

Date June 8, 2020

APPROVAL OF RULES FOR CEMETERIES OPERATED BY THE PARKS AND RECREATION DEPARTMENT

WHEREAS, the municipal cemeteries are operated by the Parks and Recreation Department; and

WHEREAS, pursuant to Section 34-32(c) of the Municipal Code of the City of Des Moines, the Parks and Recreation Board may review and approve rules and regulations necessary and beneficial to regulate the conduct in the City cemeteries, which rules and regulations must be reported to and approved by the City Council in order to be put into effect; and

WHEREAS, at its meeting on May 26, 2020, by Resolution No. 20-031, the Parks and Recreation Board voted unanimously to approve the proposed Cemetery Rules and Regulations, attached hereto, for municipal cemeteries.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the attached Rules and Regulations for City of Des Moines Municipal Cemeteries are hereby approved and take effect on June 9, 2020.

(Council Communication No. 20-234) Moved by _____ to adopt.

(Cemetery Rules attached)

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk

Rules and Regulations for
City of Des Moines
Municipal Cemeteries

I. RULES OF GENERAL APPLICABILITY

- A. The Parks and Recreation Director, or his or her designee, ("the Director") shall cause all cemeteries to be divided into blocks. The Director shall also indicate the type of burials, plantings, and memorial which may occur or be placed in each block.
- B. All memorials erected or placed on any interment space by the services of a professional monument retailer or dealer and must be of a material and size approved by the Director. (Sec. 34-136, 34-137, and 34-138 of the Municipal Code)
- C. One memorial shall be permitted in the center of an interment plot and other memorials shall be permitted at the foot of each space in the 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 plots. No foot markers are allowed on infant burial plots or on the veteran's plots. This restriction shall not apply to interment spaces or interment plots sold before September 1, 1996.
- E. The City of Des Moines is not responsible for the cleaning, repair or maintenance of memorials or flower receptacles. It is the duty and responsibility of the owner of the right of interment or family members or others responsible for 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 Parks and Recreation Department without notice.
- F. Interment or disinterment, removal or interment services 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 or other City holidays.
- 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 memorials for in-ground burials other than bronze marker must be constructed of first grade granite guaranteed as such by retail dealers. Memorials for veteran burial spaces must be of granite material, flat gray in color and flush to the ground in compliance with the United States Department of Veteran's Affairs requirements for veteran's memorials.

If requested, the plans for memorials must be submitted to the cemetery manager for approval as set forth in Section 34-136 of the Municipal Code. Memorials, markers, and monuments are not owned by the City and are not the responsibility of the City of Des Moines. By placement of a monument, the monument owner agrees that the City may from time to time level, reset or repair monuments that are leaning or that have been tipped over at the owner's expense. The City may, in its discretion, waive the expenses if the work is minimal. In addition, the City has the permission to remove mold, lichen, moss, algae or other biological growth.

- B. Vases integral to the memorial must 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 manager when they become hazardous in the reasonable determination of the cemetery manager.
- C. Size of In-Ground Burial 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
Plots (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
Plots 9' and 10' in length	62 inches	18 inches
Plots 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
Infant Spaces Laurel Hill Only	20 inches	12 inches No more than 16 inches high

D. The size of memorial benches shall not exceed: (i) 16 inches at the top of the seat; (ii) 32 inches at the top off the seat back; (iii) a seat depth of 24 inches; and (iv) a maximum seat width of 60% of the width of the plot on which it is placed.

E. Corner Posts

Corner posts may only be set by the City Parks and Recreation Department. Corner posts are considered part of the memorial and must comply with the requirements of City of Des Moines Municipal Code Sec. 34-136.

III. DECORATIONS

A. In-Ground Burial Decorations

1. Only floral arrangements, wreaths, and floral grave blankets are permitted. Grave blankets are restricted to the winter decorating period (December 15 to March 1).
2. Decorations are permitted on the memorial portion only of the interment spaces or lots (grave blankets excepted).
3. Receptacles that are integral parts of a memorial may be used at all times.

