

CHAPTER 3: CITY PROPERTY

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SECTION 310: CITY CEMETERIES

310.01 Establishment. The Birchwood and Hill Top Cemeteries are hereby continued. The City Administrator, Public Works Supervisor and the Cemetery Custodian are hereby charged with conducting and administering the cemeteries.

310.02 State Laws and Regulations. The City hereby adopts by reference Minn. Stat. §§ 306.01 *et seq.* and Minn. Rules Part 4610.0400 *et seq.*, as they may be amended from time to time. Copies of these laws and regulations are available for public inspection in the office of the Administrator during regular business hours.

310.03 Repeals. City Ordinance Chapter XXIII: Cemetery; Article A. City Cemetery and in effect as amended is hereby repealed.

310.04 Land Use.

Subd. 1 Interment of Bodies. No interment of two (2) or more bodies shall be made on one (1) grave, except in the following cases:

- A. A parent and child may be buried in one (1) casket.
- B. Two (2) infants may be buried in one (1) casket.
- C. Two (2) urns of ashes may be buried in one (1) grave.
- D. One (1) body in a casket and one (1) urn of ashes may be buried in one (1) grave.

Subd. 2 Compliance. No interment may be made in the cemetery unless all the ordinances, rules and regulations regarding interments have been complied with and until the purchase price of the lot and all burial fees are paid, or arrangements have been made with the City to pay for the costs.

310.05 Costs Related to Cemetery Use.

Subd. 1 Costs. The cost of cemetery lots and interments, including the burial of ashes, shall be determined by the City Council as listed on the current fee schedule and is subject to change. All fees are payable to the City of Pine City at City Hall.

Subd. 2 Payment. Upon full payment of the purchase price of the lot or lots, the City will issue a cemetery lot agreement, executed by the City, and the agreement shall be recorded in the records of the City. Description of the lots will be in accordance with the cemetery plats, which are kept at the City offices.

310.06 Burial vaults. Burial vaults are required for all casket and cremated remains. The definition of "vault" is limited to "underground vault." Burial vaults are required to be constructed of concrete, bronze, metal or stainless steel.

310.07 Monuments, Markers and Adornments.

Subd. 1 Monuments. A monument is a memorial that is made of granite or other approved material that is placed on a concrete or granite base. The monument extends above the surface of the base.

- A. Monuments currently in place may remain and be maintained. Replacement shall be in accord with these regulations.
- B. All monuments shall be placed in accord with the instructions and conditions of the Cemetery Custodian.
- C. The maximum monument height shall be four ft. six inches (4'6" above the base at grade).
- D. The Cemetery Custodian is instructed that, so far as is practicable, placement shall be made so as to allow and facilitate the use of mechanical cleaning and mowing equipment.
 - 1. Only one (1) monument shall be allowed for each two (2) contiguous lots. The lots shall be in one (1) ownership.
 - 2. Each monument shall be placed on a reinforced concrete base which will be a minimum thickness of four (4) inches, or a granite base. The base shall be flush with the ground. The base shall be a minimum of five (5) inches larger on all sides of the monument. A minimum of one (1), one and one quarter inch (1 ¼") hole shall be formed in the base for the placement of adornment holders. These restrictions shall not apply to monuments provided by the federal government.
 - 3. Each monument shall be installed within the dimensions of the lot(s) in Birchwood Cemetery. Monuments shall be installed adjacent to the lot(s) in Hill Top Cemetery.

Subd. 2 Markers. A marker is a memorial of granite or other approved material that does not extend above the surface of the ground.

- A. A maximum of one (1) marker per casket or cremated remains is allowed and every marker shall be placed as directed by the Cemetery Custodian.
- B. No marker nor any part thereof may be constructed of limestone, sandstone or any other material which will not assure relative permanency.
- C. Markers shall be set, at a minimum, flush with the surface of the ground and at a maximum three/fourths (3/4) of an inch above the surface of the ground.
- D. Markers shall not exceed the following dimensions: three (3) feet in length, and one and one-half (1.5) feet in width. Markers for two people in the same lot shall be a maximum of three feet eight inches (3'8") in length and two (2) feet in width. The length

and width measurements shall include a minimum of a four (4) inch wide reinforced concrete border. A minimum of one (1), one and one quarter inch (1 ¼") hole shall be formed in the concrete border for the placement of adornment holders. These restrictions shall not apply to monuments provided by the federal government.

