

RESOLUTION NO. \_\_\_\_\_

RESOLUTION PRESCRIBING RULES & REGULATIONS FOR  
“SUNSET MEMORIAL CEMETERY”

WHEREAS, the municipal cemetery of the City of Montevideo is designated and known as “Sunset Memorial Cemetery,” hereinafter referred to as CEMETERY; and,

WHEREAS, the cemetery is open to the public from 8:00 A.M. to 10:00 P.M. daily; and,

WHEREAS, the general care of the cemetery grounds is the responsibility of the city.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTEVIDEO:

1. A marker as referred to in this resolution is any grave identification laid flush with the ground, and a monument is any other above-ground grave marker. A lot is a platted area of plots for more than one burial, and a plot is a space platted for an individual burial.
2. The part of Sunset Memorial Cemetery lying northerly of “Evergreen Valley” is hereby designated as “Memorial Park;” the cremations only section is hereby designated as “Memorial Gardens” and shall henceforth be so known and referred to in these regulations, and the balance of the cemetery shall be known and referred to in these regulations as the “original cemetery.”
3. The City of Montevideo shall provide general care for the cemetery, which includes maintenance of roadways, mowing grass, trimming and caring for trees and removing fallen leaves. It does not include providing special care, such as watering lawns or vases temporarily placed on the graves.
4. Each full lot in the original cemetery is marked by a stone, brick or metal post, at each corner set level with the ground. Markings of any other description are detrimental to the appearance of the cemetery, are considered unnecessary and are, therefore, prohibited.
5. The city shall have the right to remove trees, shrubs, plants or any structures now located upon any lot, which has or shall become by reason of age or otherwise a danger to the public, unsightly or detrimental to the lot upon which they are located or to any adjoining lot or avenue and shall have the right to remove any such which may be placed on a lot contrary to the provisions of these regulations.
6. Decorations:

Summer months are April 1 to October 1. One of the following is allowed for each plot:

- < One ground placement floral container **OR** one plant stand. Neither can exceed 18 inches by 18 inches at the base or four (4) feet in height. They must be made of durable

material, able to withstand cemetery maintenance. Containers may be used for real, potted, artificial or cut flowers. Only the approved containers are allowed; No hanging plants or decorations *of any kind* are allowed during these summer months, **except for:** Memorial Day weekend and up to 10 days after Memorial Day weekend, and up to 10 days after a burial.

Month of October. Maintenance is conducted during the month of October and no decorations of any kind are allowed (until November 1st.) Therefore, by October 1<sup>st</sup> of each year, all summer floral decorations, including real and artificial flowers, shall be removed. The containers or stands may remain on site.

Winter months are November 1 to April 1. Any and all decorations are allowed during these months. By April 1<sup>st</sup>, summer months rules apply and all other decorations shall be removed.

Veterans markers approved by the city are allowed year round.

7. Decoration Responsibility. The city is not responsible for damage done to or theft of any container, flower or memorial.

The city reserves the right to remove all non-compliant and outdated decorations without further notice. The city further reserves the right, without prior notice, to remove all decorations or memorials it deems unsightly or detrimental to cemetery operations. All permanent decorations or memorials removed by the city in this manner will be stored, if possible, for 30 days, and if not claimed within that time frame, will be destroyed. In addition, the city reserves the right to remove any and all decoration or memorials left unattended for over 30 days.

