

CHAPTER 14

CEMETERIES

ARTICLE I – CEMETERY BOARD OF MANAGERS

14-1-1 **MUNICIPAL CEMETERY.** The City of Belleville owns or controls a municipal cemetery (Walnut Hill Cemetery) lying within the corporate limits of this City.

14-1-2 **APPOINTMENT OF BOARD.** The Mayor, with the advice and consent of the City Council, shall appoint a board of **three (3) persons** who shall be known as the Cemetery Board of Managers who shall hold their office for a period of **two (2) years**, or until their successors are appointed. **(See 65 ILCS Sec. 5/11-52.1-2)**

14-1-3 **POWERS OF BOARD.** The Cemetery Board of Managers shall have the powers and authority provided by **Chapter 60, Section 130/1 to 130/3 of the Illinois Compiled Statutes.**

14-1-4 **CARE FUND.** The Cemetery Board of Managers are authorized and empowered to receive in trust, (in addition to the gifts, devises and bequests authorized to be received by **Chapter 60, Section 130/1 to 130/3 of Illinois Compiled Statutes**) the U.S. Government bonds, Series G (\$21,000) and Series K (\$104,000), being a total of \$125,000 in bonds in the "Future Care Fund" of this City now held by the City Treasurer, and the City Treasurer is hereby authorized, empowered and directed to pay over and deliver to the Treasurer of the Cemetery Board of Managers of this City the said bonds, and upon obtaining a receipt therefor, shall be relieved from all responsibility with respect thereto.

14-1-5 **MANAGEMENT OF FUND.** The Cemetery Board of Managers is hereby authorized and empowered to accept any gift, grant, contribution, payment, devise or bequest, or pursuant to contract, any sum of money, funds, securities or property of any kind, or the income or avails thereof, and to hold the same in trust in perpetuity for the care of its cemetery, or for the care of any lot, grave, crypt or niche in its cemetery; or for the special care of any lot, grave, crypt or niche or of any family mausoleum of memorial, marker, or monument in its cemetery. No gift, grant, devise, bequest, payment or other contribution shall be invalid by reason of any indefiniteness of uncertainty as to the beneficiary designated in the instrument

creating the gift, grant, devise, bequest, payment or other contribution. If any gift, grant, devise, bequest, payment or other contribution consists of non-income producing property, the cemetery authority accepting it is authorized and empowered to sell such property and to invest the funds obtained in accordance with the provisions of the next succeeding paragraph.

The care funds authorized by this Article shall be held intact and, unless otherwise restricted by the terms of the gift, grant, devise, bequest, contribution, payment, contract or other authority, in acquiring, investing, reinvesting, exchanging, retaining, selling and managing property for any such trust, shall exercise the judgment and care under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital. Within the limitations of the foregoing standard, the cemetery authority or the trustee of the care funds of the cemetery authority is authorized to acquire and retain every kind of property, real, personal or mixed, and every kind of investment, including specifically, but without limiting the generality of the foregoing, bonds, debentures and other corporate obligations, stocks, preferred or common and real estate mortgages, which men of prudence, discretion and intelligence acquire or retain for their own account. Within the limitation of the foregoing standard, such authority or trustee is authorized to retain property properly acquired without limitation as to time and without regard to its suitability for original purchase. The care funds authorized by this Section may be commingled with other trust funds received by such cemetery authority for the care of its cemetery or for the care or special care of any lot, grave, crypt, niche, private mausoleum, memorial, marker, or monument in its cemetery, whether received by gift, grant, devise, bequest, contribution, payment, contract or other conveyance heretofore or hereafter made to such cemetery authority. Such care funds may be invested with common trust funds as provided in "The Common Trust Fund Act", **Chapter 161/2, Section 57, 35 seq.** The net income only from the investment of such care funds shall be allocated and used for the purposes specified in the transaction by which the principal was established in the proportion that each contribution bears to the entire sum invested. **(See 65 ILCS Sec. 5/11-52.2-1)**

ARTICLE II

SUPERINTENDENT OF CEMETERIES

14-2-1 **OFFICE CREATED.** There is hereby created the office of Superintendent of Cemeteries to oversee Walnut Hill Cemetery. **(Ord. No. 5145; 11-01-93)**

14-2-2 **SUBORDINATES.** There shall be as many subordinates appointed to the Superintendent of Cemeteries as shall be determined by the City Council. **(Ord. No. 5145; 11-01-93)**

14-2-3 **APPOINTMENT.** The Superintendent of Cemeteries and his subordinates shall be appointed by the Mayor by and with the advice and consent of the City Council at the first regular meeting of the Council in May of each year. They shall constitute the regular Cemetery Department of the City and shall take the oath of office described by law. **(Ord. No. 5145; 11-01-93)**

14-2-4 **DUTIES.** The Superintendent of Cemeteries shall perform the following duties:

(A) He shall have the general care and custody of Walnut Hill Cemetery. In connection with the City Engineer, he shall lay out all lots and walks and roadways in the Cemetery and preserve a record thereof as may be ordered by the City Council.

