

Rules & Regulations

Lisbon Cemetery Lisbon, Iowa

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Forward

It is the desire of the City of Lisbon to make Lisbon Cemetery a quiet, beautiful place and a symbol of love and faith. To this end and for the mutual protection of lot owners, the following rules and regulations have been adopted by the City Council of the City of Lisbon, Iowa, as the rules and regulations of Lisbon Cemetery.

All lot owners and visitors within the Cemetery and all lots sold shall be subject to these rules and regulations, amendments, or alterations. Reference to these rules and regulations in the deed or certificate of ownership to a lot shall have the same force and effect as if set forth in full therein.

It is the duty of the City of Lisbon to preserve the rights conferred on them under the laws of the State of Iowa for insuring the stability of improvements, the good appearance of the grounds, a respectful manner of interment and a proper observance of the sacredness of the Cemetery.

The City reserves, at its option, to temporarily suspend or modify any rule or regulation and such temporary suspension or modification shall not be construed as affecting the general application and enforcement of such rules.

Section 1: Definitions

Cemetery

The term "Cemetery" is hereby defined to include a burial park for earth interments, a mausoleum for vault or crypt interments, a crematory and columbarium for cremation interments or a combination of one or more than one thereof.

Space

The term "space" shall apply to an area of sufficient size to accommodate one interment. "Space" shall be determined by the type of burial; i.e. adult, infant, ashes. Size of the space needed shall be determined by Cemetery Management.

Lot

The term "lot" shall apply to numbered divisions as shown on the plat maps.

Memorial

The term "memorial" shall include a monument or marker or private mausoleum for family or individual use.

Deed

The term "deed" shall apply to the original conveyance given by the City of Lisbon to the original purchaser.

Management

The term "Management" shall mean the person or persons duly appointed by the City of Lisbon for the purpose of conducting and administering the Cemetery.

City Office

The term "City Office" shall mean the Office of the City Clerk located at 115 N. Washington Street, Lisbon, Iowa.

Perpetual Care

The term "perpetual care" shall be construed to mean the obligation which the City of Lisbon assumes to use the net annual income received from the investment of the fund to furnish such care as covered by same, the fund to be invested in compliance of the laws of the State of Iowa.

Section 2: Perpetual Care

At the time of purchase of a cemetery lot in Lisbon Cemetery, a fee shall be paid for the perpetual care of the cemetery lot. Monies to pay for the Perpetual Care shall be placed in a Perpetual Care fund. This fund is an irrevocable trust from which deposits cannot be withdrawn, and the income from said fund shall be used by the City of Lisbon for the maintenance, repair and care of Lisbon Cemetery.

Amounts paid for Perpetual Care shall be set by Resolution of the City Council, and payments made for the purchase of a cemetery lot shall first be credited to the Perpetual Care fund.

Section 3: Purchase of Lots

All lots sold and the use of such lots is subject to the rules and regulations of Lisbon Cemetery now in effect or any amendments thereto. Any statements of employees or agents, unless confirmed in writing by the City Council, shall in no way bind the City.

Lots may be purchased on deferred payments, on terms embodied in a contract made with the City. In the event an interment is made on a lot so purchased, the purchaser must have equity in the lot equal to or greater than the amount cost of the space to be used.

Cost of cemetery lots, perpetual care, burials and all cemetery operations shall be set by Resolution of the City Council. Perpetual Care for these lots is to be paid at the time of the purchase. Any monies paid to the City of Lisbon for the purchase of a Cemetery Lot shall first be credited to the cost for the Perpetual Care.

Cemetery lots must be purchased at the Lisbon City Office.

If a purchase is made on a time-payment basis, a down payment in a minimum amount equal to 10% per burial space must be obtained. Cemetery lot ownership records will not show that the lot has been purchased until payment is made in full for the lot.

Arrangements for a time-payment plan for a cemetery lot must be made in order to designate or specify a lot for a particular owner. Lots will not be "held" pending a possible sale unless a down-payment has been made.

