

CHAPTER 5 - ARTICLE 3

CEMETERY

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Sections 5-3-101 to 199, inclusive. Cemetery - general provisions.

Section 5-3-101 Riverside Cemetery.

The cemetery owned by the city and located on the W ½ of NE ¼ of SW ¼ of NW ¼; the W ½ of E ½ of W ½ of NE ¼ of SW ¼; the NW ¼ of SW ¼ of NW ¼; the North 445' of N ½ of NW ½ of NW ¼ of SW ¼; all in Section 2, Township 110, Range 79 and all of Roosevelt Addition, Hughes County, South Dakota shall be known and designated as Riverside Cemetery.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977, Rev. of Ord. 1990; Ord. 1481, 2000.

Section 5-3-102 Control of Riverside Cemetery vested in city commission - supervision by mayor, director of public works and cemetery superintendent.

The control of Riverside Cemetery shall be vested in the city commission with supervision by the mayor and the director of public works. The Riverside Cemetery shall be administered under the cemetery department and the maintenance and work therein shall be under the supervision of the cemetery superintendent.

Cemetery operations policies shall be adopted by the City Commission and kept on file with the cemetery superintendent.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977, Rev. of Ord., 1990; Ord. 1481, 2000

Section 5-3-103 Designation and setting aside of public burial ground.

A portion of the land in said cemetery described as an area 30 feet by 90 feet north of Block 1, Addition B, shall be and remain public burying ground to be used for the burial of those persons for the burial of whom no other place has been provided. The name and location of the person buried and the grave number shall be reported to the cemetery superintendent who shall record the same in the burial record.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977, Rev. of Ord., 1990; Ord. 1481, 2000

Section 5-3-104 Sale and regulation of use of grave spaces.

Grave spaces may be sold subject to the provisions of this chapter and article of the Code of Ordinance and shall not be used for any other purpose than as a place of burial for the dead. No interment of any body other than that of a human being shall be made therein.

The number of grave spaces that may be sold to any person or persons, is sixteen (16) spaces. If more spaces are needed and can be justified, the Director of Public Works and / or the City Commission may grant an exception.

Grave spaces at Riverside Cemetery shall not be sold to funeral directors, realtors, organizations, or any individual for the intended purpose of resale for profit. Grave spaces may be transferred to another individual, or, unneeded spaces may be sold back to the city at their original cost. Documentation in the form of a cemetery deed or letter certifying ownership will be required before any grave spaces are repurchased by the city or transferred to another individual.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977; Ord. 1481, 2000

Section 5-3-105 Permit prerequisite to interment - contents and procedures. (REPEALED)

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977, Rev. or Ord., 1990.

Section 5-3-106 Grave space plans and specifications of city engineer to govern sale.

The grave spaces in such cemetery shall be sold according to the plans and specifications drawn by the city engineer and now on file in his office.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977.

Section 5-3-107 Cemetery Fees.

All cemetery fees shall be set out on a schedule to be approved by the City Commission, as presented and on file.

All ordinances or parts thereof in conflict herewith are hereby repealed.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977; Ord. 1481, 2000; Ord. No. 1530, 2003

Section 5-3-108 Moneys received for grave work deposited in the general fund.

The cemetery superintendent or his designee shall have control of the digging of all graves in said cemetery as well as for the opening of any grave for exhuming any casket or body buried in said cemetery. The cemetery superintendent shall have control of collecting the charge for digging the grave. The funds for such work shall be paid into the city treasury and credited to the general fund. The charge for such service shall be fixed by the city commission.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977, Rev. of Ord., 1990; Ord. 1481, 2000

Section 5-3-109 Records to be maintained by cemetery superintendent.

The cemetery superintendent shall keep a book to be furnished and owned by the city in which he shall record the number of the grave space. The cemetery superintendent shall transcribe such names and other facts in a record to be furnished and owned by the city and kept in the cemetery office. Said record shall be known as the burial record.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977, Rev. of Ord., 1990; Ord. 1481, 2000

Section 5-3-110 Burial restricted to one body per grave - exception child and cremains.

One body will be allowed in a grave except in case of an infant or cremains,

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977, Rev. of Ord., 1990.

Section 5-3-111 Burials restricted to grave space owner's family - exception by permission of auditor - permission of auditor for disposition of grave spaces. (REPEALED)

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977, Rev. of Ord., 1990.

Section 5-3-112 Grave requirements and preparation - notice - supervision of superintendent of cemetery.

The digging of all graves shall be done under the supervision of the cemetery superintendent. All graves shall be a depth of at least five feet.

Twenty-four hours notice for the digging of graves must be given to the cemetery superintendent.

