

Rules & Regulations - Revised January 2019
Dundee Township East/West Cemeteries

The Dundee Township Cemeteries are operated and owned by Dundee Township a unit of local government. Because Dundee Township residents pay for cemetery maintenance with property taxes, non-residents are charged higher fees. The property tax along with lot sales and burial fees are the only source of revenue for the operation and maintenance of these cemeteries.

Article I: Definitions

- A. CEMETERY: a place set aside for the burial of human dead, operated by Dundee Township.
 - 1. Included in this definition of a "cemetery" are the grounds, facilities and personnel involved in the interment and memorialization of the dead.
- B. LOT HOLDER: the person or persons who signed the original purchase contract and their heirs-in-law who have the legal right to authorize interment.
- C. LOT: a burial plot of one or more graves.
- D. GRAVE: the basic, below ground burial place
- E. SECTION: designated area of cemetery land.
- F. CRYPT: a unit of one or more entombment places in a mausoleum.
- G. INTERMENT: the committal of human remains in their final resting place
- H. BURIAL: interment of human remains in the earth
- I. ENTOMBMENT: interment in a structure.
- J. COMMUNITY MAUSOLEUM; large entombment facility owned and maintained by the Cemetery
- K. CREMATION: the reduction of human remains by fire.
- L. INURNMENT: placing cremated remains in a container
- M. NICHE: a small crypt for inurned remains.
- N. MEMORIAL: a stone or metal commemorative plaque.
- O. MONUMENT: a freestanding upright memorial
- P. MARKER: a small memorial for one or more graves.
 - 1. Included in this definition are small freestanding stone memorials.
 - 2. A lawn level marker set flush with the level of the ground.
- Q. GRAVESIDE SERVICE: an interment service conducted at an open grave.
- R. COMPLETE CEMETERY SALES: a signed sales contract for Property, Merchandise and Services
- S. SLANT FACE OR MONOLITHIC MARKER: a head or footstone set above ground. Lots are no longer sold with a provision for slant faced markers.
- T. PRIVATE MAUSOLEUM: Entombment facilities owned and endowed by a private family. These mausoleums are no longer permitted in the cemeteries owned by Dundee Township.
- U. CEMETERY BOARD: refers to the three Cemetery Trustees appointed by the Dundee Township Board
- V. TOWNSHIP BOARD: means the duly elected or appointed Trustees and Supervisor of Dundee Township
- W. CEMETERY PERSONNEL: refers to the Manager and his assistants hired by the cemetery board.

Article II: Interment and Disinterment and Funerals

- 1. The Cemetery Board adopts a standardized price list showing all fees for property, service and materials. This list may be found on the Township website under "Cemetery" at www.dundee-township.org, and is posted at the Cemetery and Township offices.
- 2. All interments, disinterment and removals at our cemeteries will comply with the laws of the State of Illinois and these Rules.
- 3. All funerals, on reaching the Cemetery, come under the jurisdiction of the Cemetery Management. It is the responsibility of the funeral director to arrive at the correct grave site. Parking, routing, traffic direction, grave side services and all other funeral interment arrangements within the Cemetery boundaries are under the exclusive jurisdiction of the Cemetery personnel. Cemetery Personnel shall have an interment permit in their hands along with a signed sales contract and all fees must be paid before a funeral is allowed onto cemetery property.

