

Chapter 16  
**CEMETERIES**

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**16.01 ALGONQUIN CEMETERY**

The cemetery situated partly within the corporate limits of the Village and known as Algonquin Cemetery (“cemetery”) is hereby continued and referred to by that name, and the Village Board shall have full charge, jurisdiction, and control over same under and by virtue of the provisions of this Chapter and the Cemetery Oversight Act, 225 ILCS 411/5-1 *et seq.* Interment outside the cemetery is prohibited.

**16.02 EXPANSION AND MAINTENANCE**

The Village Board is given full power to enlarge the cemetery and to acquire by purchase, devise, condemnation, or otherwise, land or lands for cemetery purposes and all plats and surveys of the cemetery heretofore made are hereby continued and approved. The Village Board shall, from time to time, take all steps and adopt any and all measures necessary in maintaining a cemetery or cemeteries for the Village.

**16.03 MANAGEMENT**

It shall be the duty of the Public Works Director to have charge and control and to look after all cemeteries owned by or under the control and jurisdiction of the Village; to see that such cemetery or cemeteries are kept and maintained in a neat and respectable condition; to recommend to the Village Board all necessary platting and surveys, and cause the same to be done when so ordered by the Village Board. The Public Works Director shall have full power and authority to make such rules and regulations regarding the cemetery as it may deem necessary for the management of such cemetery subject to the approval of the Village Board.

**16.04 PERPETUAL CARE FUND** *amended 24-0-29*

The Treasurer shall have power and authority to receive in trust from the owner of any lot, plot, or grave, or niche, or any person interested in the maintenance of the same, any sum of money to be not less the sum found in Appendix B of this Code and to invest the sum at a reasonable rate of interest upon good security approved by a majority of the Village Board. Such sum shall be held in trust and income therefrom used for the perpetual care and maintenance of the lot, plot, or

grave, or niche owned by the person paying the sum. The Treasurer is authorized to give any person paying such sum or sums a receipt for same. The receipt shall designate the number or numbers of the lot, plot, or grave, or niche to be cared for. This Section shall apply to and cover all moneys received for the benefit of any lot, plot, or grave or niche in the cemetery, and any such sums so received shall be used only for the purpose for which they were or are given.

#### 16.05 **TREASURER**

The Treasurer shall be the treasurer of all funds pertaining or belonging to all cemeteries over which the Village has control and management. The Treasurer shall keep an accurate and separate account of cemetery funds that may come into the hands of the Treasurer, the amounts received and from what source, the sums paid out by the Treasurer, to whom paid and for what purpose, and shall annually make a detailed report of same to the Village Board.

#### 16.06 **CEMETERY RECORDS**, *amended 24-O-29, 21-O-27*

A. All maps, plats, and papers belonging to all cemeteries under the jurisdiction and control of the Village shall be kept in the general administrative offices of the Village and under the control of the Manager. The Village shall keep an accurate record of all lots and niches sold and to whom deeds for same are issued.

B. Any securities, such as checks and drafts, given for cemetery funds invested shall be made payable to the Village and in behalf of the Village.

C. Any deeds for cemetery lots and niches shall be prepared by the Village, signed by the President and attested to by the Clerk and have the corporate seal affixed thereto.

D. Any lots and niches purchased in any cemetery under the control and management of the Village shall not be assigned, sold, or alienated unless the proposed assignment is first submitted to the Manager for approval.

E. Any transfer of deed shall require a written document signed by the owner or descendent in accordance with 765 ILCS 835/16.

F. All internment records, including those for columbarium niches, must include a "Permit for Disposition of Dead Human Body."

G. Prior to internment, an "Internment Authorization Form" is required.

#### 16.07 **DISPOSITION OF FUNDS**

All money or funds in any manner derived from cemeteries under the control and management of the Village shall be used for cemetery purposes only, and no other purposes.

## 16.08 FEES

Resident and non-resident fees and the costs to transfer a deed can be found in Appendix B of this Code.

## 16.09 CEMETERY RULES AND REGULATIONS *Amended, 24-O-29, 21-O-27, 13-O-49, 12-O-43*

In addition to the Cemetery Oversight Act, the following rules and regulations shall be observed:

1. The hours shall be from 6 a.m. to dusk.
2. No grave site shall have more than two headstones and the second headstone must be flat.
3. Block 9 shall have flat headstones only.
4. Block 8 shall allow one raised headstone and one flat marker only.
5. Headstones shall be restricted by grave sites owned.
6. All headstone and monument placement shall be approved by the Public Works Director or designee.
7. All monument and marker foundations must be installed by the Village or its designee.
8. The planting of trees, shrubs, and evergreens shall be carried out by Village personnel to ensure that proper placement and trimming will be under the control of the Village and the Public Works Director or designee.
9. Existing trees, shrubs, and bushes shall be removed at the discretion of the Public Works Director or designee and no person shall remove or replace existing plantings without Village approval. Maintenance of the approved shrubs and bushes shall be the responsibility of the owner; however, they may be trimmed or removed at the discretion of the Public Works Director or designee.
10. No planting of trees, shrubs, or trees shall be allowed in Blocks 8 or 9.
11. All decorations shall be placed on or in line with headstones. Winter decorations shall be allowed from Saturday before Thanksgiving each year and must be removed by the first Monday of April of the following year. Spring/Summer decorations may be placed beginning the last Saturday in April of each year. Any decorations and/or holders remaining during the cemetery clean up periods (the first Monday in April through the last Friday in April as well as the last Monday in October through the Friday before Thanksgiving of each year) shall be disposed of at the direction of the Public Works Director or designee.
12. All vehicles shall be parked on the road. No vehicles shall be parked on the grass.

13. All rubbish must be placed in the proper containers provided for that purpose.
14. All interments must be approved by the Manager and the Public Works Director or designee and properly recorded in the Village cemetery records.
15. No pets shall be interred in the cemetery, either as a full-body interment or as cremated remains.
16. The use of controlled substances is expressly forbidden in the cemetery.
17. All transfers of ownership of grave sites shall be properly recorded with the Village.
18. Cremated remains may not be sprinkled on top of the ground. Cremated remains must be interred in a container provided by the crematorium, or in an urn, with a “permanent” type vault, and placed in the ground in a marked grave site or within a marked columbarium niche. The vault must be made of a material such as stainless steel, concrete, marble, fiberglass, or a poly base container.
19. Remains must be interred in a “permanent” type vault and placed in the ground in a marked grave site. The vault must be made of a non-biodegradable type material.
20. Each lot may contain either two cremated remains or one casket and one cremated remains. If the lot contains one casket and one cremated remains, the casket must be interred before the cremated remains. In the case of a columbarium, a niche may contain only one cremated remains.
21. Graves designated as infant graves shall be used solely for the interment of infants and shall not be reconfigured to be used for adult interments.
22. No monument erected on any lot shall bear a photograph(s).