

RULES AND REGULATIONS  
**PRAIRIE LAWN CEMETERY**

A Perpetual Care Cemetery  
Cemetery Office • 1422 East Harvey • 620-326-7937

**CITY OF WELLINGTON, KANSAS**  
City Clerk • 317 South Washington • 620-326-2811

The sexton or assistant sexton shall be at cemetery to give information and/or render assistance to lot owners and visitors from 8:00 a.m. until 12:00 noon, and from 1:00 p.m. until 5:00 p.m. weekdays and on Memorial Day, but on no other holidays. Special arrangements may be made, however, to have someone in attendance on weekends and holidays other than Memorial Day.

*A complete list of the rules and regulations of Prairie Lawn Cemetery may be obtained from the Sexton.*

**Section 30-612. Improvement of lots and graves**

Seasonal, artificial or cut flowers and wreaths shall be permitted in the cemetery, subject, however, to other provisions of this section and section 30-613. Seasonal flowers, cut flowers, artificial plants or flowers and wreaths shall be permitted on the entire grave space area for ten days immediately following the date of interment on said grave and for a period commencing five days before and ending ten days after Memorial Day. Any unauthorized plantings or objects on graves or lots may be removed by the sexton of the cemetery. Such objects as floral frames, vases, etc., so removed by the sexton may be disposed of if not claimed by the owner within seven days after such removal.

All retaining walls, fences and curbing of lots and grave spaces in the cemetery are prohibited, except as may be constructed by the city. A retaining wall, fence or curbing which is presently in place may be removed by the city when the sexton of the cemetery determines that the improvement is in poor condition that it is detrimental to the appearance and maintenance of the cemetery if the owner of such improvement, after notice to repair the same, fails to repair such improvement. If reasonable efforts to locate the owner of such improvement for purposes of giving such notice have failed, the city may proceed to remove such improvement.

All graves shall be flush with the surrounding ground level after they have settled, and they shall not be mounded or maintained without turf.

**Sec. 30-613. Installation or Planting regulations**

Any plantings or installations permitted in the cemetery by other provisions of this article shall conform to the following regulations:

The planting of trees, shrubs, bushes, plants or perennial flowers of any kind are prohibited. All permanent plantings of any kind will be done by the city.

Placement of seasonal, artificial or cut flowers shall be limited to the area allowed for the marker or monument and shall not extend onto the grave, adjoining graves or alleyways.

No placement of plantings shall be permitted around foot markers.

Artificial flowers, wreaths and cut flowers shall be placed and secured in a manner that they will not-become dislodged or scattered by-the wind.

Damaged or faded artificial flowers or wreaths, and neglected, misplaced, dead, unkempt, unauthorized or hazardous plantings, including trees, may be removed by the sexton of the cemetery as necessary to maintain the attractive, safe and neat appearance of the cemetery.

Nothing shall be allowed around the foundation, monument, marker, or on the grave that will impair the caretaker's ability to maintain the attractive safe and neat appearance of the cemetery.

Glass Containers are strictly forbidden in Prairie Lawn and Pioneer Cemetery and any glass containers found will be removed.

**Sec. 30-542. Lots to be sold**

Lots individually or by sections or blocks may be sold for purposes of internment only, and certificates of sale signed by the mayor and countersigned by the city clerk, under the seal of the City, issued therefore at prices fixed by resolution of the governing body.

The purchasing of lots shall be subject to the following rules:

Any individual/family or entity wishing to purchase lots located in prime locations may only purchase four lots of less.

Prime locations are defined as those blocks adjacent to the roadway.

All lots not in prime locations shall be limited by the number of lots that an individual/family or entity shall have reasonable need for.

The city also reserves the right to limit the number of lots that any individual/family or entity shall have title to at any one time.

**Sec. 30-546. Repurchase by city**

The City may repurchase lots in Prairie Lawn Cemetery, subject to the availability of funds and budget. The price to be paid by the city for such repurchases shall be as follows:

For lots purchased prior to November 17, 1969, the original sale price of the lots, but in no event less than \$40.00 per lot.

For lots purchased after November 17, 1969, the original sale price of the lots less ten percent for administrative costs.

**Sec. 30-549. Burials**

Only one burial requiring a Size B opening, or two burials requiring Size A openings shall be permitted on each grave space or lot. A cremation shall be considered as requiring a Size A opening. Size A and Size B opening may be located on the same lot.

For any burial in which the city provides the lot (i.e., paupers), the marker shall be limited to an 18-inch grass marker or government marker for veterans, with the exception of veteran burials in the veteran area, which shall be a government marker; the markers shall be flush with the surrounding ground.

Burials in the Prairie Lawn Cemetery are limited to human remains only.

**Sec. 30-583. Holidays**

No interment, disinterment, cremation or interment services shall be permitted on the date established by the governing body of the city for the observance of the following holidays by city employees: New Year's Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and the Friday following, and Christmas Day.

**Sec. 30-584. Grave to be dug by sexton**

No grave shall be dug or opened in the cemetery except by the sexton, or under the sexton's supervision.

**Sec. 30-585. Types of vaults or boxes**

In every earth interment in Prairie Lawn Cemetery, the casket shall be closed in a vault or box constructed of concrete, cement, steel or fiberglass. The use of wooden boxes is prohibited.

