

BENSON CITY CEMETERY

The Benson City Cemetery is a public municipal cemetery. It is the aim of the City of Benson to make the Cemetery a quiet, peaceful, and beautiful place, respectful of those buried there and their families.

1. OWNERSHIP

- a. Legal title to the land and the columbarium remain with the City of Benson.
- b. The City sells only the exclusive right of burial in a columbarium niche or specific grave space.
 - i. Current costs are listed in the cemetery fee schedule.
- c. All grave spaces are held subject to the laws of the State of Minnesota relating to cemeteries.
- d. The exclusive right of burial is subject to the rules, regulations, and fees in effect at the time of interment.
- e. The City will issue a Certificate of Ownership listing the owner's name and address and the description and location of the grave space or niche.
 - i. Descent of title and ownership of lots in case of death shall be subject to Minnesota State Statute 525.14.
 - ii. Consent of the City and a fee is required for any transfer of title.

2. RECORDS

- a. A complete record of all known burials and lot owners is kept by the cemetery superintendent.
- b. A list of all known burials is posted on-line and at a kiosk in the cemetery.

3. DEFINITIONS

- a. CITY: The City of Benson
- b. CEMETERY: The Benson City Cemetery is located on Oregon Avenue at 16th St. North
- c. COLUMBARIUM: An above ground structure containing niches
- d. CREMAINS: Cremated human remains
- e. GRAVE: A space of ground reserved for one full body, two cremains, or one full body and one cremain.
- f. INURNMENT: The placing of an urn containing cremains in a niche in a columbarium.
- g. INTERMENT: The placing of a vault containing human remains or cremains in a grave.
- h. LOT: One or more adjoining grave spaces or niches.
- i. MARKER: A memorial of granite or bronze that does not extend above the surface of the adjacent ground.
- j. MONUMENT: A memorial of granite or other approved material that extends above the surface of the adjacent ground.
- k. NICHE: A vault within a columbarium reserved for one or two cremains.
- l. URN: A sealed container to hold one cremain.
- m. VAULT: A container made of concrete, steel or other impervious material designed to hold a casket containing human remains.

4. PURCHASE OF LOTS

- a. Lots may be purchased during regular business hours at City Hall located at 1410 Kansas Avenue, Benson, MN 56215 Ph.320-843-4775.

- b. Lots are available on a first come basis. Lots may not be reserved for later purchase. Lots must be paid in full before interment or monument/marker installation.
- c. No lot may be sold between two private parties. All sales, transfers or exchanges must be done through the City.
- d. No transfer of any kind will be complete until endorsed by the City, a new Certificate is issued and all information has been recorded by the City.
- e. Lots in different sections may have different dimensions and monument/marker regulations. Consult the maps and the superintendent for specific details.
- f. No lot shall be used for any purpose other than the burial of human remains and the placing of appropriate memorials as per the rules and regulations of the cemetery.
- g. The scattering or commingling of cremated remains within the Benson City Cemetery is not permitted.

5. PURCHASE OF COLUMBARIUM NICHES

- a. Ownership of the right to use a niche in a columbarium is considered the same as ownership of other cemetery property.
- b. Niches are available on a first come basis. Niches cannot be reserved for later purchase. Niches must be paid in full before inurnment or engraving of the faceplate.

6. REPURCHASE OF CEMETERY PROPERTY

- a. The City will repurchase unused lots or niches at the original price. The original certificate or a written request must be submitted to the city.
- b. The City may accept the return of a lot where a disinterment has occurred, however, there will be no return of purchase funds.
- c. The City will repurchase columbarium niches if the family has legally removed the cremains, however, if the faceplate has been engraved the refund will be ½ of the purchase price.

7. COLUMBARIUM REGULATIONS

- a. The niche owner, spouse and/or children may be inurned in the niche. Written permission from the recorded niche owner, spouse or designated person is required for the inurnment of anyone else. The written permission will be attached to the city's record.
- b. A single niche may contain the cremains of one or two bodies. Benson's columbarium has room for two vase style urns that are 10" high X 6" in diameter or two square shaped urns that are 5 ½" X 5 ½" X 7" high.
- c. Cremains must be inurned in a dust sealed container or urn that fits within the niche.
- d. A burial permit or cremation certificate is required for each cremain and must be delivered to the superintendent at the time of the inurnment.
- e. Opening and closing of a niche for the inurnment of cremains shall occur during regular city office hours. Other times may be allowed with an additional fee if the City is notified two business days in advance.
- f. A granite faceplate and the engraving of the name of the deceased, the date of birth and the date of death are included in the sale price of the niche. No other names, dates or inscriptions are allowed. The required engraving for the first inurnment is included and must be done

immediately after the inurnment. A temporary faceplate will be provided until the engraved faceplate is returned.

