

**CITY COUNCIL  
COMMUNICATION:**

**ITEM \_\_\_\_\_**

**OFFICE OF THE CITY MANAGER  
CITY OF DES MOINES, IOWA**

**98-574**

**SYNOPSIS -**

**AGENDA:**

Recommendation from Park and Recreation Board regarding a request from the Islamic Center of Des Moines to allow an exception of current cemetery practices for Islamic burials.

DECEMBER 21, 1998

**SUBJECT:**

**FISCAL IMPACT -**

ISLAMIC CEMETERY  
BURIAL REQUEST

N/A

**TYPE:**

**RECOMMENDATION -**

**RESOLUTION  
ORDINANCE  
RECEIVE/FILE**

**Approval.**

**BACKGROUND -**

**SUBMITTED BY:**

On October 8, 1996, the Park and Recreation Board approved Resolution No. 11770, the designation of an exclusive area in Glendale Cemetery, approximately 1/2 acre in size, for the burial of members of the religion of Islam. City Council approved the recommendation from the Park and Recreation Board by Roll Call No. 97-74 at its January 6, 1997 meeting.

DONALD TRIPP  
PARK AND RECREATION  
DIRECTOR

Members of the Islamic Center of Des Moines appeared before the City Council at the October 5, 1998 meeting (Roll Call No. 98-3159) to request that two exceptions be considered in the burial procedures for City cemeteries: Eliminate the need for placing a concrete vault (or liner) into Islamic graves so that certified members of the Islamic faith can be buried directly into the ground; and 2) arrange for all Islamic burials to be completed within a 24-hour period, or so that two sunsets do not pass before actual burial in the ground.

The Park and Recreation Board's Citizen Cemetery Committee, legal counsel, and staff met with members of the Islamic Center of Des Moines at a special meeting on Wednesday, November 4, 1998, to discuss the concerns. The following resolution was agreed upon by all parties and is recommended to the City Council for its approval:

1. Use of a vault or liner will be discontinued for Islamic burials unless requested on an individual basis.
2. The grave will be dug normal depth but narrower to accommodate the special placement requirements of the body.
3. Representatives of the deceased will be responsible for handling the body and lowering it into the grave; no one, including staff, will go into the grave for any reason.
4. Representatives of the deceased will cover the body completely with dirt prior to cemetery employees backfilling the grave.
5. Cemetery employees, after filling the grave, will tamp and refill the grave with dirt as needed to ensure minimal settling.
6. Every effort will be made by cemetery staff to bury Islamic deceased as soon as possible; however, both parties agree that instances will occur where a non-work day (Sunday) and/or a holiday will create a delay in burial. In those rare instances, arrangements will be made by the Islamic Center with a funeral home to keep the body preserved until the earliest possible burial can take place.
7. A burial service must not occur when backfilling a grave cannot take place before dark. This situation will be determined by the Cemetery Supervisor or his designee.
8. A funeral director or institutional (hospital) mortician, who issues the death certificate, is responsible for notifying the Cemetery Supervisor, or his designee, that a burial opening/closing may occur.

The above resolution was passed by the Park and Recreation Board at a special meeting on December 1, 1998, by Resolution No. 98-215, and is recommended to City Council for its approval. The above request requires changes in the current City cemetery ordinance and license agreement with the Islamic Center. The revised ordinance would provide an exception from the requirement for burial in a vault for those persons where a vault would violate an established religious custom, rule, or practice. Park and Recreation Board approval of this policy change includes the recommendation to make the appropriate changes to these documents.