

Plainfield Township, Will County, Illinois

Cemetery Ordinance No. 21-03

An Ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control and management of cemeteries owned by the Township of Plainfield, Will County, Illinois; to provide penalties for the violation of said ordinance, and to repeal all ordinances or parts of ordinances in conflict therewith.

**THE TOWNSHIP OF PLAINFIELD, COUNTY OF WILL, ILLINOIS
ORDAINS:**

Section 1: Title

This ordinance shall be known and cited as the Plainfield Township Cemetery Ordinance.

Section 2: General Provisions

- A. The cemetery will be used for the remains of human bodies only. The ownership of lots will remain with the Township and the Township reserves the right to enter upon any such lot to provide for its care and upkeep.
- B. Visiting hours are sunrise to sunset. Visiting outside of this time will be considered trespassing.
- C. Speed limit shall be 10 miles per hour. *NO* public vehicle traffic will be allowed during the nighttime hours.
- D. *NO* alcoholic beverages or illegal drugs are permitted on cemetery grounds.
- E. *NO* pets shall be allowed in the cemetery except within the confines of a vehicle.
- F. Normal business hours are Monday thru Friday from 7:00 AM to 3:00 PM excluding holidays. The list of holidays are as follows: New Years Day, Martin Luther King Jr. Birthday, Presidents Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day.
- G. No Interments will be done on Sundays or holidays.

Section 3: Unlawful Acts:

- A. The owner of any burial space will not allow interment to be made for the purpose of profit.
- B. *NO* person will be allowed to deface, injure, disturb, mark or write any marker, monument or headstone, except when the work is done to improve or stabilize these objects.
- C. *NO* person shall create any improper noise, disorderly conduct, carelessness or any other activity which tends to breach the peace, tranquility and attractiveness of the cemetery and its sacred devotion to the interment and respect of the dead. Persons not conducting themselves in a proper manner, as determined by the sexton, shall be removed from the grounds. Plainfield Township Cemetery is considered sacred grounds and visitors are expected to act accordingly.

Section 4: Management:

- A. Plainfield Township Cemetery is under the care and management of the Sexton who reports to the Township Board in conjunction with the Board appointed liaison(s).
- B. The Sexton will be responsible for all grave openings and closures as well as all lawn maintenance and general upkeep of the cemetery.

Section 5: Sale of Graves and Burial Spaces

- A. Hereafter, cemetery graves and burial spaces shall be sold to residents and non-residents for the purpose of the final disposition of such purchaser or persons whom said purchaser authorizes for disposition according to the current pricelist as approved by the Township Board. No sale shall be made to funeral directors or others than as heretofore set forth.
- B. Proof of residency of purchaser or decedent must be presented to the sexton at the time of purchase to receive the residency rates approved by the Township Board.
- C. A maximum of six (6) graves per owner unless approved by the Township Board.
- D. Graves and burial spaces are to be paid for in full at the time of purchase. Graves and burial spaces purchased pre-need may be paid for, in installments, at the discretion and approval of the Sexton and/or the Township Board.
- E. A portion of the sale of each interment, entombment or inurnment right, or transfer of each right, for purposes of perpetual care and upkeep of said right shall be determined pursuant to 760 ILCS 100/4 (from Ch. 21, par. 64.4) and said funds shall be deposited for those purposes pursuant to 760 ILCS 100/4 (from Ch. 21, par. 64.4) and 765 ILCS 835/4 (from Ch. 21, par. 18) respectively.
- F. The Township Board shall review and determine the burial costs and fees from time to time.

