

**OAKLAND CEMETERY
MONTEZUMA, INDIANA**

RULES AND REGULATIONS

(Revised 7/24)

The Town of Montezuma reserves the right to make all rules, regulations, and restrictions it deems necessary to protect and provide for the future welfare of Oakland Cemetery, a municipal cemetery of the Town of Montezuma, Indiana.

I. FLOWERS AND OTHER DECORATIONS

1. Only hanging baskets are permitted as decorations during the growing/mowing season, except the Memorial Day exclusion described below.
2. Glass containers, candles, pictures, wind chimes, toys, decorative stones, or other decorations are not permitted on monuments, next to graves, or on foundations.
3. One shepherd hook may be used per grave site.
4. Flowers or other decorations (except one shepherd hook) cannot be placed on or be stuck into the ground with the only exception for Memorial Day decorations.
5. Memorial Day decorations may be placed ten days prior to the holiday. Decorations stuck into the ground must be removed within one week after Memorial Day. Cemetery staff will dispose of any decorations that are left behind.
6. Fresh flowers are permitted but will be removed when they become unsightly.
7. Flowers and decorations will be removed when broken or damaged.
8. Planting of real flowers, shrubs, or trees on grave sites is prohibited.
9. Funeral sprays and flowers may be left at the burial site. Flowers, wreaths, emblems, flags, etc. used at funerals will typically be removed after 7 days.
10. Grave Blankets are allowed to be placed after November 1st but must be removed prior to the spring cleanup date or they will be disposed of.
11. All trees, shrubbery, and flowers growing in the cemetery shall remain the property of the cemetery and cannot be removed without written consent of the cemetery. No labor or landscaping, including seeding, fertilizers and herbicides shall be permitted within the cemetery without special permission. In order that all might be protected and to

ensure the best results, all landscaping shall be done under the direction and with approval of the Town Superintendent. No mounds on graves shall be permitted, and no enclosures of graves or lots with stones or other material is permitted.

II. SPRING AND FALL MAJOR CEMETERY CLEANUP

1. The two weeks prior to Easter and October 15th – 31st are used to clean up the grounds and prepare the cemetery for spring and winter. Following cleanup, spring decorations may be placed on Good Friday and fall decorations may be placed beginning November 1st.
2. All decorations, including statues and trinkets, flower stands, hanging baskets, shepherd hooks, crypt/niche vases, monument vases and saddles must be removed, including from foundations, during this time. If items remain throughout these dates, they will be removed and disposed of. If you wish to save your decorations, please remove them before we begin the cleanup process. Please do not place any decoration during the cleanup time.

III. SERVICES, FOUNDATIONS, MARKERS AND REMOVALS

1. No Graveside funeral services are permitted on the grounds of Oakland Cemetery, except for military graveside services for a U.S. Service Veteran. All services must be held at the chapel.
2. All graves will be opened and closed by employees of the Town, for which a reasonable charge shall be made. When instructions regarding the locations of a grave on a lot cannot be obtained or are indefinite, or for any reason the grave cannot be opened where specified, the Town Superintendent and/or Clerk-Treasurer may at their discretion open it in such location on the lot as they deem best and proper in order not to delay the funeral. Before leaving the cemetery, the undertaker shall deliver to the Town Superintendent, or his/her agent, the regular burial permit along with the grave-opening fee. The right is reserved by the cemetery to require at least twenty-four hours' notice prior to any interment and at least seven days' notice prior to any disinterment (removal).
3. The cemetery staff shall exercise the utmost care in making a removal, but it shall assume no liability for damage to any burial vault, casket, or urn incurred in making removal.
4. No wooden box burials permitted. Vaults must be used.
5. In order that improvements be kept uniform, the Town reserves the right to regulate the size and quality of all markers and other constructions on any grave or lot in said cemetery, and to prevent the erection or placing of any obstruction which may conflict

with the regulations or which may be injurious to the general appearance of the ground, and to remove same if necessary.

