

# **OAK GROVE CEMETERY**

## **General Rules**

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## **Information**

Approved by City Council: April 16, 2019

# OAK GROVE CEMETERY

## General Rules & Regulations April 2019

### Information:

The Cemetery grounds in its entirety belong to the City of St. Louis and are governed by the City Council of St. Louis which shall act as the Cemetery Board of Trustees (hereafter referred to as the "Board"). (See the City of St. Louis Ordinances, found on the website at [www.stlouismi.com](http://www.stlouismi.com), for specific rules and regulations.)

The Cemetery is divided into number Subdivisions with each having designated names. These Subdivisions are further divided into Blocks with either a letter or number designation. The Blocks are also further divided into Lots, each having a number designation. Finally, the Lots are further divided into Graves having number designation (such as Grave 1, 2, 3 or 4).

Example:        Subdivision 12 (Hoffstetter Hill), Block R, Lot 65, Grave 3

Exceptions:    Single graves, Blocks: 1-11, Old Part sections 1-5 and the Mausoleum

The Board assumes no liability for damage, disposal or theft of any decoration, headstone or monument.

Any monument, marker, planting, trellis, personal items, urn, flowers or foliage (whether real or artificial), structure, flag, or other item that has been placed, installed, left or maintained in the Cemetery in violation of this set of Rules and Regulations regarding the Cemetery, or any County, State or Federal law, statute or regulation, may be removed by the City from the Cemetery at any time and destroyed or disposed of by staff without prior notice to, permission from, or liability or obligation to the person or persons who left, installed, maintained or kept such item in the Cemetery.

The Board reserves the right to remove or trim any existing trees, plants or shrubs located within the Cemetery in the interest of maintaining proper appearance and use of the Cemetery.

As of August 3, 2015 Cemetery Deeds were no longer issued. Since this time, Cemetery Lot Certificates are now issued.

## **Purchase of Graves**

### SECTION I

Any person desiring to purchase a grave/graves in Oak Grove Cemetery must apply to the City Clerk who will furnish a description and price of the desired grave/graves. The price of all graves shall be fixed by resolution of the Board. The purchaser shall supply the name, if

applicable, of the deceased and his/her current residency status. The price per grave shall be based on the current residency of the intended user(s) if for immediate use. Additional grave pricing shall be based on the current residency of the purchaser and will be independent of future residency status.

The Board reserves the right to specify the burial location of any Social Service burial. No deed shall be issued, nor shall there be any rights to future burials on said grave unless the price of the grave has been paid in full.

## SECTION II

Residency is defined as; residing in a nursing home, renting, owning and occupying a residence/"domicile" within the corporate boundaries of the City of St. Louis. Exceptions to this apply for residents who have left to reside in healthcare facilities or nursing homes or who are members of the Armed Forces of the United States. There is no limit to residency based on the length of absence for health care or service duty.

Prison population shall be considered non-residents for all sales and burial fees.

NOTE: Non-residents are defined as all others living outside the Corporate boundaries of the City. Business ownership does not constitute residency.

## SECTION III

Upon payment of the established purchase price for the selected grave(s), the City Clerk shall issue a Cemetery Lot Certificate giving the purchaser the rights of burial on said grave(s). The Clerk shall record said Certificate in the Records book provided for such purposes.

## SECTION IV

No internment of any kind shall be allowed upon a grave unless it is fully paid for and until any dues and assessments are satisfied. All graves shall be subject to these "Rules and Regulations", which may be modified and adopted as needed by the Board.

## **Resale of Grave(s)**

### SECTION I

A grave owner desiring to dispose of his/her grave(s) shall deliver to the Clerk, the Deed or Certificate for said grave(s) for cancellation. The City Manager or his designee, shall recommend to the Board which grave(s) are suitable for resale. Resold graves(s) shall be fully useable and obstructed in no way from resale and use. The Clerk shall return that portion of the original purchase price, less any fees established by the Board pertaining to the resale of

the grave(s) and/or re-issuance of the certificates. The Clerk will then issue (if needed), a new certificate reflective of the grave(s) remaining in the Owner's name.

