

VIOLA CEMETERY ORDINANCE NO. 001

SERIES 2017

BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF VIOLA, MERCER COUNTY, ILLINOIS, THAT:

SECTION I: This ordinance shall be known as the "THE VIOLA CEMETERY ORDINANCE." It replaces all prior Viola cemetery ordinances.

SECTION II: The Viola Village Cemetery shall, from the effective date of this ordinance, be governed by a Board to be known as the Viola Cemetery Board; said Board shall consist of three (3) voting members to be appointed by the Village President with the advice and approval of a majority of a quorum of the Village Trustees. The Village President and the Village Board Cemetery Committee shall be members of the Viola Cemetery Board. The Viola Cemetery Board shall elect one of its voting members as Chairman, and this member shall call and preside at all meetings. The Village Clerk shall act as Clerk of the Cemetery Board and keep records of all its acts and doings, which records shall be open to the Cemetery Board members, the Village President and Trustees, and the public at all reasonable times for inspection.

SECTION III: It shall be the duty of the Viola Cemetery Board to operate, control and maintain the Viola Village Cemetery, and to supervise all cemetery funds, all of which shall be done in compliance with the provisions of the ordinance and any amendments thereto hereinafter enacted.

SECTION IV: The Viola Village Board shall employ a Sexton and such laborers as may be necessary to keep the Cemetery in fit and proper condition and shall supervise the work of such Sexton and laborers.

SECTION V: Viola Cemetery Board shall invest in proper trust investments all Perpetual Care Funds now belonging to said Village or to said Cemetery, and all such Perpetual Care Funds as may subsequently come into their names.

SECTION VI: Graves / Cremains sites. Viola Cemetery Board shall sell all spaces available in said Cemetery at the cost of Three Hundred and Fifty and 00/100 Dollars (\$350.00) per site.

- a) Perpetual Care Fund. Half of the sale price of each and every grave sold shall be put into the Cemetery General Fund and the other half shall be put into the Perpetual Care Fund; no space to be hereinafter sold without perpetual care.
- b) Relocation and Maintenance. A Monument Location and Maintenance fee of \$50 shall be charged for relocation of any monument. This fee shall be deposited in a separate Monument Location and Maintenance account.
- c) Location and Opening. An additional fee of Fifty and 00/100 Dollars (\$50.00) for grave location and openings will be charged.
- d) Number of Interments. "A set of cremains" is defined as the ashes of one (1) cremated human body. Multiple interments must be requested by either the grave owner(s) or family.

No more than two [2] interments shall be allowed within any grave or cremains site as follows:

- 1) A maximum of two (2) sets of cremains; or
- 2) A maximum of one (1) casket vault and one (1) set of cremains.

SECTION VII: No stone, monuments, plantings or other installation of any kind may hereinafter be placed in the Cemetery or on any lot thereof without the permission of the Sexton, which shall be given by him only in compliance with such rules and regulations as may from time to time be adopted by the Viola Cemetery Board and permitted by Illinois statutes then in effect.

SECTION VIII: No monument or other stone or metal marker shall be permitted which extends above the ground level on lots 31 through 93 in the 1956 Addition.

SECTION IX: Deeds. Beginning September 1, 2013, deeds and perpetual care certificates must be issued and attested by the Village Clerk before interment can proceed. All deeds and perpetual care certificates shall be signed by the Village President and Village Treasurer, and attested by the Village Clerk, and the Village Clerk shall not sign such deeds or certificates until said graves are paid for pursuant to SECTION VII herein above. Copies of the deeds or certificates shall be issued to the owner and a copy shall be filed with the Village Clerk and Sexton.

SECTION X: All funds, perpetual care, trust, and current funds of the Cemetery shall be kept by the Village Treasurer. The Village Treasurer shall act as ex-officio Treasurer of the Cemetery Funds, shall make reports in regard to the same from time to time as may be required by the Village Board of Trustees, and shall make a detailed report to the February meeting of the Village Board of Trustees each year of all funds, receipts, disbursements and investments.

