

Chapter 6 Lakeview Cemetery*Amended September 8, 2025*

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600.01 Description/Name

A cemetery has been established and is continued upon land owned by the City, in SECT-14 TWP-149 RANGE-031 5 AC BEGINNING AT A POINT 33' W AND 33' S OF THE NE CORNER OF THE NE1/4 OF THE NE1/4, THENCE S ON A LINE PARALLEL TO AND 33' W OF THE E SECTION LINE OF ABOVE DESCRIBED SECTION, A DISTANCE OF 466.69' TO AN IRON PIPE DROVE IN THE GROUND, THENCE W MAKING A DEFLECTION ANGLE OF 89*47' A DISTANCE OF 466.69' (TO AN IRON PIPE) THENCE N MAKING A DEFLECTION ANGLE OF 90*13' A DISTANCE OF 466.69' (TO AN IRON PIPE) THENCE E MAKING A DEFLECTION ANGLE OF 89*47' ON A LINE PARALLEL TO AND 33' S OF THE N SECTION LINE OF ABOVE SECTION A DISTANCE OF 466.69 FEET (TO AN IRON PIPE) WHICH IS THE PLACE OF BEGINNING OLD #180018601 & SECT-14 TWP-149 RANGE-031 9.36 AC E 873.04' OF S 716.69' OF N 749.69' OF NE1/4 OF NE1/4 LESS PARCEL 186-01 OLD #180018600

600.02 Officers and Duties

Subd. 1. The responsibility for the management of Lakeview Cemetery and all matters relating thereto shall be vested in the City of Blackduck. The City of Blackduck Public Works Department shall be responsible for the care and maintenance of the cemetery. The City Administrator shall be responsible for the cemetery records and administering deeds to the public.

Subd. 2. The Lakeview Cemetery will be open to visitors during the hours of sunrise to sunset. Permission to enter at all other times shall be secured from the City. The City of Blackduck reserves the right to refuse admission to the cemetery and to refuse the use of any of the cemetery's facilities, at any time, to any person or persons whom the City may deem objectionable to the best interests of the cemetery. During the snow season, the access to cemetery roads may be blocked and only foot traffic allowed.

600.03 Sale of Cemetery Lots

Subd. 1. The price of cemetery lots, vault rental fee, and other services, may be established from time to time by the City Council in the Ordinance Establishing Fees and Charges. Any person paying the price thus fixed for any lot shall be entitled to a deed conveying the same executed by the Mayor and City Administrator. Upon full payment of the purchase price of a lot, or lots, the City of Blackduck will issue a cemetery deed conveying the lot, executed by the City, and the deed shall be recorded in the records of the City. Said deed shall be for "the purpose of interment only", and shall be drawn subject to all the laws, rules and regulations of the City.

600.04 Transfer of Lots

The owner of the cemetery lot, or grave, may transfer lots:

1. To the City of Blackduck at the original sale price minus perpetual care (35%);
2. By will to any of his/her relatives who may survive him/her for the use and benefit of the person designated in the will;
3. By will to other persons not related to him/her for the use and benefit of the person designated in the will

In all cases, the owner must complete and have signed by witnesses and a Notary Public a transfer of ownership document provided by the City of Blackduck. The transfer of ownership document must be approved by the City prior to the transfer of lots by the owner. When a transfer has been made in conformance with these rules, such transfer shall be recorded in the cemetery records.

600.05 Deposits

The City requires a deposit for headstones. If a headstone is not properly installed within eighteen (18) months after burial, the City may use the deposit to purchase and install a headstone to identify the occupant of the gravesite. The City shall from time to time establish the headstone deposit amount by Resolution. The City will refund the deposit upon proper installation of the headstone by the party who made the deposit.

600.06 Care and Maintenance

Subd 1. The City of Blackduck shall provide general care for the cemetery, which shall include maintenance of roadways, mowing grass, trimming and caring for trees and removal of fallen trees. This shall not include providing special care such as watering lawns or vases temporarily placed on the graves. The city shall have the right to remove trees, shrubs, plants or any structures now located upon any burial site, which has or shall become by reason of age or otherwise, unsightly or detrimental to the site upon which they are located or any adjacent site or avenue, and upon notification of the relatives if

possible and shall have the right to remove any such trees, shrubs, plants or any structures which may be placed on a site contrary to the provision of these regulations.

Subd. 2 Artificial flowers may be placed in the approved urns or vases two weeks prior and two weeks after Memorial Day. Flowers must be securely fastened to the urn or vase so that they will not fall or be blown from the container and cause problems with mowing. No artificial flowers, flags, or decorations of similar nature shall be placed upon or attached to any grassy area, any tree or shrub; such flower improperly placed may be removed by the city. Any flowers, flags, or decorations may be removed after ten (10) days of being placed on the burial site in order to maintain orderly appearance.

Subd. 3 No gravesite ground of planting trees, shrubs, and flowers will be permitted. The City reserves the right to remove any tree shrub, vine, plant, or flower which may be unsightly, dangerous, or not keeping with the landscape design of the cemetery.

Subd. 4. The City of Blackduck cannot be held responsible for any damages, loss, or theft of any personal property such as flowers, plants, decorations, vases, crocks, markers, monuments, etc.

600.07 - Conduct in the Cemetery

Subd. 1 Persons visiting the cemetery or attending funerals are strictly prohibited from writing upon, defacing, or damaging any memorial or breaking or injuring any tree, shrub, plant or other structure within the cemetery grounds.