The Board reserves the right to set fees for the resale of graves, and/or the cancellation, modification or re-issuance of certificates. Such fees shall be paid in advance. Alternately, the City may reduce the payment due the seller of the grave(s) to cover these fees.

#### SECTION II

Mausoleum crypts are not subject to Section I: Crypts(Vaults) may be sold as the Owner wishes. The City Clerk must be informed of the sale for record purposes. The Clerk does not issue any Certificate for any transfer of ownership of Mausoleum crypts.

#### SECTION III

Grave(s) may be designated for use to a person or persons for future burial. Graves not designated for use at the time of purchase may be used by persons other than the Owner if a Permission for Internment document has been filed with the City Clerk by the Owner or heirs. Heirs must supply proof of inheritance in the form of possession of the Deed or Certificate to the grave(s) or other legal documentation. Permission for internment must be approved by the Board or its designee, prior to the use of any undesignated grave. The Board may establish such fees as it wishes for the registration of Permission for Internment documents.

### **Digging of Graves**

#### SECTION I

All internments/burials shall be made under the direction of the Board or its designee, who shall have control of the digging of all graves and matters pertaining to burials. Orders from Funeral Homes for opening of a grave shall be construed as orders from the Owner. Any error resulting in grave use shall be the responsibility of the person placing the order. To minimize potential errors, all orders should be placed via written order, email, text or facsimile and signed by the person requesting the grave opening. Any order placed by telephone must be followed by a signed request from the person placing the order.

#### SECTION II

All burials shall be within the established dimensions of each grave and lot. Exceptions may be allowed if prior approval is granted by the Board or its designee.

#### SECTION III

No person shall dig within the Cemetery grounds for any purpose without the approval of the Board or its designee. All burials, including ashes, shall be under his/her direction and shall be

assessed a grave opening fee, established by the Board and based on the deceased residency status.

All grave opening fees must be paid in full prior to internment. The Board may allow for the payment of the fees on the day of the burial (prior to internment) from the family or Funeral Homes with prior arrangements. The entity responsible for paying the fees must make those arrangements with the City Clerk at the time the request for the grave opening has been placed.

#### SECTION IV

The use of approved burial vaults is required for burial within the Cemetery. Cement, stainless steel or other metal vaults, meeting the industry standards, are approved for use in Oak Grove Cemetery.

Mausoleum internments require that the remains of the deceased be placed within a casket.

Cremains (ashes burials) must be placed in container/urn not exceeding the following dimensions: (Length) 16" X (Width) 12" X (Depth) 12".

When a request is made (and approval granted) to place the cremains upon an occupied gravesite, the container will be placed upon the existing vault. Due to the restrictions of digging and placing the container/urn on the existing vault, any container exceeding these dimensional limits will require the Clerk to charge a "single grave opening" fee for this effort.

#### SECTION V

Ashes must be buried within a container upon the grave with the consent and approval of the Board or their designee(s). The burial appropriate container should be of a non-biodegradable material. Scattering of ashes or unapproved burial of ashes is not allowed. Ashes may be placed within the casket of another deceased at a later time of burial.

Ashes held for future conjunctive burial may be charged an additional fee established by the Board in addition to the full opening fee for burial of the immediate deceased. The Clerk must be made aware of the inclusion of the ashes and proper documentation of the deceased name, date of death, age, place of death, etc. provided.

#### SECTION VI

Construction of private Mausoleum, Sarcophagus, Crypt, etc. is allowed.

The Board allows construction of such private crypts, provided they are erected on a grave space the width of which shall be three times the crypt base width, the depth of which shall be twice the crypt base depth and must be constructed of granite or marble.

The design and specifications must be approved by the Board. Construction of any such structure shall be by a private company, specializing in this type of construction. Prior to commencement of any construction activities, the company must provide all credentials, permits and bonds deemed necessary by the Board.

