

SUGAR GROVE CEMETERY ASSOCIATION

**MOUND PRAIRIE TOWNSHIP
JASPER COUNTY, IOWA**



INFORMATION HANDBOOK

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Introduction

The Trustees of the Sugar Grove Cemetery Association desires to inform Association members and the public about the Sugar Grove Cemetery and its rules and regulations.

This handbook is based on these principles:

1. Lot owners and relatives have the right to know how the cemetery is operated and its rules and regulations.
2. Sugar Grove Cemetery is a quiet, beautiful place and a symbol of love and faith.
3. The appearance of the grounds is important in maintaining a respectful manner of internment and a proper observance of the sacredness of the Cemetery.

Even though we recognize the desire of family members to decorate graves year around, the necessity for the removal of artificial decorations originated because of their instability and inability to degrade. Within a short period of time the artificial decoration's fabric fades and breaks down leaving it unsightly. In addition the wires within the decoration or supporting the decoration become exposed and are a hazard in the cemetery. These wires can puncture the tires of the lawn mower and break strings of trimmers making it expensive for the ground's keeper. It is getting harder and harder to find people who will take care of cemeteries. As a result there are two clean up days for artificial grave decorations – April 1st and July 1st.

All lot owners, descendants and visitors within the cemetery are subject to these rules and regulations. Changes are posted in the Information building at the cemetery and posted in the next newsletter.

The elected officials of the Association reserve the option to temporarily suspend or modify any rule or regulation and such temporary suspension or modification shall not be construed as affecting the general application and enforcement of such rules.

If you have any questions, please contact Dean Lane, Clerk of the Sugar Grove Cemetery Association, at (641) 792-9426 or (641) 521-9426.

This document is located in the Information building at the cemetery and on the cemetery's web site at www.usgennet.org/usa/ia/county/jasper1/metz/cemetery/

Section 1 - Definitions

Cemetery: The term “cemetery” is defined to include a burial park for burial or cremain interments of human remains.

Association: The term “Association” refers to the governing body of the Sugar Grove Cemetery. The Association membership is made up of lot owners and heirs of people buried in the cemetery. See Section 2 for Articles of Incorporation.

Annual Meeting: The term “annual meeting” refers to the yearly meeting of lot owners and/or descendents of people buried in the cemetery. Notice is given in the Newton Daily News for the time and location of the meeting. It is usually held in late February or March

Trustees: The term “trustee” means the three officials elected at the annual meeting that carries out the operation of the cemetery.

Clerk: The term “clerk” means an official elected at the annual meeting that serves as the secretary, treasurer and contact person of the Association.

Lot: The term “lot” applies to numbered divisions as shown on the plat maps made up of a number of plots.

Plot: The term “plot” applies to a predetermined area of sufficient size to accommodate one adult interment. In general each lot in the old part of the cemetery has 8 plots and each lot in the new part of the cemetery has 4 plots.

Lot Ownership: The purchase of a lot does not convey ownership of property. It only allows for the right of interment of human remains and membership of the owner and heirs to the Association.

Deed: The term “deed” applies to the document given by the Clerk to the purchaser of a cemetery lot.

Monument: The term “monument” means the grave marker or headstone to include foundation and all attachments for family or individual use.

Routine Care: The term “routine care” means the obligation which the association assumes each year for the mowing and trimming of grass.

Special Projects: The term “special projects” means any work done in the cemetery other than the routine care.

Section 2 – The Sugar Grove Cemetery Association

Following are select items from the Articles of Incorporation adopted in July 1881 that helps to explain the Association and how it operates.¹

1. This organization shall be known as the Sugar Grove Cemetery Association of Jasper County Iowa.
2. The object of the association is to suitably care for the Cemetery known as the Sugar Grove Cemetery.
3. The business of the association shall be managed by three Trustees and a Clerk, who shall hold their offices for a term of three years and until their successors are elected and ratified.
4. The Trustees shall have power to add to said grounds by purchase or otherwise, and to convey the same by deed to parties for burial purchase and also have power to make such improvements as they deem necessary, appoint a Sexton and fix his compensation and also the compensation of the Clerk. Also make any other rules necessary to carry out the objective thereof. The Trustees shall serve without pay.
5. The Clerk shall keep a record of the proceedings of all meetings of the association and record all deeds made by the Trustees. He shall also act as treasurer of the association, and pay out the money on the order of the Trustees, and shall make a full report at each annual meeting.
6. The annual meeting of the association shall be held at each year for election of officers & other business.
7. All persons owning lots in said cemetery, and all persons who have members of their family buried therein, are considered members of said association and entitled to vote for the offices.
8. In case of a vacancy by resignation or otherwise of one of the officers, it may be filled by the Trustees or the remaining Trustees until the next regular meeting of the association.

¹ The entire set of Articles of Incorporation may be found on the cemetery website.

