

OFFICE OF THE CITY MANAGER
DES MOINES, IOWA

ITEM _____

CITY COUNCIL COMMUNICATION 96-396
SEPTEMBER 16, 1996 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
RULES AND REGULATIONS FOR CITY OF DES MOINES MUNICIPAL CEMETERIES	◆ RESOLUTION ORDINANCE RECEIVE/FILE	DON McLAUGHLIN ASSISTANT PARK AND RECREATION DIRECTOR

SYNOPSIS —

Approval of a revision of the attached Rules and Regulations for the City of Des Moines Municipal Cemeteries.

FISCAL IMPACT —

N/A.

RECOMMENDATION —

Approval.

BACKGROUND —

Per Chapter 15.3 of the Municipal Code of the City of Des Moines, the City Park and Recreation Board has the authority to "prepare and compile administrative rules and regulations necessary to carry out the provisions of this subchapter [on cemeteries] subject to section 15-160 of this chapter". Section 15-160 requires the City Park and Recreation Board to report to the City Council such rules and regulations it adopts which shall be and become effective when approved by the City Council.

For the past several years many citizens have expressed issues with the rules and regulations governing City of Des Moines owned cemeteries. Comments have related to the rules being too strict, unenforceable, and difficult to understand. In October 1995, two citizens/staff committees established by the Park and Recreation Board reviewed and revised the cemetery rules and regulations. Tabular formats were created, wording was clarified, and a title/introduction page was added. Only a few minor changes were actually made in some of the rules.

While both committees were prepared in October 1995 to recommend the revised Rules and Regulations to the full Park and Recreation Board, the Board received a citizen request through the City Manager's Office to hear a complaint about the quality of care at one of the cemeteries (Glendale), and concern that the rules and regulations were still too complex. The Park and Recreation Board study committee delayed action on the proposed rules and regulations and asked that the full Board create a permanent citizens cemetery committee. The committee would be composed of citizens at large and up to four members of the Park and Recreation Board. Meeting once a month, this committee could adjudicate other citizens' concerns and complaints about the cemeteries, including the rules and regulations, and make recommendations on these and other cemetery-related matters to the full Park and Recreation Board.

The new Citizens' Cemetery Committee began meeting in May 1966. At its regular July meeting, the Committee voted to recommend the proposed rules and regulations as presented for full Park and Recreation Board approval.

7/24/89

R.C. #89-3244

**RULES AND REGULATIONS
FOR CITY OF DES MOINES MUNICIPAL CEMETERIES**

**Glendale, Laurel Hill, Woodland,
St. Ambrose, Oak Grove, and Sims**



= Deleted

1. General Regulations

- A) The Park and Recreation Director shall cause all cemeteries to be divided into blocks indicating the type of burials and memorials which, under these rules, may occur or be placed in each said block.
- B) No holder of a right of interment shall erect or place or cause to be erected or placed on any burial space, lot or plot any memorial of a material or size not approved by the City Park and Recreation Director. (Sec. 15-26, Municipal Code.)
- C) One central or family memorial shall be permitted on a lot or plot and shall be set in the center of the lot or plot.
- D) No memorial other than markers shall be permitted in cemetery blocks consisting of burial spaces only.
- E) In blocks where memorials of all types are permitted, memorials denoted as markers shall be placed at the end of the grave farthest from the base of the central or family memorial on the lots or plots. This restriction shall not apply to lots sold before May 3, 1954.

2. Corner Posts

The City Park and Recreation Department shall set all corner posts. Corner posts shall be the same material as allowable memorials and shall be placed flush with the grade. Initials shall be cut in, not raised. Corner posts shall be at least six inches in length and not more than six inches square on the face. They shall be dressed where they abut on adjacent lots and set in cement.

3. Materials

- A) All memorials shall be constructed of first grade granite guaranteed as such by retail dealers except that memorials for infant interments may be of artificial or natural stone other than granite. Memorials for veteran burial spaces shall be of flat grey granite. All plans for memorials must be submitted for approval as set forth in Section 15-26 of the Municipal Code.