(B) He shall afford purchasers all the facilities in his power for the inspection of the grounds and all unsold lots.

(C) He or his assistant shall be at the Cemetery or at some suitable place designated by them, so that any person desiring to have a person buried may be able to find them.

(D) He shall have control of all workmen employed in the Cemetery and oversee the enforcement of all laws, rules and regulations affecting the rights of proprietors or the conduct of visitors.

(E) He shall have charge of and keep an account of all property, tools and implements belonging to the Cemetery and shall keep a record of all interments made.

(F) He shall keep such books of records, make such reports and perform such other duties appropriate to this office as the City Council may from time to time require.

(G) He shall pay over or cause to be paid over to the City Treasurer monthly or oftener, all moneys that may be received as Superintendent for work done by him or his subordinates at the Cemetery, or that may be received by him from any other source and belonging to the City.

(H) He shall duly certify all orders and certificates for expenditures made by him, together with monthly payrolls of employees at the Cemetery.

(I) He shall, on resigning or being removed from office, deliver to the City Clerk, all books and papers, registers and all property belonging to the City.

14-2-5 GRAVES.

(A) The Superintendent of Cemeteries shall cause all graves in the Walnut Hill Cemetery to be dug at least **two (2) feet** from the top of the ground on a level at the top of the vault; and graves over **five (5) feet** long shall not be less than **two feet six inches (2'6")** from the top of the ground to the top of vault. The graves shall be filled up at least **eighteen (18) inches** above the level of the ground at the top.

(B) Only standard burial boxes or vaults, constructed of reinforced concrete or other such permanent material, shall be installed in graves in the Walnut Hill Cemetery. The burials of deceased premature babies, stillborn babies and deceased children of less than **one (1) year** of age are excluded from the requirements of this Subsection. **(Ord. No. 3303; 08-18-75) (Ord. No. 5145; 11-01-93)**

(C) Only **one (1) body** may be buried in any burial lot unless an extra deep burial has been purchased. **(Ord. No. 6434; 06-17-02)**

(D) A limit of **two (2)** cremations per grave. Cremation container may not be wood. (Must be concrete, industrial plastic, etc.)

(E) **One (1)** full burial with ashes on top is permitted.

(F) Infant burial is considered full burial. **One (1)** ashes permitted on top.

ARTICLE III - FEES AND CHARGES

14-3-1 FEES OR GRATUITIES. A person in the employ of the Superintendent of Cemeteries shall not retain any fee or gratuity for any service connected with the Cemetery or his duties therein. The salary of such person shall be his full compensation therefor.

14-3-2 CARE OF LOTS.

(A) The Superintendent of Cemeteries and his assistants shall cut the grass on all the graves and lots in Walnut Hill Cemetery. The lot owners shall pay a one time fee to the City for such work in the following amounts:

\$400	for a 12-grave lot	(full lot)	20' x 20'
\$200	for a 6-grave lot	(1/2 lot)	10' x 20'
\$100	for a 3-grave lot	(1/4 lot)	10' x 20'
\$ 50	for a 1-grave lot	(1/8 lot)	10' x 10'

Care will be given these lots and graves so long as there remains a Walnut Hill Cemetery.

(B) Those who have previously enrolled under the Seasonal Care Plan at the Cemetery shall pay the following yearly charges:

\$10	for a 12-grave lot	(full lot)	20' x 20'
\$ 6	for a 6-grave lot	(1/2 lot)	10' x 20'
\$ 4	for a 3-grave lot	(1/4 lot)	10' x 20'

The Seasonal Care Plan shall no longer be available for lots. **(Ord. #3226; 05-20-74)**

(C) By applying for perpetual care no applicant shall be relieved of any amounts due and owing for seasonal care for prior years; provided, however, that should any person fail to complete payment under a perpetual care contract within the period provided by the contract, any amounts paid thereunder shall be applied to seasonal care payments due and to become due on the lot or lots covered by the contract.

(D) All **three (3) grave lots (10' x 10')** to be sold with perpetual care for the sum of **Eighty-Five Dollars (\$85.00); Thirty-Five Dollars (\$35.00)** for the lot, and **Fifty Dollars (\$50.00)** for the perpetual care.

(E) The City shall render bills to all lot owners or other persons responsible for the care of lots. If no response is made to the sending of bills, the City will charge all uncollected care charges to these lots. Fees shall be collected before the opening of any grave or the burial of the deceased on any lot where such care fees are in arrears.

14-3-3 CEMETERY FEES. The following shall be paid to the City Treasurer for services performed at Walnut Hill Cemetery.

