



## **LINWOOD TOWNSHIP**

ANOKA COUNTY

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Stacy, Minnesota 55079

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### **STANDARDS AND REGULATIONS OF LINWOOD TOWNSHIP CEMETERY**

#### **Establishment**

Linwood Township Cemetery is a private cemetery established and continued upon land owned by the Township of Linwood. The cemetery is located on Typo Creek Drive one half mile north of the Town Hall.

#### **Purpose**

The cemetery is provided to Linwood Township as a place of interment and memorialization of deceased residents. It is the intent and desire of the Linwood Board of Supervisors to provide an attractive and peaceful cemetery environment affording comfort and solace to the family and friends of the deceased.

#### **Definitions**

The following words and terms, whenever they occur in this document, are defined as follows:

- 1) **Administrative Fee.** A fee per burial paid to Linwood Township for the Cemetery Fund to be used to maintain, improve and beautify the cemetery grounds. This fee does not include the cost of interment. The fee is determined by the Town Board.
- 2) **Dependent Individual.** A minor son or daughter who is the biological child, stepchild, foster child, sibling, step-sibling up to the age of 19, or age 24 if a full-time student, or someone who is under legal guardianship of a Linwood resident who has the legal duty to support them.
- 3) **Flat Marker.** A memorial of granite or other approved material that does not extend above the surface of the ground.
- 4) **Footing.** A slab, usually of concrete, that is horizontal and flush with the surface of the ground, on which a grave marker is placed. The footing itself is usually unornamented and considered structural, not a part of the marker itself.
- 5) **Headstone.** A memorial of granite or other approved material placed at the head end of the grave and may extend above the surface of the ground.
- 6) **Interment.** Disposition of human remains or cremains by burial.
- 7) **Parent/Guardian.** Someone who has the legal duty to support a dependent child.

- 8) Partner. A husband or wife, considered in relation to their partner or a person whom one is in a long-term monogamous relationship.
- 9) Proof of Residency. Methods of proving Linwood residency include, but not limited to, a driver's license, property tax statement, or mailed correspondence which shows the name of the deceased and a Linwood Township address.
- 10) Vault. A sealed container constructed of a permanent-type material, enclosing the casket or cremated remains, intended to prevent sinking of the ground surface.

### **Cemetery Records**

- 1) Since Minnesota Statute requires that all burial records must be accessible for public inspection, records, maps, burial permits and all other cemetery documents are to be kept on file in the Town Hall.
- 2) The funeral home arranging the burial, or a family member of the deceased who is responsible for the arrangements, must supply a completed burial application, the administrative fee, and a burial permit to the Town Clerk prior to the interment. Payment for digging the grave shall be paid directly to the grave digger.

### **Persons entitled to a gravesite**

Persons entitled to a gravesite in the Linwood Township Cemetery include:

- 1) Any person who is a Linwood Township resident at the time of his/her death shall be entitled to a gravesite, free of charge.
- 2) The partner of a Linwood Township resident who is buried in the Cemetery shall be entitled to the assignment of one adjacent gravesite. The reservation of the adjacent lot shall be made when the first deceased partner's burial application is submitted to the Township. Fees shall apply if the surviving partner is not a Linwood Township resident at the time of their death.
- 3) The parents or legal guardian of a dependent individual who was a Linwood Township resident at the time of the dependent individual's death shall be entitled to the assignment of two gravesites for the dependent individual's parents/guardians. Fees shall apply if, at the time of the parent/guardian's death, they are not Linwood Township residents.
- 4) Any Linwood Township resident who has permanently moved his/her residence out of the Township for health care reasons shall be entitled to a gravesite, free of charge. In addition, the partner of any such person shall be entitled to a gravesite, free of charge.
- 5) All former property tax-paying Township residents and the partner of each such resident who have not had gravesites assigned to them shall each be entitled to a gravesite. An administrative fee shall be paid and proof of former residency shown prior to the time of each burial.

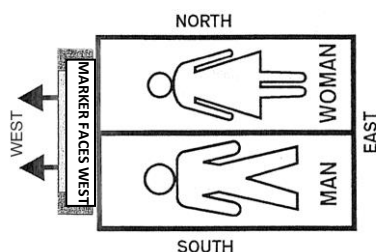
- 6) Any former Township resident, and the partner of any former resident, who have had reserved gravesites assigned to them prior to 1999 will have the opportunity to retain two of the assigned sites upon the payment of an administrative fee at the time of each burial.

### **Reserved Lots**

- 1) Lots shall not be reserved prior to a death, except for the parent, dependent individual or partner of an interred person, as described above.
- 2) Reserved lots shall not be transferable.
- 3) Reserved lots that have not been used in 40 years from date of issuance will revert back to Township and be considered an available lot. Reversion of lots requires Town Board action.
- 4) Residents wishing to release their reserved lots shall submit a letter to the Town Board for approval.