B) Vases integral to the memorial shall be of granite, bronze or aluminum. Vases integral to the memorial but of a nonconforming material as of June 20, 1989, shall be removed and discarded without notice by the Cemetery Supervisor when they become unsightly and/or hazardous.

C) Size of Memorials

(1) Flush markers shall be no greater in length and width than the following:

- (a) Burial spaces, 28 inches by 18 inches;
- (b) Lots, 57 inches by 18 inches;
- (c) Plots, 60 percent of the width of the plot by 18 inches;
- (d) Infant burial spaces, 20 inches by 12 inches; and
- (e) Veteran burial spaces, 24 inches by 12 inches.

(2) All other memorials shall be no greater in length and width than the following:

- (a) Lots 9 feet by 10 feet in length, 60 inches by 18 inches;
- (b) Lots 11 feet in length, 60 inches or 60 percent of the width of the lot, whichever is greater, by 24 inches;
- (c) Plots 9 feet and 10 feet in length, 60 percent of the width of the plot by 18 inches;
- (d) Plots 11 feet in length, 60 percent of the width of the plot by 24 inches;
- (e) Infant burial spaces (Laurel Hill only), 20 inches by 12 inches, and no more than 16 inches high.

(3) Grave ledgers shall not be permitted.

4. Decorations

A) Decorations shall consist of floral arrangements, wreaths and floral grave blankets. Grave blankets are restricted to the winter decorating period.

B) Decorations are permitted on the memorial portion only of the burial spaces, lots or plots.

C) Permitted times for decorations:

(1) One week before and one week after the religious holiday of Easter (as recognized by the Protestant and Roman Catholic religions).

(2) The day before and Mother's Day.

(3) One week before and one week after Memorial day.

(4) The day before and Father's Day.

(5) From the 1st day of December to the 31st day of January of each year.

D) Removal of decorations:

(1) Fresh decorations in approved receptacles that are an integral part of the memorial need not be removed by the person placing them. All other decorations must be removed at the end of the decoration period or they will be discarded by city personnel.

(2) Ornaments, glass in any form, shells, boxes, wood or iron cases, vigil lights, battery operated lights, candles or any other similar articles are not allowed and may be removed and discarded without notice at any time.

(3) Wreaths or other floral designs shall not be attached to a memorial by any type of fixture that may cause rust spots on the stone.

5. Flower Receptacles

A) No person shall place any flower receptacle on any burial space, lot, plot or in a mausoleum or columbarium unless the receptacle is of non-corrosive metal.

B) Any flower receptacle placed outside of a memorial must be made specifically for in ground placement. Such receptacles must be placed at the ends of memorials and no portion of the receptacle may be above ground. These receptacles may be used during decoration periods only as set forth in section 4(C) above, except that receptacles are not permitted in the infant or veteran sections of the cemetery.

C) Receptacles that are integral parts of a memorial may be used at all times.

D) It is the duty of the lot owner or person placing a memorial or monument to clean, repair and maintain each receptacle so it will be and remain flush with the ground. Flower receptacles extending above ground may be removed and discarded by personnel of the Park and Recreation Department without notice given.

6. Plantings

A) Plantings of annuals, perennials, trees and shrubs are not permitted in Glendale Cemetery blocks D, E, J, 38C, R, 37A, Sections 1 through 5 of block 15, in Flushmarker blocks in Glendale Cemetery 24C, 18B, 29, 30A, 32, 33, 39, 40 and the veterans plot and in Laurel Hill Flushmarker block M, S, W, Infant Section block K and the veterans plot.

B) Annuals are permitted in Glendale Cemetery blocks 27, 38, and O and in Block T of Laurel Hill Cemetery.

C) Annuals, perennials, trees and shrubs may be placed in all other blocks.

D) All plantings must be done and maintained according to the following:

(1) Spring flowering bulbs such as tulips and daffodils are considered to be perennials.

(2) No plantings are permitted around footstones.

(3) Annuals only may be planted in a 12 inch wide space along the graveside of the memorial.