E. Markers embracing three or more graves are not permitted.

Subd. 3 Cemetery Adornments.

A. Each grave may have one (1) flower/plant stand with a single support post and base plate. The City, or any of its employees, assumes no liability for damage to stands, etc. as a result of grave openings, routine maintenance or any other activities.

B. Flowers, ornaments and the like, not contained on the stand, will be allowed only from May 15 through June 15. After this time, they will be removed by the City and discarded. The base of monuments and all markers are to remain clear for proper maintenance after June 15. The City shall not be responsible for damaged, lost, or misplaced flower containers or adornments.

C. The planting of trees, placement of flowers, plants and other adornments or structures are regulated by the City. Anything deemed a hazard to the safety of the Cemetery users or employees, or, an obstacle to the orderly maintenance of the cemetery will be removed. No exception to published regulations will be made.

D. Solar powered adornments can be placed in the hole provided in the base, in the flower pot, or can be affixed to the stand.

310.08 Transfer of Lots.

Subd. 1 Re-Selling or Disposal Prohibited. No cemetery lot or grave may be re-sold or otherwise disposed of without prior approval of the City.

Subd. 2 Right of Refusal. The City maintains first right of refusal on unused lots for re-purchase at the original purchase price.

310.09 Descent of Lots.

Subd. 1 Grant and Conveyance. On the death of a lot owner, the lot shall, subject to the right of interment of the decedent therein, be granted and conveyed by the City to any of the deceased's parents, descendants or siblings, pursuant to the Minnesota Succession Laws, Minn. Stat. § 525.14, as it may be amended from time to time, who are qualified to be buried therein, unless provided for by will.

Subd. 2 Request for Evidence. The City may request the evidence, as it may deem necessary, to prove that the lots in question are received by the person who would be entitled to receive them.

310.10 Costs. The costs related to cemetery use are outlined in the City's master fee schedule.

310.11 Hours. The cemeteries are open to the public only during daylight hours.

310.12 Conduct of Persons in the Cemeteries.

A. No person may discharge any firearm within the cemetery grounds without permission from the City. This restriction does not apply to military events.

B. No person may remove any object from any place in the cemeteries or make any excavation without permission from the City.

C. No person may obstruct any drive or path in the cemeteries 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 at a speed exceeding ten (10) miles per hour. All automobiles must be kept off the grass.

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 entrances provided.

G. No person may use the cemetery grounds or any road therein as a public thoroughfare, nor drive any vehicle through the cemetery grounds except for purposes relating to the cemetery.

H. Children shall not be permitted to engage in playing within cemetery grounds, and children under ten (10) years of age shall not be admitted to the grounds unless accompanied by an adult, who shall be responsible for their conduct while therein.

I. Animals must be on a leash and under control at all times.

SECTION 315: OTHER PUBLIC PROPERTY

315.01 Injury to Public Grounds. No person shall injure any tree, shrub or plant within the public grounds of the City.

315.02 Rubbish. No person shall scatter, leave or deposit on any of the walks, turns or lawns, or in any building or in any park any rubbish or filth of any kind whatsoever.

315.03 Notices. All notices posted by authority of the Council in any park to regulate the use of the park shall be strictly obeyed. No person shall deface any notice.

315.04 Permits Required.

Subd. 1 Conditions. No person, unless he or she shall first have obtained a permit from the Council, shall, in any park:

A. Carry on any business for profit or post any advertisement.

B. Participate in any athletic games or sports, except in parts specifically set apart for those purposes.

315.05 Library. No person shall take or injure any property of the library or fail in anyway to comply with the rules established for the use of the library and library property by the Library Board.

315.06 General. No person shall take or injure any public property of any sort, or fail to comply with any ordinance, rules or regulations of this code established for the use of the same, or keep the same from the possession of any officer or employee lawfully entitled to possess the property.

305.07 Picnic Tables. Picnic tables in City parks may be moved from one (1) park site to another only upon approval from the City.

SECTION 320: CITY INVESTMENTS

320.01 Authorized Investments. The City shall be able to invest in any investment authorized by State law.

320.02 Banking and Savings Institutions. In addition to the banking institutions within the City, City funds may be deposited in insured out-of-town banking institutions, including the League of Minnesota Cities Money Market Fund.