

**RULES AND REGULATIONS**  
**OF**  
**GRACELAND CEMETERY**  
**CRESTON, IOWA**

**Perpetual Care**  
**Owned by the City of Creston**

**SUPERINTENDENT**

*Doug Bierle*

**BOARD MEMBERS**

*Sue Bergstrom*  
*John Coulter*  
*Ann Levine*

## **ORDINANCE NUMBER 4.3**

An Ordinance creating a Board of Trustees of Graceland Cemetery and providing for the Powers and Duties of said Board.

### **Section I.**

There is hereby created and established a Board of Trustees of Graceland Cemetery which shall consist of three Trustees to be appointed by the Mayor with the approval of the Council.

### **Section II.**

One of the said Trustees shall hold office until the first Monday in April, 1931, one until the first Monday in April, 1933, and one until the first Monday in April, 1935, and their successors for a term of six years.

### **Section III.**

The Trustees must be citizens of Iowa and residents of the City and shall serve without compensation.

### **Section IV.**

The City of Creston shall have administrative powers over the Cemetery operations, making recommendations to the Cemetery Board for final approval.

Said Board of Trustees shall have general management of Graceland Cemetery, and all powers conferred by law upon the City of Creston for the regulation and control of Cemeteries including all powers conferred upon said City by Section 566.14 of the Code of Iowa, 1962, are hereby transferred to and conferred upon said Board of Trustees.

This Ordinance shall be in force and effective from and after its passage and publication as provided by law, passed this 7<sup>th</sup> day of July, 1930. The Board of Trustees of Graceland Cemetery have no disposition to interfere with the preferences and tastes of individuals but they nevertheless, believe it their duty to reserve the right conferred on them by the charter, for insuring the stability of improvements, the good appearance of the grounds, a respectful manner of burying the dead, and a proper observance of the sacredness of the place.

The records showing Lot Owners, Grave Owners and Interments in Graceland Cemetery, are in keeping with the most advanced ideas of modern Cemetery Management.

The following Rules are hereby adopted for the Government of Graceland Cemetery, Creston, Iowa, by the Board of Trustees of Graceland Cemetery.

## **PURCHASING LOTS FOR PRE-NEED**

Persons purchasing lots for pre-need must pay twenty-five (25) percent down with the balance due in 12 equal monthly payments.

## **LOT OWNER**

The term "Lot Owner" is intended to mean and shall be construed as meaning the Owner of Burial Privileges Only and right of use in any burial lot or fractional lot, purchased from Graceland Cemetery for a consideration, evidenced by a certificate or written contract for a certificate, or by proved and recognized descent.

In the State of Iowa burial rights in Cemetery Lots occupy the same position as Real Estate at the death of the Owner.

All transfers of ownership of lots shall be made to Graceland Cemetery except in the case of intra-family transfers and transfers affected by Wills. No sale, transfer or assignment of any Lot or Part of Lot, shall be valid without the consent of the Trustees endorsed on the conveyance. No Lot Owner has the right to transfer his Lot. Such transfers are mere privileges extended in special cases by the Trustees after careful investigation and the determination by the Officers that such transfers are proper to be made. There shall be a charge for all transfers made other than those to and from Graceland Cemetery at a reasonable amount established by the Board of Trustees.

The different sections of the grounds are so subdivided that lots of all sizes and shapes may be obtained.

All prices are fixed by the Board of Trustees and they will not be varied from.

All Lots are marked with corner markers by the Cemetery and must not be changed or tampered with by anyone other than designated Cemetery personnel.

Lots in Graceland Cemetery are conveyed, by certificate, for burial purposes only. They are exempt from taxation and cannot be seized for debt, nor can they be mortgaged.

The removal, by heirs, of the bodies of a deceased Lot Owner and his immediate family for profit to themselves is repugnant to the ordinary sense of decency and is absolutely forbidden.

Fences, copings, steps, hedges or other enclosures around, or within Lots or Graves, are not allowed.

Graceland Cemetery reserves the right, at its option, to refuse to furnish services to, or for, any Lot Owner when bills due to the cemetery have not been paid.