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4. In the event of an error in an interment or other matter:
 - a. If the Cemetery erred, it reserves the right to correct its error at its cost with no further liability to any other party.
 - b. If the error resulted from the order or action of a funeral director, monument dealer, or other party, the cost of rectifying the error and all other liability will be that of the one who caused the error, with no liability upon the part of the cemetery.
 - c. If the lot holder was in error, he bears the full responsibility with no liability upon the part of the Cemetery.
 - d. If another person orders an erroneous interment through error or deceit, he must bear full responsibility with no liability upon the part of the cemetery to verify the justification of the claims made.
5. An outer container of sufficient strength and durability to withstand and support 6900-7200 PSI, and 5000 PSF is required for all non-cremated earth interments. Remains may be buried in any type container.
6. Removal of remains from the Cemetery can occur when the Cemetery Board agrees and is in receipt of written consent from the legal lot holder or upon court order and has a signed sales contract showing all fees are paid (if any). The board also requires a duplicate permit from the Illinois Public Health Department even for removal of cremains. The Board will keep one copy and send the other with the removed remains.
7. Although the Cemetery Board will take all reasonable precautions during disinterment not to damage any casket, burial case or urn, a waiver must be signed acknowledging and absolving the Cemetery Board from any responsibility for damage to these items during removal.
8. Interment, disinterment and removal, or any interment service is not permitted on a Sunday or legal holiday unless ordered by the Board of Health or dictated by a person's religious beliefs or tenets. We will not perform an interment, disinterment and removal, or allow any interment service on any other religious or state holiday without prior approval from the Cemetery Board. There will be an extra charge for burial on holidays or those that occur after normal working hours or non-workdays.
9. The Cemetery must have at least a 24-hour notice before any interment and at least a one-week notice before a disinterment and removal.
10. The Cemetery Board is not responsible for delays that occur because of noncompliance with these Rules, or when delay is due to a formal written protest regarding the legality of burial Rights. The person protesting shall lay out a factual presentation and file these with the office of the Cemetery Secretary. We may delay interment until determining burial rights. The cemetery is not responsible for delays created by protests originating with outside agencies that are not under Cemetery Control.
11. Prior approval and compliance with Articles IV, V and VI of these Rules and Regulations is required before burial of any cremains sent through the U. S. mail or brought to the cemetery in person.

Article III. General Cemetery Conditions and Rules

All Independent contractors must have permission from the Cemetery Board to do any work in Township Cemeteries.

1. The grade of all lots, graves, sections, roads, fences or other features of the Cemetery shall be determined by the Cemetery and may be altered when deemed necessary for the common good of lot owners or visitors.
2. Aisles, walks, roads and other areas may be converted to burial ground as determined by the Cemetery.
3. Should any tree, shrub or planting on any lot become detrimental to the adjoining lots or passageways or dangerous to passerby, it shall be lawful for the Cemetery to remove the offending material.
4. Monuments or other structures that become dangerous or detrimental to persons in the Cemetery may be repaired or removed at the expense of the holders.
5. Maintenance and repair of all memorial work, planting or other adornment on a lot shall be the responsibility of the lot holder,
6. Should all or any part of an inscription, memorial, effigy or other structure be deemed unfitting or incompatible with the character of the Dundee Township Cemeteries, it shall be lawful for the Cemetery to prohibit its erection, or, if erected, to remove it.
7. Lot holders shall not allow an interment on their lot for remuneration.

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Article III. General Cemetery Conditions and Rules (Continued)

8. All workmen employed by others in the erection, installation, addition or other work on memorial work, vaults, plantings, etc. are subject to the control and direction of the Cemetery Office. Any workman failing to comply with this rule will not be allowed to work in the cemetery.
9. All Contractors must show adequate proof of insurance to the Cemetery Office with Dundee Township Cemetery as named insured before commencing any work.
10. All foundations for memorial work require a permit for the foundation which must be approved by the Cemetery Manager prior to installation of the memorial.
11. All memorials, flower containers, burial containers, decorations and other private property is placed on or in the burial space at the lot holder's risk with no liability to the Cemetery. The lot holder is responsible that all memorial work be properly installed and maintained.
12. Graves are filled immediately after interment. Some settling of the ground is normal so be patient while workers fill in low spots and re-seed grass.
13. The Cemetery Board will not permit any solicitation within the Cemetery, nor will it permit any sign or notices of advertisement accept those placed by the Cemetery Board of Trustees.
14. The working hours will be determined by the Cemetery.
15. Cemeteries are open to visitors from Sunrise to Sunset. Trespassers will be prosecuted.
16. The speed limit in the cemetery is 10 MPH. Violators are subject to ticketing by local police.
17. Persons visiting graves or attending funerals, may park on cemetery roads. Please do not pull onto the grass. No other parking is permitted.
18. Pets may visit the cemetery with their owners if they are on a leash and under control of the owner. Owners must clean up after their pets and are responsible for payment of any repair caused by damage done by his/her pet.
19. Cemetery personnel have the right to restrict any vehicle from entering, traveling or parking on cemetery roads that they deem too big or heavy.
20. The Cemetery does not allow weapons on its property
21. The Township does not allow consumption of alcoholic beverages or the use of illegal drugs on its property.
22. The Cemetery does not allow sunbathing, loitering, necking, or similar activities on its property.
23. An adult must accompany any child under sixteen. The adult is responsible for the child's safety and conduct, Exceptions to this rule can only occur with written permission from the Cemetery Board.