A sufficient private trust or endowment to ensure proper maintenance and repairs shall be established by the Owner and assured to the Board. The cost of all future repairs and maintenance shall be the responsibility of the endowment. All other arrangements regarding this care and maintenance must be approved by the Board and signed copies provided to the City Clerk.

#### SECTION VII

The Board reserves the right to establish such fees and rules as it deems necessary to administer all disinterment.

#### SECTION VIII

No disinterment or removal of bodies, vaults or ashes shall be allowed without the written permits required by the Michigan Department of Community Health and approval of the Board or its designee(s), first being obtained.

#### SECTION IX

No burial will be allowed in the Mausoleum until Proof of Ownership has been established or permission for use, has been recorded with the City Clerk. Ownership of the Mausoleum crypts is outside of the Board's jurisdiction. Crypts may be sold independently of the Board. The Board assumes no responsibility for crypt ownership, records or sales.

#### SECTION X

The Board reserves the right to correct any error in the description or conveyance of any lot/grave or burial, either by canceling such conveyance and substituting and conveying another burial lot/grave or burial in lieu thereof equal value and similar location as far as possible, or by refunding the money paid on account for such purpose. In the event, that such error shall involve the disinterment of remains of any person, the Board or its designee(s), shall have the right to remove and transfer such remains to such property so substituted without cost to such person. The Board or its designee(s), shall exercise reasonable care in making such removal, but the Board or its designee(s) shall not be liable for any damage to the casket, burial vault/urn or monument/headstone in such removal.

## **Monuments, Headstones and Foundations**

### SECTION I

All monuments/headstones/marker locations shall be approved by the Board or its designee(s). Unless otherwise approved, all headstones' informational side must face an alley at the foot or head of the appropriate grave(s). Veteran, baby, or family markers may be placed at the grave(s) boundary line provided there is no obstruction or conflict with trees or pre-existing markers.

### SECTION II

Headstone lettering must accurately reflect the proper burial location of buried remains or intended future use.

Telephone orders or requests from monument companies for dates, location, placement, carving and facing information are the responsibility of the caller. The Board or its designee(s) assumes no responsibility for any errors.

It is recommended that all such requests be in written form. Response to these requests will be in a written form from the Board or its designee(s). At the time of the request, the City will require a mailing address, email address or fax number for submitting the information to the requester.

### SECTION III

No headstone shall be placed or erected on any grave(s) without a sufficient foundation. All foundations shall be installed by employees of the Cemetery. Single grave headstones shall not exceed 36 inches in length. No foundation shall exceed the dimensions of the deeded grave(s).

### SECTION IV

The cost for the foundation installation shall be established by resolution of the Board.

Reasonable notice must be given to the City when requesting any foundation installation. All fees must be paid in full to the City Clerk's office prior to the installation of any foundation.

Old or damaged foundations may be removed upon the request of the Owners/Heirs with the approval of the Board or its designee(s). Removal of the old foundations will be performed by the Cemetery employees once the monument has been removed. It is the responsibility of the Owner/Heir to pay the cost of the monument removal by the monument company. Prior to the removal of the old or damaged foundation, the Owner/Heir must pay in full the fee charged by the Board as well as provide a "Paid-in-Full" receipt from the monument company for the

removal and replacement of the monument. Cemetery employees will coordinate with the monument company in scheduling the removal and replacement of the monument.

#### SECTION V

All foundations shall be constructed of concrete. In order to better manage foundation costs and timeliness, the City has determined that precast concrete foundations may be used in lieu of poured in place concrete. The fee schedule approved by the Board is based on the use of these precast concrete foundations. The Board or its designee(s) reserves the right to utilize poured-in-place construction for foundations where site conditions or monument design requires it. Additional fees will be charged to the Owner if this condition occurs.

The Cemetery will require that the required foundation be sized to accommodate the selected monument plus an additional four (4") of border surrounding the monument. This extra border lip is intended to aid in the protection of the monument and foundation from mowers and trimmers.