#### **ENDOWED OR PERPETUAL CARE**

The term "Perpetual Care" shall mean the cutting of grass upon the Lot or Grave at reasonable intervals, cleaning of the Lot or Grave, the pruning of shrubs and trees, and such work as may be necessary to keep the Lot or Grave in good and neat condition, meaning and intending to continue forever similar work that is now regularly done upon the Lots or Graves in Graceland Cemetery, so far as funds will allow. Under the agreement however, the Trustees do not bind themselves to maintain, repair or replace any grave stones or monumental structures erected upon the Lot or Grave therein, to plant flowers or ornamental plants, nor to do any special or unusual work.

The prices established on interment spaces and Lots in Graceland Cemetery shall include Perpetual Care charges – as provided by the State Code of Iowa 523I, a minimum of twenty percent (20%) of the gross selling price with a minimum of fifty (\$50) dollars for each adult burial space, or whichever is greater.

Perpetual Care cost is forfeited and only the amount paid for the Lot at the time of purchase will be reimbursed to Lot Owner wishing to sell Lot back to Graceland Cemetery, except Lot Owners trading within the cemetery.

All funds collected by Graceland Cemetery for Perpetual Care of Lots and interment spaces shall be invested, managed and controlled by the City Administrator and Board of Trustees of said Cemetery and only the income from such funds shall be used for the maintenance of the Cemetery.

## INTERMENTS

All interments in Lots shall be restricted to members of the Lot Owner's family. If an order is given for the interment of a person who is not a member of the immediate family, permission in writing from the Lot Owner, or if deceased, their immediate heirs, must be filed at the Cemetery Office, and such permission shall not be for remuneration.

All burials in Graceland Cemetery must be made with Concrete Box, Concrete or approved Fiberglass Vault.

Graceland Cemetery does not allow the use of a wooden box for burial purposes.

All Graves for adults must be dug so that the top of the container is at least three feet underground.

All Graves shall be dug under the Superintendent's direction. The Superintendent, or his assistant, is expected to attend and direct all interments and see that the Rules, Regulations and strict proprieties of the Cemetery's are observed. All interments will be subject to the charge for Superintendent's fees, or other Cemetery charges, including Perpetual Care which must be paid in advance.

All Graves will be prepared by workmen employed by Graceland Cemetery and the charges shall include opening and closing the Grave and sodding or seeding the area after proper settling of the ground has taken place.

A 48-hour notice (year-round) is required for funeral services.

No transfer of a body from a casket to a separate interment receptacle will be allowed in Graceland Cemetery.

Burial Permits will be provided if available.

When a Funeral Director orders the location of a Grave, no change of location after interment will be made except at the expense of the Lot Owner, as the Cemetery Officials cannot be held responsible for any mistakes occurring from the want of precise and proper instruction as to the location of the Grave in the Lot.

The interment of two bodies in one Grave will not be allowed, except in the case of a mother and infant, or two children buried at the same time. (Special Rules affect Veterans of Foreign Wars Burial area)

Burial of ashes between spaces is permissible. A flat marker must be used where the ashes are interred on an occupied Grave space in the old part of the Cemetery; if interred on a separate Grave space, any type of marker may be used.

For sanitary reasons, Graves will not be opened for inspection except for official investigation.

As soon as flowers, wreaths, emblems, etc., used at funerals or placed upon Graves, at other times become unsightly and faded, they will be removed and no responsibility for their protection or maintenance will be assumed. If any special item should be saved, contact should be made with the office or Superintendent concerning this. No interment space shall be covered with carpets, burlap, cloth or other material, but during the winter months evergreen boughs may be used.

No interment of any body other than that of a human being will be allowed.

Lot Owners, or their heirs, desiring Graves opened will be required to exhibit the Certificate for the Lot or give other satisfactory evidence of ownership and proper permits as provided by law shall be obtained and recorded at Graceland Cemetery office. Openings shall then be made at Lot Owners' expense.