Article IV: Rights

1. The rights transferred by a sales contract for lot or crypt purchase are the Right of burial of human remains, and other ancillary privileges as specifically stated in the sales contract.
2. Right of Burial: The right to authorize an interment is exercised at the lot holder's discretion. Those who inherit the Right do so are on an equal basis with all those of the same class, as enumerated below. The Cemetery will not become a party to family disputes. The Authorization to inter must be supported by affidavit. All responsibility for the interment rests upon the person signing the Authorization.

Article V: Authorization to Inter

Persons authorized to sign interment orders:

1. Lot Holder. If deceased, then:
2. Party to whom Lot is willed. If not willed, then:
3. Children or descendants. If no Children, then
4. Father or Mother, Brothers or Sisters (an adopted child shares with equal capacity as a natural child) or their descendants. If all are deceased, then
5. Wife or Husband. If no Wife or Husband, then;
6. Grandfather or Grandmother, or Uncles or Aunts
7. If none of the above classes of persons remain or are able to execute an authorization, the personal representative of the estate of a deceased lot holder or his descendant as described above may sign.

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- a. Personal representative signing shall not be personally liable but shall be liable only in his or her capacity as personal representative and to the extent of the assets of the estate of the deceased lot holder or descendant as described above.
8. Person of collateral relationship to lot holder or his/her descendants as described above who has approval in writing (signature) of a person with authorization to order interments.
9. A husband or wife may be interred in the same lot where the spouse is buried, although he or she does not inherit the right to order other interments on the lot, unless it comes to such person by a specified devise in a will or descent as enumerated above.
10. Except as limited in #7 above the signatory by signing this authorization warrants that he/she has authority to do so and thereby holds the cemetery, its agents and employees harmless from any damages arising from an improper authorization to inter.
11. After a period of 75 years since the last recorded activity on a burial site, after a reasonable search for heirs, the Right of Interment reverts to the Cemetery in regards to the unused burial spaces. If persons with a legitimate claim present themselves after the graves have been used, their claim shall be settled by providing them with an equal number of burial spaces to those that reverted to the cemetery.

Article VI: Lot Purchases and Interment Orders and Terms

The Cemetery is required by State law to have the person selecting a lot or arranging for an interment sign and initial the contract for Sale of Merchandise or Services. When it is not possible to do so in person; the cemetery may mail or have that person's representative pick-up the following documents: a contract, a copy of a Section Map that has lots and graves available for sale, a standard price list, a copy of the rules and regulations, and a lot card showing the graves owned. The purchaser shall send back the original and all copies of the signed and initialed contract and shall mark upon the Section Map by circling the chosen lot and grave and affix their initials to that copy. If burial is also to occur the lot card shall be marked with the exact location for the burial. The lot card must be signed and returned along with all other documents. Signatures on these documents must be notarized or have a separately signed declaration under oath by the individual that he or she is unable to procure notarized signatures and is nevertheless making the lot selection, purchase and interment order. Documents shall be dropped off at the East Dundee Cemetery Office or mailed to the Dundee Township Office at 611 E. Main Street, Suite 201, East Dundee, IL 60118 one day prior to the day of interment. A fax copy of these documents will be accepted on the day prior; however, the originals must be presented on the day of burial.

- A. Dundee Township Fax Number: (847) 426-9717
- B. Dundee Township Cemetery Office Number: (847) 836-5069

1. If a purchaser defaults in payment the Cemetery may cancel the contract and all unused Rights of Burial are forfeited.
2. The Cemetery is sympathetic to the desire of lot owners who wish to hold graves next to those where loved ones are buried and will do so for a period of 60 days. The hold will be removed if graves are not purchased within this time and the Cemetery assumes no responsibility if the graves are sold before that expiration.
3. No Memorial Work or decorations may be installed on lots if outstanding fees or charges are due to the Cemetery by the lot holder.
4. Before an interment is made the space must be paid for in full.
5. Interment charges are due prior to burial
6. Purchase of a single burial space (1 grave) in the Cemetery entitles lot holder to burial rights of up to (3) remains. The container holding the remains of these burials must fit within the grave space. Only (1) Monument or Marker will be allowed on multiple burials within one grave space.
7. Purchase of a single cremation space in the Cemetery entitles lot holder to burial rights of up to (2) cremains. Only one Monument or Marker will be allowed.
8. Purchase of a baby grave in the Cemetery entitles the lot holder burial rights for one baby.