Graves must be located at least six inches within the boundaries of the grave space.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977, Rev. of Ord., 1990; Ord. 1481, 2000

Section 5-3-113 Plat and requirements of grade of graves.

All graves shall be on the level with the grade established by the city engineer and a plat thereof filed by him in the office of the cemetery superintendent, and all graves shall be raised or lowered to conform to such established grades.

Source: R.O. Pierre, 1957, 10.0201; Ord. NO. 960, 1977, Rev. of Ord., 1990; Ord. 1481, 2000

Section 5-3-114 Permit and conditions of disinterment.

No body shall be exhumed except by the permission of the proper public authority.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977, Rev. of Ord., 1990; Ord. 1481, 2000

Section 5-3-115 Perpetual care funds permanently set aside.

The fund accumulated from past deposits for perpetual care of grave spaces shall be set aside for permanent investment and the interest received therefrom shall be deposited in the general fund.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977.

Section 5-3-116 Care of grave spaces.

The city shall be obligated to permanently care for all grave spaces. The care of grave spaces shall include mowing the grass at least twice during the season and removing fallen leaves and branches. This care shall be assumed by the management in charge of the cemetery.

All trees or shrubs planted in the cemetery shall be planted by the employees under the authority and direction of the cemetery superintendent.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977; Ord. 1481, 2000

Section 5-3-117 Requirements of workmen and erection of monuments, vaults or other structures.

All workmen within the confines of the cemetery shall be subject to the direction and supervision of the cemetery superintendent or his designee. Workmen in violation of the regulations and properties of the cemetery shall not be admitted to work therein.

The foundations of all monuments erected in the cemetery shall extend six inches in all directions beyond the upright monument and be flush with the ground.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977; Ord. 1481, 2000

Section 5-3-118 Removal of grave decorations within forty-eight hours after interment.

Floral or other decorations shall be removed from grave spaces as soon as they become wilted or unsightly and persons wishing to retain any of such decorations must remove them within forty-eight hours after interment.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977.

Section 5-3-119 City removal and disposition of articles left on graves - immunity.

The city or its officers shall not be held responsible for articles which may be placed on grave spaces and may remove the same without notice.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977.

Section 5-3-120 Water supply and apparatus for exclusive use of the city.

The hydrants and hose of the water supply are for the exclusive use of the city in the care of said cemetery.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977.

Section 5-3-121 Unlawful to injure or damage any property within the cemetery.

No person shall break, pluck or otherwise injure any wild or cultivated plant, or break or otherwise injure any tree or shrub or deface or mar any monument or make any mark thereon by writing or otherwise, or injure any landmark or otherwise injure said cemetery or any part thereof, or deface or injure any part of the fence around or upon said cemetery, or paint or otherwise put up any sign upon

any part of any fence around or upon said cemetery.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977.

Section 5-3-122 Unlawful to erect coping or walls, grade lots or plant trees or shrubs without permission.

No fence or coping or walls shall be erected on or around any grave site, tree or shrub planted in said cemetery without the consent of the city cemetery superintendent.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977, Rev. of Ord., 1990; Ord. 1481, 2000

Section 5-3-123 Unlawful to disturb the quiet and good order of the cemetery.

No person shall disturb the quiet and good order of the cemetery. All persons violating this section shall immediately leave the cemetery upon request of the person in charge of same. No person shall enter the cemetery except through the gates when opened under the direction of the city commission.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977.

Section 5-3-124 Unlawful to exceed speed of fifteen miles per hour or drive other than on the streets and driveways of the cemetery - funeral processions.

No driving shall be permitted in the cemetery except upon the streets and driveways thereof.

The speed limit in the cemetery shall be fifteen miles per hour. All funeral processions while within the grounds shall be subject to the directions of the superintendent of parks or his designee.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977.

Section 5-3-125 Unlawful for contractors to damage cemetery property - repairs.

All contractors shall be held responsible for any damage or injury done to the grass, lots, trees and property of the cemetery and on order must repair the same at the expense of the lot owner or contractor.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977.

Section 5-3-126 Unlawful to set or cause fires in or about cemetery.

It shall be unlawful for any person or persons to set fire or cause to be set any fire in or about the grounds in Riverside Cemetery.

Source: R.O. Pierre, 1957, 10.0201; Ord. No. 960, 1977.

Sections 5-3-127 Graveside Setup.

The City of Pierre, Cemetery Superintendent will not be responsible for the setting of gravesite tents or for the setting of grave liners.

Source: Ord. 1481, 2000

All ordinances in conflict with the ordinances as set out above are hereby repealed.

Sections 5-3-128 to 199, inclusive. Reserved.