Removal of bodies from Graves in the Cemetery will not be made after November 1<sup>st</sup>, and before June 1<sup>st</sup>. It is very difficult to make removals when the ground is deeply frozen and charges in such special cases will be made in accordance with the difficulty of the work.

Interment rates shall be determined by the Board of Trustees of Graceland Cemetery.

## **MARKERS AND MONUMENTS**

Erection of Markers and Monuments shall be subject to the following Rules and Regulations as determined by the Board of Trustees of the Cemetery.

A Marker may be placed on an occupied Grave, but no Monument may be erected on any Lot until the Superintendent's fees or other charges made by Graceland Cemetery against said Lot, or portion thereof, and the purchase price of the Lot, or portion thereof, are fully paid and a deed issued for same.

All Markers and Monuments must rest upon a concrete foundation laid with cement, below frost, except those deemed unnecessary by the Superintendent. All foundations will be installed by monument dealer with the Graceland Cemetery Superintendent or Cemetery workmen in attendance, except those for Bronze Markers, and all orders for same must be in writing and the person signing such orders will be held responsible for the expense of the work performed. All foundations for Bronze Markers shall comply with the Superintendent's specifications. The location of the Monuments or Grave Markers will be left to the judgment of the Superintendent.

**BEFORE CLOSING THE PURCHASE OF A MONUMENT OR MARKER, MONUMENT DEALERS MUST CHECK WITH THE SUPERINTENDENT AT THE CEMETERY OFFICE TO DETERMINE IF THERE IS ANYTHING WHICH MIGHT PREVENT THE SETTING OF THE MEMORIAL, MARKER OR MONUMENT.**

Any Monument or Memorial, which by reason of faulty design, poor material or bad workmanship, will be lacking in durability or soon become unsightly, shall not be erected. If such defects become apparent during the erection, the work shall be stopped and the defects corrected. If the defects cannot be corrected, or the Lot Owner does not see to it that they are corrected within a reasonable period of time, the whole structure may be removed at the Lot Owner's expense. Each Lot Owner shall keep in good repair all stone and Monument work upon his Lot. In case of failure to do so, Graceland Cemetery may either repair or have repaired, or remove the same at the Lot Owner's expense.

The setting of Monuments, Stones, Vaults, etc., within the grounds shall be subject to the supervision of the Superintendent, except when special permission is obtained from the Superintendent's office. All work must be completed and the work area left in a neat and orderly condition by Noon on Saturday. Tools and material for work, which cannot be completed within this allotted time, will not be allowed to enter the Cemetery unless special permission is obtained from the Superintendent.

When heavy material or equipment is to be moved over any area, planks must first be laid to protect the turf from damage. The Superintendent shall oversee this type of operation and shall have complete control.

Workmen shall not scatter materials over adjoining Lots or area. All workmen within the Cemetery are subject to direction and control of the General Management of Graceland Cemetery and shall adhere to all rules applying to the Cemetery.

No truck or heavy conveyance vehicle may cross over Lots in Graceland Cemetery without first getting permission from the Superintendent. Access roads and walkways are maintained for this purpose.

Any Monument dealers, or his workmen, that do not adhere to all rules heretofore set and pertaining to him, shall be prohibited from placing further Monuments in the Cemetery and shall be liable for any damage caused by himself, his workmen or equipment.

### **TREES AND SHRUBS**

No planting of trees and shrubs will be allowed in Graceland Cemetery.

No shrubs or trees growing within the Cemetery shall be removed without consent of the Superintendent. No person shall trim, prune or remove any branches from any tree in the Cemetery, whether it is on his Lot or not, without first obtaining permission from the Superintendent. Upon request, the Superintendent will do the pruning or other reasonable necessary work without charge. No person or persons owning Lots in Graceland Cemetery shall be allowed in cleaning their Lots, to leave rubbish anywhere except in containers and places provided by the Cemetery and as directed by the Superintendent.

Depositing of rubbish or offal of any kind upon the Lots, walk or drive is prohibited.

Receptacles will be found at convenient locations and rubbish must be deposited therein.