Policy – Procedure on Sale of Cemetery Lots and Perpetual Care will be provided to individuals who request a copy.

It is the duty of the lot owner to notify the City Office of any change in address.

Section 4: Ownership Rights of Interments

A. The surviving spouse of the lot owner shall have the first right of interment.

B. In the event the owner shall not have arranged for further interments, then the devisee or heirs as the case may be, of such owner, shall have the right of interment in the order of descent of title according to Cemetery Law.

If the owner of a lot gives permission for others to be buried on remaining spaces on the lot, this permission must be given in writing to the City Office, and the owner's signature shall be notarized.

C. The title to a cemetery lot invests in the owner the right to use such lot for burial of the human dead only.

An owner of a cemetery lot may request a transfer of a lot from one section of Lisbon Cemetery to another section of Lisbon Cemetery. If an increase in the sale price has been made since the original lot was purchased, the owner shall be required to pay the difference from the original lot price and the current lot price.

Section 5: Lot Care

A Perpetual Care Certificate will be issued to cover the cost of care of each lot sold in Lisbon Cemetery, and will be issued at the time of a lot sale. The fee for the Perpetual Care for a cemetery lot will be the first amount paid and will be placed in the Perpetual Care Fund as explained in Section 2 of this document.

The Perpetual Care shall include the cutting of grass at reasonable intervals, the raking and cleaning of the grounds, and the pruning of shrubs and trees that may be placed by the management.

The general care or perpetual care assumed by the City of Lisbon shall in no case mean the maintenance, repair, or replacement of any memorial, tomb, or mausoleum placed or erected upon lots, or the doing of any special or unusual work in the cemetery, including work caused by the impoverishment of the soil, nor does it mean the reconstruction of any marble or granite work on any section or lot, or any portions thereof in the cemetery caused by the elements, an act of God, common enemy, thieves, vandals, accidents, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be direct or collateral other than as herein provided.

Section 6: Rules for Visitors

The Cemetery grounds will be open to visitors except during the hours of 11:00 p.m. to 4:30 a.m. daily. Any person in the cemetery during the hours of 11:01 p.m. and 4:29 a.m. shall be guilty of trespassing, unless special permission is allowed by the City.

Rules and regulations regarding use of the cemetery grounds are set by Ordinance of the City Council.

The following is expressly prohibited:

- Possession and/or consumption of alcoholic beverages within the cemetery.
- Animals, including but not limited to dogs, cats, and other pets whether on a leash or not. An exception will be made for service and assistance animals with prior permission of the City. Owners are required to clean up any animal waste on cemetery property caused by his or her service and assistance animal.
- Operation of a motor vehicle, motorcycle, moped, bicycle, snowmobile, or all-terrain vehicle within the cemetery except on designated roadways, unless City or State employees or agents are providing emergency rescue services or performing cemetery maintenance. The speed limit on roadways within the cemetery is fifteen (15) miles per hour.
- Firearms, other than law enforcement officers and persons engaged in military funerals whose functions require the carrying of firearms.
- Fences or enclosures, except those erected and maintained by the City.
- The planting of trees, shrubs or flowers on cemetery grounds, except those trees, shrubs and flowers planted by the City.

Any person who damages, destroys, or defaces any property in or belonging to any cemetery shall be liable for any and all damages, in addition to any other criminal or civil penalties imposed.

Section 7: Privileges & Restrictions

No lot shall be used for any other purpose than for the burial of the human dead.

Only one body per grave is allowed, except that a mother and infant child less than two (2) years old or father and infant child less than two (2) years old may be interred in the same grave.

Burials of cremated remains are limited to two (2) per space. Cremated remains shall be interred at least eighteen (18) inches below the surface of the ground. Scattering of cremated remains on the ground is prohibited in the

Lisbon Cemetery. Monuments to be placed on a space where two (2) cremated remains have been buried are limited to the width of one space, unless an adjoining space has been purchased.

All burials require an approved vault.

