

CHAPTER 9

CEMETERY

9-1-1 **CEMETERY CHARGES ESTABLISHED.** The following charges shall apply to all City of Newton cemeteries:

(A) The charges for all grave openings shall be the City's costs plus **Twenty-Five Dollars (\$25.00).**

(B) The charge for burial of cremation remains shall be **Two Hundred Dollars (\$200.00).**

(C) The charge for a gravesite shall be **Three Hundred Dollars (\$300.00)** each.
(Ord. No. 17-04; 03-02-17)

9-1-2 **CITY SHALL CONTROL IMPROVEMENTS.** All improvements or alteration of individual property in the cemetery shall be made under the direction of and subject to the consent, satisfaction and approval of the City; and, should they be made without its written consent, the City shall have the right to remove, alter or change such improvements or alterations at the expense of the lot owner, at any time.

The City reserves the right to remove from any lot, anything that it deems unsightly, or which in any way conflicts with the City's Rules and Regulations, or general beauty of the cemetery. If any tree, shrub or plant standing on any lot, by means of its roots, branches or otherwise, is or becomes detrimental to adjacent lots or avenues, or if for any other reason its removal is deemed necessary, the City shall have the right to remove such tree, shrub or plant or any part thereof, or otherwise correct the condition existing as in its judgment seems best, and without any notice to any interested person. **(Ord. No. 10-21; 09-07-10)**

9-1-3 **WORK TO BE DONE BY CITY.** All grading, landscape work and improvements of any kind, and all care on lots, shall be done and all trees and shrubs and ground cover of any kind shall be planted, trimmed, cut or removed only by the City, provided, the City may, approve the grounds work to be performed by an agent or agents, which work shall be supervised by the City. All mowing, grave digging, monumental work must be done according to OSHA standards. All contractor's hired must sign "Hold Harmless Indemnification" and provide the City with proof of insurance. **(Ord. No. 10-21; 09-07-10)**

9-1-4 **DECORATIONS.** No floral receptacles may be installed on any space, lot, crypt or niche, unless approved by the City. Fresh cut flowers are allowed in approved vases at any time. Ground decorations and potted plants are not allowed from **March 15** to **October 31**, except **five (5) days** before to **five (5) days** after Easter, Mother's Day, Memorial Day and Father's Day. Arrangements in monument vases, or saddles on monuments or shepherd hooks are permitted anytime. Winter decorations shall be removed from the cemetery on or before **March 15** of each year.

Private plantings of annuals or perennials is not permitted.

The City shall have authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or groundcover of any kind from the cemetery as soon as, in the judgment of the City, they become unsightly (faded, discolored, weather damaged, dislodged, or not in season), dangerous, detrimental, or when it does not conform to the standards maintained. The City shall not be responsible for lost, misplaced or broken flower vases. The City shall not be responsible for any wreath, spray, floral decorations, plants, herbage or plantings of any kind damaged by the elements, thieves, vandals or by other causes beyond the City's control. The City reserves the right to regulate the method of decorating lots so that a uniform beauty may be maintained. The City reserves the right to prevent the placement of any flowers, floral designs, trees, shrubs or plants of any kind unless it gives its consent. **(Ord. No. 10-21; 09-07-10)**

Newton City Code

9-1-5 PLANTINGS. No planting of any trees, shrubs, flowers or bulbs will be allowed in the cemetery without the permission of the City, as to the kind and location of such planting. Any placed without permission are subject to removal by the City.

Nursery plantings require experience and oftentimes special equipment. No person, firm or corporation, other than a recognized and approved nursery or the personnel of the City shall be permitted to make nursery plantings in the cemetery.

Any nursery that refuses or fails to comply with the City's Rules and Regulations shall not be given the privilege to enter on the cemetery grounds for nursery purposes until compliance is effected. **(Ord. No. 10-21; 09-07-10)**

9-1-6 DISINTERMENT. All requests for disinterment of remains (including cremated remains) will be directed to a funeral home, which will facilitate the process. A permit, signed by all family members will be required. There will be no disinterments on weekends, holidays or during the winter months (October through May). The cost to disinter will be quoted at the time of request. The City, its officers or employees, will not be held responsible for any damages that may occur to a headstone, vault, casket or remains during a disinterment process. If it is deemed that a vault is unable to be removed, the site will be considered unsellable and maintained by the owners of the site.