

Chapter 14

CEMETERIES*

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*State law reference—City and Town Cemeteries, IC 23-14-65-1 et seq.

Sec. 14-1. Town cemeteries.

The cemeteries under the care and control of the Town Council are Pioneer Cemetery and Highland Cemetery.

(Code 1959, ch. 4, § 1)

Sec. 14-2. Appointment of Caretaker and Caretaker duties.

(a) The Town Council shall appoint by majority vote a Cemetery Caretaker.

(b) The duties of the Cemetery Caretaker under this chapter include the following: maintain the cemeteries for the term and in the manner as described in the cemetery contract.

(Code 1959, ch. 4, § 1)

Sec. 14-3. Town Council duties.

The powers and duties of the Town Council under this chapter include the following:

- (1) The protection of cemeteries and the sanctity of the dead.
- (2) The regulation or prohibition of the interment of bodies.
- (3) The authorization of the removal of buried bodies or whole cemeteries to some other place.

(Code 1959, ch. 4, § 1)

Sec. 14-4. Clerk-Treasurer duties.

The powers and duties of the Clerk-Treasurer under this chapter include the following:

- (1) Protection, care and control of the Town cemeteries and the sanctity of the dead;
- (2) Regulation, prohibition and supervision of interments and disinterments;
- (3) Authorization and supervision of the removal of buried bodies to some other place;
- (4) Authorization and supervision of improvement and grading of grounds and lots;
- (5) Authorization and supervision of placements of monuments, and headstones on cemetery lots;
- (6) Authorization and supervision of erection of corner posts on cemetery lots;
- (7) Authorization and supervision and direction of any improvement to or labor upon any lot by private persons.

(Code 1959, ch. 4, § 3)

Sec. 14-5. Interments and disinterments.

No interment or disinterment shall occur except upon presentation of a written permit from the Clerk-Treasurer.

(Code 1959, ch. 4, § 2)

Sec. 14-6. Sale of lots.

The sale of lots in the Town cemeteries and the prices therefor shall occur in a manner as determined by majority vote of the Town Council.

(Code 1959, ch. 4, § 1)

Sec. 14-7. Cemetery monuments and headstones.

Requirements for monuments and headstones are as follows:

- (1) Constructed or made of granite, stone, or metal of an indestructible nature;
- (2) Height not exceeding 2½ feet above ground level;
- (3) Foundation made of concrete; placed at a minimum depth of 24 inches; and have a total area one-third greater than the area of the monument base; and
- (4) Placement shall be approved by the Town Council or Clerk-Treasurer and shall occur under direction of the Clerk-Treasurer, who shall first be instructed as to the exact location within the lot where the monument is to be placed.

(Code 1959, ch. 4, §§ 5—8)

Sec. 14-8. Corner posts of lots.

Requirements for corner posts to mark the boundaries of cemetery lots are as follows:

- (1) Made of cement or concrete and of uniform dimensions;
- (2) Placed so as not to extend above the surface of the ground;
- (3) Erected at the expense of the lot owner and supervised by the Clerk-Treasurer.

(Code 1959, ch. 4, §§ 9, 10)

Sec. 14-9. Lot enclosures forbidden.

No cemetery lot shall be enclosed by or have placed on or around it any type of wall, fencing, or curbing.

(Code 1959, ch. 4, § 11)

Sec. 14-10. Grading of lots.

The Town Council or Clerk-Treasurer shall direct the grading of all cemetery lots.

(Code 1959, ch. 4, § 12)

Sec. 14-11. Improvement of lots by private persons.

Any labor or service rendered by a lot owner or others to care for or improve any lot shall be performed under the supervision and direction of the Town Council or Clerk-Treasurer.

(Code 1959, ch. 4, § 13)

Sec. 14-12. Access to grounds by private persons.

A lot owner or proprietor and his family and friends may have dawn to dusk access to the grounds, subject to rules and regulations as adopted by the Town Council.

(Code 1959, ch. 4, § 14)

Sec. 14-13. Donations to cemetery fund.

(a) Any person desiring to donate money for the general care, upkeep, improvement, or beautification of the Town cemeteries may do so by delivering said monies to the Clerk-Treasurer, who shall accredit said monies to the Cemetery Fund of the Town.

(b) The Cemetery Fund of the Town shall be used exclusively for the care, upkeep, improvement, or beautification of the Town cemeteries and shall be used for no other purpose.

(c) If a gift, donation, bequest, or devise of money or real or personal property is given or made for the use of a particular lot or plot of ground, the income from the gift, donation, bequest, or devise may be used only for the upkeep and maintenance of that particular lot or plot of ground.

(Code 1959, ch. 4, § 15)

Sec. 14-14. Decorations.

The placing of any natural or artificial flowers in any decorative form upon any grave or lot in Pioneer or Highland Cemeteries is forbidden except for those placed in a container at a distance not to exceed 18 inches from any monument or marker:

- (1) Any containers must be movable for purposes of mowing and care of graves and lots.
- (2) The Town Council or Clerk-Treasurer may remove or order removed any decorations that appear faded, withered, or deteriorated.
- (3) Permanent plantings are restricted to those of a dwarf nature and must be placed within 18 inches of that grave or lot's monument or marker. Trees, bushes and shrubs are not allowed.
- (4) Grave blankets may be placed on a grave or lot but may only remain there between November 1 of a given year and March 1 of the subsequent year.

(Code 1959, ch. 4, art. III)

Editor's note—Section 4-11A was added by supplement dated June 6, 1962.

Sec. 14-15. Penalty.

Any person violating any of the sections of this chapter shall be subject to a fine according to a schedule of fines, as shall be modified from time to time by the Town Council, and made available for public inspection in the Clerk-Treasurer's office, as prescribed in the provisions found in section 1-13.

(Code 1959, ch. 4)

Chapters 15—17

RESERVED

