

**TITLE II POLICY AND ADMINISTRATION**

**CHAPTER 14 ROSE HILL CEMETERY**

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Cemetery

2-14-1 ESTABLISHMENT. The cemetery ground presently existing and known as Rose Hill Cemetery is hereby established as a municipal cemetery of the City.

- 2-14-2 RESERVED.  

(Ord. 663, Passed 2004)  
(Ord. 760, March 19, 2019)
- 2-14-3 RESERVED.  

(Ord. 365, Passed 1976)  
(Ord. 760, March 19, 2019)
- 2-14-4 RESERVED.  

(Ord. 406, Passed 1980)  
(Ord. 760, March 19, 2019)
- 2-14-5 RESERVED.  

(Ord. 365, Passed 1976)  
(Ord. 760, March 19, 2019)
- 2-14-6 RESERVED.  

(Ord. 365, Passed 1976)  
(Ord. 760, March 19, 2019)

2-14-7 BOARD--ESTABLISHMENT OF BURIAL RULES. The cemetery board shall establish rules which shall apply to burials within Rose Hill Cemetery, and a copy of such rules shall be adopted by resolution of the board and kept on file with the City Clerk.

(Ord. 653, Passed 2002)

2-14-8 RECORDKEEPING REQUIREMENTS--ANNUAL AUDIT. All existing cemetery records, whether relating to platting conveyance or the financial affairs of the cemetery, shall be surrendered to the City Clerk and placed on file with the Clerk of the City. All financial records previously maintained by the Rose Hill Cemetery Association shall be audited, and in the future all financial records so maintained in the Clerk's office shall be subject to the annual audit.

(Ord. 365, Passed 1976)

2-14-9 CARE AND MAINTENANCE--ANNUAL BUDGET PREPARATION. The City of Camanche shall be responsible for care and maintenance of Rose Hill Cemetery. The City Administrator shall prepare and submit an annual budget for the operation of the cemetery in the time and manner required by the City Clerk of the City. Employee wages and hours shall be established by the City Council by resolution.

(Ord. 663, Passed 2004)

(Ord. 760, March 19, 2019)

2-14-10 SEXTON--APPOINTMENT--RESPONSIBILITIES. The sexton shall be appointed by the City Administrator with approval of City Council, and shall be responsible for the care and maintenance of the cemetery, and in addition thereto shall be responsible for the burial of bodies in the cemetery.

(Ord. 365, Passed 1976)

(Ord. 760, March 19, 2019)

2-14-11 GRAVES--DISPOSITION OF RECEIPTS--CHARGES--DEEDS OF CONVEYANCE-- ABANDONED LOTS--CORRECTION OF ERRORS.

1. The receipts from the sale of graves or any other receipts shall be paid into the office of the City Clerk.

2. The charges related to graves and to burial shall be established by resolution by the City of Camanche, and such charges shall be assessed by the cemetery from and after the date of the resolution. The charges as currently included in the Ordinance shall remain in full force and effect until adoption of a resolution amending such charges.

3. Purchasers of burial space in the cemetery, whether by lots or parts thereof, shall be entitled upon payment of the full purchase price to a deed for the space purchased, such deed to be signed by the Mayor and countersigned by the City Clerk, conveying such lot or part thereof for the sole purpose of sepulcher alone for human bodies, subject to the rules, regulations and ordinances governing, the cemetery as exist at the time of interment, and that the City reserves the control of such lot or lots within the cemetery in order to properly maintain the cemetery. No deed shall be delivered until the purchaser has made final payment of the full fee for purchase plus the payment required for perpetual care.

4. Any unoccupied lot would be presumed abandoned pursuant to Sections 523I.315 of the Code of Iowa, as amended, and upon reversion, the City may sell such reverted lot, the proceeds from which shall be deposited in the perpetual care fund, or applied pursuant to Section 523I.315, Code of Iowa.

(Ord. 760, March 19, 2019)

5. The City Council reserves, retains and shall have the right to correct any errors in the description, transfer or conveyance of any cemetery lots or part thereof, by canceling such conveyance and substituting and conveying in lieu thereof other lots or parts thereof of equal value and similar location as possible or as may be selected by the City, or by refunding the amount of money paid on account of such purchase, or by disinterment or relocation if necessary. In the event such error shall involve the disinterment and relocation of the remains of any person in such property, the City reserves the right to remove and transfer such remains to such other property pursuant to Section 523I.309, Code of Iowa.