6. All markers shall be of good quality colored granite and shall be located at the head of the grave (west end). The lots are so arranged that a space is left at the head of the grave for setting markers, and no markers shall be placed out of marker/ lines.
7. All markers shall be two feet long, by one foot wide, by six inches high, with one-inch bevel and sides pitched, lettering optional, and finish of top optional. Double markers will be permitted for companion graves and they shall be four feet long by one-foot wide, same design. The exception to this rule would be any stone set prior to 1995.
8. Foundations will not be built during freezing weather. To ensure completion by Memorial Day, all orders must be in by April 15th for the spring pour and October 1st for the fall pour.
9. Foundations within the cemetery will be installed by the town, under the town superintendent's supervision. All foundation and setting fees must be paid in advance. As a protection to lot owners and to guarantee the quality of work that is performed at Oakland Cemetery, the cemetery reserves the right to excavate and build all foundations, and to regulate all work that is done in the cemetery. The cemetery reserves the right to require a larger deeper foundation if deemed essential for permanency and safety. This may come at an additional cost to the plot owner.
10. The Town reserves the right to halt all construction work between November 1 and April 15.
11. Lot owners are liable for any damage to adjoining lots or other property in the cemetery caused by construction work on monuments, markers, etc. Vandalism or damage caused by forces beyond the control of the Town is the responsibility of the individual lot owner.
12. The name of inscription on each memorial must correspond with the name on record in the office of the Clerk-Treasurer.
13. No advertising shall be allowed upon the grounds and no stones or markers showing the dealer's name or trademark will be permitted.
14. No private mausoleums will be permitted, nor will any vault or tomb of any nature or material which extends to the surface of the ground or would interfere with the sod or natural beauty of the grounds.

IV. CEMETERY CONDUCT RULES

1. The cemetery closes at dusk and any persons found on the grounds after such time will be considered a trespasser.
2. All persons entering upon the cemetery grounds shall conduct themselves with proper decorum, and any breach of this rule within the discretion of cemetery officials may cause removal of the offender from the grounds.
3. Children are not permitted on cemetery ground unless accompanied by an adult who will be responsible for their conduct.
4. No automobile shall be driven in the cemetery at a speed greater than 20 miles per hour. All vehicles shall be restricted to the cemetery roads and shall drive and park on the right side of the roadways. No undue noise shall be permitted in operating a vehicle through the cemetery, and only licensed drivers may operate vehicles within the cemetery grounds.
5. No motorcycles, go-karts, ATVs, snowmobiles, etc., shall be permitted within the cemetery except as may be in attendance at funerals or on business.
6. No horses or horseback riding will be allowed on cemetery grounds, and no dogs shall be allowed on cemetery grounds outside of a vehicle except service animals.
7. No drinking, hunting, trapping, or participation in any game activities shall be permitted within the cemetery grounds.
8. The cemetery reserves the right to exclude any vehicle which might in anyway damage the roads or cemetery grounds.

V. OWNERSHIP AND TRANSFERS

1. Property rights of owners of cemetery plots are governed by Indiana law.
2. All lots are sold under restrictions and no transfer by owner(s) by conveyance or gift of any lot or any portion of a lot shall be valid without the consent of the cemetery officials and a statement from a notary public of said transaction must be submitted to cemetery officials. The cemetery is divided into nine sections.
3. All agreements for the purchase of cemetery interment rights must be in writing, and the Town Superintendent and/or Clerk-Treasurer must sign this agreement. Verbal agreements or representations will not be recognized.
4. It shall be the duty of the plot owner to notify the Clerk-Treasurer of any change in post office address. Notice sent to a plot owner at his/her last address on file in the office of the Clerk-Treasurer/Utility Office shall be considered sufficient and proper legal

notification.

VI. RESERVATION OF RIGHTS

1. The Town of Montezuma hereby expressly reserves the right to amend, alter, and/or repeal these rules and regulations.
2. The Town Superintendent and/or Clerk-Treasurer are empowered to enforce all rules and regulations. The Town Superintendent and/or Clerk-Treasurer shall have charge of the grounds and buildings, and at all times shall have supervision and control of all persons in the cemetery, including the conduct of funerals, traffic, plot owners, and visitors.
3. The Town of Montezuma exercises its best efforts to repair plots damaged due to normal cemetery operations but will not be held liable for damage that results from normal cemetery operations.
4. The right to enlarge, reduce, replot, and /or change the boundaries of the cemetery or of a section or sections, from time to time, including the right to modify and/or change the locations of or remove or regrade roads, drives and/or walks, or any part thereof, is hereby expressly reserved. The right to lay, maintain, and operate, or alter or change pipelines, and/or gutters, is also expressly reserved. The cemetery reserves to itself, and to those lawfully entitled thereto, a perpetual right of ingress and egress to all sections of Oakland Cemetery.