(4) Annuals, perennials, trees and shrubs may be planted at the ends of the memorials providing they do not exceed 3 feet in height and 30 inches in width, nor encroach upon an adjacent burial space, lot or plot.

(5) All plantings must be maintained free of sod and weeds.

(6) No material such as coping, curbing, fencing, hedging grave mounds, borders or enclosures of any kind, bricks, chert, cinders, tile, stone, marble, terra cotta, sand, cement, gravel, wood or similar items shall be allowed on any burial space, lot or plot.

(7) The City Park and Recreation Department may remove without notice any plantings or materials not permitted by ordinance or these rules and regulations.

7. Public Conduct in Cemeteries

It is of the utmost importance that there shall be strict observance of all the properties customarily observed in cemeteries; to this end there shall not be any:

A) Interment or disinterments, removal or interment service on Sundays or on the following holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day or Christmas Day.

B) Children under 16 years of age within the cemetery or its buildings unless accompanied by an adult.

C) Picnicking, sitting or lounging about on any of the grounds, graves or monuments in the cemetery or in any of the buildings.


- D) Talking louder than conversational level within hearing distance of funeral services.
- E) Expecting or smoking within any of the buildings located within the cemetery.
- F) Dogs allowed outside of vehicles within the cemetery or in any cemetery building.
- G) Commercial photography allowed in any cemetery, except by order of the City Manager, for good cause shown.

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Rules and Regulations for City of Des Moines Municipal Cemeteries

September 16, 1996

INTRODUCTION

 = Added

The rules and regulations found herein have been enacted to provide for a more precise understanding of select portions of the City of Des Moines' Cemetery Ordinance. They have also been established to provide the supervisors of the City's cemeteries an opportunity to operate the cemeteries in as fair and impartial manner as possible. Rules and regulations are only as good as the cemetery management's ability to enforce them. Because available personnel hours at the cemeteries are limited, it will not always be possible for cemetery staff to police all violators of its rules and regulations in a timely or exhaustive manner. To do so would require a reduction in primary care services.

Therefore, these rules and regulations are, of necessity, guidelines for directing the behavior of the patrons of the City's cemeteries. If the condition of the cemeteries are to be of the highest quality and the practices therein fair for all, it will take the cooperation of everyone visiting them to abide by these rules and regulations.

Thank you for helping to make your cemetery the best it can possibly be.

I. GENERAL REGULATIONS

- A. The Park and Recreation Director (the Director) shall cause all cemeteries to be divided into blocks. The Director will also indicate the type of burials, plantings, and memorial which may occur or be placed in each block.
- B. No holder of a right of interment shall erect or place or cause to be erected or placed on any burial space, lot or plot any memorial of a material or size not approved by the Director. (Sec. 15-26, Municipal Code)
- C. One central or family memorial, including flush markers, shall be permitted on a deeded space, lot or plot and shall be set in the center of the space, lot or plot.
- D. In blocks where memorials of all types are permitted, memorials denoted as markers shall be placed at the end of the grave farthest from the base of the central or family memorial on the lots or plots. No foot markers are allowed on single space burials. This restriction shall not apply to lots sold before October 1, 1996.
- E. It is the duty and responsibility of the lot owner or person placing a memorial or flower receptacle to clean, repair and maintain each fixture in an acceptable manner. Flower receptacles must be maintained in such a way as they remain flush with the ground. Flower receptacles extending above ground may be removed and discarded by personnel of the Park and Recreation Department without notice.
- F. Interment or disinterment, removal or interment service **ARE NOT ALLOWED** on Sundays or on the following City holidays: New Year's Day, Memorial Day (observed), Independence Day, Labor Day, Veteran's Day (observed), Thanksgiving Days, or Christmas Days.
- G. No monument may be marked, engraved, stamped, or otherwise identified with the name or logo of the monument company from which the monument was made or purchased.

