

AMENDMENT OF CODE OF ORDINANCES

CITY OF DEWITT

THE CITY OF DEWITT ORDAINS

Chapter 22

CEMETERIES

Article II. Dewitt City Cemetery

Section 22-33. Definitions, is amended to add the following term:

Sec. 22-33 Definitions

Unightly: means an item or view offensive to the sight for reasons that include, but are not limited to, damaged, neglected, or deteriorated from its original condition due to exposure to the elements. Unightly conditions shall be determined at the discretion of the Cemetery Sexton.

Section 22-37, Lots and Decorations, is amended in its entirety as follows:

Sec. 22-37 Lots and Decorations

(a) *Grade lines*. Grade lines of all lots are established before lots are sold and will not be changed. Each lot has a 38 inch wide X 46 inch long space designated for monuments, and approved plantings.

(b) *Decorations*. Settees, chairs, and benches left at gravesites are prohibited. Other prohibited items include, but are not limited to: arches, trellises, chains, tripods, birdbaths, sundials, candles, decorative flags, stuffed animals, balloons, vases, wind chimes, solar lights, plaques, toys, etc., and steps and structures of wood or other perishable material. The use of glass or ceramic containers is hazardous and is prohibited. All prohibited or unightly items will be removed by the city without notice.

(c) *Memorabilia*. Memorabilia must be securely affixed to the upright monument, marker, or foundation, and must be made of material that will not deteriorate. The Memorabilia not securely affixed may be removed by the city without notice. Memorabilia that is considered excessive in amounts or size or is considered inappropriate or unightly as determined by the Cemetery Sexton may be removed by the city without notice.

(d) *Flags*. Veteran's and other service flags are allowed only during the Memorial Day period and only for fourteen days. (One week before and one week after Memorial Day). At all other times flags must be in an approved flag holder or they may be removed by the city without notice.

(e) *Removal of objects.* The city reserves the right to remove without notice any item placed within the cemetery for reasonable cause.

(f) *Seasonal Decorations.* All summer decorations (hanging baskets) are to be removed from the cemetery by November 1st of each year. All winter decorations (grave blankets and winter arrangements) are to be removed from the cemetery by April 1st of each year. Easter decorations are allowed one week prior to and one week after Easter Day. Memorial Day decorations are allowed one week prior to and one week after Memorial Day. If such decorations are not removed by these dates, they shall be considered abandoned and may be disposed of by the city. The city shall annually give notice of these dates on the city web page and on the WITT channel.

(g) *Artificial Flowers.* Artificial flowers, shrubs, or similar ornamentation shall not be placed in the ground. They may be placed in an urn/planter if they are properly secured. Artificial flowers that are not properly secured in an urn/planter or become unsightly may be removed by the city without notice.

Section 22-38, Monument/Markers and Foundations, is amended in its entirety as follows:

Sec. 22-38 Monument/Markers and Foundations

(a) *Installations.* All monument or marker foundations shall be installed by the City. An installation charge shall be periodically determined by resolution of the city council and shall be based on an installation cost per square inch. Payment for a foundation must be received by the city in full prior to its installation. Due to the maintenance border on foundations, the maximum length and width of a monument base on a single space is restricted to 32" x 12", and 54" x 12" on a double space.

(b) *Placement; restrictions.* The city reserves the right to restrict the placing of monuments and markers on all lots. All headstones shall be placed at the west boundary of a lot/space. The placement of monuments/markers elsewhere is prohibited.

(c) *City not Responsible.* The city assumes no responsibility for damages to markers or monuments whatsoever, including damage caused by regular cemetery maintenance.

Section 22-39, Landscaping is amended in its entirety as follow:

Sec. 22-39 Landscaping

(a) *Prohibited Landscaping.* Roping, curbs, fencing, fence railings, hedging, borders, or enclosures, landscape edging, brick walls, aluminum stripping, cinders, tile, terracotta, cement, gravel, sand, marble chips, and stones are not allowed on any lot. All prohibited or unsightly landscaping will be removed by the city without notice.

(b) *Flowers.* Flowers may be planted on graves either in-ground or in an urn. In the case of a planted urn, the urn must align with the north or south edge of the monument or marker. This requirement is made to facilitate cemetery maintenance. Flowers may be planted only after interment has occurred. Planting is permitted up to 12 inches on all sides of the

foundation. No plastic, glass, tin cans, buckets, or clay pots are allowed. Plantings may not encroach on adjacent lots owned by others or interfere with cemetery maintenance. Plantings with thorns are not permitted. The maintenance of the planted area is the responsibility of the lot owner. If the city determines the flowerbed or plantings become unsightly, or interfere with cemetery maintenance, the city may mow, cut, or remove said flowers or plantings.

