

## CHAPTER 115

# CEMETERY

115.01 Definition

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115.04 Sale of Interment Rights

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**115.01 DEFINITION.** The term “cemetery” means the Ridgedale Cemetery, the Kinsey-Lawson Cemetery and the Valley View Cemetery, which are municipal cemeteries under the provisions of Chapter 523I of the Code of Iowa and which are operated under the provisions of Chapter 523I of the Code of Iowa and this chapter.

*(Code of Iowa, Sec. 523I.501)*

**115.02 PUBLIC WORKS DEPARTMENT.** The Public Works Department shall operate the cemeteries in accordance with the rules and regulations therefor and under the direction of the Council. The duties of the department are as follows:

*(Code of Iowa, Sec. 372.13[4])*

1. Authorize Openings. Authorize the opening of all graves.
2. Maintenance. Be responsible for the maintenance of the cemetery buildings, grounds and equipment and make a monthly report of the cemetery operation to the Council.

**115.03 RECORDS.** It is the duty of the Public Works Director to make and keep complete records identifying the owners of all interment rights sold by the cemetery and historical information regarding any transfers of ownership. The records shall include all of the following:

*(Code of Iowa, Sec. 523I.311)*

1. Sales or Transfers of Interment Rights.
  - A. The name and last known address of each owner or previous owner of interment rights.
  - B. The date of each purchase or transfer of interment rights.
  - C. A unique numeric or alphanumeric identifier that identifies the location of each interment space sold by the cemetery.
2. Interments.
  - A. The date the remains are interred.
  - B. The name, date of birth and date of death of the decedent interred, if those facts can be conveniently obtained.
  - C. A unique numeric or alphanumeric identifier that identifies the location of each interment space where the remains are interred.

**115.04 SALE OF INTERMENT RIGHTS.** The Public Works Department is authorized to sell or transfer interment rights in the cemeteries subject to all restrictions of record and to all rules and regulations established by the Council. The sale or transfer of interment rights in

the cemeteries shall be evidenced by a certificate of interment rights or other instrument evidencing the conveyance of exclusive rights of interment upon payment in full of the purchase price. The agreement for interment rights shall disclose all information required by Chapter 523I of the Code of Iowa. Fees and charges for interment rights shall be paid to the Public Works Department at the time of arrangement for interment. The fees and charges shall be recommended by the Public Works Department and approved by resolution of the Council.

*(Code of Iowa, Sec. 523I.310)*

**115.05 RULES AND REGULATIONS.** Rules and regulations for the cemetery may be adopted, and may be amended from time to time, by resolution of the Council and may cover such things as the use, care, control, management, restrictions and protection of the cemetery as necessary for the proper conduct of the business of the cemetery. The rules shall specify the cemetery's obligations in the event that interment spaces, memorials or memorializations are damaged or defaced by acts of vandalism.

*(Code of Iowa, Sec. 523I.304)*

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