The Mayor may convey, sell and dispose of a grave or burial space for \$600.00 for each grave or burial space including endowed care. (Ord. No. 7245; 04-06-09)

(A) Opening Graves for Bodies Except Saturdays and Sundays/Holidays:

Direct Burial (Without Service)	\$700.00
Chapel Service	\$750.00
Graveside – Tent, grave lining and chairs	\$800.00
(B) For services specified in (A) on Saturdays	\$900.00
(C) For services specified in (A) on Sundays/ Holidays	\$950.00
(D) Opening of graves for still births, infants below six (6) months , limbs from human beings or ashes from cremated bodies except Saturdays and Sundays/Holidays	
Direct Burial (Without Service)	\$300.00
Chapel Service	\$320.00
Graveside – Tent, grave lining and chairs	\$350.00
(E) For services specified in (D) on Saturdays	\$500.00
(F) For services specified in (D) on Sundays/ Holidays	\$575.00
(G) Opening of graves for still births, infants below six (6) months , limbs from human beings or ashes from cremated bodies in baby row including the grave except Saturdays and Sundays/Holidays	
Direct Burial (Without Service)	\$300.00
Chapel Service	\$320.00
Graveside – Tent, grave lining and chairs	\$350.00
(H) For services specified in (G) on Saturdays	\$500.00
(I) For services specified in (G) on Sundays/ Holidays	\$575.00
(J) For disinterring of still births, infants below six (6) months , limbs from human beings or ashes from cremated bodies	\$300.00
(K) For disinterring any and all bodies of persons over the age of twelve (12) years	\$550.00
(L) For disinterring any and all bodies of persons under the age of twelve (12) years	\$300.00
(M) Extra charge for digging a grave extra deep to provide for an additional burial	\$175.00
(N) Extra charge for services arriving at the Cemetery after 3:00 p.m.	\$175.00

LATE CHARGES:

A late charge of \$175.00 will be added to the cost of a burial if the burial arrangements are not confirmed before 12:00 p.m. on the last working day for a Saturday or Holiday Funeral.

A late charge of \$175.00 will be added to the cost of a burial if the burial arrangements are not confirmed before 12:00 p.m. on Friday for a funeral that is before 12:00 p.m. on Monday.

A late charge of \$175.00 will be added to the cost of a burial if the burial arrangements are not confirmed before 12:00 p.m. on the last working day before a Holiday for a burial that is before 12:00 p.m. the date after a Holiday.

A late charge of \$175.00 will be added to the cost of a burial if the burial arrangements are not confirmed before 12:00 p.m. for a funeral that is scheduled before 12:00 p.m. of the following day.

A late charge of \$175.00 will be added to the cost of a burial not confirmed until the day of the burial.

Illinois Public Aid burials are accepted. **If grave is to be included, Walnut Hill Cemetery will determine the location of the grave. (Ord. No. 7245; 04-06-09)**

14-3-4 FOUNDATION CHARGES. All sizes figured at **Forty Cents (\$0.40)** per inch.

Minimum fee for regular markers -- \$96.00.

Fee for baby markers a maximum of 16 inch -- \$55.00.

In-ground vases with concrete base installed -- \$110.00

Width for grass borders will be and not exceed **twenty (20) inches**. Foundations for grass borders are figured **thirty-six (36) inches** deep. Grass borders are required in the **11th Addition** plus all future block additions. **Walnut Hill Cemetery will finish all grass borders.**

(1)	A.	2-0 x 0-10 x 3-0		\$96.00
	B.	2-0 x 1-0 x 3-0		114.00
	C.	2-0 x 1-8 x 3-0	grass border	192.00
(2)	A.	2-6 x 0-10 x 3-0		\$120.00
	B.	2-6 x 1-0 x 3-0		144.00
	C.	2-6 x 1-8 x 3-0	grass border	240.00
(3)	A.	3-0 x 0-10 x 3-0		\$144.00
	B.	3-0 x 1-0 x 3-0		173.00
	C.	3-0 x 1-8 x 3-0	grass border	288.00

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(4)	A.	3-6 x 0-10 x 3-0		\$168.00
	B.	3-6 x 1-0 x 3-0		202.00
	C.	3-6 x 1-8 x 3-0	grass border	336.00
(5)	A.	4-0 x 0-10 x 3-0		\$192.00
	B.	4-0 x 1-0 x 3-0		230.00
	C.	4-0 x 1-8 x 3-0	grass border	384.00
(6)	A.	4-6 x 0-10 x 3-0		\$216.00
	B.	4-6 x 1-0 x 3-0		259.00
	C.	4-6 x 1-8 x 3-0	grass border	432.00
(7)	A.	5-0 x 0-10 x 3-0		\$240.00
	B.	5-0 x 1-0 x 3-0		288.00
	C.	5-0 x 1-8 x 3-0	grass border	480.00
(8)	A.	5-6 x 0-10 x 3-0		\$264.00
	B.	5-6 x 1-0 x 3-0		317.00
	C.	5-6 x 1-8 x 3-0	grass border	528.00
(9)	A.	6-0 x 0-10 x 3-0		\$288.00
	B.	6-0 x 1-0 x 3-0		346.00
	C.	6-0 x 1-8 x 3-0	grass border	576.00

(Ord. No. 7245; 04-06-09)

ARTICLE IV - REGULATIONS

14-4-1 IMPROVEMENTS IN WALNUT HILL CEMETERY.