**Sec. 30-586. Memorial monuments and markers; permit required**

Before any memorial work is commenced in Prairie Lawn Cemetery by any employee of a private business or contractor, a permit approving such work shall be obtained from the sexton of the cemetery. The permit shall state the name of the company or contractor proposing to do the work, the location of the work, the type of memorial work to be done, and such other information necessary to determine that the proposed work will comply with cemetery rules and regulations. Permit fees, which shall be on file in the city clerk's office, will be charged for monuments or markers to cover the cost of issuing the permit and inspecting the work described in the permit. No permit fee shall be charged for the monuments and markers set in the veterans' memorial section of the cemetery. The funds derived from this fee shall be used for the cemetery beautification trust fund to correct those monuments or markers that are unsightly or unsafe.

**Sec. 30-588. Specifications**

**A complete list of specifications for setting monuments may be obtained from the Sexton.**

Headstones on lots 1 to 8, inclusive, in blocks 1066-1077; 1111-1122; 1156-1167; 1201-1212; 1245-1262; 1295-1306; 1339-1344; inclusive, Prairie Lawn Cemetery shall not project more than six inches above the surface of the ground and all other permanent monuments or markers on lots 1 to 8, inclusive, shall be flush with the ground surface.

Headstones on lots 9 to 16, inclusive, in blocks 1066-1077; 1111-1122; 1156-1167; 1201-1212; 1245-1262 -1295-1306; 1339-1344; inclusive, in Prairie Lawn Cemetery may project more than six inches above the surface of the ground and all other permanent monuments or markers on said lots 9 to 16, inclusive, shall be flush with the ground surface.

Foot markers shall be permitted only when they are placed flush with the ground surface on a concrete foundation as is required for flush set monuments or markers.

If it is necessary to move and reset a stone to accommodate an individual burial on a grave, the funeral home shall be responsible therefore. All monuments and markers shall be of standard construction material such as marble and granite. All monuments that are above ground level must go at the head of the grave. All others must be flush with the grave. All vases set on the concrete foundation must have concrete extending six inches beyond the vase on all sides.

Temporary markers shall be left for a period of no longer than one year after the date of the burial or until they are no longer legible or until a permanent marker is set, whichever comes first, whereupon the sexton shall remove the temporary

marker and dispose of it accordingly.

No mausoleums either surface or above surface, may be placed in the new high-density section of Prairie Lawn Cemetery. Mausoleums hereby prohibited in the new high-density section of the cemetery may, however, be placed in all sections of the cemetery other than the high-density section thereof.

### **Sec. 30-645. Liability**

The cemetery department 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 a lot where interment is desired.

The cemetery department shall have the right to correct any errors that may be made by the department either on making interments, disinterment or removals, or in the description, transfer or conveyance of any interment property 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 as may be selected by the cemetery department, or, in the sole discretion of the governing body, by refunding the amount of money paid on account of said purchase. In the event the error shall involve the interment of the remains of any persons in such property, the cemetery department shall have the right to remove and reinter the remains on such other property of equal value and similar location as may be substituted and agreed upon.

The cemetery will not be held responsible for any article left on cemetery property or for any stones or anything on any lot damaged or destroyed by fires, acts of God, acts of nature, acts of war, vandalism or other damages accruing to private property.

### **Sec. 30-646. Unlawful acts**

No person shall be allowed to ride or drive over or across any grave or occupied or improved lot, block or section in Prairie Lawn Cemetery. This section shall not apply to the sexton of the cemetery while in the discharge of the sexton's duties.

It shall be unlawful for any person, without authority, to willfully remove, cut, carve, mark, break, or otherwise deface or injure any monument, grave, stone, slab, corner post, building, fence, railing, tree, shrub, or flower in the cemetery or used for the protection, beautification or improvement of the cemetery, or of any grave, lot, section or block therein.

It shall be unlawful for any person other than the owners of lots or graves to go into the cemetery, except when accompanied by the sexton, at any time between sundown and sunrise, or to remain loitering in the cemetery without any apparent errand or object.

It shall be unlawful for any person to divert, or attempt to divert the cemetery, or any block, section lot, street, alley, common or other part thereof from the usual and proper use and occupancy thereof for cemetery purposes and purposes of interment, and each day that such diversion or unlawful use thereof shall continue shall be deemed a separate offense.

It shall be unlawful for any person to dig or excavate in any street, lane, alley, walk or common, in said cemetery, except in grading or otherwise improving the same under the direction of the governing body, or in any way occupy, blockade or obstruct any such street, lane, alley, walk or common. If one-half of anyone block in the cemetery is owned by one person, or by two or more persons jointly or in common, such person shall be allowed to close up and occupy for burial purposes, limited to Size A burials only, the three-foot walkway. Any monument or vault company found to be in violation of the rules of Prairie Lawn Cemetery shall be given two warnings, one verbal and one written, after which if the company is still found to be violating the rules, they may be barred from doing any work in Prairie Lawn Cemetery for a predetermined period of time.

### **Disinterment Policy**

No disinterment shall be performed in the cemetery except by the sexton, or under the sexton's supervision. Cemetery Staff shall only be responsible for removing the soil from the grave and the removal of the vault from the ground. The Cemetery shall not be responsible for temporary storage of a vault/casket during disinterment or any damages during transportation facilitated by a third party, nor be responsible for transportation to another locution outside the Cemetery grounds. A funeral director must be present throughout the disinterment; work will not begin without one present and shall cease if the funeral director leaves. A vault company shall also be present with an additional vault should the original vault be damaged. No damaged or structurally unsound vaults will be reinterred in the Cemetery. No disinterment shall be performed two weeks before Memorial Day, nor shall any be performed on Saturdays, Sundays, or any City observed Holidays.

The City of Wellington must be notified and all fees and permits paid and on file at least one week before the disinterment. The Cemetery reserves the right to postpone and reschedule any disinterment due to weather or any other unforeseeable events. The City of Wellington holds no liability for damage incurred during the removal or placement of the disinterred vault.