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Article VII: Decorations

1. By definition, a grave decoration is an object which is placed on a grave that does **not** have the name of the deceased. Grave decorations include the following items:
 - a. Flags including the U.S. Flag and all other flags, pendants and banners. All flags, pendants and banners must be smaller than 12" x 18" in size.
 - b. The Cemetery does not allow artificial flowers or wreaths during the growing season (April 1st through October 30th).
 - c. The Cemetery allows cut flowers on graves at any time. Wilted or dead flowers will be removed when found. Only one approved container/vase per grave is permitted. Containers/vases must be smaller than 12" in diameter and either placed within 18" of the front of the monument or hung from a shepherd hook.
 - d. Crosses - maximum height of 36" above ground. Crosses may not have the name of the deceased marked on the cross. Crosses with the deceased name are classified as a monument and they do not conform to the cemetery rules for a monument.
 - e. Statues - maximum height of 36" above ground. Statues may not have the name of the deceased marked on the statue. Statues with the deceased name are classified as a monument and they do not conform to the cemetery rules for a monument.
 - f. You may plant annual or perennial flowers at the grave during the growing season (April 1st through October 30th) as long as the planting stays within 18" in front of the monument or marker. Bushes, trees and shrubs can only be planted by Cemetery personnel in designated areas. No planting is allowed on the sides of monuments or markers or in the walkway. Cemetery workers will not water, trim or weed around these plants. That is your responsibility. You cannot place borders or edgings around these plantings as they interfere with normal mowing/trimming operations and can damage our equipment. We will remove any borders or edgings that cause us problems.
 - g. Shepherd hooks - may not exceed 5 feet in height and only (1) hanging basket per hook allowed.
 - h. Solar Light - only one solar light per grave is permitted
 - i. Winter decorations such as holly, evergreens or artificial wreaths beginning the first day of November.
 - j. Stepping stones or the like with the deceased's name only if a permanent monument or marker is already in place.
2. By definition, the following items are not permitted at the Cemetery as Grave Decorations:
 - a. Borders or Edging around plantings
 - b. Bushes, Trees and Shrubs except as specifically approved by the Cemetery Manager
 - c. Benches, chairs, settees, enclosures, toys, cases, globes, shells, cans, jugs, bottles, bric-a-brac or other objects that pose a hazard to visitors or workers at the Cemetery.
 - d. Any glass/breakable vase and/or container
3. Dundee Township limits the number of decorations that may be placed on each grave to two (2) items plus each grave may fly a U.S. Flag. (For example, you may place one cross and one solar light on a grave plus a U.S. Flag.)
4. The Cemetery allows one additional decoration three days before and after Christmas, Valentine's Day, Easter, Mother's Day, Memorial Day, Father's Day and Independence Day, the deceased's wedding anniversary or birthday. Cemetery personnel will remove any extra decorations remaining on the fourth day after a listed holiday.
5. Removal of decorations/non-conforming items:
 - a. Cemetery personnel will remove any object placed on its grounds found to be in violation of the Rules.
 - b. Wilted or dead flowers will be removed when found.
 - c. Artificial flowers placed on a grave during the growing season will be removed immediately.
 - d. Flags will be removed once weathered.
 - e. Empty Shepherd hooks may be removed at any time.
 - f. Spring clean-up will be completed March 31 or when weather permits. Please remove all winter decorations you wish to save by March 15. The Cemetery will remove and dispose any decorations not picked up.
 - g. The Cemetery Board retains the right and will direct its personnel to remove any planting that does not conform to these rules, becomes a hazard to workers or visitors, or is overgrown or dead.

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- h. Fall clean-up will be completed October 31 or when weather permits. Please remove all decorations you wish to save by October 15. The Cemetery will remove and dispose any decorations not picked up. You may leave heavy urns and statues.

If you are unsure that your decoration is in compliance with these rules, ask the Cemetery Manager.

- 6. Retrieval of Removed Items - Cemetery personnel will store non-conforming & removed decorations for retrieval by their owners for 45 days. After the 45-day period, the items will be discarded. Items that will be stored include the following:
 - a. Empty Shepherd hooks
 - b. Non-conforming items such as statues, flags, crosses, solar lights, benches, chairs, settees, enclosures, toys, cases, globes, shells, cans, jugs, bottles, bric-a-brac and other breakable items.