Section 3 – Finances of the Association

Not-For-Profit. The association is a not-for-profit organization without employees. It operates with volunteer labor of association members or contracts for services not provided by volunteers. There is no governmental unit, private individual or corporation responsible for this cemetery.

Source of Funds. Funds to operate the Sugar Grove Cemetery are obtained from these sources:

1. Gifts from individuals and the estates of people buried in the cemetery.
2. Revenue from investments; the principal coming from the sale of lots and private donations through gifts and estate planning.
3. A small tax levied in Mound Prairie and Sherman Townships.

Expenditure of Funds. It was the intention of the founders of the association that members actively participate in the upkeep and care of the cemetery to eliminate the need for yearly fees to lot owners and their heirs.

All major expenses of the association, including the routine care of the cemetery, special projects and clerk's fees are set and voted on at the annual meeting of the association. Expenditures for the day-to-day operation of the cemetery or unexpected special projects may be determined by the Clerk and Trustees and reported at the next annual meeting.

Charitable Contribution: Because the Sugar Grove Cemetery Association is not owned for the profit of any individual, governmental unit or corporation, it does not have nor does it need an IRS 501 (c) (3) designation to be eligible as a charitable contribution. Therefore all funds donated to the association may be used as a charitable deduction on income tax forms.

Section 4 - Rules for Visitors

The cemetery is open to the public typically from sunup to sundown daily when weather permits entrance into and out of the cemetery.

The association plows snow from driveways only in case of an interment.

The following behaviors are expressly prohibited:

- Driving or parking any motor car or other vehicles upon any grave or lot unless permission is given by the Clerk for burials and/or cemetery maintenance.
- Driving a motorized vehicle in excess of 10 miles per hour.
- Idling or loafing on the grounds or in the building.
- Bringing lunches or refreshments into the cemetery or consuming them on the grounds, unless a part of the burial ritual or permission is granted from the Clerk.
- Exercising of dogs and other pets.
- Firearms other than those used for a military funeral.

Section 5 – Lot Ownership (refer to definitions)

Cost of cemetery lots is determined at the annual meeting of the association.

Lots are purchased from the Clerk of the Association.

If a lot owner wishes to sell ownership of all or part of a cemetery lot, they must contact the Clerk who will void the original deed and issue new deeds to the new owners. The finances of the sale are handled between or among the buying and selling individuals at the time the new deeds are written. A minimal fee may be charged for the clerk's time to conduct the business.

If a lot owner wishes to transfer ownership of all or part of a cemetery lot, they must contact the Clerk who will void the original deed and issue new deeds to the new owners. A minimal fee will be charged for the clerk's time to conduct the business.

If an heir of a lot owner wishes to sell, transfer or be designated the owner of unused portions of a lot, they must contact the Clerk and show proof that all heirs agree with the decision to sell or transfer ownership. The Clerk will issue a new deed to the agreed upon owner. A minimal fee may be charged for the clerk's time to conduct the business.

It is the duty of the lot owner or next of kin to notify the Clerk of any change in address or next of kin of the original lot owner.

Section 6 - Rights of Interment

The surviving spouse of the lot owner shall have the first right of interment.

If the owner of a lot gives permission for others to be buried on remaining spaces on the lot, this permission must be given in writing to the Clerk. This can be done at the time of purchase or at any time thereafter.

In the event the deceased owner(s) has not arranged for further interments on unused portions of their lot, the heirs shall provide written release from other heirs for right of burial.

The title to a cemetery lot invests in the owner the right to use such lot for burial of human remains only.

Section 7 - Lot Care

The Association provides for the mowing and trimming of the entire cemetery to maintain a uniform look of the cemetery; therefore family members and other visitors must abide by the policies and procedures outlined in Section 9 – Decorations and Plantings, Section 10 – Marker/Monument Regulations and Section 11 – Foundation Specifications.

Family members or visitors may not kill grass surrounding the monument marker or install decorations or structures that impedes the mowing of the cemetery. See Section 9 – Decorations and Plantings for details.

The routine care assumed by the Association shall in no case mean the maintenance, repair, or replacement of any monument placed upon lots, nor the doing of any special work on the lot, including work caused by the sinking of the soil, nor does it mean the reconstruction of any marble or granite work on any section or lot, caused by the elements, an act of God, common enemy, thieves, vandals, accidents, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be direct or collateral other than as herein provided.

It is highly recommend that families who have existing monuments without foundations make arrangements to have foundations installed to avoid the stones falling over and breaking and/or sinking into the ground and disappearing in the future.

Section 8 - Interments & Disinterments:

The cemetery is open for interments from 7:00 am to 5:00 pm daily with the exception of the following holidays: Memorial Day, Thanksgiving Day, July 4th, Christmas Day, Labor Day and New Year's Day.

Exceptions may be made where an unreasonable hardship may be caused or by order of the Board of Health.

The clerk must be notified and permission given for any burial or interment of cremains prior to the burial, interment and or disinterment.