II. MATERIALS

- A. All bronze markers shall be mounted on a granite base. All memorials other than bronze markers or Memorials for infant interments shall be constructed of first grade granite guaranteed as such by retail dealers. Memorials for infant interments may be of artificial or natural stone other than granite. Memorials for veteran burial spaces shall be of granite material, flat gray in color and flush to the ground.

If requested, all plans for memorials must be submitted to the Park and Recreation Director for approval as set forth in Section 15-26 of the Municipal Code. All memorials, markers, monuments are owned by the citizen and not the responsibility of the City of Des Moines.

- B. Vases integral to the memorial shall be of granite, bronze or aluminum. Vases integral to the memorial but of a non-conforming material as of June 20, 1989 shall be removed and discarded without notice by the Cemetery Supervisor when they become hazardous.

- C. Size of Memorials:

1. **Flush markers** shall be no greater in length and width than the following:

	Length of Marker	Width of Marker
Single Adult Spaces	28 inches	18 inches
Single Infant Spaces	20 inches	12 inches
Single Veteran Spaces	24 inches	12 inches
Lots (2) Spaces	62 inches	18 inches
Plots (3) or More Spaces	60% of plot width	18 inches

2. **All upright monuments** shall be no greater in length and width than the following:

	Length of Monument	Width of Monument
Lots 9' and 10' in length	62 inches	18 inches
Lots 11' in length	62 inches or 60% of width, whichever is greater	24 inches
Plots 9' and 10' in length	60% of width of plot	24 inches
Plots 11' in length	60% of width of plot	24 inches
Infant Spaces Laurel Hill Only	20 inches	12 inches No more than 16 inches high

- D. Corner Posts

The City Park and Recreation Department shall set all corner posts. Corner posts shall be the same material as allowable memorials and shall be placed flush with the grade. Initials shall be cut in, not raised. Corner posts shall be at least six inches in length and not more than six inches square on the face. They shall be dressed where they abut on adjacent lots and set in cement.

III. DECORATIONS

- A. Decorations shall consist of floral arrangements, wreaths, and floral grave blankets. Grave blankets are restricted to the winter decorating period.
- B. Decorations are permitted on the memorial portion only of the burial spaces, lots or plots (grave blankets excepted).
- C. Receptacles that are integral parts of a memorial may be used at all times.
- D. **Decoration Periods:**
 - 1. One week before and one week after the religious holiday of Easter (as recognized by the Protestant and Roman Catholic religions).
 - 2. The day before Mother's Day through the day after Father's Day.
 - 3. From the first day of December through the last day of February of each year.
- E. **Removal of Decorations:**
 - 1. All decorations that do not use a component receptacle as outlined above must be removed at the end of the decoration period or they will be discarded by City personnel.
 - 2. Ornaments, glass in any form, shells, boxes, wood or iron cases, vigil lights, battery operated lights, candles or any other similar articles are not allowed and may be removed and discarded without notice at any time.

IV. FLOWER RECEPTACLES

- A. The City of Des Moines is not responsible for damage to any receptacle used in cemeteries.
- B. Only receptacles made of non-corrosive metal may be used.
- C. Any flower receptacle placed outside of a memorial must be made specifically for in-ground placement. Such receptacles must be placed at the ends of memorials and no portion of the receptacle may be above ground. These receptacles may be used during decoration periods only as set forth in Section 3E above.
- D. Receptacles are not permitted in the infant or veteran sections of the cemetery.

V. PLANTINGS

- A. The location of memorials and the plantings of annuals, perennials, trees and shrubs in **LAUREL HILL CEMETERY** ARE ALLOWED ONLY IN THE BLOCKS INDICATED BY THE TABLE BELOW.