If any tree, shrub, vine or plant situated on a Lot becomes unsightly, dangerous or detrimental, the Cemetery shall have the right to remove the same or such part thereof as may be deemed necessary. The Cemetery will use constant care in examining trees and removing those in apparent unsound or dangerous condition or portions of such that are unsound or dangerous.

### **PLANTS AND FLOWERS**

No plantings will be allowed in Graceland Cemetery.

No plants shall be taken up or removed without first contacting the Superintendent. The observance of the Rule renders it easier to detect and punish thefts of plants.

Lot Owners properly identifying themselves to the Superintendent will be given permission in the Fall of the year to take cuttings from their own plants or to remove the plants.

Graceland Cemetery will not be responsible for frozen decorations or for decorations damaged by weather conditions, thieves, vandals or other causes beyond its control.

### **ORDERS FOR WORK - LOST & FOUND - COMPLAINTS**

All business, orders for work and complaints should be taken up with the Superintendent at his office and all lost and found articles reported to the Superintendent.

Do not give orders or make complaints to the workmen. Go to the Superintendent's office. There, you will always receive prompt, courteous and effective attention.

### **RULES TO BE OBSERVED BY ALL PERSONS**

Graceland Cemetery is open to the public 6 a.m. to 10 p.m. daily. Do not meddle with anything in the Cemetery which does not belong to you.

## MISCELLANEOUS

The right to alter or change the plants, walks, drives, streets, alleys or unsold vacant Lots is reserved by the Board of Trustees.

The Trustees may take such action as may be necessary, though not expressly authorized by the Rules, in order to protect the property of Lot and Grave Owners, or of the Cemetery from injury, to preserve peace and good order, or to prevent injury to the appearance of the Lots and Graves, grounds and buildings.

Payment in advance for work to be done may be required and the Trustees may refuse to allow work to be done for any person in arrears on an account.

All vehicles must proceed at slow speed and be kept under complete control at all times. Driving or riding upon the Lots is not allowed.

Dogs, which are unattended, will not be allowed in the Cemetery. Owners of all animals allowed to enter the Cemetery will be responsible for them.

Approaching the bereaved for purposes of soliciting business within the Cemetery is PROHIBITED.

The right ingress and egress over all Lots in Graceland Cemetery is reserved for all Cemetery Officials and employees, Lot Owners, Vault Dealers and Monument firms and tools and equipment necessary for their operation.

Persons or picnic parties with refreshments or liquor will not be permitted.

Persons with fire arms are not allowed, and no one will be allowed to disturb the good order and quiet of the Cemetery.

To make Graceland Cemetery a quiet and beautiful resting place for the dead should be the desire of every Lot Owner, therefore, everything which would mar the general beauty must be avoided.

Any item which is deemed dangerous to the general public and the employees of Graceland Cemetery or harmful to the equipment will be removed for safety's sake.

No fishing will be allowed out of ponds at Graceland Cemetery.

## ADDITIONAL RULES GOVERNING NEW SECTIONS OF GRACELAND CEMETERY

These additional Rules are adopted for the new Section of Graceland Cemetery in the public interest to insure the landscape appearance of a Modern Cemetery in the best American manner and are not intended to restrict personal liberty of Lot Owners.

These new Sections are intended to give special landscape effects to help beautify the entire Cemetery and do require Special Rules.

## GENERAL ADDITIONAL RULES GOVERNING ALL OF THE NEW SECTIONS OF GRACELAND CEMETERY

(SECTION J AND COMPANION GARDEN, GARDEN OF FAITH, HOPE, MEMORIES , BABYLAND AND GARDEN OF PRAYERS )

The grade of the finished sections is determined by the management in consultation with a recognized Cemetery Architect.

All Memorial Features will be selected by the Management of Graceland Cemetery.  
All burials must be made with concrete, approved fiberglass vaults or containers.

All prices are established by the Board of Trustees of Graceland Cemetery and will not be varied from.

No private mausoleums allowed in entire Cemetery.

All work done in the New Sections of Graceland Cemetery will be done as approved by the Management and overseen by the Superintendent of Graceland Cemetery.

