



City of Red Wing Public Cemeteries

Operational Rules & Regulations

Revised 7-1-2020

RULES AND REGULATIONS GOVERNING OPERATION OF CEMETERIES RED WING, MINNESOTA

Chapter 1. GENERAL

1. The Cemetery Operations Director, under the supervision of the Public Works Director, as directed by the Red Wing City Council, is entrusted with the care and custody of the city cemetery grounds and receiving vaults, and of all tools, implements, and fixtures belonging to the city cemeteries' grounds. The Cemetery Operations Director shall at all times be subject to the direction of the Public Works Director in the matter of improvements, general or private, being made or to be made on the grounds. The Cemetery Operations Director shall have the management and direction of those persons employed by the City of Red Wing in the position of cemetery maintenance workers, and shall be assisted by an assistant cemetery maintenance employee.
2. The Cemetery Operations Director shall, subject to the control of the Red Wing City Council, supervise all interments and disinterments in said cemeteries; and no person shall perform such labor without consent. All graves must be opened by the employees of the city or by a private contractor hired by the city under the direct supervision of the Cemetery Operations Director.

3. The Cemetery Operations Director is hereby forbidden to receive or permit any of the employees of the City of Red Wing to receive any gratuities as for services rendered in connection with said cemeteries.
4. All moneys received by the Cemetery Operations Director for work or services performed upon the grounds shall be turned over to the Public Works Department, which shall give receipt for the same.

Chapter 2. INTERMENTS

1. Whenever interments are to be made, notice to the Cemetery Operations Director shall be given at minimum on the day previous, which notice should give the size of the casket or, if in a case, the size of the case; and if the interment is to be made in a private lot, the location of the grave in the lot should be specified.

In each case of burial or deposit in the receiving vault, a statement giving the name of the clergy person or other person officiating; also the name, sex, age, time and place of death of the person interred (so far as can be known) must be given to the Cemetery Operations Director so that an accurate registry may be made.

2. Compliance with laws and ordinances: No burial will be permitted in any lot in the cemetery until laws and ordinances regarding the burials, as may be in force in the State of Minnesota and City of Red Wing, have been complied with and until the burial fees have been paid.
3. No interment will be permitted on any Sunday, or on Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, or on holidays observed by City staff as approved by City Council except the interment of remains requiring immediate burial under the Rules and Regulations of the Board of Health.
4. Funerals, upon reaching the cemetery entrance, will be under the charge and control of the Cemetery Operations Director or designated assistant(s). Automobile drivers employed at funerals must always keep to the right of the cemetery roadways, must otherwise conduct themselves quietly in a manner becoming the place and occasion, and must be subject to the direction and control of the Cemetery Operations Director or assistant(s).

5. Disinterments of bodies for the purpose of their reinterment within the city cemeteries shall be done under the permission of the Cemetery Operations Director. But no disinterment or removal from the receiving vault for the purpose of taking a body out of said cemeteries shall be undertaken except upon the written permission of the Cemetery Operations Director.

A proper record of all such transfers or removals of bodies shall be made by the Cemetery Operations Director in the official registry.
6. All graves of persons ten or more years of age shall be at least five feet in depth, and those under ten years of age, four feet in depth (20" cover minimum).
7. Winter burials will be provided as per guidelines listed below:
 - A. Burials will be allowed in accessible areas only. The City of Red Wing reserves the right to charge an additional fee for burials in inaccessible areas.
 - B. Sale of burial plots will be restricted to predetermined areas of each cemetery.
 - C. Funeral processions are required to be at the cemetery by 3:00 p.m. on the day of the burial to allow adequate time for the crews to complete burial prior to sunset. The City of Red Wing reserves the right to charge an additional fee for burials after 3:00 p.m.
 - D. Cremation burials will follow the same rules as conventional burials.
8. When interments are made side by side in the same grave, the fees and prices will be the same as for separate graves, unless the bodies are in one casket.
9. Up to four cremation burials will be permitted on one full-size lot. Each lot will be permitted to have one marker on each end to identify each burial, with a maximum of two markers per standard lot. Cremation graves may have up to three burials with a maximum of one marker. There will be an additional fee for each cremation burial in an existing lot where a burial is already in place. These fees will be established annually by resolution adopted by the City Council.
10. The charge for disinterment will be determined by the fee schedule adopted annually by City Council.
11. When an undertaker orders the location of a grave, no change of location after interment will be made except at the expense of the lot owner, as the City of Red Wing cannot be held responsible for any mistake occurring from want of precise and proper instructions as to the location of the grave in the lot.