(Ord. 389, Passed 1980)

(Ord. 559, Passed 1987)

(Ord. 570, Passed 1988)

(Ord. 614, Passed 1995)

(Ord. 627, Passed 1997)

(Ord. 653, Passed 2002)

(Ord. 760, March 19, 2019)

#### 2-14-12 INFANT GRAVE OPENINGS--FEES.

1. The fees to be charged by Rose Hill cemetery for the opening of an infant's grave shall be one hundred twenty-five dollars. Such fees shall, in the future, be set by the Rose Hill Cemetery Board.

2. An "infant," for purposes of assessing the fees for opening grave, is a child who has not yet attained the age of two.

3. All grave openings for individuals who have attained the age of two, shall be assessed the previously established fee for opening graves of two hundred fifty dollars. Such fees shall, in the future, be set by the Rose Hill Cemetery Board.

(Ord. 603, Passed 1994)

(Ord. 719, Passed 2012)

#### 2-14-13 MISDEMEANOR OFFENSES. The following offenses against persons and property within Rose Hill Cemetery are established as misdemeanor offenses:

1. No person shall drive any vehicle at a speed in excess of fifteen miles per hour or in a careless manner on the cemetery roads or drive anywhere except upon such roads unless authorized by the sexton/caretaker.

2. No person shall deface or otherwise damage any marker, headstone, monument, cemetery fence or any other cemetery structure, or cause damage to the grass or parkways of the cemetery.

3. It is a public trespass to be on cemetery property other than during hours of operation from six-thirty a.m. to ten p.m.

4. No person shall consume or possess alcoholic beverages of any kind on cemetery property.

5. No animals or pets shall be allowed in the cemetery unless confined within a vehicle.

6. Littering is prohibited on cemetery property.

7. No activities except funerals and veterans memorial ceremonies can be held in the cemetery without the written approval of the City Administrator and sexton.

(Ord. 760, March 19, 2019)

8. No glass containers are allowed within the cemetery premises.

9. No snowmobiles are allowed on cemetery premises.

10. Violation of the foregoing ordinance provisions shall be punishable under the provisions of Title I, Chapter 3 of this Code of Ordinances.

(Ord. 563, Passed 2002)

(Ord. 719, Passed 2012)

#### 2-14-14 OPERATING A PERPETUAL CARE CEMETARY.

1. Trusteeship. Pursuant to section 523 I.502 of the Code of Iowa, the City of Camanche, Iowa, hereby states its willingness and intention to act as the trustee for the perpetual maintenance of interment spaces in the Rose Hill Cemetery.

2. Establishment of a Trust Fund. A perpetual trust is hereby established for Rose Hill Cemetery in accordance with Iowa Code Chapter 523 I, the Iowa Cemetery Act. A restricted fund is created, to be known and designated as the "Perpetual Care Cemetery Fund", which shall be funded by the deposit of an amount equal to or greater than twenty per cent (20%) of the gross selling price, or \$50.00, whichever is more, for the sale of burial spaces within the cemetery. The fund shall be administered in accordance with the purposes and provisions of Iowa Code chapter 523 I.

The Perpetual Care Cemetery Fund shall be maintained separate from all operating funds of the cemetery and the principal of the fund shall not be reduced voluntarily except as specifically permitted by the Iowa Cemetery Act and applicable administrative regulations.

3. Sale of Interment Rights. The sale or transfer of interment rights in the cemetery shall be evidenced by a certificate of interment rights or other instrument evidencing the conveyance of exclusive rights of interment upon payment in full of the purchase price. The agreement for interment rights shall disclose all information required by the Iowa Cemetery Act, including the amount or percentage of money to be placed in the Perpetual Care Cemetery Fund.

4. Perpetual Care Registry. The cemetery shall maintain a registry of individuals who have purchased interment rights in the cemetery subject to the care fund requirements of the Iowa Cemetery Act, including the amounts deposited in the Perpetual Care Cemetery Fund.

(Ord. 737, Passed January 5, 2016)