All private Memorial Work shall be approved by the Superintendent. Positions of all Monuments shall be determined by the Management and no Memorial Work shall be placed on any Lot or Portion thereof until said Lot is fully paid for and Certificate for same is issued and recorded in the Cemetery Records.

All Monuments in Section J may have moderately rough bases subject to the approval of the Superintendent and the Board. The ends of the die may also be rough if placed on a base, but the top must be finished smooth.

All Grave Markers shall be set flush with the lawn grade, (this includes head and foot stones) and Foundations must be at least four (4) inches thick.

All Floral containers placed on Graves or Lots must be approved by the Management of the Cemetery or they will be removed. Placement of container will be at the discretion of the Superintendent.

No holes may be dug in any area of the New Sections of Graceland Cemetery for the purpose of placing floral containers except by Cemetery personnel. This will be done at no cost to the Lot Owner.

Wreaths may be placed on Graves during the non-mowing season only.

#### **ADDITIONAL SPECIAL RULES PERTAINING TO SECTION J , COMPANION GARDEN AND GARDEN OF PRAYER ONLY**

Monuments in Companion Gardens, Lots One (1) through Sixty-eight (68), shall not be more than four (4) feet long nor extend more than twenty-four (24) inches above ground-level. Bases in Section J must not be more than five (5) feet long and the monument and base together not more than thirty (30) inches above ground-level. No cement or concrete bases or foundations will be established above ground-level. Monuments must not be more than eight (8) inches thick and Companion Garden wedges must not be more than ten (10) inches thick. Monument bases for single Graves in Garden of Prayer must not be more than three (3) feet long, and double Graves must not be more than four (4) feet long. NO EXCEPTIONS TO THESE RULES.

#### **ADDITIONAL SPECIAL RULES PERTAINING TO THE GARDEN OF HOPE AND GARDEN OF FAITH ONLY**

All markers shall be of APPROVED BRONZE and shall be set in Graceland Cemetery – granite or cement backing allowed.

NO private plantings may be placed on Lots or Graves.

All cut and artificial flowers must be placed in approved containers.

#### **ADDITIONAL SPECIAL RULES PERTAINING TO THE GARDEN OF MEMORIES ONLY**

Individual Corner Markers are not allowed.

No private plantings are allowed in any area of the Garden of Memories.

Cut flowers and artificial flowers may be placed any time in containers provided by the Lot Owner and approved by the Management of the Cemetery and must be installed by the employees of Graceland Cemetery.

Lots will be sold only as shown on the Master Plans – no separation of Lots will be allowed.

All Monuments and Markers must adhere to the following rules:

Family and Individual Monuments (granite, as the following rules specify) are allowed on each Lot in the Garden of Memories except Lots numbered 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18.

On these Lots, the following Rules apply: One 12" x 24" for individual spaces or one 12" x 48" double Marker for two spaces by three-inch minimum thickness Barre Granite or comparable granite individual Marker is allowed on each Grave space and shall be placed at the end of the Lot furthest from the road. These Markers must be flush to the ground.

The Monument or Marker must be placed as shown in the Master Plans only.

All Monuments and Markers placed on Lots in the Garden of Memories must be approved by the Superintendent.

The Family Monument must fit the following description: 24" high and 42" long by 8" thick (1/2" tolerance allowed).

The Monument must be made of Barre Granite or of comparable quality granite in a LIGHT GREY COLOR ONLY.

All portions of the Stone must be smooth.

All portions of the Stone may be polished.

The back and the front side of the Stone may be inscribed with the family name. The front may have another inscription.

The Stone must be shaped as the following:

The sides must be straight up and down at a 90° angle with the bottom of the Stone.

The shape of the top may be square, oval or serpentine in shape.

The Stone must measure 24" x 42" x 8".

The Monument cannot have a base above ground-level.

All Monuments must have a foundation provided and installed by a Monument dealer with Graceland Cemetery Superintendent or Cemetery workmen in attendance.

Flush Individual Granite Grave Markers may be placed on Graves but must meet the following specifications: 12" x 24", and a minimum of three inches thick.

