

**RULES AND
REGULATIONS
OF
LAKE ZURICH, FAIRFIELD
CEMETERIES**

**PROPOSED TO BE ADOPTED BY THE
ELA TOWNSHIP CEMETERY BOARD 5/21/2012**

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RULES AND REGULATIONS OF
LAKE ZURICH, FAIRFIELD CEMETERIES

For the mutual protection of every lot purchaser in the cemetery, Ela Township Cemeteries hereby adopt the following rules and regulations. All property Owners of interment rights and persons within the cemetery, and all Interment rights sold, shall be subject to said rules and regulations, and Subject, further, to such other rules and regulations, amendments or Alterations as shall be adopted by Ela Township Cemeteries from time to time. Any reference to these rules and regulations in the contract, deed, or certificate of ownership to interment rights shall have the same force and effect as if set forth in full therein.

These rules and regulations are designed for the protection of Ela Township Cemeteries and the collective owners of burial rights. They are intended, not as restraining, but rather as preventing the inconsiderate from taking unfair advantage of others. Their enforcement will help protect and preserve the beauty of Ela Township Cemeteries.

These rules and regulations are hereby adopted as the rules and regulations Of Ela Township Cemeteries and all owners of burial rights, visitors, and Contractors performing work within the cemetery, shall be subject to said Rules and regulations. The cemetery expressly reserves the right, at any time and without notice, to adopt new rules and regulations or to amend, modify, or repeal any section, paragraph, or sentence of these Rules and Regulations. Ela Township Cemeteries has entire charge of the cemetery and is authorized to enforce all rules and regulations as adopted.

The rules and regulations shall be on file in the Township office and on the Township Website, and copies shall be made available to interested parties on written request, and payment of administrative fees associated therewith. The cemetery reserves the right to provide these rules and regulations within ten days of written notice.

DEFINITIONS

“Board” a 3 Member Board duly appointed by the Board of Trustees of Ela Township. The term **“Board”** includes board designee in conjunction with the carry out of individual Cemetery tasks.

“Box” means a grave liner or permanent outside container, consisting of a one piece box, and a one piece lid, which is not sealed.

“Burial” or **“Buried”** means the act or result of inurnment.

“Cemetery” for earth interments; and scatterings. In these Rules and Regulation it specifically means Ela Township Cemeteries.

“Contractor” means any person, firm, or corporation engaged in setting any Vault or memorial, or performing any other work on the cemetery grounds, Other than an employee of the cemetery.

“Grave” means a space of ground in a burial park used, or intended to be used, for the burial of human remains.

“Interment” means the disposition of human remains by earth burial and cremation burial or scattering.

“Interment right” means the right to place individual human remains or cremated remains in a specific interment space within the cemetery selected by the consumer for use as a final resting place, and subject to the limitations set forth herein.

“Interment services” means the opening and closing of a particular interment space.

“Interment space” means the particular grave, within the cemetery to which a particular interment right relates. An owner of an interment right does not, by virtue of such ownership, acquire ownership of the interment space or of any land or improvements within the cemetery.

“Inurnment” means placing cremated human remains in an urn and placing in a grave site or cremation, or in the ground.

“Inurnment right” means the right to place individual cremated human remains in a specific grave site or cremation grave site selected by the consumer for use as a final resting place. Scattering means the scattering of cremation ashes in a specified scatter garden location.

“Lot” means the same as Plot.

“Management” means the Ela Township Board or it designee.

“Marker” means a memorial of granite and/or bronze and/or bronze on granite placed level with the grade.

“Memorial” means a marker or monument, for the purpose of identification or in memory of the interred.

“Monument” means a memorial of granite that extends above the surface of the lawn and has a base.

“Outer burial container” means the rigid outer container used to surround a casket or a cremated remains container, and shall include the products commonly known as vaults and grave liners.

“Owner” means the owner of an interment right or rights within the cemetery, as reflected in the records of the cemetery.

“Plot” means space in the cemetery used, or intended to be used, for the interment of human remains.

“Scatterings” cremation ashes to be scattered in area designated within the Lake Zurich Cemetery scatter garden.

“Space” means the space on a lot for the interment of one human remains

GENERAL SUPERVISION OF CEMETERY

ADMISSION TO CEMETERY

The cemetery Board reserves the right to compel all persons coming into the cemetery to obey all Rules and Regulations adopted by the cemetery. The cemetery Board further reserves the right to refuse admission to anyone not an interment right owner or relative of a person buried in the cemetery, and to refuse the use of any of the cemetery facilities at any time to any person or persons whom the Board may deem objectionable to the best interests of the cemetery.