BLOCK	Upright Monument Centered On Lot or Plot	Upright Monument Centered On Single Space	Flush Marker Centered On Lot or Plot	Flush Marker At Head	Flush Marker At Foot	Planting Trees, Shrubs, Perennials	Planting Annuals Allowed	Receptacles (Vases) Allowed
C, D, E, F, 1, R, Ra, Sa, Sb, O, 3, 4, 4a, 4b, 5	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
All Infant Sections		Yes		Yes				
Veterans H		Yes		Yes				
Veterans Sc	Yes	Yes	Yes	Yes				
Veterans A				Yes				
T	Yes		Yes		Yes		Yes	Yes
J	Yes		Yes				Yes	Yes
Sc, Sd, M, W, Wa			Yes	Yes				

EXAMPLE

Location For Placement Of
Plantings, Decorations, Vases Where Allowed

	Annual Flowers Only 12 Inches From Monument Where Allowed Decorations To Be Placed Around Memorial	
Trees, Shrubs, Annuals, Perennials, Vases Where Allowed	MONUMENT	Trees, Shrubs, Annuals, Perennials, Vases Where Allowed
Monument Set 3 Inches From Lot Line		

V. PLANTINGS

A. The location of memorials and the plantings of annuals, perennials, trees and shrubs in **GLENDAL CEMETERY** ARE **ALLOWED ONLY IN THE BLOCKS INDICATED BY THE TABLE BELOW.**

BLOCK	Upright Monument Centered On Lot or Plot	Upright Monument Centered On Single Space	Upright Monuments Centered On Single Spaces, Lots and Plots	Upright Monuments, Flush Markers Centered on Lot or Plot	Flush Marker At Head	Flush Marker At Foot	Planting Trees, Shrubs, Annuals, Perennials	Vases Are Allowed
27, 28, 30b, 31, 37, 38a, 38b, B, F, G, K, O	Yes			Yes		Yes	Yes	Yes
14, 15, 16, 17, 18, 18a, 19, 20, 21, 22, 23, 24, 25, L			Yes			Yes	Yes	Yes
38c-single J-single 1, 29, 30a, 32, 33, 37a, 39, 40, 41					Yes			Yes
38-infant 14b, 18b, 49, 50, T, 24b					Yes			
15-infant, A, 34, 35, C, E, 26a, 26b, G.A.R.		Yes						
38c, J, R	Yes					Yes		Yes
D1, D2, D3			Yes		Yes		Yes	Yes

EXAMPLE

Location For Placement Of
Plantings, Decorations, Vases Where Allowed

	Annual Flowers Only 12 Inches From Monument Where Allowed Decorations To Be Placed Around Memorial	
Trees, Shrubs, Annuals, Perennials, Vases Where Allowed	MONUMENT	Trees, Shrubs, Annuals, Perennials, Vases Where Allowed

Monument Set 3 Inches From Lot Line

B. All plantings must be done and maintained according to the following:

1. No plantings are permitted around foot stones.
2. Annuals only may be planted in a **12 inch wide space** along the grave side of the memorial.
3. Annuals, perennials, trees and shrubs may be planted at the ends of the memorials providing they **DO NOT EXCEED 3 feet in height and 30 inches in width**, nor encroach upon an adjacent burial space, lot or plot.
4. All plantings must be maintained free of sod and weeds by the person responsible for the plantings.
5. No material borders or enclosures of any kind shall be allowed on any burial space, lot or plot (white rock, brick edging, wood chips, etc.).
6. The cemetery supervisor may authorize the removal without notice of any plantings or materials not permitted by ordinance or these rules and regulations.

VI. PUBLIC CONDUCT IN CEMETERIES

- A. Children under 16 years of age are not allowed within the cemetery or its buildings unless accompanied by an adult.
- B. Picnicking or loitering about on any of the grounds, graves or monuments in the cemetery or in any of the buildings is not allowed at any time.
- C. Talking louder than conversational levels is not permitted within hearing distance of funeral services.
- D. Expectorating or smoking is not allowed within any of the buildings located within the cemetery.
- E. Dogs are not allowed outside of vehicles within the cemetery or in any cemetery building.
- F. Commercial photography is not allowed in any cemetery, except by order of the Director for good cause shown.

Effective Date: September 16, 1996
Des Moines Park and Recreation Board
City of Des Moines, Iowa

For more information, please contact:

Glendale Cemetery
4909 University Avenue
271-8722

Laurel Hill Cemetery
3601 East Court Avenue
265-0873