The City reserves the right to:

1. Enlarge, reduce, replat or change the boundaries or grading including the right to modify or change the location of or remove or re-grade roads, drives, or walks, or any part thereof.
2. Lay, maintain and operate, or alter or change pipe lines or gutters for sprinkling systems, drainage, et cetera.
3. Use Cemetery property not sold to individual plat owners for cemetery purposes, including interment of the dead or for anything necessary, incidental or convenient thereto.
4. Perpetual right and control of ingress and egress over lots for the purpose of passing to and from other lots.

Descriptions of lots shall conform to the Cemetery plats which are kept on file in the City Office.

The City reserves, and shall have the right to correct any errors that may be made in making interments, disinterment, or removals or in the description, transfer or conveyance of any interment property, either by canceling such conveyance or by replacing with a similar location, as may be selected by the City, or in the sole discretion of the City, or by refunding the amount of money paid on account of said purchaser.

In the event an error involves the interment of the remains of any person in such property, the cemetery reserves, and shall have the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

Section 8: Interments & Disinterment

The Cemetery will open for interments from 7:00 a.m. to 3:00 p.m. Monday through Friday. With the exception of the following holidays:

New Year's Day
Martin Luther King Day
President's Day
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Friday After Thanksgiving
Christmas Eve
Christmas Day

Any interment that takes place outside of the regular hours of 7:00 a.m. to 3:00 p.m., or extends beyond the hours of 7:00 a.m. to 3:00 p.m. will be subject to after hour rates.

All funerals on entering the Cemetery shall be under the charge of the Cemetery Management and once a casket containing a body is within the confines of the Cemetery, no funeral director nor their embalmer, assistant, employee, or agent shall be permitted to open the casket or to touch the body without the consent of the legal representative of the deceased or an order signed by a Court of Competent Jurisdiction.

All orders for interments in lots must be signed by the owner of the lot or the owner's legal representative. When this is impossible because of illness or other reasonable cause, telegraphic or telephone permission will be accepted but will make the person calling responsible and any change of location made after the opening is begun shall be at the expense of the lot owner. Should the lot owner fail or neglect to make such designation, the Cemetery reserves the right to make interment in accordance with normal Cemetery Procedure. The Cemetery assumes no responsibility for any error in such location and an additional charge will be made for any change requested.

If Cemetery Management receives direction from a lot owner or funeral home to open a grave site, and then a change is made after the site is opened, an additional charge will be assessed to the owner or funeral home making the initial request.

Cemetery personnel or designated contractual services hired by the City of Lisbon will be the only workers permitted to open and close graves.

All charges for interments or services in connection therewith, shall be paid at the City Office and payment of any and all indebtedness due the Cemetery must be arranged for before interment is made.

The right is reserved by the City to require at least 24 hours' notice in summer and 48 hours in winter when the ground is frozen, prior to any interment. All interments, disinterment and removals must be made in the manner, and upon the charges fixed by the City.

Section 9: Floral Decorations & Plantings

The Cemetery will undertake to maintain, as may be practicable, the planting of trees and shrubs, to preserve and maintain landscape features, but does not undertake to maintain individual plantings or urns of plants.

Lisbon Cemetery encourages the use of floral tributes on the graves of your loved ones, however, the beauty and continuity of your Cemetery depends on the cooperative efforts of all families who have loved ones in our care. Therefore, some regulations of grave decorations must be adhered to.

Regulations Regarding Items Other Than Flowers

The permanent placing of tows, boxes, ornaments, chairs, settees and similar articles may ONLY be located on the foundation – at the side of the monument. Such items must be permanently attached to the foundation or placed in areas other than in the permanent container at the side of the monument; the City reserves the right to remove the items.

Flower Regulations

Fresh cut flowers and plantings which are set into the permanent containers on the foundations will be permitted at all times. Flowers/plantings will be removed when they become unsightly.

Fresh cut flowers, wreaths and fresh potted plants will be permitted on the grave at all times, but will be removed when they become unsightly. All flowers shall be placed on the foundations where possible. Planting flowers or digging up the turf on the graves is not permitted.