CEMETERY BOARD IN CHARGE OF FUNERAL

All funerals, on reaching the cemetery, shall be under the supervision of the Board. The Board is hereby empowered to enforce all Rules and Regulations and to exclude from the cemetery any person violating the same. The management and its assistants shall have charge of the grounds and at all times shall have supervision and control of all persons in the cemetery, including the conduct of funerals, traffic, employees, interment right owners, and invitees.

FOUNDATIONS – POURING

The cemetery reserves the right to inspect the foundations of all memorials in the cemetery as provided by approved installer.

GRAVES – DIGGING

The cemetery and its designated personnel reserve the right to open and close all graves in the cemetery, for interments and disinterment's.

THE BOARD SHALL CONTROL IMPROVEMENTS

The cemetery shall have the sole and exclusive authority with respect to the planting, sodding, surveying and improvements within the cemetery. All improvements or alteration of individual property in the cemetery shall be under the direction of and subject to the consent, satisfaction and approval of the Board; and, should they be made without its consent, the Board shall have the right to remove, alter or change such improvements or alterations at the expense of the lot owner, at any time. The Board reserves the right to remove from any lot anything that it deems unsightly, or which in any way conflicts with the Rules and Regulations, or general beauty of the cemetery. If any tree, shrub, or plant standing upon any lot, by means of its roots, branches or otherwise, is or becomes detrimental to adjacent lots or avenues, or if for any other reason its removal is deemed necessary, the Board shall have the right to remove such tree, shrub, or plant,

Or any part thereof or otherwise correct the condition existing as in their judgment seems best, and without notice to any interested party.

RECORDS OF CEMETERY

The files, papers, documents, reports, ledgers, maps, lot cards, correspondence, and other written records maintained by Ela Township are the sole and exclusive property of Ela Township. Only Ela Township has access to these permanent documents. Except where disclosure is required pursuant to the Illinois Freedom of Information Act, information contained therein is for the exclusive use of management, and shall be disclosed, as Board deems proper. Record requests may be subject to an administrative fee, which may be charged from time to time by Board.

BURIALS AND REMOVALS

AUTHORIZATION REQUIRED

The management reserves the right to refuse interment or removal, except on written application by the legal representatives or proper authorities. No interment shall be permitted nor shall a body be received unless the proper authorization is furnished prior to disposition.

BURIAL OF MORE THAN ONE BODY

Not more than one body, or the remains of more than one body, shall be buried in one grave. No more than two interments per space are allowed, as approved by management. These interments can be one full casket interments and inurnment (cremation urn). No pet remains may be interred with human remains.

BURIAL - NOT PERMITTED UNLESS PROPERTY PAID FOR

No burial, interment, entombment or inurnment shall be permitted or memorial placed in or on any property until space is paid for.

CASKET CONTAINER STANDARDS

Remains for interment shall be delivered to the cemetery in a casket or container composed of rigid material such as wood, fiberglass, plastic or metal and shall be of such construction so as to, (1) assure protection to the health and safety of the cemetery personnel, (2) provide proper covering for the remains and (3) meet moral codes for the respect and dignity of the deceased. A full enclosure "dome" or top piece so constructed that in its closed position it completely shields the remains from view at all times, with a rigid bottom, substantial enough not to deflect under the weight of an adult human body shall be required. The management reserves the right to make exceptions for special conditions, oversized or overweight deceased persons, children, limbs, or pathological tissues and other reasons determined by the management.

All babies or stillborn births whether interred in the Infant section or on any other interment right in the cemetery shall be in a retrievable container. Receptacles of biodegradable materials shall not be permitted.

CASKET NOT TO BE OPENED OR BODY TOUCHED WITHOUT CONSENT

Once the committal service is completed and the casket is ready to be placed, no person shall open the casket or touch the body without the consent of the legal representative of the deceased or an order of a court of competent jurisdiction; provided the management may take appropriate steps to correct any obnoxious or improper condition.

CHANGE OF ADDRESS

It shall be the duty of the lot owner to notify the Township Office of any change in post office address. Notice sent to a lot owner at the last address on file in the office of the cemetery shall be considered sufficient and proper legal notification.