The Individual Markers must be placed flush with the ground at opposite end of Grave from where the Plan shows the Lot Monument, one to each Grave.

Three Grave Lots in the Garden of Memories shall be governed by the following Rules and Regulations also:

In the event of two burials on one Grave space, the Lot Owner may have one 12" x 24" (minimum thickness) Barre Granite or comparable quality light grey Granite Marker for each Grave. Location of these burials and Markers shall be determined by the Management of the Cemetery. If one burial only is made, the Marker must be placed at the end of the Grave opposite the Family Monument, positioned as shown in the Master Plan.

### **RULES AND REGULATIONS FOR BABYLAND**

Flush Bronze or granite Markers may be used.

No artificial flowers may be placed on Graves unless they are in approved containers approved by Graceland Cemetery.

Styrofoam and other ornamentation cannot be used in this area between March 15<sup>th</sup> and November 15<sup>th</sup>.

No holes may be dug on any Grave unless approved by the Superintendent.

Burials must be made with approved combination casket and vault, approved by the Graceland Cemetery Board of Trustees.

Any unsightly or dangerous items will be removed.

### **ADDITIONAL SPECIAL RULES PERTAINING TO SECTION M**

Upright Monuments are allowed on Lots 25 thru 29, and Lots 39 thru 52 in Section M. Lots 1 thru 24 and Lots 30 thru 38 require flush Markers only.

### **SPECIAL RULES FOR ALL OF GRACELAND CEMETERY**

Flowers in approved vases only will be allowed in Graceland Cemetery. Vases of the approved type are on display at all times in the office of the Association.

For the Spring and Summer seasons, beginning one week after Easter Sunday and extending to November 15<sup>th</sup> of each year, no wreaths, sprays or other decorative materials shall be used on any Lot, except such decorative materials as can be contained in approved vases unless maintained by the Lot Owner as described in the paragraph below. Vases of the approved type are on display at all times in the office of the Association. Exceptions will be made for a period of one week following an interment service, Easter Sunday, Mother's Day, Father's Day and Memorial Day.

Graceland Cemetery personnel will provide grounds maintenance around such decorative materials as can be contained in approved vases only. Care and maintenance of any decorations other than those in approved vases (i.e. shepherd's hooks, wrought iron hangers, plaques, statues, battery operated and solar lights, stuffed animals, etc.) will be the sole responsibility of the Lot Owner, including trimming of the grass around the items. Decorations placed on any Lot shall not extend beyond 18 inches around the Monument/Stone/Marker or prohibit the mowing between Lots. No decorations shall infringe on another Lot Owner's property. Any item not properly cared for will be removed by the Cemetery Superintendent.

Glass containers for flowers, or wire used for anchoring or for stabilizing decorative materials are extremely dangerous to cemetery workmen using modern mowing and spraying machines, and the USE OF WIRE, GLASS OR OTHER SHATTERABLE MATERIALS DURING THE SPRING AND SUMMER SEASONS ARE STRICTLY FORBIDDEN.

The digging of holes on Graves or Lots, or the mutilation of the sod for any reason, is specifically forbidden and the cost of repairing any such damage to sod or turf will be charged directly to the Owner of the Lot upon which such willful destruction shall have taken place.

# GRACELAND CEMETERY PRICING

CITY OF CRESTON

❖ **How many spaces in a Lot –**

- Depending on the Lot, it can range from 2 to 10

❖ **Lots –**

- \$400.00, with \$80.00 of that going toward Perpetual Care

❖ **Openings for graves –**

- \$700.00 Monday – Friday
- \$900.00 Saturday
- \$1,100.00 Sunday / Holiday

❖ **Openings for cremains –**

- \$400.00 Monday – Friday
- \$450.00 Saturday
- \$500.00 Sunday / Holiday

❖ **Openings for Babyland –**

- \$200.00 Monday – Friday
- \$225.00 Saturday
- \$250.00 Sunday / Holiday

- ❖ Disinterment of a Body to be moved out of Graceland Cemetery \$700.00
- ❖ Disinterment and Re-interment of a Body within Graceland Cemetery \$1,400.00