B. Wildflower Scattering Garden and Scattering Areas

No artificial decorations are permitted in Scattering Areas. Seedless Natives or flowers, such as roses, are permitted. Only natural materials are permitted, and items may be removed at any time by cemetery staff if they are deemed to be unsightly in appearance, as reasonably determined in the sole discretion of the cemetery manager or his or her designee.

C. Columbarium or Niches

No decorations are allowed. Wreaths are permitted and must be self-supporting on a wreath stand. Placement of live plant decorations on the ground near a columbarium or niche is acceptable, however, decorations

may not touch the structure. Decorations may be removed by cemetery staff at any time if they are deemed to be unsightly in appearance, as reasonably determined in the sole discretion of the cemetery manager or his or her designee.

D. Glendale Mausoleum

Decorations may be placed in vases only on the shelves. No liquids may be used in the mausoleum to keep plants alive. Flammable materials or candles are not permitted.

E. Memorial Benches

No decorations may be placed on the benches.

F. Prohibited Items for All Interment Spaces

Ornaments, glass in any form, shells, boxes, wood or iron cases, lights or candles of any kind, ropes, ribbons, strings, or items of a similar nature are not permitted. No fencing or materials creating an edge or border of any kind (rocks, edging material, etc.) shall be placed on cemetery plots. Political images or messages on any materials, including flags, are prohibited. This Rule does not prohibit display of City, State or the United States of America flag or other materials bearing such words or symbols.

G. Removal of Decorations/Materials Left at Interment Spaces:

All decorations and all materials (hereinafter "decorations") left at an interment spaces, that do not use a receptacle that is an integral part of a memorial as described above must be removed at the end of the decoration period or they will be discarded by cemetery staff. Items in violation of Rule III. G may be removed and discarded without notice at any time.

On March 1, July 1 and October 1 of each year, weather permitting, Cemetery City staff will begin the process of removing all cemetery decorations that have been placed on interment spaces in municipal cemeteries. Persons who have left decorations that they would like to keep must remove them to the dates above. All decorations, including wreaths, statues, ornaments, flower arrangements, toys, vases (unless an integral part of a memorial), signs, balloons, flags and wind spinners, remaining on interment spaces during the removal period will be removed and discarded. Cemetery staff will complete the clearing of decorations typically between two to three weeks, at which time the public will again be able to place decorations, which may remain in place until the next removal period begins.

In addition to the above listed clean up removal dates, cemetery staff will have the right at any time to remove and discard decorations that have become unsightly in appearance or are no longer serving their intended

purpose, as determined by the reasonable sole discretion of the cemetery manager or his or her designee, such as brown and withered plants or flower arrangement, deflated balloons, and damaged wind spinners.

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 attached to or part of the memorial and no portion of the receptacle may be above ground. These receptacles may be used during decoration periods only as set forth in Section 3 above.
- D. Receptacles are not permitted in the infant or veteran sections of the cemetery.

V. Plantings and Monument Regulations							
Glendale Cemetery							
Block	Upright Monument Centered on Lot or Plot	Upright Monument Centered on Single Space	Flush Marker At Head	Flush Marker at Foot	Annual Plantings	Planting Trees, Shrubs, Perennials	Vases Allowed
27, 28, 30B, 31, 37, 38A, B, F, G, K, O, M	Yes	Yes	Yes	Yes	Yes	Yes	Yes
14, 15, 16, 17, 18, 18A, 19, 20, 21, 22, 24, 25	Yes	Yes	Yes	Yes	Yes	Yes	Yes
38C-single,							

J-single, I, 29, 30A, 32, 33, 37A, 39, 41, H, HC	No	No	Yes	No	No	No	Yes
38I, 14B, 18B, 49, 50, 51, T, 24B	No	No	Yes	No	No	No	No
15-1-5, A, 34, 35, C, E, 26A + B, G.A.R.	No	Yes	No	No	No	No	No
38C*, J*, R, HA	Yes	No	Yes	No	No	No	Yes
D1, D2, D3*	Yes	Yes	Yes	No	Yes	No	Yes
N*	No	Yes	Yes	No	Only Uprights	Only Uprights	No
36A	Yes	Yes	No	No	No	No	No
37I	No	Wedge or Bevel	No	No	Yes	No	No

*38C = Evens are upright. Odds are flush.