CONTAINER/VAULT INSTALLATION

No outside container shall be installed without the explicit authorization from the management. In every case the charges therefore shall be paid in advance or arrangements satisfactory to the management made concerning payment.

Any funeral director (licensee) approved by the management or the agent, servant, or employee of the funeral director may be authorized by the management to enter on any section, lot, or space for the purpose of installation of outside containers. To insure compliance with these Rules and Regulations, the funeral director shall obtain explicit authorization from the management for such purpose.

In addition, the licensee shall provide proof of general liability, worker's compensation and products liability insurance satisfactory to the management.

Said insurance certification shall provide that the insurance carrier must give at least thirty (30) days written notice to the management in the event the insurance is canceled by the licensee. The licensee shall provide appropriate guarantees and hold harmless agreements to the management to insure that the cemetery grounds are not injured by the installation and to insure that the container was not damaged in installation. Upon completion, the management shall inspect the work done, and shall, if necessary, do whatever is necessary to restore the cemetery premises to their condition prior to installation, and shall charge back against said licensee the costs of restoration. Any balance owed by said licensee shall be remitted within thirty (30) days of receipt of the itemized statement, or the management shall prohibit the vault company access to the cemetery until such time as the balance is paid in full. The management shall hold the licensee responsible for any and all legal fees incurred by management in the process of trying to collect all due the cemetery.

Outside container installation requires preapproval of the Cemetery Board or its designee and the use of special equipment. No person, firm, or corporation, other than recognized and approved licensees or the management shall be permitted to install outside containers in the cemetery.

Any licensee who refuses or fails to comply with these Rules and Regulations shall not be given the privilege to enter on the cemetery grounds for installation purposes until compliance is affected.

CONTAINER CREMATION

All cremated remains of human bodies shall be buried in a permanent, retrievable container. Inurnment or entombment shall be in a container approved by the management.

Construction shall be such that the container shall resist cracking, puncturing or structural failure as determined by management, which decision shall be conclusive on all third party sellers and installers.

CREMATION – SCATTERING OF ASHES

No scattering or burial of cremation ashes is permitted in the cemetery without first making arrangements with a designated cemetery representative. Scattering ashes in the scatter garden requires a fee and a permit. Then a specific location will be assigned by a designated cemetery representative.

DISINTERMENT

No disinterment or removal shall be made except by the management on request of the person(s) with court ordered legal authority to direct the same. At least seventy-two hours notice shall be given prior to any removal. The removal will be made at the convenience of the management, with consideration to inclement weather, weather predictions, and interment schedules. The management may defer an interment or disinterment until a more appropriate time for any reason. All fees associated with any disinterment shall be paid in full prior to the service being provided.

The cemetery shall exercise due care in making disinterment's, but shall assume no liability for damage to anybody, casket, outer burial receptacle, or urn in making a disinterment. When a disinterment is to be made from one grave to another grave and an outer burial container was not used for the original interment, an outer burial container meeting the cemetery's specifications must be furnished by the owner or next of kin for the new interment. The cemetery may require that all persons attending an interment or disinterment remain at safe distance, as determined by the management, from the interment space during the interment or disinterment.

ERRORS MAY BE CORRECTED

The management reserves, and shall have, the right to correct any errors that may be made by it either in making burials or removals, or in the description, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property, of equal value and similar location as far as possible, or as may be selected by the management, or by refunding the amount of money paid on account of said purchase. In the event the error shall involve the burial of the remains of any person in such property, the management reserves, and shall have, the right to remove and bury the remains in such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. The management shall also have the right to correct any errors made by placing an improper inscription, including an incorrect name and/or date, either on the memorial or on the container for cremated remains. The cemetery shall have no liability as a result of any errors of the type described herewith other than its obligation to take the remedial actions described.

IDENTITY

The management assumes no duty for identity of the remains of the deceased, and can give no assurance that the remains interred are that of the person shown on the interment authorization executed and delivered to the management. The management relies upon the representation of family, funeral director, or others making such statements of identity for interment authorization, burial permits, or death certificates, and shall have no obligation to independently establish or verify the identity of the remains.

INTERMENT OF PETS

No pets shall be interred in the cemetery, either alone or with human remains.