#### SECTION VI

The taking action to counter the encroachment of dirt, soil and grasses on the foundations over time is not the fault of the Cemetery staff. Growth of moss, weathering, staining animal damage, etc. to foundations or monuments is not the responsibility of the Cemetery staff.

Cleaning or repairs of monuments and foundations is not the responsibility of the Cemetery.

#### SECTION VII

All temporary markers, newly placed on graves, shall be removed within one (1) year of their placement. Deteriorated temporary markers placed before February 1, 1991 may be removed at the discretion of the Board or its designee. Deterioration of temporary markers is not the responsibility of the Cemetery. Home-made markers or foundations of any type of construction are not allowed.

#### SECTION VIII

Advertisements within Oak Grove Cemetery by any means shall be prohibited with the exception of a supplier placard/label placed on private monuments. Such labels shall not exceed 1" in height x 4" in length and shall be placed on the backside of the monument.

### **Admission to Cemetery Grounds**

#### SECTION I

The Board has established the following hours for admission to the Cemetery grounds:

Summer and Winter hours shall correspond to the respective Michigan time.



Year-round hours shall be 8:00 am to 9:00 pm.

## SECTION II

The Board or its designee(s) may at any time exclude any person or persons from the Cemetery for known violations of any Cemetery rule or regulation.

## SECTION III

Vehicular admission to the Cemetery shall be limited to cyclists, licensed automobiles and pick-up trucks and motorcycles. All vehicular traffic on the Cemetery grounds shall be restricted to the established roadways. The established speed limit is 5 mph. No vehicular traffic shall exceed this speed limit.

## SECTION IV

The Board encourages the use of the Cemetery and the Cemetery grounds by all persons. Use of the Cemetery promotes ownership in the Cemetery and assists in the care and security of the Cemetery by inhibiting vandalism and loitering.

Walking, biking and sightseeing are all encouraged. All walkers and bikers must limit their activities to the established roadways.

Pet walkers are responsible for cleaning up after pets. All dogs must be kept on a leash.

Minors must be accompanied by a responsible adult.

## **Maintaining Cemetery Grounds**

### SECTION I

#### Clean-up Dates & Decorative Items

The Board or its designee(s) reserves the right to dispose of any inappropriate items, and all deteriorated, discolored or displaced decorative items within the Cemetery at any time.

Decorative items are referred to in general to include but not limited to: artificial flowers, live plants in urns, decorations, grave blankets, ornamental crosses, flags, etc.

Excluding religious articles and figurines, all decorative items placed on graves within the Cemetery grounds shall be disposed of during the Spring and Fall cleanup periods.

Decorative items should be removed by the Owner before the scheduled cleanup dates and not placed on the graves until after the scheduled cleanup dates have passed.

Clean-up Dates are as Follows:

Spring Cleanup: April 1<sup>st</sup> to May 1<sup>st</sup>

Fall Cleanup: Oct. 15<sup>th</sup> to Nov. 20<sup>th</sup>

Fall Leaf Removal: Oct. 15<sup>th</sup> to Dec. 1<sup>st</sup>

Leaf pickup is subject to the weather and leaf drop. Every attempt will be made by Cemetery employees to minimize disturbance of any decorations placed after the Nov. 20<sup>th</sup> date.

The Board or its designee(s) is not responsible for discarded decorations and/or flowers which have been placed during the scheduled cleanup periods.

## SECTION II

For the purpose of this section, the definition of a Holiday is: those regularly recognized Federal Holidays unless modified by resolution of the Board.

Easels holding wreaths must be firmly pushed or staked into the ground to avoid being blown over.

Holiday decorations (excluding grave blankets and wreaths) shall be removed by the persons who placed them within one week following the Holiday for which they represent. Those decorations not removed within that time frame will be subject to removal and disposal by Cemetery employees at the discretion of the Board or its designee.

Where the Holiday falls within the scheduled cleanup dates, Cemetery employees will attempt to preserve those decorations placed within the allowed designated Holiday timeframe.