SECTION XI: Before selecting monuments, markers or other memorials, grave lot owners are requested to consult with the Sexton to ascertain whether or not same will be allowed on their lot. Any stone improperly set that must be moved shall be the financial responsibility of the grave lot owners. Only one stone per grave lot is permitted. A concrete foundation with a forty-two-inch footing is required for all monuments and grave markers. The foundation shall be wide enough to provide a flange, which shall be at ground level, and extends at least five inches around the stone. Corner posts will not be permitted. No material other than standard granite or marble or government bronze for veterans shall be used for monuments or grave markers. Fences or other enclosures around or within lots or graves are not permitted.

SECTION XII: Flowers, Decorations, and Landscaping.

- Flowers are permitted on stones with existing vases built into the monument. Flowers placed in the grass next to the monument will only be allowed in approved or Village supplied holders.
- Flowers arranged in monument 'saddles' are permitted.
- Cut flowers and/or artificial flowers may be placed on the flange.
- Solar lights, only on standards, will be allowed, and must be placed within 3 inches of the base of the monument. Solar lights are limited to two [2] per monument.
- Shepherds' hooks are limited to one [1] per monument, and are not to exceed five feet in height.

- On the monuments or the lots, there will be no use of glass containers, bottles, ceramics, plastic statues, or anything that may cause injury to personnel, while mowing and maintaining the cemetery.
- Anything hindering the maintenance of the graves is subject to removal at the discretion of the Sexton.
- No new landscaping around graves is permitted. Current grave landscaping can remain in place as long as it is maintained.
- All trees, shrubs and evergreens are planted by the Sexton with Cemetery Board approval according to carefully prepared landscape plans. No grave lot owner will be allowed to plant a tree, shrub or evergreen.
- Anything placed upon any lot or grave which shall, in the opinion of the Viola Cemetery Board, be deemed offensive, improper, or detrimental to the Village Cemetery, shall be removed without notice.
- Deteriorated decorations and/or those interfering with maintenance shall be discarded at the discretion of the Sexton.

SECTION XIII: SPRING CLEANUP: March 1. All decorations must be removed by this date. MEMORIAL DAY: Decorations placed on graves for Memorial Day that interfere with mowing will be discarded ten (10) days after Memorial Day. FALL CLEANUP: October 1. All decorations must be removed by this date, or they may be removed without notice.

SECTION XIV: Repurchase and Transfer. The Viola Cemetery Board shall repurchase and/or transfer grave sites as follows: Purchase back a grave site for the price of not more than fifty percent (50%) of the purchase price if the party selling back the grave site delivers back the original deed. The Viola Cemetery Board will transfer a deed to another party for a fee of twenty-five dollars (\$25.00) if the original deed is delivered.

SECTION XV: The Sexton will keep separate physical files organized by lot numbers and by names. The Sexton will keep a book of records and a plat or an electronic spreadsheet of the cemetery. The Clerk will keep on file a record of deeds issued, including contact information of the grave lot owners. A copy of the most current records will be kept in the vault at the Viola Village Hall and will be updated at least twice yearly.

SECTION XVI: Viola Cemetery Board will mediate any disputes between a grave lot owner and the Sexton.

SECTION XVII: Disinterment/Reinterment. No casket, remains or cremains shall be disinterred from any gravesite in the Viola Village Cemetery without receipt of statutorily required documents from a licensed funeral director, the County Cemetery Registrar, and a VR204 PERMIT FOR DISPOSITION OF DEAD HUMAN BODY and without compliance with such other statutory requirements as may from time to time be in effect. The normal location fee of \$50 and a grave opening fee of at least \$200 up to the current grave opening fee shall apply and be paid before any disinterment/reinterment is commenced.

SECTION XVIII: Errors and Omissions. The Village of Viola sells only cemetery lots believed to have not previously been sold by the Village; but sales are as-is, with no warranty. If it is discovered

after the sale of a cemetery lot that there was prior ownership, a refund of the purchase price will be made by the Village.

SECTION XIX: This ordinance shall be in full force and effect from its passage and approval.

PASSED this ____ day of _____ 201x.

S/Marilyn Carrico
VILLAGE CLERK

APPROVED this ____ day of _____, 201x.

S/KIRK DOONAN
VILLAGE PRESIDENT

ATTEST: S/Marilyn Carrico
Village Clerk