INTERMENT – RIGHT OF DESCENT

If no interment is made in an interment lot which has been transferred by deed or certificate of ownership to an individual owner, or if all remains previously interred are lawfully removed, upon the death of the owner, unless he has disposed of the lot either in his will by a specific devise or by a written declaration filed and recorded in the office of the cemetery authority, the interment rights descend to the heirs at law of the owner subject to the rights of interment of the decedent and his surviving spouse provided for in these Rules and Regulations.

INTERMENT SPACE – LOCATION

When instructions from the lot owner regarding the location of an interment space in a lot cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened where specified, the management may, in its discretion, open it in such location as it deems best and proper, so as not to delay the funeral; and the management shall not be liable in damages for any error so made.

INURNMENT CONTAINER SPECIFICATIONS

All cremated remains to be inurned in the cemetery shall be placed in a sealed, retrievable container of a type, quality and construction approved by the management. The use of paper, cardboard, or other similar biodegradable materials shall not be permitted.

LAWS

In addition to being subject to these Rules and Regulations, all burials and removals are made subject to the orders and laws of the properly constituted authorities of the city, county and state.

LIABILITY – NO LIABILITY FOR DAMAGE DURING REMOVAL

The cemetery shall not be liable for damage to any casket, burial case, or urn occurring during the removal thereof.

LOT OWNERS – PROPERTY RIGHTS

Only the right to inter is conveyed. Ela Township Cemeteries retain all other interest in the space conveyed. All interment rights conveyed to individuals are the sole and separate property of the owner named in the instrument of conveyance.

Successors in interest shall be determined as follows: The spouse of an owner of any lot containing more than one interment space has a vested right of interment of his/her remains in the lot and any person thereafter becoming the spouse of the owner has a vested right of interment of his/her remains in the lot if more than one interment space is unoccupied at the time the person becomes the spouse of the owner.

No conveyance or other action of the owner without the written consent of joiner of the spouse of the owner divests the spouse of a vested right of interment, except that a final decree of divorce between them terminates the vested right of interment unless otherwise provided in the decree.

In a conveyance to two or more persons as joint tenants, each joint tenant has a vested right of interment in the lot conveyed. Upon the death of a joint tenant, the title to the lot held in joint tenancy immediately vests in the survivors, subject to the vested right of interment of the remains of the deceased joint tenant.

A vested right of interment may be waived and is terminated upon the interment elsewhere of the remains of the person in whom vested.

An affidavit by a person having knowledge of the facts setting forth the fact of the death of the

owner and the name of the person or persons entitled to the use of the lot is complete authorization to the cemetery to permit the use of the unoccupied portions of the lot by the person entitled to the use of it. An affidavit by any person having knowledge of the facts setting forth the fact of the death of one joint tenant and establishing the identity of the surviving joint tenants named in the deed to any lot, when filed with the cemetery, is complete authorization to the cemetery to permit the use of the unoccupied portion of the lot in accordance with the directions of the surviving joint tenants or their successors in interest.

When there are several owners of a lot, or of right of interment in it, they may designate one or more persons to represent the lot and file written notice of designation with the management. In the absence of such notice or of written objection to its so doing, the cemetery is not liable to any owner for interring or permitting an interment in the lot upon the request or direction of any co-owner of the lot.

No vested right of interment gives to any person the right to have his/her remains interred in any interment space in which the remains of any deceased person having a prior vested right of interment have been interred, without acquisition of a second/third right of interment.

NOTICE

Twenty-four hours notice, Sundays and Holiday excluded, must be given to the management before any burial. No disinterment or removal shall be made except by the management on request of the person(s) with legal authority to direct the same, or by court order prior to time of removal. At least seventy-two hours notice shall be given prior to any removal.

The removal will be made at the convenience of the management, with consideration to inclement weather and weather predictions. The management may defer an interment until a more expedient time for any reason.

PROTECTION AGAINST LOSS OR DAMAGE

The management shall have the right to maintain guard at the cemetery at any time of its choosing. The management shall have no liability for loss or damage and especially from damage caused by the elements, and act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, including the loss of human remains, under any circumstances.

RIGHT TO REPLAT, REGRADE, AND USE PROPERTY

The management shall have the right and privilege, at any time and from time to time, to resurvey, enlarge, diminish, replat, alter in shape or size, or otherwise change all or any part, portion or subdivision of the property hereby mapped and platted, and the right and privilege of installing, maintaining and operating pipeline, conduits or drains for sprinklers, drainage, electric or communication lines, or for any other purposes.