Section 6: Interment Regulations

- A. No interment shall take place without a burial permit and not until the person making arrangements for the interment has complied with all laws, ordinances, rules and regulations relative to burials.
- B. Only one (1) person may be buried in a grave or burial space except for one adult and infant or two children buried at the same time with the exception of cremated remains. A maximum of six (6) interments of cremated remains per grave unless approved by the sexton and/or the Township Board.
- C. The Sexton shall be given 72 hours (three (3) days) notice in advance of a burial. All funerals within the cemetery shall be under the direction of the Sexton or an authorized assistant.
- D. When there is a change in the time of the burial, the Sexton must receive a two (2) hour notice.
- E. All parties that participate in interment services shall vacate the cemetery within thirty (30) minutes of the conclusion of the interment.
- F. Disinterment of remains once properly interred shall not be made without a properly executed permit. Graves to be opened for inspection for official investigation shall require an order signed by a court or competent jurisdiction. Any markers or monument designating the location of an interment shall be removed at the same time.

Section 7: Vaults, Monuments and Markers

- A. All burials must have an approved grave liner or vault.
- B. All monuments, headstones and markers, where permitted, must be of recognized durable granite, marble or standard bronze. The use of sandstone, terracotta, slate, artificial stone, wood or iron in any form is not permitted.
- C. Monument and marker locations must be obtained from the Sexton. All monuments and markers must have a foundation. Bronze markers may be installed on the monument. All grave spaces must be paid in full before a monument or marker can be set.
- D. All foundations to be installed between April 15th and November 1st, providing the frost is out of the ground or as otherwise specified by the Sexton. Requirements for foundation size and location are to be determined by the Sexton depending on the size of the monument or marker.

Section 8: Ground Maintenance and Decorations

- A. The Township shall be responsible for the maintenance and upkeep of the cemetery.
- B. No grading, leveling or excavation upon burial space shall be allowed without the permission of the Sexton.
- C. Copings, fences, curbs, benches, steps, structure of wood or other material used as grave lot boarder or coverings shall be prohibited. The use of glass jars and bottles as receptacles for cut flowers is *strictly prohibited*.
- D. There shall be no arches (shepherd's hooks) for hanging baskets allowed.
- E. *NO* elevated mounds, wood chips, decorative stones or rocks or marble slab tops which hinder the free use of a lawn mower or other gardening apparatus are prohibited.
- F. *NO* shrubs or trees of any type shall be planted without the approval of the Sexton.
- G. The Township Board reserves the right to remove or trim any tree, plant or shrub located within the cemetery in the interest of maintaining proper appearances and use of the cemetery.
- H. Only 1 (one) flower arrangement / decoration per burial site.
- I. The Sexton shall have the right and authority to remove and dispose of any and all growth, emblems, displays or containers therefore that through decay, deterioration, damage or otherwise become unsightly, become a source of litter or a maintenance problem.
- J. All refuse of any kind including, among others, dried flowers, wreaths, papers and flower containers must be removed or deposited in receptacles located on the cemetery grounds.
- K. Fall cleanup will occur October 15 through November 1. All spring and summer decorations shall be removed.
- L. Complete graves clean off will be conducted on March 1. All decorations will be removed and disposed of by the sexton.
- M. All roads, drives or paths shall be maintained (graded, filled, snowplowed) by the Township only.

Section 9: Repurchase of Graves or Burial Spaces

The Township will repurchase any cemetery graves or burial spaces from the owner for the original price paid the Township upon written request of said owner or his or her legal heirs or representatives.

Section 10: Penalties

All persons found guilty of a violation of such ordinances shall be guilty of a petty offense and shall be punished by a fine of not less than \$100, nor more than \$500 for each offense pursuant to 765 ILCS 835/2 (from Ch. 21, par. 16).

Section 11: Severability

The provision of the within ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

Section 12: Township Limitation of Liability

The Township assumes no responsibility for errors in opening graves when such errors are caused by others. The Township is not responsible for loss, theft or vandalism within the cemetery.

Section 13: Effective Date

This ordinance shall take effect on June 9, 2021. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



(ATTEST)

Al Tinsley
Plainfield Township Supervisor

Michelle Smith
Plainfield Township Clerk

<u>BOARD OF TRUSTEES</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Ernie Knight	✓	—	—
Elaine Van Buskirk	✓	—	—
Eric Nelson	✓	—	—
Matthew C. Starr	✓	—	—
Al Tinsley	✓	—	—