

Oak Grove Cemetery Policy

Oak Grove Cemetery, established as City Cemetery. Oak Grove Cemetery as acquired by the City of Harris, Minnesota by deed, having been established as a City cemetery is controlled, managed and operated as set forth herein.

Plat Adopted. The survey of the said land and the plat thereof, made as Oak Grove Cemetery, has been adopted as the plat of said City cemetery, the same to be known and designated as “Oak Grove Cemetery”.

Sale of Sites. All sites shall be purchased through the City's Cemetery Caretaker at the City Hall, Harris, Minnesota.

Subd. 1 The price per grave shall be set in the Fee Schedule.

[Upon full payment of the purchase price of a site, 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.]

Maintenance and Perpetual Care Funds

Subd. 1 A person purchasing a site shall pay the required sum per site to the City. The purchase price received shall be credited to the Oak Grove Cemetery fund; monies earned by the fund shall be used for the maintenance and perpetual care of the site.

Subd. 2 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 sites. Any income so received in excess of the amount necessary to pay for the care and beautification of the sites or any income not spent in any year for this purpose shall remain in the cemetery fund.

Subd. 3 Perpetual Care is included in the purchase of lots. Perpetual care includes mowing of grass and the Spring and Fall raking and brush clean up. Perpetual care does not include the watering of plants in urns or containers.

Transfer of Sites. No cemetery sites may be sold or otherwise disposed of, except by will or operation of law, without the approval of the City. The City retains the first option to repurchase a cemetery site. If the City declines and the lot is sold to a private party, that party will be responsible to pay, to the City, the perpetual care fee as stated in the current fee schedule. The City may use any of its funds for such repurchase and may hold such lot, or again sell and convey the same. The person wishing to sell the lot must show proof of ownership, such as a cemetery deed or check.

Interments. *[All interments in sites shall be restricted to members of the immediate family or descendants of the site owner unless permission in writing is first received from a site owner, which written permission shall accompany all requests for permits to bury the bodies of persons not members of the immediate family in said site.]* Site owners may not allow interment to be made on their sites for remuneration. Sites may not be subdivided, except that in the case of cremation, three (3) burial urns may be placed on one grave site, *[or one burial urn may be placed on a grave site where one casket has been placed.]* All excavations shall be made under the direction of the City of Harris or its Cemetery Caretaker. It shall be the responsibility of the site owner and/or Funeral Director handling the said funeral to make all necessary arrangements for excavations and replacements. No casket may be left at a gravesite unattended until interment is complete. All interments must be made in accordance with all laws, ordinances, rules and regulations of the City of Harris, the State of Minnesota, or any other regulatory agency thereof.

All caskets require concrete vaults, and cremation containers must be certified as waterproof by the manufacturer or inside a vault.

No animal or other non-humans remains may be buried at Oak Grove Cemetery.

Disinterments. Written permission of the site 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.

Monuments and markers.

Subd. 1 No monument or marker may be placed unless its location has been approved by the City's Cemetery Caretaker and the full purchase price of the site has been paid.

Subd. 2 No monument or marker may be constructed of limestone, sandstone, wood or other materials which will not assure relative permanency.

Subd. 3 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.

Subd. 4 All monuments or markers are considered private property and are the responsibility of the site owner or the relatives of the deceased party. The City is not responsible for damage done to the monuments and markers.

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.

Installation of monuments or markers.

Subd. 1 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.

Subd. 2 The site owner is responsible for any failure to abide by this regulation and shall pay for any and all charges or damages resulting.

Subd. 3 The excavation of the graves is contracted by the City.

Subd. 4 Contractors and others engaged in such work must notify the City's Cemetery Caretaker 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 written authorization therefore has been issued by the City.

Improvements. Wreaths or plants, shrubs and flowers in containers may be placed on the cemetery sites and/or one shepherd hook, placed close to the monument or marker, to be used for a hanging basket is allowed, if placed where it does not interfere with mowing. No trees, vines, flowers, plants or shrubs may be planted and no fences erected on a cemetery site. The City reserves the right to remove or trim 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 Harris.

Duties of Actuary. The City Clerk shall be the actuary of the cemetery and shall, in addition other records and duties, keep a register of all interments, disinterments and reinterments.

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.

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 disruptive noise or improper conduct of any kind.

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

(g) No person may allow any animal to run at large in the cemetery.

(h) No snowmobiles or ATV's are allowed in the cemetery at any time.

Rights reserved to City. The City reserves the right to:

(a) remove or repair all flowers, plants, trees, decorations or other similar things without liability to the owner whenever any of these objects become unsafe or unsightly or are causing excessive maintenance of the grounds.

(b) remove or repair damaged monuments or markers, after making a reasonable attempt to contact the owner or family prior to making any changes.

Penalty for Violations. Any person who violates a provision of this policy or rules adopted by reference in this policy shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with Section 10.99 of the City Code.