The management shall have the right to use cemetery property not sold to individual lot owners for the burial of human remains or for anything necessary, incidental or convenient thereto.

The management reserves to itself the perpetual right of ingress and egress over the cemetery for the purpose of passage to and from other lots.

SCHEDULING A SERVICE

Services are scheduled to accommodate the family and the clergy in a time frame where both the funeral home and the cemetery can best serve the family. The cemetery cannot properly serve a family if multiple services are scheduled for the same area at the same time. Prior to scheduling a burial the funeral home must contact the cemetery or designated cemetery personnel to assure that the cemetery can accommodate the service at the time desired. Services cannot be scheduled without the concurrence of all parties.

SERVICE CHARGES – PAYMENT OF

The charges for cemetery service, such as marking out grave and monument sites, Must be paid at the time of the issuance of the order of burial or placement of monuments or markers.

TELEPHONE ORDERS

The management shall not be held responsible for any order given by telephone, or for any mistake occurring from the want of precise and proper instructions as to the particular space, size and location in the lot where interment is desired.

TRANSFER OF INTERMENT RIGHTS

Transfers of interment rights are accomplished through the execution of a Quit claim. This Quit Claim must be approved by the Board or designee. Burials cannot be made on interment rights that have not been duly transferred with an approved Quit Claim that has been filed with the Township.

CONDUCT OF PERSONS WITHIN THE CEMETERY

ADVERTISING AND NOTICES

No advertising, notices, or signs of any kind shall be allowed in the cemetery, unless placed by the management.

CEMETERY HOURS – GROUNDS AND OFFICE OPEN

The cemetery is open from 7:00 a.m. until 5:00 p.m. during Central Standard Time; it is open from 7:00 a.m. until 8:00 p.m. during Daylight Savings Time. The Township office is open Monday through Thursday from 9:00 a.m. until 5:00 p.m.; Fridays 9:00 a.m. until 1:00 p.m.

CHILDREN

Children under sixteen (16) years of age shall not be permitted within the cemetery unless accompanied by an adult, or with specific permission of the management.

CONDUCT

Boisterous or unseemly conduct that would disturb the quiet and good order of the cemetery shall not be permitted in the cemetery.

CONSUMPTION WITHIN CEMETERY

The possession or consumption of illegal drugs or alcoholic beverages within the cemetery is strictly forbidden.

FIREARMS

No firearms shall be permitted within the cemetery except on special permit from the management or duly constituted authorities. Management permits exceptions to this for law enforcement personnel, U. S. military, American Legion, Veterans of foreign wars, honor guards.

IMPROPRIETIES

It is of the utmost importance that there should be strict observance of all of the proprieties of the cemetery, whether embraced in these rules or not, as no improprieties shall be allowed, and the management shall have power to prevent improper assemblages.

LIMITATIONS – OTHER

All persons are prohibited from gathering flowers, either wild or cultivated, or breaking trees, shrubbery or plants, or disturbing birds or other animal life.

The cemetery reserves to itself and to those lawfully entitled thereto, a perpetual right of ingress and egress over interment spaces for the purpose of passage to and from other interment spaces. Except as may be necessary to gain access to other interment spaces within the cemetery. All persons are strictly forbidden to break or injure any tree or shrub, or mar any landmark, marker or memorial or in any way deface the grounds of the cemetery.

LOITERING PROHIBITED

No person shall be permitted to loiter in the cemetery.

PETS

No pets shall be permitted in the cemetery except on a leash and in the control of the owners. Owners walking dogs in the cemetery are expected to carry supplies to pick up any solid waste left by their animal on cemetery property, and remove this waste from the cemetery entirely.

Guide dogs for the visually impaired are permitted.

RUBBISH

The throwing of rubbish on the roads or on any part of the grounds is prohibited. A waste receptacle is located between the pump and the fence

RULES – ENFORCED BY

The management, its employees, and all others designated by management are hereby empowered to enforce all Rules and Regulations, and to exclude from the property of the cemetery any person violating the same. The management shall have charge of the ground and any structures and at all times shall have supervision and control of all persons in the cemetery, including the conduct of funerals, traffic, employees, lot owners, tourists, and visitors.

SMOKING

There shall be no smoking on the grounds of the cemetery.

WATER AND USE OF THE PUMP

The Water is not for drinking! It is ground runoff contained in a cistern. Two buckets are available to carry water to a site. Watering plants and flowers is encouraged.

Please return the buckets to the pump when though.

