

Mission Township Cemetery



Rules and Regulations

October 6, 2014

1. These regulations are designed to operate the Cemetery in an orderly fashion and elevate the character of the Mission Township Cemetery.
 2. Cemetery grave lots can be sold to Mission Township residents only. However, exceptions will be made on an individual basis for family members, former residents upon approval by the Town Board.
 3. No changes can be made in these rules and regulations without the approval of the Mission Township Board.
 4. Mission Town Board shall appoint a Cemetery Caretaker that is a year around resident and who will be responsible for the operation of the Cemetery and accountable to the Mission Township Board.
 5. The Township Clerk shall be responsible for collecting fees for the sales of burial spaces, and issuing receipts therefor. Upon receipt of the entire costs of the spaces sold, the Township Clerk shall issue deeds of proof of ownership. Attached to the deed will be a set of rules and regulations for the information of the owners of the burial spaces. The Township Clerk, the Cemetery Caretaker and the Township Board shall each maintain an up to date copy of a plat indicating burial spaces, ownership, and occupancy of each grave site.
 6. The price of each burial space will be **\$300.00** which will include perpetual care unless subsequently changed as authorized by action of the Township Board.
 7. The owner of a burial space is not authorized to sell such space to another person. If the owner desires to dispose of a burial space, he must resell it to the township. The seller shall present adequate proof of the ownership, and the price shall be the same as that for which he originally bought it from the Township.
 8. All interments, disinterment's or removals must be made at a time and in a manner approved by the Township Board and upon such charges as shall be fixed by the Township Board.
 9. The Township Board or Caretaker reserves the right to require at least forty-eight hours' notice prior to any interment, disinterment or removal.
 10. The Township Board reserves the right to refuse the interment and to refuse to open any burial space for any purpose except on written application by a lot owner of record, his authorized representative or a duly appointed office of the law.
 11. No burial shall be permitted in any lot in the Cemetery until such laws and ordinances regarding burials, as may be enforced in the
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State of Minnesota and Crow Wing County have been complied with and until the burial fees have been paid.

12. When instructions received from a lot owner or his legal representative regarding the location in a lot of an interment space are indefinite or when for any reason the interment space cannot be opened where specified, the Township Board may at its discretion, open such other location in the lot as is deemed best and the Township Board shall not be liable for payment of damage for such action or for any error that might develop therefrom.
 13. The Township Board shall not be held responsible for the execution of any order given by telephone or for any error occurring from lack of the receipt of proper written instructions pertaining to the funeral service or interment.
 14. The Township Board reserves and shall have a right to correct without liability for the payment of damages any error that may be inadvertently made by it either in making interments, disinterment's, or removals or in the installation of memorials or in the description transfer or convey in lieu thereof other interment property of similar nature and location insofar as is possible, or as may be selected by the Township Board or in the sole discretion of the township Board to refund the amount of money paid on account of its purchase. In the event such an error is in respect to the interment of the remains of the deceased person in such property, the Township Board reserves the right to remove or transfer such remains to such other property of similar nature in the location as may be substituted and conveyed in lieu thereof.
 15. The Township Board shall not be liable for the payment of any damages for any delay in the interment of a body of a deceased person caused by reason of a protest to the interment of such body or the violation of the rules and regulations of the Cemetery.
 16. No interment shall be permitted in any lot until such lot is fully paid for except as may be provided in the sales agreement.
 17. The bodies of two or more persons shall not be interred in one grave unless approved by the Township Board and upon payment of additional charges as required.
 - A. No more than two cremation ashes shall be interred in one grave lot.
 18. In making disinterment's the Cemetery shall exercise reasonable care, but it will not be liable for payment in connection with any damage to casket or burial case.
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19. In case of lot owner's death, the rights of the surviving wife or husband and next of kin will be recognized in accordance with the laws of the State of Minnesota insofar as it is able to ascertain who such parties are but the Township Board will not be responsible for any errors which may be committed due to the lack of adequate information.

In the absence of an express direction by the owner of lot or provision contained in a will, the following will be recognized as having the rights to direct interments herein.

