

**ST. CHARLES TOWNSHIP CEMETERIES
RULES AND REGULATIONS
ADOPTED JUNE 20, 2007**

**BE IT ORDAINED BY THE ST CHARLES TOWNSHIP CEMETERY BOARD,
ST. CHARLES TOWNSHIP, KANE COUNTY, ILLINOIS**

The following rules and regulations for the orderly and efficient administration of the St. Charles Township Cemeteries are hereby adopted.

SECTION 1. DEFINITIONS

1. **Cemetery:** For the purpose of these rules and regulations a Cemetery is a designated area set aside and controlled by the Cemetery for the burial of human remains by earth interment, by interment in a mausoleum, crypt or urn.
2. **Plot:** The term plot shall apply to a space of sufficient size to accommodate one adult. Internments are approximately three by eight feet.
3. **Lot:** The term lot shall apply to numbered divisions as shown on the record plat which consists of one or more plots.
4. **Interment:** The term interment is the permanent disposition of human remains by burial, entombment, or inurnment after cremation.
5. **Memorial:** The term memorial shall include a monument, marker, tablet, headstone, private mausoleum or tomb for family or individual use, tombstone, lot enclosure, urn and crypt and niche place.
6. **Monument:** The term monument shall include a tombstone or memorial of granite or marble which shall extend above the surface of the ground.
7. **Grass Marker:** The term grass marker means a memorial flush with the ground.
8. **Lot Marker:** The term lot marker means any means or device used, erected or implanted by Cemetery personnel to indicate the corners of a plot or lot.
9. **Deed of Conveyance:** The term deed of conveyance means the certificate of ownership issued by the Cemetery and delivered to the original purchaser of a Cemetery plot or lot showing ownership thereof.

10. **Cemetery Board:** The term Cemetery Board shall mean the person or persons duly appointed by the St Charles Township Board of Trustees for the purpose of conducting and administering the Cemetery.
11. **Cemetery Office:** The term Cemetery Office shall mean the main office located at the Union Cemetery.
12. **Superintendent:** The term Superintendent means the person appointed by the Cemetery Board to maintain and operate the Cemetery on a day to day basis.

SECTION 2. SPECIAL EXCEPTION CLAUSES

Rule 1. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Cemetery Board therefore, reserves the right to make exceptions, suspensions, or modifications to any of these Rules and Regulations, without notice, and such temporary exception, suspension or modification shall in no way be construed as affecting the general application of such Rules and Regulations.

Rule 2. The Cemetery Board hereby expressly reserves the right to adopt additional Rules and Regulations or to amend, alter or repeal any rule, regulation, article, section, paragraph or sentence in these Rules and Regulations at any time. Sufficient notice will be given by the Board of any rule change that will create expense, hardship or inconvenience to lot owners or other individuals having business with the Cemetery.

SECTION 3. GENERAL RULES

Rule 1. The Cemetery will be open from dawn until dusk. The Cemetery Office will be open from 7:00 am to 3:30 pm Monday through Friday, except designated township holidays.

Rule 2. Cemetery employees are not permitted to perform work for a lot owner outside their regular responsibilities unless authorized to do so by the Cemetery Board for good cause.

Rule 3. All fees or charges for services shall be paid at the Cemetery Office. Such payment shall be made to the Cemetery Board or a cemetery employee authorized to receive such fees or charges.

Rule 4. Pedestrians within the cemetery shall use only the avenues, roads and indicated walkways.

Rule 5. Persons visiting the Cemetery or attending funerals are prohibited from picking flowers, wild or cultivated, breaking or injuring any tree, shrub or plant, or from writing upon, defacing or damaging any memorials, fence, or other structure within the Cemetery grounds.

Rule 6. All vehicles must be kept under complete control at all times. When meeting a funeral procession they must stop until the procession passes. They must not pass a funeral procession going the same direction. Mufflers must not be opened nor the horn sounded within the Cemetery.

Rule 7. The following activities are prohibited:

- (a) The operation of a motor vehicle in the cemetery shall be at 10 m.p.h.
- (b) The operation of a motor vehicle in any part of the cemetery not designated an avenue or road; no vehicle may be parked on cemetery grounds except those belonging to persons attending funerals or visiting grave sites or if given permission by the Superintendent.
- (c) The operation or parking of a motor vehicle within the cemetery on any avenue or road in such a manner as to prevent another vehicle from passing.
- (d) Making a complete or partial reverse turn of any motor car or vehicle on any road or drive way within the Cemetery.
- (e) Loud or boisterous conduct.
- (f) Idling or loafing within the cemetery or buildings.
- (g) Bringing into and/or consuming while in the cemetery any food or beverage.
- (h) Peddling or soliciting the sale of any commodity or thing.
- (i) Placing of signs, notices or advertisements of any kind within the Cemetery.
- (j) Bringing pets into the Cemetery or any of its buildings. Exceptions made for specially trained dogs used by the handicapped.
- (k) The presence of children under the age of 16 years unless accompanied by a responsible adult.
- (l) Any conduct unbecoming a sacred place.