TRESPASSERS ON CEMETERY

The management deems the cemetery to be sacred and must be treated accordingly by all who visit. The right is reserved by management to refuse entrance to any person, to expel from the grounds anyone violating the rules, and to refuse admittance of any material or merchandise.

CEMETERY MEMORIAL REGULATIONS

APPROPRIATE MATERIALS

All monuments, markers and vases must be made of first grade granite or bronze.

MEMORIALS – GRANITE

The following standards must be met with granite memorials.

1. Granite memorials must consist of good, sound, durable stock and shall be free from seams or any imperfections.
2. All memorials must have sawed bottoms.
3. All granite memorial markers (not bases) must be a minimum of 4" in thickness, with granite markers five feet or longer being a minimum of 6" in thickness.
4. All granite markers will be set level with the grade.

CEMETERY – NOT RESPONSIBLE

The management takes reasonable precaution to protect lot owners, and the property rights of lot owners within the cemetery, from loss or damage; but the cemetery distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control, and, especially, from damage caused by the elements, acts of God, a common enemy, thieves, vandals, strikers, malicious mischief makers, riots, or orders of any military or civil authority, whether the damage be direct or collateral (other than as herein provided.)

CRAFTMANSHIP – BRONZE

New memorials shall be free from scale, sand holes, pits, pinholes and other imperfections, which mark the appearance of or impair the usefulness and stability of the finished memorial tablet. All ornaments, letters and background shall be clean and sharp and all edges true and accurate to the standard dimensions defined herein. Ornaments and letters must be hand chased, tooled and burnished appropriately for a memorial tablet.

MATERIALS

1. No lot owner shall erect or place, or cause to be erected or placed, on any lot in the cemetery, any memorial until it is first approved by the management, and all charges related to the lot have been paid.
2. The bottom beds of all bases and markers must be cut level and true, and the sides of all bases shall not be polished.
3. While the cemetery will exercise all possible care to protect raised lettering, carving or ornaments on any memorial, or other structure, or any lot, it disclaims responsibility for any damage or injury thereto.
4. No coping, curbing, fencing, hedging, borders, or enclosures of any kind shall be allowed around any lot or memorial; and no rock, bark or like material shall be allowed around any memorial, monument, marker, or bench; and no walks of brick, cinders, tile, stone, marble, terra-cotta, sand, cement, gravel or wood shall be allowed on any lot. The management reserves the right to remove the same if so erected, planted and placed. This rule is in effect as of 1/1/2012. Existing variations to this rule must be maintained. If they are neglected they will be removed by management and may not be re-established.
5. No adornments shall be used as memorials or added to memorials that are breakable, such as glass, ceramics, terra cotta, etc.
6. Monuments shall not be secured to bases as this enhances the possibility of damaging the monuments.

MEMORIAL INSTALLATION

Any recognized monument dealer may be approved by the management to enter on any section, lot, or space for the purpose of installation of memorials. A cemetery representative must be contacted prior to any installation. No installation may be made until a cemetery representative has marked out the physical location.

In addition, the monument dealer shall provide to the management of the cemetery proof of general liability, worker's compensation and products liability insurance satisfactory to the management. Said insurance certification shall provide that the insurance carrier must give thirty (30) days written notice to the management in the event the insurance is canceled by the monument dealer.

Memorials shall be installed at such times as the management may permit, dependent upon committal services and the maintenance activities of the cemetery. No memorial installation shall take place when interments are scheduled for that day, until such time as the interments are completed.

Any monument dealer performing installations of memorials shall insure that the cemetery grounds are not injured by the installation, and that all excess materials, rubbish, and other waste is cleaned up and removed from the premises, and that the grass, or other ground cover is restored; and to insure that the memorial was not damaged in installation.

Upon inspection by the management of the cemetery, any damage to the grounds of the cemetery must be corrected and the grounds restored. In the event this is not done to satisfaction, the management shall do whatever necessary to restore the cemetery premises to their condition prior to installation, and shall charge back against the monument dealer the costs of correctional restoration. Any balances owed to the management of the cemetery by the monument dealer shall be remitted within thirty (30) days of receipt of the itemized statement, or the management shall prohibit the memorial dealer access to the cemetery until such time as the balance is paid in full.

Memorial installation requires experience and often times special equipment. No person, firm or corporation, other than recognized and approved monument dealers or management shall be permitted to install memorials in the cemetery.