- A. The original owner may at any time designate who he wishes to have interred in the lot which may be recorded on the books of the cemetery and which will be recognized by the cemetery subject to right of interment upon the part of the surviving spouse.
 - B. If no such designation is made, the surviving husband or wife shall have the first right.
 - C. Where there is no surviving husband or wife, the heirs of the purchaser may by an agreement in writing determine who among them shall have the right of interment.
 - D. In the event such original purchaser or his heirs shall not have arranged for future interments, then the direct lineal heirs of the purchaser or his or her spouse shall in the order of their death be entitled to interment thereon until the lot shall be filled.
 - E. In case there are no lineal heirs then the nearest of kin to the owner and their respective spouses have the right to interment in order of their need.
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20. No disinterment will be allowed except as provided by law, nor without the assent in writing of the surviving husband or wife or next of kin to the person whose body is to be disinterred or removed together with the written permit or order from the owner of the lot or his legal representative or person in control of such lot.

The Township Board shall under no circumstances be held liable in case of disinterment or removal where it acts upon the written order of such persons.

21. Upright memorials or monuments shall be permitted, with a base of concrete minimum of three and one-half inches flush with the ground, allowing a six inch border around the monument for the
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purpose of maintenance or mowing. The upright monument for a single grave shall be no more than twenty four inches in width and no more than thirty two inches in height from the ground. It must fit the size of the lot and be placed at the head of the grave.

- A. Graves may be marked by a headstone. The headstone shall not be more than twenty four (24") inches long and twelve (12") inches wide. It shall be set so that its tip is level with the surface of the ground.
 - B. If one gravestone is to be used for multiple graves, it shall be no more than one-half the width of the site and should be placed at the head of the graves and centered.
 - C. No headstone shall be moved, or removed from the cemetery, unless a written order signed by the lot owner is presented to the Cemetery Caretaker and permission is granted him.
 - D. Headstones shall be constructed of stone or real bronze material.
 - E. In order to assist in maintaining the constant beauty of Mission cemetery no interment shall be made without the use of a concrete steel reinforce vault, or other non-deteriorating material.
 - F. Only the Cemetery Caretaker shall mark a grave site for headstones and place markers.
 - G. Preset monuments are permissible for cremation ONLY.
 - H. As of 10-1-14 additional charges may apply for existing preset monuments.
22. The marker shall be placed at the foot of the grave.
23. Emblems or flagstuffs furnished by the Veterans shall be placed flush with the ground, the location of which shall be directed by the Cemetery Caretaker.
24. No Separate vases, urns or other memorials other than the markers or headstones mentioned will be permitted. Benches will be allowed at the discretion of the Township Board.
25. No planting of any kind in any section of the cemetery is permitted except by the Cemetery Superintendent.

26. Glass containers of all kinds or cans are prohibited on graves. If placed thereon they will be removed by the Caretaker. Metal vases approved by the Township Board are allowed in the grave space only.
 27. Flowers, wreaths or funeral arrangements will be removed from the graves when in the judgment of the Cemetery Caretaker they have become unsightly. Potted plants must be placed or sunk in the ground. No coping will be permitted around the graves, unless approved by the Township Board.
 28. The Cemetery Caretaker is authorized to remove all plantings made contrary to these rules, and to reseed the grave without notice; a reasonable charge will be made for the service.
 29. Flags for graves of veterans and other organizations will be permitted one day before and one day following Memorial and Veterans Day.
 30. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Township Board, therefore reserves the right without notice to make exceptions, substitutions or modifications in any of these rules and regulations when in the judgment of the management the same appear advisable and suspensions or modification shall in no way be considered as affecting the general application of such rule.
 31. The Township Board shall be entitled in all cases to rely upon the statement, written or oral, of any person claiming to have knowledge of the facts and claiming to be authorized to act and shall incur no liability whatsoever by reason of any act committed by it or permitted to be done in reliance on such statement.
 32. The Township Board shall incur no liability whatsoever except for its willful acts of malfeasance.
 33. The Township Board reserves to itself the right to plat and replat unoccupied and unsold lots, remove and change the location of trees, shrubs and other objects, lay out and change location of
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