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TITLE 10. CEMETERY

Chapter 10.1. Definitions.

- a. “*Cemetery*” – Union Cemetery, Flandreau, Moody County, South Dakota.
- b. “*City*” – City of Flandreau, Moody County, South Dakota.
- c. “*Council*” – City Council of the City of Flandreau.
- d. “*Finance Officer*” – Finance Officer, City of Flandreau.
- e. “*Mayor*” – Mayor of the City of Flandreau.
- f. “*State*” – State of South Dakota.

Chapter 10.2. Rules and Regulations

Section 10.2.1. Cemetery Advisor.

That the Mayor of said City shall appoint with the advice and consent of the Council, a Cemetery Advisor, who shall act without pay, and shall be responsible for advising the Council on the care, management and maintenance of said cemetery.

Section 10.2.2. Rules and Regulations. (Ordinance 543)

That the following rules and regulations shall be with reference to all cemetery property owned, managed, or controlled by the City, and the same may be embodied as conditions in the conveyance of lots in said cemetery, to purchasers thereof, to wit:

Article 10.2.2.1. All graves shall be held subject to the laws of the State, relating to cemeteries, and shall not be used for any other purposes than as a place for burial for the dead.

Article 10.2.2.2. The general public will be allowed access to the grounds at all times during daylight hours, upon observing the rules that are or may be adopted for the regulation of visitors.

Article 10.2.2.3. The Mayor, attested to by the City Finance Officer shall sign all lot conveyances.

Article 10.2.2.4. There will be a limit of four graves per lot. Normally, no more than one interment will be permitted on any one grave except that when interring cremains, two interments may be made per grave.

Article 10.2.2.5. Owners shall not allow interment to be made in their lots for remuneration, nor shall any transfer or assignment of the use of any lot, or of any interest therein be valid, without the consent in writing of the Council.

Article 10.2.2.6. No sign indicating that a lot, vault or tomb is for sale will be permitted in or on the grounds.

Article 10.2.2.7. Disinterment shall be allowed, provided all state laws governing disinterment have been complied with.

Article 10.2.2.8. The Council reserves the right to lay out or alter the avenues or walks, or make such rules and regulations for the government of the grounds as they may deem appropriate.

Article 10.2.2.9. The owner of each lot may erect any proper stones, monument or sepulchral structures thereon, except that no vault shall be built entirely or partially above ground without permission of the Council, and that all monuments and all parts of vaults above ground shall be cut stone, granite, marble, cement or bronze.

Article 10.2.2.10. All graves in the west addition of the cemetery shall have headstones placed on the west border of the grave.

Article 10.2.2.11. If any monument, effigy or enclosure, or any structure whatever or any inscription be placed in or upon any lot, which shall be determined by the Council to be offensive or improper or injurious to the appearance of the surrounding lots or grounds, they shall have the right and it shall be their duty to have removed the said offensive or improper object.

Article 10.2.2.12. All corner stones, if installed, must be flush with the ground.

Article 10.2.2.13. Lot enclosures of any kind whatever are prohibited.

Article 10.2.2.14. The owner of each lot may cultivate existing trees, shrubs, and plants in the same, but no trees growing within the lot or border shall be cut down or destroyed without the consent of the Council.

Article 10.2.2.15. If any trees or shrubs situated in any lot, by means of their roots or branches, become detrimental to the adjacent lots or avenues, or unsafe, unsightly or inconvenient for visitors, it shall be the duty of the Council, and they shall have the right, to provide for the removal of said trees and shrubs, or such parts thereof as they shall determine to be detrimental, unsafe, unsightly or inconvenient.

Article 10.2.2.16. Pets, whether or not leashed or otherwise restrained, are not permitted in the Cemetery at any time.

Article 10.2.2.17. Responsibility for headstone maintenance and repair shall be borne by the decedent's family. In the event that a headstone becomes damaged and the decedent's family cannot be located, the Council shall take such action as it deems necessary to repair the damaged headstone, but each instance of headstone damage that necessitates repair will be reviewed by the Council on a case by case basis.

Section 10.2.3. Societies.

The Council and the Cemetery Advisor may, at their discretion, solicit assistance and/or advice from the Moody County Historical Society or the Moody County Genealogical Society concerning matters pertinent to the operation and maintenance of the Cemetery.

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