Any monument dealer who refuses or fails to comply with these Rules and Regulations shall not be given the privilege to enter on the cemetery grounds for installation purposes until compliance is affected.

ELA TOWNSHIP REQUIREMENTS FOR MONUMENT FOUNDATIONS

1. All grave markers must have a finished cement base 28" or more deep. Markers must be no less than 2" or more than 4" wider than the marker on each side.

They must be flush to the ground or taper to flush with the ground.

- 2. Single grave and cremation site markers/monuments can be no larger than 36" wide and no deeper head to foot than 24"**
- 3. Cherub grave markers/monuments can be no larger than 20" wide and 18" head to foot.**
- 4. Markers/monuments for two graves will be centered on the dividing line between the two gravesites and will be no wider than 72" or deeper front to back than 28"**
- 5. All markers/monuments shall be centered along the western boundary of the grave site facing east. If the client wants the inscription to face west due to location, permission from the management and the monument company must be notified. This is especially important on double monuments as men are buried on the north side of a double lot and women are buried next to them on the south side.**
- 6. There will be no placement of second markers at the foot of the grave except by special permission by the Ela Township Cemetery Board President or designee. If granted the above rules apply.**
- 7. There will be no placement of second markers at the head of the grave except by special permission by the Ela Township Board President or designee. If granted the above rules apply.**
- 8. Above ground cremation niches are permitted but require design and placement permission by the Ela Township Cemetery Board chairman or designee.**
- 9. Above ground interment is permitted with approval of design and placement by the Ela Township Cemetery Board.**

MISCELLANEOUS

Should any memorial become unsightly, dilapidated, or a menace to visitors, the management shall have the right either to correct the condition or to remove the same, at the expense of the lot owner.

No marker shall be removed from the cemetery, except by the management, unless with written order of the owner and permission granted by management.

There shall be no more than one upright monument marking a grave.

The cemetery shall in no way be liable for any delay in the fulfillment of any contract or obligation, including, but not limited to maintenance, care, memorial work or construction, which may arise from causes beyond its control, and especially from delays caused by the elements, acts of God, common enemy, thieves, vandals, strikes, malicious mischief, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority.

DECORATIONS (in effect 1/1/2012)

CERTAIN ORNAMENTS PROHIBITED

The placing of boxes, shells, toys, metal designs, frames, ornaments, chairs, settees, wood or iron cases, glass, anything breakable, and similar articles upon lots shall not be permitted, and, if so placed, may be removed.

The cemetery is not responsible for theft or damage to any personal property, including artifacts, personal effects, etc., placed on or near interment spaces or elsewhere in the cemetery.

CLEAN-UP

Several times per year staff will conduct a general clean-up. Uncared-for items or items that detract from the overall beauty of the cemetery will be disposed of. The cemetery shall not condone or allow the removal of memorial decorations from graves by persons other than the family of the deceased, with exception being the employees of the Township in the operation of their duties.

FLORAL REGULATIONS

The management shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants, or ground cover of any kind from the cemetery as soon as, in the judgment of the management, such becomes unsightly, dangerous, detrimental or diseased, or when it does not conform to the standards maintained. Shrubs or bushes encroaching upon the interment rights of others or too tall to shape and trim shall be removed at the discretion of the management. In the event of any such removal, the cemetery shall have no obligation to replace the removed tree, shrub, or plant.

The management shall not be responsible for lost, misplaced, or broken flower vases, or for replacement of vases or for (permanent) vases made of bronze, decorative metal, stone, or cement. The management shall not be responsible for any wreath, spray, floral decorations, plants, or decorations of any kind damaged by the elements, thieves, vandals, or by other causes beyond its control. The management reserves the right to regulate the method of decorating lots so that a uniform beauty may be maintained.

ADDITIONAL FLORAL REGULATIONS (In effect 1/1/2012)

Flowers may not be planted on the lots nor can live flowers be placed in any breakable containers on lots. Anything deemed by the management to be breakable and a possible hazard shall be removed for the safety of all.

* No more than two floral arrangements per interment right are allowed. The excess will be removed and discarded.