Artificial bouquets, or plants which are set into the permanent containers on the foundations will be permitted at all times, but will be removed when they become unsightly.

All arrangements of fresh or artificial flowers, whether they are in urns, pots, wreaths, or stuck in the ground, shall be removed from the cemetery and disposed of by the City twice a year: April 1st through April 15th and October 1st through October 15th. Any person desiring to do so should remove any arrangements they wish to save. All remaining arrangements shall be disposed of by the City.

GLASS RECEPTACLES WILL NOT BE PERMITTED IN LISBON CEMETERY.

The City of Lisbon and Lisbon Cemetery does not assume any responsibility for the loss or damage of any floral decorations or other memorials or their containers.

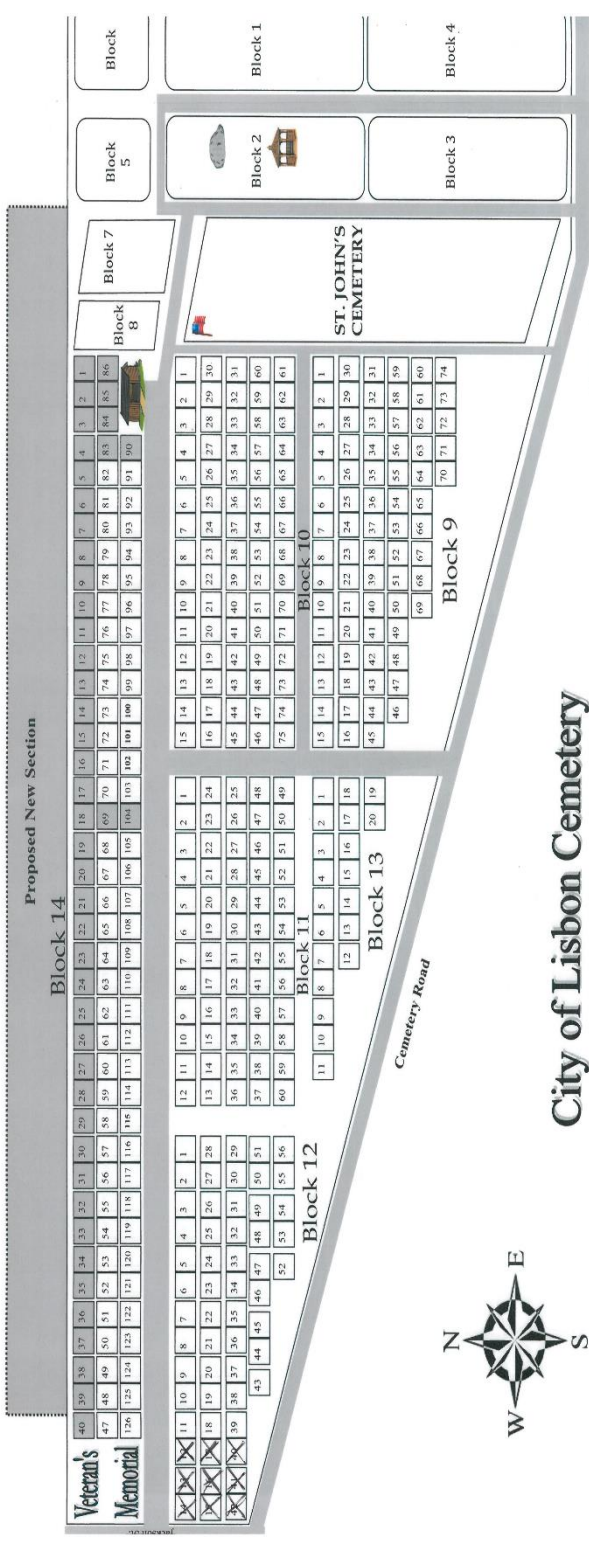
Section 10: Monument Regulations

In order to perpetuate the beauty and continuity of the Cemetery, the City reserves the right to enforce all rules and regulations here set forth and others that might seem necessary for a particular situation.