Rule 8. Shepherds hooks must be removed by November 1st of each year.

Rule 9. The Cemetery reserved the right to restrict any vehicle that may be too large or heavy for these roads from entering the premises.

Rule 10. Strangers must keep at a respectful distance during an interment service.

Rule 11. No weapons shall be allowed on the Cemetery property.

Rule 12. Sunbathing, loitering, necking, picnicking or similar activities are forbidden on Cemetery property.

SECTION 4. DECORATION AND FLOWER REGULATIONS

- Rule 1.** No floral decorations allowed on the ground during mowing season (March 1 through November 1).
- Rule 2.** Lot owners shall not be permitted to place any benches, chairs, settees, enclosures or like articles on the grounds.
- Rule 3.** Only the Cemetery shall plant trees, evergreen, rosebushes, perennials or shrubs. The Cemetery Superintendent reserves the right to remove any or all plantings.
- Rule 4.** All lots shall be set with grass by the cemetery workers either with sod or seed and will be kept in order. Lot owners wishing any unusual improvements on their lots must make arrangements with the Cemetery and must pay for same when ordered.
- Rule 5.** No ornaments or decorations are permitted. These articles will be removed if found on lots or graves. The Cemetery Superintendent reserves the right to remove other decorations not already mentioned in these rules which pose a hazard to the cemetery workers in the maintenance of the graves or lots.
- Rule 6.** Bouquet holders must be set flush in contour with the ground and only one will be permitted on a grave.
- Rule 7.** The Cemetery Board will not be liable for floral pieces, baskets or frames in which or to which such floral pieces are attached, beyond the acceptance of such for funeral services held in the Cemetery. Those placed on lots or graves will be removed after a reasonable interval, normally 3 days after a funeral service. Anyone wishing to retain the same should remove them after the funeral
- Rule 8.** Winter decorations, such as holly, evergreens or artificial wreaths, may be placed on graves beginning November 1st and may remain until the following March 1st, after which date all such decoration will be removed as soon as weather permits. If these are to be kept for future use, they must be removed and cared for before March 1st.

SECTION 5. LOTS AND LOT OWNERS

- Rule 1.** Cemetery lots shall be purchased at the Cemetery Office. The Cemetery Board or a designated representative is authorized to conduct the sale of such lots.
- Rule 2.** After the payment of the purchase price, the Cemetery Board will issue a Deed conveying the purchased lot.
- Rule 3.** No burial will be allowed on such lot until the purchase price is paid in full.

Rule 4. The Cemetery is owned and maintained by St Charles Township. Therefore the Township retains the right to enlarge, reduce, re-plat or change the boundaries or grading of the Cemetery, or a section or sections, from time to time, including the right to modify or change the locations of roads, drives or walks, or any part thereof. The Township retains the right to lay, maintain and operate, or alter or change pipelines or gutters for sprinkling systems, drainage, etc., as well as the right to use Cemetery property not sold to individual plot owners for Cemetery purposes, including interment of the dead, or for anything necessary, incidental or convenient thereto. The Township reserves to itself and to those lawfully entitled thereto a perpetual right of ingress and egress over plots and lots for the purpose of passing to and from other plots and lots.

Rule 5. Descriptions of lots will be in accordance with the Cemetery plats which are kept on file in the Superintendent's office at the Cemetery.

Rule 6. The Township will provide all reasonable precautions to protect plot and lot owners and the property rights of plot owners, within the Cemetery from loss or damage. However, the Township disclaims all responsibility for loss or damage from causes beyond its control. For example, damage caused by the elements, an act of God (ground cave ins), common enemy, thieves, vandals, strikes, malicious mischief makers, explosions, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral. Damages caused by private businesses such as monument or vault companies shall be the responsibility of said company; the Township shall be held harmless in such situations.

Rule 7. The instrument of conveyance, which incorporates by reference, these Rules and Regulations and any amendments thereto, constitutes the sole agreement between the Township and the lot owner. The statement of any employee or agent, unless confirmed in writing by the Board, shall in no way bind the Township. All plots and lots conveyed by deed and owners of plots are subject to these Rules and Regulations.

Rule 8. The general care assumed by the Cemetery shall in no case mean the maintenance, repair or replacement of any memorial, tomb or mausoleum placed or erected upon lots; nor the doing of any special or unusual work in the Cemetery. Nor does it mean the reconstruction of any marble or granite work on any section or lot, or any portion or portions thereof in the Cemetery, caused by the elements, an act of God, common enemy, thieves, vandals, strikes, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be directed or collateral, other than as herein provided.

SECTION 6. CORRECTION OF ERRORS

Rule 1. The Township reserves, and shall have, the right to correct any errors that may be made by it either in making internment, disinterment or removal, or the description, transfer or conveyance of any internment property, either by canceling such conveyance and substituting any conveying in lieu thereof other internment property of equal value and similar location as far as possible, or as may be selected by the Board, in the sole discretion of the Board by refunding the amount of money paid on account of said purchase, in the event such error shall involve the internment of the remains of any person in such property. The Township 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 7. DESCENT OF TITLES

Rule 1. The laws of the State of Illinois govern the descent of title to Cemetery lots as well as other matters pertaining to assignments, conveyances, devises and trust deeds.