12. Permitted Ornamentation – Only ornamentation and flags as set forth, defined, and regulated below shall be allowed in the cemetery.
- A. ORNAMENTATION. Ornamentation shall include items made from wood, ceramics, cement, clay and terra cotta. No plastic ornamentation will be allowed. Ornaments shall be limited to statues, figurines, and religious symbols provided, however, that they shall meet size specifications as determined by City Staff.
- B. NATURAL ORNAMENTATION. Natural ornamentation includes natural flowers and plants which may remain on the grave throughout the proper season, provided that the natural ornamentation is in good condition, is in a container approved by City Staff, enhances the grave site and surrounding cemetery area, and meets the following requirements:
- i Natural ornamentation shall be limited to one flower urn, plus three additional natural items (which may include additional flower baskets – two hangers maximum) per grave site (2-3-4-6 grave plots are considered one grave site). One additional natural ornamentation may be placed directly on the headstone.
 - ii Lots which have two flower urns on November 15, 1995, shall be allowed to continue.
 - iii Shepherd poles shall not be allowed to have more than two (2) flower baskets.
 - iv Artificial ornamentation and artificial flowers are not permitted.
 - v At the grave site, flower baskets shall be placed by the headstone.
 - vi Bird feeders are not permitted.
 - vii Eternal Flames are permitted, but only from November 1 thru April 1.
- C. SPECIAL ORNAMENTATION. Special ornamentation shall be permitted on specific dates and special occasions. Persons placing this type of ornamentation shall provide written notification to the Cemetery Office prior to placing the special ornamentation, describing the lot location and item to be placed. The ornamentation will be permitted on the date of the occasion only for a 24 hour period from placement of the item. The special ornamentation shall be removed by the person placing the ornament. If special ornamentation is not removed within the 24 hour period, cemetery staff may remove the same from the grave site. Such ornamentation shall be held for a 7 day period and then may be disposed of by cemetery staff without notice being given to the person placing the ornamentation who failed to remove the same. Special ornamentation shall be limited to 1 ornament per occasion.
- D. FLAGS. Flags are permitted provided they do not exceed dimensions determined by city staff for the period between Memorial Day and September 15th. Flags shall be limited to American Flags and flags commemorating service in the Armed Forces.

13. Cemetery Charges and Fees: All fees and prices must be paid in advance. When approved by resolution, the City Council may change established fees and charges to reflect actual cost of burial operations. Grave opening charges will be identified as per the following categories:

Weekdays
Baby
Saturday Burials**
Saturday P.M. Burials (after 3:00 pm) **
Holidays Observed by City Staff as Approved by City Council **
Winter Burials**

**Additional fees charged for these burials

Chapter 3. RECEIVING VAULT

1. A fee for the use of the receiving vault shall be charged in each case; the amount to be determined by the Red Wing City Council.
2. Before the deposit of a body in the receiving vault, there shall be paid to the ~~Finance~~ Public Works Department the price of the ground of a single grave and the interment and vault fees; except in the case of a lot owner, when only the interment and vault fees must be paid.
3. During the summer months, bodies shall not remain on deposit longer than twenty-four hours unless the caskets are hermetically sealed, when they may remain thirty days. The Cemetery Operations Director may extend the time in either case.
4. Bodies deposited during the winter months shall not remain in the vault longer than May 1st, unless in hermetically sealed caskets or on special order from the Cemetery Operations Director.
5. Bodies deposited in the vault for interment in other cemeteries shall be charged a fee to be determined by the Red Wing City Council.
6. At no time will visitors be allowed in the vault proper.