*J = see block book

*N = see block book

*D3 = 1120+ is flush

Plantings and Monuments Regulations							
Laurel Hill Cemetery							
Block	Upright Monument Centered on Lot or Plot	Upright Monument Centered on Single Space	Flush Marker Centered on Lot or Plot	Flush Marker at Foot	Planting Trees, Shrubs, Perennials	Planting Annuals Allowed	Vases Allowed
C, D, E, F, 1 R, Ra, Sb, 0, 3, 4, 4a, 4b, 5	Yes	Yes	Yes	Yes	Yes	Yes	Yes
All Infant Sections	No	Yes	Yes	No	No	No	No
Veterans H (GAR)	No	Yes	No	No	No	No	No
Veterans Soldier Circle	Yes	Yes	Yes	No	No	No	No
Veterans A	No	No	Yes	No	No	No	No
T, T-1, L	Yes	No	Yes	No	No	Yes	Yes
J	Yes	No	Yes	No	No	Yes	Yes
Sc, Sd, M, W, Wa, Wb	No	No	Yes	No	No	No	No
P*	No	Yes	Yes	No	No	No	No

*P = 1st 3 rows are flush, then alternating flush and upright

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

No plantings are permitted around foot stones. Annuals only may be planted in a 12-inch wide space along the grave side of the memorial. 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.

All plantings must be maintained free of sod and weeds by the person responsible for the plantings.

No material borders or enclosures of any kind shall be allowed on any interment space or plot (white rock, brick edging, wood chips, etc.).

The cemetery manager 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. Municipal Code sections 34- 201 to 34-210 regulate public conduct in City Cemeteries.
- B. Commercial still photography or videos, including use of a drone, is not allowed in any City cemetery, except by written permission issued by the Director in order to benefit the historical, cultural or educational needs of the community.
- C. All animals brought on the cemetery, such as dogs, must be on standard leashes or electronic leashes where the animal stays within 6 feet of owner/walker. Animals must remain on paved surfaces only and the owner/walker must immediately remove animal wastes. Service animals may be on the cemetery grounds for purposes of attending interment services, visitation of an interment space, tours authorized by the Parks and Recreation Director, and other activities authorized by the Parks and Recreation Department pursuant to Des Moines Municipal Code Sec. 34-33(1).
- D. Drivers for funeral homes and funeral directors must follow cemetery staff requests for services for special circumstances. This may include parking, funeral escort, or safety considerations.
- E. Cemetery staff may remove decorations with language or symbols which are vulgar, profane, abusive, or threatening, or which, on their face, have the intent or effect of disturbing the public peace or quiet which is likely to provoke a violent reaction by another, or intimidates or wrongfully restrains or prevents any person from doing a lawful act.
- F. Cemetery staff or City contractors are the only people permitted to work on the grounds or City owned buildings or structures, including benches.

Volunteers may participate on special projects led by the Parks and Recreation staff.

- G. Tours of the cemeteries are only permitted by authorization from the Parks and Recreation Director. The tours must be historical in nature or to honor the individuals buried in the cemetery.
- H. Rental of certain cemetery facilities, such as buildings, are permitted for memorial services. Such rentals require fees and reservations through the cemetery office.

For more information, please contact:
Glendale Cemetery
4909 University Avenue
515-248-6320
cem@dmgov.org