### **Interments**

- 1) Burials must comply with applicable State of Minnesota regulations regarding burials.
- 2) Burials are restricted to human remains only.
- 3) Scattering of ashes shall not be allowed. Only authorized personnel shall dig the grave.
- 4) Each interment, whether body or cremains, must be in a vault that is approved by the Cemetery Coordinator.
- 5) The maximum number of burials allowed per gravesite shall be either:
  - i. Three cremains over an existing full burial
  - ii. Four cremains
- 6) In cases of burials of husbands and wives, the husband must be buried to the right. (See diagram.)



STONE/MARKER/MONUMENT SETS ON WEST END / FACES WEST

MAN IN SOUTH GRAVE / WOMAN IN NORTH

**ENGRAVE MAN ON RIGHT / WOMAN ON LEFT**

### **Grave Markers**

- 1) Markers may not be set or repaired without the prior approval of the Cemetery Coordinator.
- 2) One headstone per lot will be allowed. Maximum dimensions for headstones shall be 60" wide by 12" deep by 36" high, though flat headstones are preferred. Headstones shall contain space for additional names.

- 3) A bench as a headstone shall be permitted with the conditions that it be constructed of headstone material, contains the name(s) of the persons buried in the lot and is attached to the footing.
- 4) If a mid-lot marker is necessary, only a flat marker shall be allowed. One headstone and one flat marker per lot will be allowed.
- 5) All markers and headstones must be set in a footing having 6" of concrete surrounding all 4 sides of the marker. The maximum footing dimensions allowed per single lot shall be 24"x48". The maximum footing dimensions allowed across more than one lot shall be 24"x72".
- 6) All headstones, markers and installation of such shall be the responsibility of the family of the deceased. Township personnel will determine the placement location.
- 7) All grave markers are and shall remain the property of the family of the deceased, and the responsibility for maintenance and liability shall remain with that family.
- 8) If any memorial or structure is placed with an inscription which is deemed inappropriate or offensive, it will be removed at the owner's expense.
- 9) The Township shall not be held responsible for theft or damage to headstones, grave markers, benches, or other memorials.

#### **Grave Decorations**

- 1) Trees, shrubs, bushes and flowers may not be planted on any gravesite or cemetery lot unless expressly recommended by the Town Board.
- 2) Fresh flowers, live plants and artificial flowers are permitted and shall be potted or in a receptacle. Floral items shall be placed at either side of headstones in line with the headstone row.
- 3) Commemorative items such as statues, vigil lights, toys, ornaments, pinwheels, stones, and balloons are allowed. Breakable items and stuffed animals are not permitted at any time. Commemorative items shall be placed on the marker, or as near to the marker as possible, to protect them during maintenance.
- 4) When plants and/or commemorative items are broken or unsightly, a family member or friend of the deceased should remove them. If they are not removed, it is at the discretion of those in charge of maintaining the cemetery to remove them.
- 5) The Township shall assume no responsibility for items left on gravesites. Due to the open nature of the grounds, there is no guarantee against theft, vandalism, or the effects of nature.

#### **Disinterment**

- 1) Before any grave is opened for disinterment, written permission of the next of kin or other legal authority shall be obtained and approved by the Town Board.

- 2) Every disinterment shall be supervised by the Town Clerk, or designee, those authorizing the disinterment, and a licensed funeral director. Prior to removal of a body from the Linwood Township Cemetery a permit must be procured from the MN Department of Health.
- 3) Cremains interred without a container may not be disinterred.
- 4) The excavation, disinterment and the related costs are the responsibility of the family of the deceased, or other legal authority.
- 5) Upon disinterment, the vacated lot shall revert back to Township authority.

#### **Cemetery Maintenance**

- 1) Cemetery grounds shall be maintained by Township personnel on a regular basis, as weather permits.
- 2) Cemetery personnel are authorized to remove any article determined objectionable.
- 3) The cemetery grounds may not be used for grazing, riding, or exercising animals of any kind. All pets must be on a leash. Pet owners are responsible for picking up their pet's waste.
- 4) ATV's such as four-wheelers, mini bikes, dirt bikes, and snowmobiles, shall not be allowed on the cemetery grounds at any time.
- 5) Disturbing the solitude or other improper conduct violating the Standards and Regulations of the Linwood Township Cemetery shall not be allowed.

#### **Amendments**

- 1) This document shall remain in full effect and enforcement until revoked, withdrawn or amended by the Linwood Town Board.
- 2) The Town Board reserves the right to change these Standards and Regulations as they deem necessary. Family members of the deceased shall comply with the rules at the time of burial, even if different than the rules that were in place when a lot may have been assigned.
- 3) The Town Board reserves the right to waive any rule on a case-by-case basis. Such actions shall be duly noted in the Township minutes.

BY ORDER OF THE TOWN BOARD  
LINWOOD TOWNSHIP