*** Monuments and flush markers are placed at the very head/top of each grave. Flowers are not to be placed above/behind the monument or marker. This would, in effect, be in someone else's grave.**

*** Temporary cones, wreaths and sprays are only permitted if placed directly in line with the monuments, either at the side or in front of the monument or marker. Flowers incorrectly placed on another grave will be removed and discarded.**

*** Shepherd's hooks are only allowed in areas with upright monuments and only one Shepherd's hook per monument is permitted.**

*** No coping, curbing, fencing or borders of any kind or any rock, bark, or like materials are allowed around graves, monuments or markers.**

*** Temporary markers are not allowed.**

*** No plantings are allowed other than what is approved and supervised by management.**

*** Floral arrangements that are affixed to Styrofoam must be secured to the tripod or base supporting them. A single wire stuck into the Styrofoam does not secure the floral arrangement.**

*** The cemetery will typically remove all holiday decorations during the spring clean up in March. If weather should be unseasonably warm, the cemetery may remove decorations earlier.**

*** The only types of permanent vases permitted are bronze vases or granite vases.**

*** The cemetery is not responsible for theft or damage to any personal property or floral arrangements placed on or near interment rights or elsewhere in the cemetery.**

*** Seasonal silk floral arrangements and winter wreaths will be removed if aloud to deteriorate.**

GRAVE BLANKETS

Evergreen grave blankets, half blankets, and grave pillows are permitted from Dec. 1 to March 15.

PLANTINGS

The cemetery shall have sole and exclusive authority with respect to the planting, sodding, surveying, and improvements within the cemetery. No plantings of any trees, shrubs, flowers or bulbs will be allowed in the cemetery without the written permission of the management and without specification by management as to the kind and location of such planting. Any placed without permission is subject to removal by management.

The management shall provide for the planting of all nursery items unless other arrangements satisfactory to the cemetery are made. Plantings shall be made at such times as the

management may permit, dependent upon committal services and the maintenance activities of the cemetery.

POTTED FLOWERS

One pot of flowers, regular or artificial, is permitted on a grave if it physically rests on the gravestone or its base.

INTERMENT RIGHTS CONVEYED BY DEEDS

Interment Rights will be conveyed to the purchaser(s) by a Cemetery Deed. No deed for any interment right shall be issued nor shall any right of ownership pass to the purchaser(s), until the purchase price is paid in full.

RECORDING OF LOTS AND BURIALS

Complete records of all lot owners and interments will be kept at the Township office. Because the cemetery is a township cemetery and township records are public, information about property owners and interments shall be provided to those who inquire. Record requests may be subject to an administrative fee, which may be charged from time to time by management.

TRANSFER AND ASSIGNMENTS

For the protection of lot owners of the cemetery, and to prevent unauthorized transfers and interments, the management shall have complete records of the ownership of all lots in the cemetery. Therefore, the following restrictions are necessary and mandatory concerning sales, transfers, and assignment of all lots: No person shall sell, transfer or assign any lot or any interest therein without complying with this Rule, and all sales, assignments and transfers contrary to the terms of this Rule are void and of no effect, and will not be recognized by the management. Any person desiring to sell, transfer or assign any lot, or any interest therein, shall convey, transfer and assign such lot or their interest unto the cemetery, and the management will, after checking its records or making such other investigation as it may deem necessary, issue to the person(s) to whom the lot owner desires to sell, transfer or convey such lot, or any interest therein, a Cemetery Deed. Any sale, transfer, or assignment of interment rights must follow any restrictions within the cemetery.

Interment rights shall be purchased solely for the purpose of personal or family interment or the interment of the person designated in the purchase agreement, and not for purposes of speculation. The price received for the sale of grave-sites cannot exceed the current selling price of like property by the cemetery.

MODIFICATIONS AND AMENDMENTS

AMENDMENTS

The management may, and it hereby expressly reserves the right, at any time or times, to adopt new Rules and Regulations, or to amend, alter or repeal any rule, regulation, article, section, paragraph or sentence in these Rules and Regulations.

EXCEPTIONS AND MODIFICATIONS

No waiver of any violation of these Rules and Regulations shall operate as a waiver of any subsequent violation of the same rule or regulation or as a waiver of any other rule or regulation, or the violation thereof.

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The management therefore, reserves the right, without notice, to make exceptions, suspensions, or modifications in any of these Rules and Regulations when, in its judgment, the same appear advisable; and such temporary exception, suspension or modification shall in no way be construed as affecting the general application of such rules.

SERVABILITY

If any rule or regulation or part thereof shall be declared invalid, such declaration shall not affect or invalidate the remaining Rules and Regulations or parts thereof herewith established.