Subd. 2 The following acts are expressly prohibited, as well as any other violations of City Ordinances and regulations that may apply:

- A. The driving of motor vehicles into the cemetery, unless attending a funeral, visiting a relative or friend's gravesite, or carrying on maintenance work authorized by the City with a speed limit not to exceed 10 miles per hour.
- B. The driving or parking of any motor vehicle across of upon any grave or lot except by authorized personnel.
- C. Bringing of lunches or refreshments into the cemetery or consuming them on the grounds.
- D. Peddling or soliciting the sale of any commodity within the cemetery.
- E. Placing of signs, notices, or advertisements of any kind within the cemetery.
- F. Bringing firearms into the cemetery, except in the nature of a military salute or escort, accompanying a veteran's funeral or attending memorial services, or by police officers while in the line of duty.
- G. All rude and boisterous conduct is prohibited.
- H. No liquor of any kind shall be consumed in the cemetery.
- I. The throwing of rubbish on any part of the ground.

Subd. 3. No dog, cat or other household pet will be allowed in the cemetery unless on a leash secured by the pet owners. Any and all pet droppings will be removed promptly by the pet owner.

Subd. 4. Special cases may arise in which the literal enforcement or interpretation of a rule may impose on unnecessary hardship. The City reserves the right to make exceptions, suspensions, or modifications to any of these rules and regulations when the judgement of the City such action appears necessary and such a temporary exceptions, suspension, or modification shall in no way be construed as affecting the general application of such rules and regulations.

600.08 Burials and interments

Subd. 1 No burials or interments of any kind shall be made in said cemetery without prior notification to and permission from the City. Permission shall be granted if this Section and all regulations of the City and State pertaining to the cemetery are complied with.

Subd. 2 Lot owners are granted only the right of interment in their lots. The City of Blackduck reserves the right to refuse to permit the interment of anyone who is not at the time the owner of the lot, or a relative of the owner by blood or marriage. Permission, in writing and with the seal of a Notary Public, of the lot owner must accompany all requests for permits to bury persons not members of the immediate family of the lot owner.

Subd. 3. No casket shall be interred in the cemetery unless it is encased in a permanent type burial case or vault. Fiberglass vaults are prohibited. Ashes must be placed in an urn prior to burial. No vault is required for cremation.

Subd. 4. Should the lot owner, or funeral director, fail or neglect to designate the location, the City of Blackduck reserves the right to make the interment in a location designated by the City. The City will not be responsible for any order given by telephone, or for any mistake occurring from the want of precise, proper instructions as to the particular location within a plot where interment is desired.

Subd. 5. The City of Blackduck will not be liable for the interment permit, nor the identity of the person sought to be interred.

Subd. 6. No more than one non-cremation burial or interment and one (1) cremation burials shall be permitted on any one burial plot

Subd. 7. No more than two (2) cremation burials shall be permitted on any one burial plot.

600.09 Perpetual Care Fund

Subd. 1. The City Council shall designate a percentage of the sales price of any cemetery lot to be set apart as a Perpetual Care Fund for the care, maintenance and improvement of the cemetery. The funds shall be kept in separate accounts from other City funds as provided by law. The income from the Fund can be transferred to the Cemetery Fund for care, maintenance and improvement of the cemetery. General care assumed by the City shall in no case mean the maintenance, repair, or replacement of any marker or memorial placed or erected upon lots, nor the doing of special, unusual work in the cemetery.

600.10.1 Monuments and Markers

Subd. 1. General Regulations:

- a. No more than one monument shall be placed upon any one lot.
- b. All gravesites must have a headstone identifying the interment remains.
- c. Grave markers shall be set even with the ground.
- d. No lot shall be graded higher than the general level of the cemetery.
- e. No mound shall be built over any grave.
- f. No lot enclosures, such as fences, hedges, curbs, and the like shall be hereinafter constructed.
- g. If a second burial is made on any burial plot, it shall be marked by a flush marker and where monuments are permitted in the cemetery, only one monument per burial plot shall be permitted.

Subd. 2. Location of Upright Markers

Upright markers cannot be placed in any lots in the following Blocks: M, N, O, P, Q, R, S, T, W, X, Y, and Z.

Subd. 3. Location of Flat Markers

Flat marker may be placed on any lot in Blocks A-Z

Subd. 4. Placement of Markers

All markers including slab must fit within property lines. All markers and monuments must be set in cement unless otherwise approved by the City. The cement foundation must be at least 4" thick and have a 4" border around the monument.

Subd. 5. Maintenance

It shall be the obligation of the owner of any cemetery lot or plot upon which a monument or marker (flat or upright) is located to maintain and keep such monument in a good state of repair at all times. In the event a monument creates a danger to public safety or interferes with maintenance of the cemetery, the City shall:

- A. Notify the owner, in writing, of the needed repair or maintenance and a date by which such repair or maintenance must be completed. Such notice shall be sent by

first class mail to the last known address of the owner according to the official cemetery records maintained by the City.

- B. If the requested repair or maintenance is not completed by the date specified, the City may, at its discretion, repair, reset, or remove such monument. The cost for any such repair, resetting or removal shall be billed to the owner of the cemetery lot or plot.
- C. C. Whenever the City removes a monument, the City shall provide an alternate identification on the cemetery lot or plot. The cost of such alternate identification shall be included with the City's cost of removal and billed to the owner. 600.12

600.11 Penalty

A violation of the provisions of §600.01 through §600.11, and any regulations enacted under §600.11 shall be a misdemeanor punishable as provided by law.