Chapter 4. LOTS, GROUNDS, ROADS AND GRAVES

1. The City of Red Wing reserves the right to alter avenues and walks; to establish all grades of drives, avenues, walks, and lots, and to alter the same; to change these rules or to make such other rules and regulations as may be deemed requisite and proper by the Red Wing City Council; to secure and promote the general object and best interest of the cemetery, and shall not be required to give any notice of such intended action.
2. The different sections of the grounds are so subdivided that lots of various sizes and shapes may be obtained. The prices are moderate, varying according to location and size. All prices are set by the Red Wing City Council, and they shall not be varied from.
3. The term "lot owner" is intended to mean and shall be construed as meaning the owner of the burial privileges only in any burial lot or fractional lot purchased from the City of Red Wing.
4. Lots shall be conveyed for the purpose of burial of human bodies only. Lots as sold will not be divided. There shall be no objections when there are joint owners to an agreement between them as to part of lots to be used by each, but the City of Red Wing will not undertake to enforce any such agreement.
5. Where husband and wife are both living at the time of purchase or where two or more parties buy a lot, it is recommended that the lot agreement be made in the name of all the purchasers as joint tenants.
6. The attention of lot owners is invited to the law of descent concerning the title to lots purchased for burial purposes such as follows:
 - A. To the decedent's surviving spouse, a life estate with right of interment of the spouse therein, and remainder over to the person who would be entitled to the fee if there were no spouse provided, however, if no person entitled to the remainder of the fee survives, then the entire fee of the surviving spouse with right of interment therein;
 - B. If there is no surviving spouse, then to the decedent's eldest surviving child;
 - C. If there is no surviving child, then to the decedent's youngest surviving sibling;
 - D. If there is no surviving spouse, child or sibling of the decedent, then if not sold during administration of decedent's estate, to the Cemetery in trust as a burial lot for the decedent and such of the decedent's relatives as the Red Wing City Council thereof shall deem proper.

The City of Red Wing or, with its consent, any person to whom the lot shall descend may grant and convey the lot to any of the decedent's parents, siblings or descendants. A crypt or group of crypts or burial vaults owned by one person in a public or community mausoleum shall be deemed a cemetery lot. Grave markers, monuments, memorials and all structures lawfully installed or erected on any cemetery lot or burial plot shall be deemed to be a part of and shall descend with the lot or plot.

7. Any owner of a cemetery lot may dispose of the same by will to any one of the owners relatives, who may survive the owner, or to the City of Red Wing in trust, for the use and benefit of any person or persons designated in said will, but no such disposition of any lot shall be effected by any testamentary devise, unless the same be specifically mentioned in the will and by such devise limited to one particular person.
8. Where the owner of a lot dies intestate, or where the devise of the owner's cemetery lot is ineffective by reason of failure to specifically devise such lot or to limit the devise to one person, or otherwise, and such lot passes by the law of descent, as above set forth, evidence of such descent should be furnished to the City of Red Wing by petition of one interested in such estate, duly verified, setting forth:
 - A. FIRST, the name, residence and relationship of petitioner.
 - B. SECOND, the time and place of the death of such decedent and whether deceased testate or intestate.
 - C. THIRD, that decedent was the owner of and seized of such lot describing the same, at the time of death, and in case the decedent dies testate, setting forth specifically the provision the owners will by which such lot is devised.
 - D. FOURTH, the interest of the petitioner in the estate of decedent.
 - E. FIFTH, the names, ages, residences and relationship to said decedent of all heirs and devisees according to the best information of such petitioner, and requesting that the descent of such lot be determined by the Red Wing City Council. Such determination by the Red Wing City Council and the record, thereof, shall be prima facie evidence of the ownership of such lot for the uses and purposes of the city cemeteries.
9. No interment shall be made in any lot of the body of any person who was not the owner thereof or a relative of such owner, either by blood or marriage, without the consent of the City of Red Wing.
10. The removal of the heirs or devisees or any other person of the body of a deceased lot owner or other bodies interred in a lot or grave by the owner previous to the owner's death shall be prohibited.
11. Each lot shall be paid for before an interment will be made. Payment will be made to the office of the Cemetery Operations Director or the Public Works office located at 229 Tyler Road North, Red Wing during regular business hours.
12. The Red Wing City Council, believing that the plan of a general unbroken lawn best preserves and assists the natural beauty of landscape in cemetery grounds, and at the same time greatly reduces the expense of improvements in and of the continuous care of such grounds, have determined to adhere to such a plan in all improvements made, and respectfully requests a general compliance therewith by lot owners when making improvements. No mound over any grave shall be raised to exceed three inches in height above the surface of the lot.