Interments will be on plots of sufficient size to accommodate the burial. Size and location of the plot will be determined and located by the Clerk. A minimal fee may be charged for the clerk's time to conduct the business.

Only individuals or businesses authorized by the Clerk and Trustees will be permitted to open and close graves.

All burials must be made in outer receptacles [vault] made of reinforced concrete.

Mistakes made in interment location caused by the lot owner and/or funeral home director shall be corrected at the expense of the owner or funeral home.

Mistakes made in interment location caused by the Clerk or other elected official shall be corrected at the expense of the Association.

Disinterments will be made in the manner prescribed by the Laws of the State of Iowa.

Section 9 - Decorations & Plantings:

The cemetery encourages the use of floral tributes on the graves of loved ones. However the beauty and uniformity of the cemetery as a whole depends on the cooperative efforts of all families who have loved ones in the cemetery's care.

The Association does not assume responsibility for the loss or damage of any floral decorations, other decorations or their containers.

All decorations and containers located on the grave must be removed by the predetermined clean-up times or they will be removed by the Trustees.

Clean-up times will be the first weekend in April and the full week after the 4th of July holiday. Refer to the Introduction for explanation of the clean-up regulation and need to remove artificial decorations.

The following regulations shall apply to gravesites and the cemetery grounds:

Fresh Floral Regulations:

- Fresh flowers or potted plants shall be placed on the foundations, planted within 6" of the monument foundation or hung on decorative rods.
- Fresh flowers and plants that have dried will be removed on clean-up days.

Artificial Floral Regulations:

- Artificial floral decorations shall be placed on the foundation, placed within 6" of the monument or hung on decorative rods.
- ALL artificial floral decorations will be removed at clean-up times. Refer to the Introduction for the explanation.

Regulations Regarding Items Other Than Flowers:

- Decorative rods may remain at the grave site as long as they are placed next to the base of the monument and stable; do not secure in cement. These will not be removed on cleanup days as long as they do not become unsightly or unstable.
- The temporary placement of any decorative item shall be placed on the monument foundation or within 6" of the foundation or monument. These will be removed on cleanup days.

- The permanent placing of toys, boxes, ornaments, chairs, settees and similar articles may ONLY be located on the foundation of the monument. Such items must be permanently attached to the foundation or placed in a permanent container on the foundation. These will not be removed on cleanup days as long as they do not become unsightly or unstable.
- The Association is not responsible for the loss or destruction of decorative items and if items are placed in areas other than in the permanent container at the side of the monument, the Clerk or Trustees reserves the right to remove the items.
- No rocks, fences, woody shrubs or trees may be placed on the lot. The reason for this restriction is because although you may think that you will take care of these items forever, experience tells us that this is not the case. After a number of years these become unsightly and have to be removed by either a paid contractor or volunteers. Also the rocks become displaced into the surrounding grass and become dangerous for the mower.

Regulations for planting spreading perennials.

- Spreading perennials such as peonies are permitted but recognize that over time they tend to cover up the monuments. All plants will be mowed off after their flowering period. They will be removed altogether if they become unsightly.

Section 10 - Monument Regulations

There shall be no more than one monument for each plot. An exception will be made for military markers which shall be installed on the back of the monument or flush to the ground so that they will not interfere with mowing and trimming.

Monuments must be placed on a foundation that complies with the specifications in Section 11 or be subject to removal at the owner's expense.

Homemade monuments may be used but the design and construction methods need to be approved by the Clerk prior to the installation of the monument.

Section 11 - Foundation Specifications

Permission: It is the responsibility of the lot owner to have the monument company notify the Clerk prior to the placement of a monument. A monument installed without notification runs the risk of removal at the expense of the owner if it does not meet the specifications outlined in the most current issue of the Information Handbook.

Location: All monuments shall be located at the West end of the plot with the exception of the military marker as a second marker.

Size: The size of the foundation is determined by the size of the monument being placed on the foundation and a minimum of 5" on all sides of the monument. Floral containers may be placed in the area at each end of the monument.

Construction: The foundation for the monument must follow these specifications. Please make sure your monument vendor is aware of these requirements.

- The foundation shall be dug a minimum of 1-foot deep the size of the pad or cap. Then auger holes are bored to at least 42" (frost line) and filled with concrete.
- All foundations must be of concrete made of 3 parts sand or gravel to 1 part cement.
- The pad or cap of the base shall be level in all directions with its top at the highest ground elevation.

- All monuments shall be set in line with the other monuments in same row.

Inspection: Upon completion of the monument installation, the Clerk will inspect the installation and contact the monument company if there is a problem.

Fees: A minimal fee may be charged for the clerk's time to conduct any business associated with this process.

Responsibility: If any of the above procedures are not followed and a mistake is made in the location and/or construction of the foundation and placement of the monument, the lot owner or heirs is responsible for the payment of resetting the foundation and/or monument.

Adopted at the Annual Meeting of the Sugar Grove Cemetery Association on March 20, 2006.