The Board, its designee(s) and the Cemetery employees are not responsible for damaged or disappearance of Holiday decorations which have been placed during the Spring and Fall cleanup periods.

## SECTION III

A period of up to 30 days from the date of the interment will be allowed for the placement of additional decorations and flowers on the grave. These flowers and decorations shall be allowed to remain for an additional 15 days.

After 45 days from the date of interment, any items that remains on the grave are subject to removal by Cemetery personnel.

The rules allow for up to four (4) decorative items per grave. Persons wishing to preserve any items placed must remove said items not later than 45 days after the interment. The item may

be returned to the gravesite by such person(s) if the item complies with the Cemetery rules and regulations and does not exceed the maximum number (4) of decorations allowed.

To avoid conflict with Cemetery personnel's cleanup efforts, such items should be removed no later than 45 days after interment and replaced once Cemetery personnel have completed their cleanup of the grave site.

Cemetery personnel will not be liable for discarded items, decorations or flowers remaining after the end of the 45-day bereavement period.

## General Rules

### SECTION I

The following items or activities are not allowed in the Cemetery or within the Cemetery boundaries:

- No glass items of any sort
- No edging of any sort around headstones or benches
- No ground cover of wood chips, chip stone, lava stone, bark, etc.
- No arbors or trellises
- No thorn, fruit or nut bearing trees or shrubs
- No rosebushes
- No snowmobiles, ATVs or go karts
- No sports or sledding
- No off-road vehicular activity
- No alcohol
- No parties
- No hunting
- No shooting or target practice, of any kind
- No tree cutting (except by Cemetery employees)
- No loitering
- No camping
- No skateboarding, rollerblading, roller skating or scooters

### SECTION II

#### Restricted Items

No advertisements with the exception of a monument company label (See Regulations, **Headstones, Monuments and Foundations, SECTION VIII**) may be placed on a private monument, headstone or within the Cemetery grounds.

No decorative flag or upright figures higher than 4 feet above the ground are allowed, excluding headstones and monuments.

Shepherd Crooks and other steel frame decorations shall not exceed 6 feet in height.

SECTION III

Allowed Items

Four (4) decorative items are allowed per grave. All items must be placed so as to be confined to the physical dimensions of the graves as identified by the lot Deed or Certificate.

No item placed on any grave may interfere with the mowing and trimming of the Cemetery.

Benches, urns, and trees/shrubs are allowed, when approved by the Board or its designee(s). Each item shall be counted as a decorative item.

The location of all benches, urns and trees/shrubs shall be approved by the Board or its designee(s).

Benches must be placed on a suitable foundation approved by the Board or its designee(s).

Items in violation of these stated rules shall be removed at the direction of the Board or its designee(s). Removed items are subject to immediate disposal. No notification of the Owner will be attempted or given by Cemetery personnel prior to this removal.

**Plantings**

SECTION I

No trees, shrubs, perennials or similar plants are allowed to be planted in Oak Grove Cemetery without the approval of the Board or its designee(s). Such approval shall include the planting location and variety of tree, shrub or plants to be placed. A sketch must be provided showing the planting location.

Plantings of any type which are in violation of this rule will be removed and disposed of by the Cemetery maintenance staff by order of the Board or its designee(s).

No person shall plant flowers, trees or shrubs on any grave/lot belonging to another party without the permission of the lot Owner/Heir and the Board or its designee(s).

## SECTION II

Annual flowers are allowed to be planted in the Cemetery. Plantings must be maintained and weeded regularly (annually at a minimum) by the Owners or they may be removed without notice by the Cemetery staff. Flowers may be planted in urns or in the ground in the Headstone Row only. Urns must be placed to the side of the headstones so as not to interfere with the mowing and trimming operations.

The Board nor its designee(s) assumes no responsibility for ground planted flowers. A reasonable attempt will be made by Cemetery personnel to avoid damage to plantings while mowing or trimming.

Watering of the plants is not the responsibility of the Cemetery personnel.

Approved by City Council  
4/16/2019