13. The improvements and ornamentations upon any lot should be considered in reference to the grounds as a whole, as well as to the lot itself. Though not wishing to interfere with the tastes of individuals as to the style of their improvements, yet, in justice to the interests of the whole, it has been made the duty of the Red Wing City Council to prevent or remove any erection, enclosure, or inscription which they may deem injurious to the immediate locality, prejudicial to the general good appearance of the grounds, or which shall, in the judgment of the Red Wing City Council, prevent the easy care of the graves or lots; and, also, of removing or pruning any trees or shrubbery which may obstruct or mar the effect and beauty of the scenery, or may otherwise prove injurious, unsightly, or detrimental.

Chapter 5. SINGLE GRAVES

1. For the accommodation of those who do not wish to purchase family lots, certain portions of the grounds have been set apart to be sold for single graves. In these sections there can be no choice of location, as the spaces are filled in regular order.
2. In case of the subsequent purchase of a lot and the removal of a body from a single grave thereto, the usual price of disinterment and reinternment will be charged, and the amount paid for the ground of the single grave will be allowed on the purchase money, and the ground vacated shall revert to the City of Red Wing.
3. Should any single grave be vacated and the body removed from the cemetery, the ground shall revert to the City of Red Wing, and the usual fee for disinterment will be charged.

Chapter 6. OSSUARY AND COLUMBARIUM NICHES

1. A columbarium is an above-ground hexagonal repository composed of niches to hold cremation urns. Each niche may contain two cremation urns of appropriate size. The cost of a niche will include burial opening and closing costs, except for Saturday and city observed holiday burials that would entail an additional charge.
2. One 4" x 8" bronze plaque will be included per niche. Each plaque must be engraved according to cemetery specifications. No other additional ornamentation will be allowed on or in front of the columbarium.
3. An Ossuary is an internal compartment located within the Columbarium with interments placed in the common space in the center. The interred remains must be in satin urns as approved by the City of Red Wing. The cost will include the burial opening and closing costs, except for Saturday and city observed holiday burials that would entail an additional charge.
4. The name of the interred will be engraved in the memorial band on the columbarium

Chapter 7. MONUMENTS AND FOUNDATIONS

1. A monument should be designated with reference to the location in which it is to be placed, consideration being given to the number, size, and character of monuments standing near it. A good design need cost no more than a bad one. Lot owners are earnestly advised never to duplicate a monument already in the cemetery, both in justice to the owner who has paid for a design of the monument to be duplicated, and because multiplying one design detracts from the appearance of the cemetery.

One monument not longer than 40% of the total size of the lot shall be permitted for each lot. The maximum allowable monument sizes per lot are listed below:

Baby Land	10"x 20"	Flat Marker Only
Cremation Lot	12"x 30"	No Base – Flat Marker Only
1 Grave Lot	12"x 24"	Flat Marker Only
2 Grave Lot	14"x 40"	Base, 32" long x 8" wide, 30" high (including base height)
3 Grave Lot	14"x 57"	Base, 49" long x 8" wide, 32" high (including base height)
4 Grave Lot	14"x 96"	Base, 68" long x 8" wide, 34" high (including base height)
6 Grave Lot	14"x 115"	Base, 107" long x 8" wide, 36" high (including base height)

Installation of monuments "exceeding the height limit only" may be allowed by approval of a variance request to the Cemetery Operations Director and/or Public Works Director. Any variance granted shall be subject to approval by the Public Works Director as to compatibility with adjacent monuments and suitability of installation without damage to trees and other cemetery appurtenances. Special grave opening charges for obstructed excavations which may be required due to the excessive height of the monument will be paid prior to erection of said oversized monument. These charges will be in accordance with the annual fees affixed by the City Council by resolution.

All bases shall be constructed by the City unless otherwise approved by the Public Works Director. Fees shall be in accordance with the annual affixed fees. Each monument base thickness will be determined by the Cemetery Operations Director prior to installation. All bases shall be poured and set in place (no pre-cast bases allowed).