(c) *Urns & vases.* Any urn that has been damaged, not used, or is deemed unsightly by the city may be removed by the city without notice. Flower vases that are integrated as part of the monument /marker design are permitted.

(d) *Cut Flowers.* Cut flowers are permitted in a container approved by the city to comply with subsection 22-39 B above, from June 1st to August 30th, and must be removed when they become unsightly.

(e) *Hanging Plant Holder.* One hanging plant holder (Shepherd's hook) is permitted per lot, and must not hold more than one hanging plant. The hanging plant holder must be made of metal, iron or steel and be of sufficient size to hold the hanging plant upright. The hanging plant holder must be placed in a manner that does not interfere with cemetery maintenance. The city may move/remove without notice holders that interfere with maintenance, or become damaged or unsightly.

(f) *Trees and Shrubs.* There shall be no planting of trees or shrubs at the cemetery without permission from the city.

(g) *Prohibited Species.* The city council, from time to time, shall adopt by resolution a list of prohibited trees, shrubs and other plants for the cemetery. Prohibited species planted at the cemetery will be removed without notice.

(i) *Prohibited Trees Include:*

Alder	Cottonwood
Ash, fraxinus	Elm, Siberian
Birch, paper	Maple, silver
Black Locust	Mulberry
Boxelder	Poplars
Buckthorn	Tree of Heaven
Catalpa	Willows, all species

(ii) *Prohibited Shrubs and Bushes:*

Barberry	Butterfly Bush
Lilac	Viburnum
Forsythia	Japanese Quince
Spirea	Hydrangea
Honeysuckle	Euonymous
Mock Orange	Pussy Willow
Fire Thorn	

(iii) *Other Prohibited Plants Include:*

Roses
Trumpet Vine

(h) General Planting Rules:

- (i)* Permission must be secured from the Cemetery Sexton prior to planting non-prohibited trees, shrubs/bushes, or other plant material.
- (ii)* Shrubs/bushes must align with the north or south edge of the monument or marker. The City encourages the use of Japanese Yew, Dwarf Cyprus, Mugo Pine, and Dwarf White Spruce.
- (iii)* Due to the lot configuration and lot size in Sections I and J, the planting of trees, shrubs, and bushes is only permitted by the City.

(i) Maintenance. The trimming, pruning or removal of any branch or bloom from any tree or shrub in the cemetery shall be entirely under the supervision of the city. A titleholder, or immediate family member, may request a shrub be removed from a lot/space provided the request for removal will be responsible for paying a removal fee which amount shall be determined from time to time by resolution of the city council. Additionally, the city reserves the right to remove shrubs or plants that have become overgrown and unsightly.

Section 22-40, Burials, Holidays, Cremated Remains, remains as follows (no changes):

Sec. 22-40 Burials, Holidays, Cremated Remains

(a) No burials within the cemetery shall take place on Sunday or holidays, as holidays are defined by the city's personnel policy or union contract.

(b) A maximum installation of two cremated remains is allowed per adult grave space. The burial of cremains during winter months (October 15th to April 15th) shall be at the discretion of the city. The scattering of cremains over a family lot or anywhere in the cemetery is prohibited. The city also prohibits the encapsuling of cremated remains in a monument or marker and the burial of cremated remains within a space where a casket burial has already occurred.

Section 22-41, Funerals and Interments, paragraphs *(a)* and *(b)* have been amended as follows:

Sec. 22-41 Funerals and Interments

(a) Under Direction of the Sexton, DPS Supervisor, or Designated agent: All funerals and interments within the cemetery must be under the direction of the sexton or a designated agent. The cost of any services required to open or close a space, and all other fees and charges, must be paid in full to the city prior to interment. The fees shall be established by city council resolution and are subject to change without notice.

(b) Permit. A burial permit issued by a funeral home shall be furnished to the cemetery sexton, DPS Supervisor, or the designated agent before interment can be made.

This amendment to the Code of Ordinances of the City of DeWitt, is adopted at a regular meeting of the DeWitt City Council held _____, 2010, and shall become effective upon publication.

IN WITNESS WHEREOF the undersigned Mayor and Clerk/Treasurer of the City of DeWitt hereby authenticate this amendment of the Code of Ordinances of the City of DeWitt by their signatures.

CITY OF DEWITT

BY: _____
JAMES F. RUNDBORG, MAYOR

SEAL OF THE
CITY OF DEWITT

BY: _____
LISA M. GRYSEN, CLERK/TREASURER