1. All memorial work must be approved by the City as to material, design, inscription and location on the lot.
2. Any unauthorized Memorial work will be removed from the grave until proper arrangements have been made at the City Office or Cemetery Office.
3. No memorial work will be allowed on lots or graves until all cemetery obligations to the City are paid in full.
4. In the event that a lot is purchased for multiple cremation burials, only one monument per single lot is allowed. A "monument" may be a "Head Marker" (single stone), a "Flush Marker" (the temporary marker set by the funeral home), or "Companion Marker" (a single or double stone with more than one name inscribed).
5. The City has approved the purchasing of lots for the purpose of erecting a memorial. An area has been designated at Hazelwood Cemetery for said memorials. Cost for the lot shall be the same as for a burial lot.
6. Military markers will be allowed on lots.
7. Markers, in addition to the monument, may either be attached to the monument or flush with the ground.
8. Lots now containing a certain size or style of marker may be duplicated.
9. Only granite or bronze will be permitted in all memorial work.
10. Any memorial work not approved by the Cemetery Management and not meeting the criteria set forth in this section shall be removed at the expense of the contractor.
11. Striving for surrounding of peace and beauty as a setting for memorial work prohibits advertising of any description within the Cemetery. However, a small emblem or insignia inconspicuously located on the memorial will be permitted.
12. No monument will be permitted without a foundation permit. All foundations shall comply with City specifications or be subject to removal. Foundation specifications are stated in Appendix A to this document.

Inspection permit costs for foundations are set by Resolution of the Lisbon City Council. It shall be the responsibility of the individual or company selling the monument to obtain and pay for the foundation inspection.

The temporary marker provided by the funeral directors are assumed to be short lived and the City assumes no responsibility for same.



Appendix A: Foundation Specifications

The following specifications are for foundations installed in Lisbon Cemetery and will be enforced by the management of said Cemetery.

Location

Cemetery staff shall mark the location of the lot for each foundation order and shall approve the location of the foundation on the lot. The contractor is responsible for the positioning of the foundations as per order given by monument company/funeral home, so long as that position is not in conflict with established city guidelines.

Size

The size of the foundation is determined by the size of the monument being placed on the foundation. The monument shall be centered on the foundation with 10 inches on each side of the monument, and 4 inches on front and rear of the monument. Floral containers may be placed in this 10 inch space at each end. Example: A monument that measures 36" x 10" would need a foundation that measures 56" x 18". The maximum width of the foundation shall be 24". (Added 3/18/96.)

Note: It shall be the responsibility of the individual or company selling the monument to contact the City of Lisbon, to assure the size of the lot will accommodate the foundation.

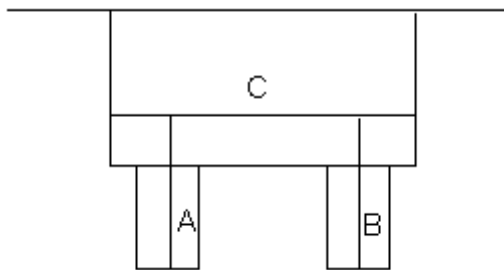
Depth

The foundation shall be dug at minimum of 2 feet deep, the full width of the foundation, with a 12 inch post hole another one foot deep. One post hole for every 20 inches of foundation. Example: 60 inch long foundation will need 3 post holes.

In the event that a marker is to be placed on the lot, such that it is over the vault, the foundation shall be in contact with the burial vault.

Re-rod

Re-rod shall be used to tie the post holes together with the rest of the foundations. (See illustration below.)



A & B: 2' Long Re-rod

C: Re-rod run full width of foundation and tied to A & B

Alternative

If the post holes and re-rod are not desirable to the contractor, then the foundation may be dug 3 feet deep the full width of the foundation.

Inspection

The Cemetery management shall inspect all foundations prior to delivery of concrete. If any violations are found, said violations must be corrected prior to delivery of concrete. All cost associated with the foundation will be the responsibility of the contractor and not the City of Lisbon.