(A) All graves in Walnut Hill Cemetery shall be made level. Lot owners shall not plant any growing flowers, such as peonies, rose bushes, sweetpeas, etc., and all growing plants, bushes or offensive objects on graves and lots shall be removed by the Superintendent of Cemeteries or his assistants.

(B) All bushes, trees, shrubs, evergreens, plants, etc., shall be removed from that part of each lot in the Cemetery facing an areaway, street or alley, commonly known as the front part of a cemetery lot.

(C) The Superintendent of Cemeteries may remove from graves and all bouquets and bouquet holders in excess of one, except on Memorial Day, Christmas Day, Mother's Day and Father's Day.

(D) All persons shall be requested to refrain from using glass jars, tin cans, boxes, baskets, or buckets as bouquet holders on graves.

(E) All cornerstones shall be placed at ground level or not more than **two (2) inches** below ground level.

(F) All copings, fences, concrete curbing, hedges, etc., on or around any grave or cemetery lot in the Cemetery are declared a nuisance and such copings, fences, concrete curbing, hedges, etc., shall be removed by the Superintendent of Cemeteries and his assistants.

(G) No person shall construct, aid in constructing, or cause to be constructed, any curb, coping, rail, fence, trellis or anything similar thereto in the Cemetery, and no person shall plant, aid in planting, or cause to be planted, any bush, shrub, or tree in the Cemetery except with the consent and under the supervision of the Superintendent of Cemeteries.

(H) All tombstones in the Cemetery shall be placed in a line to be known as the tombstone line.

14-4-2 SHOOTING AND TRESPASSING. No person shall hunt, discharge a firearm, or otherwise trespass upon Walnut Hill Cemetery or any cemetery in the City.

14-4-3 MALICIOUS MISCHIEF. No person shall carry away or remove, or break, deface, destroy or otherwise injure any monument, tombstone, tree, shrub or flower, railing, fence or any other property, article or thing belonging to Walnut Hill Cemetery or any cemetery within the City or placed or erected therein for ornament or otherwise; or trespass upon or maltreat any grave or lot.

14-4-4 **OBSTRUCTING STREETS.** No person shall obstruct any street in Walnut Hill Cemetery or any cemetery within the City of excavation, digging graves, or erecting fences or monuments.

14-4-5 **WORK FOR HIRE PROHIBITED.** No person other than the Superintendent of Cemeteries or other agent or employee of the Superintendent or of the City shall engage in, do, or perform any of the work, services, or labor about or upon any grave, lot, or cemetery ground in Walnut Hill Cemetery which work constitutes the work, services, labor, or duties usually performed by or under the Superintendent.

14-4-6 **CLOSING OF CEMETERY.** The gates of Walnut Hill Cemetery shall be closed to visitors during the months of April, May, June, July, August, September, and October at **7:00 P.M.**, and during the months of November, December, January, February, and March at **5:00 P.M.**, of each day. No person shall be on the cemetery grounds or enclosure after these hours without special permit from the Mayor in writing.

14-4-7 **LOCATION OF CEMETERIES.** No person shall establish or maintain any cemetery or place for burial purposes within **one (1) mile** of the City Limits. Walnut Hill Cemetery, with additions, Mount Hope, Mount Carmel, Valhalla Burial Park, Gethsemane of the Oblate Fathers, and the County Farm Cemetery are exempt from the provisions of this Section; but no person shall lay out any addition to any of these cemeteries without first submitting a plat thereof to the City Council for approval.

14-4-8 **ONE BODY PER GRAVE.** There shall only be **one (1)** body buried in any grave in Walnut Hill Cemetery unless the grave has been purchased for a double deep burial. No graves shall be sold for a double deep burial from the date of this Section. If a grave deed authorized **two (2) bodies** to be buried in the same grave, a burial vault must be used for the burial of the first body in the grave. The extra cost for safety for digging a double deep grave shall be paid by the lot owner or person making arrangements for the burial.

This shall not apply to the burial of an urn of ashes in a grave site. **(Ord. No. 7503; 07-05-11)**

(Ord. No. 6535; 04-22-03)