

Chapter 6.5
CEMETERIES

Art. I. In General, Sections 01 through 20

Art. II. Mount Pleasant Cemetery, Sections 21 through 37

ARTICLE I. IN GENERAL

Sections 01 through 20. Reserved.

ARTICLE II. MOUNT PLEASANT CEMETERY

Section 21. Establishment as City cemetery.

Mount Pleasant Cemetery as acquired by the City of Chaska, Minnesota, by deed dated March 12, 1974, is hereby established as a City cemetery and shall be controlled, managed and operated as set forth herein. (Ord. No. 305, Sec. 1, 2/2/81)

Section 22. Plat adopted.

The survey of the said land and the plat thereof, made as Mount Pleasant Cemetery, is adopted as the plat of said City cemetery, the same to be known and designated as "Mount Pleasant Cemetery." (Ord. No. 305, Sec. 2, 2/2/81)

Section 23. Sale of lots.

(a) All lots shall be purchased at the City Clerk's office at the City Hall, Chaska, Minnesota. All lots shall be sold in consecutive order or as determined by the City.

(b) The price per lot shall be as follows:

(1) To residents of the City or prior residents of the City of Chaska . . . \$300.00

(2) Non-residents of the City of Chaska \$500.00
(Ord. 663, Sec. 1, dated 01-31-00)

(c) Upon full payment of the purchase price of a lot, the City Clerk shall issue a Cemetery Deed conveying the lot, said Deed to be executed by the Mayor and Clerk and it shall be recorded in the records of the City. (Ord. No. 305, Sec. 3, 2-/2/81)

Section 24. Maintenance and perpetual care funds.

(a) A person purchasing a lot shall pay the required sum per lot to the City. Fifty percent (50%) of the purchase price received shall be credited to the maintenance fund and

fifty percent (50%) shall be deposited in the perpetual care fund; monies earned by the fund shall be used for the maintenance of the lot.

(b) All income received by the City from the cemetery fund shall be used solely for the purpose of defraying the cost of caring for, maintaining and improving the cemetery lots. Any income so received in excess of the amount necessary to pay for the care and beautification of the lots or any income not spent in any year for this purpose shall remain in the cemetery fund. (Ord. No. 305, Sec. 4, 2/2/81)

Section 25. Transfer of lots.

No cemetery lots may be sold or otherwise disposed of, except by will or operation of law, without the approval of the City Council. The City retains the first option to repurchase a cemetery lot at fifty percent (50%) of the current lot price. The City may use any of its funds for such repurchase and may hold such lot, or again sell and convey the same. (Ord. No. 305, Sec. 5, 2/2/81)

Section 26. Interments.

All interments in lots shall be restricted to members of the immediate family of the lot owner unless permission in writing is first received from a lot owner, which written permission shall accompany all requests for permits to bury the bodies of persons not members of the immediate family in said lot. Lot owners may not allow interment to be made on their lots for remuneration. Lots may not be subdivided, nor shall the remains of more than one person be interred in any one lot, without the consent of the City Council. All excavations shall be made under the direction of the City of Chaska. It shall be the responsibility of the lot owner and/or Funeral Director handling the said funeral to make all necessary arrangements for excavations and replacements. All interments must be made in accordance with all laws, ordinances, rules and regulations of the City of Chaska, the State of Minnesota, or any other regulatory agency thereof. (Ord. No. 305, Sec. 6, 2/2/81)

Section 27. Disinterments.

Written permission of the lot owner and the next of kin shall be filed with the City Clerk, a permit from the County Health Officer shall be secured and presented, and all laws or regulations of the State of Minnesota or any other agency having jurisdiction over disinterment must be complied with prior to any disinterment. This provision does not apply when disinterment is ordered by a duly authorized public authority. (Ord. No. 305, Sec. 7, 2/2/81)

Section 28. Monuments and markers.

(a) Every monument and marker shall be placed in the space as shown on the cemetery plat or as directed by the City of Chaska. No monument or marker may be placed unless its location has been approved by the City and the full purchase price of the lot has been paid.

(b) No monument or marker may be constructed of limestone, sandstone, wood, or other materials which will not assure relative permanency.