Slant type markers will be permitted at cemeteries, provided the marker is placed on an approved base and meets the minimum size for the appropriate lot size.

2. No monument or markers, nor any part thereof, nor any vault or tomb above ground, may be constructed of limestone, sandstone, or any artificial materials. No handmade monuments or markers will be allowed without prior approval from the Cemetery Operations Director.
3. All monuments shall be set on foundations of solid masonry or concrete which shall not be less than two feet deep, nor less in size than the base of superstructure; but the City reserves the right to require a larger and deeper foundation if deemed essential for permanency and safety (especially as it relates to mausoleums), and no foundation will be built less than one foot square and all foundations when finished shall be one inch below the level of the ground at the lowest corner. The City reserves the right to excavate for and build all foundations.

4. Upon placement of an order for a monument, the lot owner or monument sales person shall furnish the dimensions of the proposed monument to the Cemetery Operations Director who in turn shall authorize the construction of the foundation, and all charges therefore must be paid before the monument or superstructure is placed thereon.
5. The Red Wing City Council reserves the right to discontinue or suspend all work between November 1st and April 1st, and to refuse to build foundations during freezing weather, or when the water in the grounds is shut off, except at the discretion of the Director, and then only upon payment of a reasonable extra charge thereof.
6. Persons engaged in erecting monuments or other structures, or in caring for lots, are prohibited from attaching ropes to trees or shrubs, and from scattering their materials on adjoining lots, or leaving the same on the ground any longer than may be absolutely necessary; but in all cases they must be subject to the control of the Cemetery Operations Director and conduct themselves in accordance with the regulations of the Cemetery.

Heavily laden loads will not be allowed to enter the grounds in wet weather. All property shall be restored to a condition similar and/or equal to the condition of the property prior to starting the installation of the monument. Any damage or injury to cemetery property and/or structures that are not repaired shall be repaired by the City, and all costs associated with the repairs shall be added to the initial cost of monument installation.

7. No monumental work shall be brought into the cemetery on Saturdays which cannot be erected on that day; and no work shall be commenced on Saturday which cannot be finished and the dirt and debris entirely removed before the hour of quitting work.

Chapter 8. MISCELLANEOUS

1. The grounds of the city cemeteries are sacredly devoted to the interment of the dead, and a strict observance of the decorum which should characterize such a place will be required.
2. **Summer Hours** - 7 am thru 9 pm daily
Winter Hours - 7 am thru 3 pm weekday
3. All persons are prohibited from touching any object not their own, or plucking any flowers, shrubs or plants, wild or cultivated, or injuring anything upon any part of the grounds.
4. Automobiles shall not be driven in the cemetery at a speed exceeding twenty miles per hour. All automobiles must be kept off the grass.
5. Persons accompanied by dogs running at large will not be admitted.

6. No picnic refreshments or liquors of any kind will be allowed within the cemetery.
7. Persons with firearms will not be admitted except at military funerals.
8. Employees and attendants of the City of Red Wing are not permitted to receive gratuities from visitors.
9. Soliciting work of any description in the cemetery or placing business cards on lots is prohibited, and persons violating this rule shall be excluded or removed from the grounds by the Cemetery Operations Director or appointed representative.
10. When heavy material is moved over patches and lawns by any lot owner or representative or contractor, planks shall be laid to protect the lawn and any damages caused, shall be repaired by the City of Red Wing at the expense of the lot owner or contractor doing the work.
11. Children shall not be permitted to engage in playing within the cemetery grounds, and children under ten years of age shall not be admitted to the grounds unless accompanied by an adult who shall be responsible for their conduct while therein.
12. The statutes prescribe penalties for discharging firearms upon or over the cemetery grounds, or for defacing or injuring any cemetery property. The provisions of the law will be enforced in all cases of wanton injury.
13. The Cemetery Operations Director is charged to refuse admission into the grounds of all improper persons, and to expel those who may violate any of the rules of the cemetery.
14. In determining resident/non-resident status for establishing fees, one of the following must apply.
Must be a current resident of the City of Red Wing residing within the city limits.
Have lived 50% of their lives in the City of Red Wing.
Have owned property and paid property taxes to the City of Red Wing for 50% of their lives.