Items that will not be stored upon removal include the following:

- c. Winter wreaths & grave blankets
 - d. Wilted or dead cut flower arrangements
 - e. Artificial flowers
- 7. General Decoration Rules
 - a. No decoration may be permanently attached to any marker or monument
 - b. Cemetery workers will maintain each grave. Normal maintenance includes leveling with additional soil as needed, planting grass seed or placing sod, trimming around memorials and mowing.
 - c. The use of chemicals to kill grass and weeds or to clean monument stones is strictly prohibited!

Article VIII: Memorials

- 1. A permit must be obtained from the Cemetery Office for each piece of memorial work to be installed, removed, or altered in any manner other than fettering in the cemetery.
- 2. Written permission from the family must be received before any memorial work may be removed for any reason
- 3. The Cemetery allows only one memorial per grave. Memorials must be constructed of granite or marble. We will not accept any other materials.
- 4. Lot owners with only one, two, three or four graves in a row may place a single-piece lawn level marker on the gravesite in Sections 7-15. The length of the markers not to exceed 70 percent of the width of the grave spaces and the width must not exceed 20". A four-inch granite border must extend around the marker for the mower wheels to run along making it possible to mow all the grass around the marker. A marker that has an unpolished four-inch granite border is acceptable.
- 5. Lot owners with four graves or more that is two graves wide by two graves long can place an upright monument. You must place monuments in the center two-foot section of the grave spaces. The length of the monument is restricted to 70 percent of the width of the grave spaces. The width cannot exceed 24 inches. It can be no higher than 48 inches. The base of the monument must be flush with the contour of the ground. A four-inch granite border must extend around the monument for the mower wheels to run along making it possible to mow all the grass around the marker. A marker that has an unpolished four-inch granite border is acceptable. Monument dies must be at least two inches thick.
- 6. As of November 2010, no bronze markers will be accepted, except for military markers. The bronze markers must have a 4" granite border. Only one memorial per grave space. Markers must be set flush with the contour of the ground. The length of the marker is restricted to 70% of the width of the grave spaces. Single markers can be no larger than 32" x 20".
- 7. In Section 17, memorials are restricted to certain types and certain areas as designated on the map.
- 8. The Cemetery Board is not responsible for cracked concrete borders.
- 9. Monument inscriptions must face walkways in Sections laid out with walkways.

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10. The setting of all monuments and markers is under the direction and supervision of the Cemetery Manager.
11. The Board determines the hours when independent contractors may work in its cemeteries.
12. Cemetery workers must be present whenever independent contractors are in the cemeteries.
13. The Cemetery disclaims all responsibility for damage or injury to memorial work although it will exercise all ordinary care to protect them. Normal wear and tear due to Cemetery operations is to be expected and causes no liability to the township.
14. The Cemetery will reject any new memorial containing images or objects that project above or on the face of a lawn level marker.
15. In the event of an error on the part of the Cemetery it has no other liability than to correct its error at its expense. All other errors are the liability of those responsible.
16. All Independent Contractors working in the cemetery must adhere to OSHA and State Regulations.
17. The Cemetery cannot accept memorials for safekeeping before installation. All memorials must be installed upon delivery to the cemetery. The Cemetery reserves the right to determine the location of a memorial on the lot.

Article IX: Foundations

The Cemetery does not allow foundation work during cold weather unless approved by its Board.

1. Lot Owners must have a permit before setting any foundation. Weather permitting, we mark off all permits within five days of receipt in the cemetery office.
2. Ordering and paying for foundation work is the responsibility of the lot owner.
3. Foundation shall be constructed of concrete mix (Portland cement, sand and gravel) with water, no dry mix allowed.
4. The exposed surface area of the foundation must be equal to the base of the superstructure and must not project above the surface of the ground. We do not allow pier foundations.
5. We require all marker foundations to reach the depth of the vault or 18 inches whichever is greater.
6. Upright monument foundations must be no less than 3 feet 6 inches deep. If the monument is over 11 feet long the foundation must be at least 5 feet deep.
7. We prohibit the use of spalls between the base of the superstructure and the foundation. Foundation tops must be flush with the contour of the ground.
8. Unless placing a roll marker, we do not permit a base or wash under memorials.

Article X: Mausoleums

1. The cemetery no longer allows individual or companion crypts or any mausoleum of private ownership within its cemeteries except that those already in place as of July 1, 1992.

Article XI: Section 13 (Cremation and Baby Section)

1. The Cemetery allows one vase per grave. It is required that all vases be set flush with the ground.
2. In the Baby Section one lot contains one grave space.
3. In the Cremations Section one lot contains two grave spaces.