8. No monument shall hereafter be placed on any lot in the original cemetery platted for less than two burials. Monument foundation may not exceed 25" x 42" for a single grave, or 25" x 84" for a double grave. In no instance may a monument exceed 48" in height. Foundations for monuments shall be built to provide at least four inches of wash all around the base or first masonry course, and such foundation must not extend into adjoining lots nor into walk areas.
9. No monument shall be erected upon any grave or plot in Memorial Park, but markers shall be laid flush with the ground with a four-inch concrete flashing or wash. Marker foundation may not exceed 25" x 42" for a single grave, or 25" x 84" for a double grave. In order to facilitate care of the cemetery and maintain an orderly appearance, markers in all parts of the cemetery shall be placed on the head ends of lots and shall be placed with the location and in the manner approved in writing by the Sexton.
10. Monuments and/or flush markers are permitted in Blocks 1-311 and in Blocks 320+. No monuments are permitted in Blocks 312-319, or in the cremations only section (Blocks A-I). A flush marker shall be laid flush with the ground with a four-inch concrete flashing or wash. Marker foundation may not exceed 25" x 42" for a single grave, or 25" x 84" for a double grave.

11. Where permitted, the planting of trees, shrubs, flowers or other plants, by lot owners, shall be subject to the approval of the city, and in harmony with the city plan (City Code 7-7-4.)
12. No more than one monument shall be placed upon any lot (City Code 7-7-3A).
13. No lot shall be graded higher than the general level of the cemetery (City Code 7-7-3C).
14. No mound shall be built over any grave (City Code 7-7-3D).
15. No fence and no stone or cement coping shall be constructed around any lot (City Code 7-7-3E).
16. No more than one burial or interment, including cremation burials or interments, shall be permitted on any one burial plot; provided, however, that any one of the following combinations shall be permitted:
  - a) One non-cremation and one cremation burial;
  - b) Two (2) baby burials;
  - c) One adult and one baby burial;
  - d) Two (2) cremation burials.

For a single burial, depending on its location, a monument or marker shall be placed at the head of the burial plot. If a second burial is made on any burial plot, it shall be marked by a flush marker placed at the foot of the plot and where monuments are permitted in the cemetery, only one monument per burial plot shall be permitted. Markers will be placed at the west end of the lot within the Memorial Gardens (cremations only section), with a marker for a second burial to be placed directly adjacent to the marker of the first burial. In order to compensate for additional work and record keeping where there is a second burial on a burial plot, an additional charge of one-half (½) the then cost of a burial plot shall be paid to the city for such second burial on a plot (City Code 7-7-3F).

17. The owner of a lot, the owner's spouse or children, may be buried in a burial lot without written approval. No other burials shall be permitted in a lot without first obtaining the written consent of the owner and filing a copy thereof with the city. The owner, for this purpose, shall be the owner as the same appears on the cemetery records of the City of Montevideo. If the owner is deceased, ownership must then be determined in accordance with Minnesota State Statute 525.14 - Descent of Cemetery Lot.
18. Vaults are required for all burials. A vault protects the casket/urn from the weight of the earth and heavy maintenance equipment that will pass over the grave. It also helps resist water and preserves the beauty of the cemetery by preventing the ground from settling. The vault must be designed for the specific purpose of underground burial(s). UL listing information must be

provided to the city, upon request. The City of Montevideo is not responsible for vault setting. Vault setting is the responsibility of the vault setting company.

19. There will be an additional charge for winter burials. The fee for winter burials is to be set by resolution of the city council. Burials between December 1 to April 1 shall be considered winter burials.
20. When ground is unsafe for interment on hillsides as determined by the sexton, interment may need to be delayed until conditions improve. Funeral home is to determine location for short-term storage.
21. No person shall drive or operate a vehicle of any kind any place in the cemetery except on designated roadways without the prior written approval of the cemetery sexton. The sexton shall have the authority to designate the route and manner of any such access.
22. Special private “celebrations” are prohibited within the cemetery, without approval of the city.
23. The cemetery sexton shall be notified in advance of all burials, grave openings or vault placements. Private burials are prohibited. All burials MUST be coordinated through and approved by the city.
24. Any person causing damage to the cemetery lawn or any monument or marker shall either immediately repair the damage to the satisfaction of the city or reimburse the city for the cost of repair of all such damage.
25. All preceding resolutions prescribing rules & regulations for the cemetery are hereby repealed and superceded by this resolution.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

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President - City Council

ATTEST:

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City Clerk