(c) All markers or monuments shall be placed on a suitable foundation. An apron of at least six (6) inches in width shall be placed around said marker or monument, which shall be made of concrete, which apron shall be level with the surface of the ground, and which shall be affixed to the marker so as to prevent grass, weeds or other vegetation from growing between the marker and apron. (Ord. No. 305, Sec. 8, 2/2/81; Ord. No. 514, Sec. 1, 8/31/92)

Section 29. Foundations.

All monuments and markers shall be placed on foundations of solid masonry at a depth and size so as to assure no settling or movement of the marker or monument. (Ord. No. 305, Sec. 9, 2/2/81)

Section 30. Installation of monuments or markers.

(a) Persons engaging in placing monuments and markers shall provide adequate planking to protect turf and shall remove materials, equipment and refuse immediately upon completion of work.

(b) The lot owner is responsible for any failure to abide by this regulation and shall pay for any and all charges or damages resulting.

(c) The lot owner is also responsible for any and all damage resulting from injury or damage to the cemetery or other lots during the excavation of the grave site or recovering thereof.

(d) Contractors and others engaged in such work must notify the City before beginning the same. All work in the cemetery, of whatever kind, must be carried on subject to the direction and control of the City. No monument or marker may be placed in the cemetery until a written authorization therefor has been issued by the City. (Ord. No. 305, Sec. 10, 2/2/81)

Section 31. Vaults and mausoleums.

Vaults and mausoleums are not permitted in Mount Pleasant Cemetery except on special permit granted therefor by the City Council. (Ord. No - 305, Sec. 1 1, 2/2/81)

Section 32. Improvements.

Natural plants, shrubs and flowers in containers only may be placed on the cemetery lots. No trees, vines, flowers, plants or shrubs may be planted, no fences erected, nor shall unnatural flowers, shrubs or plants be placed on a cemetery lot. The City reserves the right to remove any tree, shrub, vine, plant or flower which may become unsightly, dangerous or not in keeping with the landscaping design of the cemetery. The foregoing prohibition shall not, however, apply to the City of Chaska. (Ord. No. 305, Sec. 12, 2/2/81)

Section 33. Duties of actuary.

The City Clerk shall be the actuary of the cemetery and shall, in addition to other records and duties, keep a register of all interments, disinterments and reinterments. (Ord. No. 305, Sec. 13, 2/2/81)

Section 34. Hours open to public.

The cemetery will be open to visitors during the hours of sunrise to sunset. Permission to enter at other times shall be secured from the City. (Ord. No. 304, Sec. 14, 2/2/81)

Section 35. General conduct regulations.

- (a) No persons may discharge any firearm or have possession of any firearm within the cemetery grounds except honor guards giving a rifle salute.
- (b) No person may remove any object from any place in the cemetery or make any excavation without the consent of the City.
- (c) No person may obstruct any drive or path in the cemetery or in any way injure, deface or destroy any structure, grave, flower, tree or other thing in the cemetery.
- (d) No person may drive any vehicle faster than a walk within the cemetery, nor drive over any path or roadway not authorized by the City.
- (e) No person may disturb the quiet of the cemetery by noise or improper conduct of any kind.
- (f) No person may enter or leave the cemetery except at the gates provided.
- (g) No person may use the cemetery grounds or any road therein as a public throughfare, nor drive any vehicle through the cemetery grounds except for purposes relating to the cemetery.
- (h) No child may be permitted within the cemetery unless in the control of any adult.
- (i) No person may allow any animal to run at large in the cemetery.
- (j) No person may loiter at any time, nor be in the cemetery without permission of the cemetery superintendent at any time between the hours of sunset to sunrise. (Ord. No. 305, Sec. 15, 2/2/81)

Section 36. Rights reserved to City.

The City reserves the right to remove all monuments and all markers, flowers, plants, trees, decorations or other similar things without liability to the owner whenever any of these objects becomes unsafe or unsightly. (Ord. No. 305, Sec. 16, 2/2/81)

Section 37. Penalty for violations.

Any person violating any provision of this article is guilty of a misdemeanor and shall be punished in accordance with this Code of Ordinances.