SECTION 8. INTERMENTS

Rule 1. The Cemetery will open for interments from 7:00 am until 2:30 pm daily except for Sunday and designated township holidays. An additional fee will be charged for funerals arriving after 2:30 pm

Rule 2. Funeral directors, upon arrival at the Cemetery, must present the necessary burial permit from the local health office.

Rule 3. When an interment is to be made in a lot, the location of such interment shall be designated by the lot owner. Should the lot owner fail or neglect to make such designation, the Township reserves the right to make the interment in a location agreed upon by the funeral director and the Cemetery Superintendent.

Rule 4. The Cemetery Superintendent and the employees of the Cemetery are the only persons permitted to open plots.

Rule 5. All charges for interment or services in connection therewith, shall be paid to the Cemetery Superintendent who will issue a receipt.

Rule 6. Arrangements for the payment of any and all indebtedness due the Township must be made before interment.

Rule 7. The right is reserved by the Township to insist upon at least twenty-four hours notice prior to any interment and at least one weeks notice prior to any disinterment or removal. Disinterment will be done during times of favorable ground conditions only.

Rule 8. All interments, disinterments and removals must be made at the time, and in the manner determined by the Superintendent and upon the fees established by the Board.

Rule 9. Besides being subject to these Rules and Regulations, all interments, disinterments and removals are made subject to the orders and laws of the properly constituted public authorities.

Rule 10. The Township will not be responsible for any order given by telephone or for any mistake occurring from the want of precise and proper instructions as to the particular space, size of plot and location in a lot, where Internment is desired.

Rule 11. The Cemetery will not be responsible for the interment permit nor for the identity of the person sought to be interred.

Rule 12. All interments will require the use of a concrete liner.

SECTION 9. ENFORCEMENT OF RULES

Rule 1. The Superintendent is hereby empowered to enforce all Rules and Regulations and to exclude from the Cemetery any person or persons violating the same. The Superintendent shall have charge of the grounds and buildings including the conduct of funerals, traffic, employees, plot or lot owners, visitors and private vendors conducting business at the Cemetery.

SECTION 10. SPECIFICATIONS FOR MEMORIAL WORK

Specifications are necessary to permit the sound operation of the Cemetery in the interest of all lot owners and the community it serves. These specifications are the result of careful study and reasonable application of the Memorial Violators will be notified promptly and will be expected to remedy the situation as soon as possible.

Rule 1. FAMILY MONUMENT: To avoid appearance of congestion, only one central or family memorial should be placed on a family lot (a family lot will constitute up to 6 plots).

- (a) Anything above grass level will be considered “a monument” (with reference to placement on the plot/lot).
- (b) All information panels (on monuments) will be placed on the side of the monument that the interment will be made.

- Rule 2. MAUSOLEUMS:** Mausoleums or tombs, either wholly or partially above ground, will be constructed no more than one mausoleum or tomb per 2 lots. Mausoleums or tombs are limited to six feet in height above the ground. Any structure higher than six feet must be approved by the St Charles Township Cemetery Board.
- Rule 3. LOCATION AND DESIGN:** Plans, specifications and location of the mausoleum or tomb on lot are subject to approval of the St Charles Township Cemetery Board.
- Rule 4. WHEN WORK SHOULD STOP:** Out of respect for the deceased and the family of the deceased, all work of any description will cease while a funeral or interment is being conducted nearby. It is also required that trucks and workmen withdraw to a reasonable distance from the location of the funeral service.
- Rule 5. NO SOLICITING:** Approaching the bereaved for the purpose of soliciting any business within the Cemetery is prohibited.
- Rule 6. QUALITY MATERIAL:** To properly perpetuate memory, all monuments, markers, mausoleums and tombs shall be of quality granite, marble or other natural stone.
- Rule 7. RESPONSIBILITY MONUMENT RETAILER:** Monument retailers and independent stone setters shall set monuments and markers in conformity with Cemetery requirements and in accordance with the trade standards of proper methods of handling and settings.
- Rule 8. RIGHT TO REMOVE:** Should any monument, mausoleum, tomb or personalized landscaping become unsightly, dilapidated or a safety hazard to visitors or the Cemetery staff, the Cemetery will have the right to remove the same. An effort will be made to locate the owners.
- Rule 9. ADVERTISING:** Striving for surroundings of peace and beauty as a setting for monuments prohibits advertising of any description within the Cemetery, such as "For Sale" signs on any lot or plot.
- Rule 10. OUTSIDE WORKMEN:** All workmen employed by outside firms while within the Cemetery are subject to regulations set forth by the Cemetery. All workmen employed by outside firms, while in the Cemetery will be under the direct authority of the Superintendent. No work within the cemetery grounds will be allowed on Sundays or nationally recognized Memorial Day.

SECTION 11. ALL ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.