed, the City's records of cemetery deeds and orders of a Court of competent jurisdiction.
5. Where the ownership or ownership rights of a burial space or plot are not clear or are disputed, the sexton shall consider additional documents such as last wills and testaments, court records, birth certificates, death certificates and other persuasive documents to determine likely ownership or ownership rights.
6. Where the ownership or ownership rights are not clear or are disputed, the sexton shall require a cemetery lot transfer indemnification agreement be executed as part of any burial or ownership transfer except in extraordinary circumstances.
7. The City Council has the authority to act as the final arbiter of any questions regarding disposition of cemetery plots, burial space and cemetery operations.
8. No burials, use of any cemetery space of any kind, or any other type of work may be made in the cemetery by any person(s) except Cedar Springs city staff or contractors approved by the cemetery sexton.
9. Burials must be accompanied by a death certificate prior to burial.
10. Section A & D of the cemetery shall only permit cremains/ash burials.
11. The City of Cedar Springs issues deeds to each owner of a burial space/s describing the location and naming the owner(s) of said location. The naming of more than one owner is indicative of joint ownership in common with rights of survivorship.
12. Possession of a cemetery deed by someone not listed on the deed is not in itself evidence of ownership of the burial space/s described in the deed.
13. Ownership of a cemetery burial space/s may be passed by will or according to state laws governing intestacy. The cemetery shall not be bound by such transfers unless and until properly attested or exemplified records shall have presented to it and such change recorded in the records of the cemetery.
14. Ownership of a cemetery burial space/s may be sold or transferred to another person by contacting the City Clerk and paying the deed transfer fee.
15. In the event of loss or destruction of a cemetery deed and upon written request accompanied by a properly executed affidavit by the purported owner of the burial space/s setting forth the circumstances of the loss or destruction of the deed and any required indemnification for the cemetery, the cemetery will prepare a duplicate Certificate from its records.

16. No sale or transfer of a cemetery deed or ownership title shall be permitted unless and until all indebtedness due the cemetery of the transferring parties is paid in full.
17. The owner of a burial space/s may at any time request that the city purchase and transfer ownership back to the city for vacant and an unaltered burial space/s. The city at its discretion may purchase the burial space/s from its rightful owner at the price in which it was originally purchased less perpetual care.
18. All fees and encumbrances due on burial space/s must be paid in full prior to any memorial being placed on the burial space/s including any installation fees.
19. All cemetery deed owners shall notify the cemetery of any change of mailing address. All notices required shall be sent to the last recorded address on record and such notices shall be deemed adequate.
20. The cemetery sexton shall direct and approve of all improvements within the grounds of the cemetery and upon all burial space/s before and after all burials.
21. The cemetery may, at its own expense, without any liability, correct any error that may occur in the placing of a foundation or memorial.
22. Fees and charges for work and services provided within the cemetery and for all materials purchased shall be at rates approved by the City Council.
23. The cemetery shall take all reasonable precautions to protect deed owners, burial spaces and inhabitants of the cemetery from loss, damage or injury but shall not be responsible for any loss, damage or injury.
24. The use of motor vehicles of any kind within the cemetery is expressly limited to transportation of visitors to burial locations within the cemetery. The speed limit within the cemetery is 15 m.p.h. maximum. Parking or driving a motor vehicle over grass, gardens, grave markers or burial spaces is strictly prohibited.
25. Dogs and other pets are not permitted within the cemetery except in a motor vehicle or on a leash.
26. Consumption of alcohol within the cemetery is prohibited. Consumption, use or possession of any illegal substances or drug paraphernalia within the cemetery is prohibited.
27. Cemetery staff shall have the right to enter upon or use any burial space/s to carry out their duties without prior notice to deed owners. Cemetery staff shall keep any such entrance or intrusion to the minimum necessary to carry out their duties.
28. In the event that a memorial or headstone must be removed to facilitate a burial or exhumation, the cemetery shall have the right to remove any memorial or headstone without notice to the deed owner. Cemetery staff shall take appropriate precautions necessary to safely remove and replace any memorials or headstones in such circumstances.
29. No signs, notices, or advertisements of any kind shall be permitted in the cemetery except as placed by cemetery staff. All other signs, notices and advertisements shall be removed by cemetery staff.
30. The cemetery shall strive to complete burials within a timely fashion but shall not be obligated nor liable for any delays to such burials.
31. Each burial space shall be limited to the following types and numbers of burials:
 - a. One adult burial
 - b. One adult burial and one infant burial
 - c. One adult burial and up to three urns of cremated remains, or
 - d. Up to four urns of cremated remains.
32. Not more than one memorial or headstone may be placed on a burial space unless expressly otherwise permitted by the sexton. Two burial spaces may share one headstone if the spaces are adjoining and the landscape permits. Maximum headstone size is 42 inches by 20 inches per burial space.

33. Cemetery Foundations must be poured by the Department of Public Works. Foundations are poured two times per year (before Memorial Day and before Labor Day). Maximum foundation length is 48 inches per burial space.
34. No burial of a casket over three feet in length will be made unless there has been provided an outer container or receptacle of concrete or other such material which the cemetery deems to be of comparable strength and resistance to deteriorations.
35. The cemetery reserves the right to remove all flowers, wreaths or other decorations of any kind from burial spaces. The cemetery grounds shall be cleared of decorations twice a year, on or about March 1st and October 1st. In order to save any decorations placed in the cemetery the decoration should be removed prior to those dates. New decorations may be placed April 1st and November 1st respectively.
36. Items not permitted to be placed within the cemetery include, but are not limited to, grave blankets shepherd's hooks, standup decorations, coping, curbing, decorative rocks, fencing, hedging, grave mounds, borders, glass decorations, wires, pins, shells, stones, tin cans, wooden crosses, balloons, lights and statues or enclosures.
37. A maximum of two decorations are permitted per burial space, Flower pots shall not be larger than 24 inches in diameter.
38. No decorations of any type are permitted in trees or cemetery plantings.
39. Permitted decorations shall not encroach on adjoining burial space/s.
40. Flags may be placed on graves on Memorial Day, Fourth of July, Flag Day, Veteran's Day or any other day expressly permitted by the sexton. Flags shall be 12 inches by 18 inches or smaller in size. Flags are subject to removal by cemetery staff within ten days after a permitted holiday.
41. Trees, shrubs and other plantings are placed by cemetery staff throughout cemetery grounds for overall beauty of the grounds. Trees, shrubs and other plantings are not permitted at any individual burial space/s. Any such tree, shrub or other planting not approved of by the cemetery sexton is subject to removal without notice to the deed owner.
42. Glass or other easily breakable material objects and decorations are prohibited within the cemetery grounds at all times.
43. Devotional lights of any type are prohibited in cemetery at all times.
44. Cemetery staff shall have the right to remove any and all objects or decorations whose deteriorated appearance or condition warrant removal and/or violate the cemetery's rules or regulations. The cemetery is not liable for the loss of any object or decoration removed or lost by any cause.
45. The cemetery is open from dawn to dusk and closed from dusk until the dawn of the next day. Any person found on cemetery grounds while it is closed will be considered a trespasser.

Approved by City Council: September 12, 2019