- g. No permanent decorations, medallions, or other attachments may be affixed to the faceplate.
- h. If the inurnment of the second body in a single niche occurs at a different time than the first, a reopening fee will be charged and the faceplate will be sent in for additional engraving at the fee listed in the fee schedule in effect at the time of the second inurnment.
- i. All engraving will be done by the provider of the columbarium. The standard inscription font is Optima Bold at 5/8" tall. Approximately 23 characters fit on one line. There are a maximum of four lines available for each inscription. Dates using letters for the month names (including 3 letter abbreviations) require a separate line for each date.
- j. No engraved artwork is allowed on the faceplate except the veterans star may be used as the date separator for those who served in the United States military.
- k. No permanent memorials will be allowed on or next to the columbarium.
- l. Ground level flower containers, artificial flowers, wreaths or crosses for Memorial Day must be removed by June 15th. Any left after that date will be removed by cemetery maintenance.
- m. Flexibility will be allowed the first thirty (30) days following an inurnment. Temporary memorials shall not cover or block another niche.
- n. Glass objects or glass containers of any kind are not permitted.
- o. Toys, metal framework, shepherd hooks, Styrofoam or wooden crosses, ornaments, figurines, solar lights, balloons, wind chimes, decorative flags or items of the same nature are not permitted. The City reserves the right to remove any items deemed unacceptable.
- p. No floral sprays or decorative arrangements are permitted to be affixed or secured to the top of the columbarium or on the benches surrounding the columbarium.

8. BURIALS

- a. The lot owner, spouse and/or children may be buried on the lot. Written permission from the recorded lot owner, spouse or designated person is required for the burial of anyone else. The written permission will be attached to the city's record.
- b. A burial permit or cremation permit is required for each burial and must be delivered to the superintendent at the time of the interment.
- c. A single grave space may contain one of the following: one full body interment, two cremains, or one full body and one cremain. The second burial in a single grave space will be 50% of the current grave price and permission must come from the original lot owner, spouse or designated person who has burial rights for the grave.
- d. A concrete vault is required for a full body interment. A vault or other non-deteriorating container is required for buried cremains.
- e. Cremains placed on top of a full body vault must be in a non-deteriorating container and must be at least one foot (12 inches) below ground level.
- f. If the previously buried vault is not deep enough to allow the cremain to be placed on top of the vault and still maintain the minimum one foot bury depth, the cremain may be placed between two vaults but only if both vaults are already in place.
- g. Full body vaults may not be stacked.

- h. If a cremain and a full body concrete vault are interred in the same grave space, the full body vault must be interred first.
- i. The city must be notified of a planned burial as soon as possible to allow time for the superintendent to mark the grave. No burials will be allowed until the grave is properly marked. Marking fees are listed in the fee schedule.
- j. The city does not open and close graves.
- k. Persons or contractors who intend to open graves in the city cemetery must register with the city and show evidence of adequate liability insurance or post a \$1000.00 bond to repair any damage.
- l. Graves shall be opened in a neat and workmanlike manner. The grave depth must allow at least 18" of fill above the installed vault.
- m. Any unattended open grave must be covered with a platform strong enough to support a person stepping on it.
- n. Graves must be compacted during backfilling, topped with at least six (6) inches of topsoil and brought even with the existing ground level. Grass seed or sod should be placed and watered when in season. Excess dirt shall be hauled to the place designated by the superintendent. Winter graves must be refilled after the frost is gone and then seeded or sodded.
- o. Any damage to turf, markers, monuments or other cemetery property during excavation, interment or backfilling should be reported to the city and arrangements made for restoration.

9. DISINTERMENT OR DISINURNMENT

- a. Disinterment or disinurnment and removal requires 30 days written notice to the City from the original owner or Executor of the person whose ashes have been inurned or interred. An appropriate court order shall identify the authority of the Executor, immediate family member or personal representative to receive the urn or vault.
- b. The City shall assume no liability for damage to any casket or burial vault in making the disinterment and removal.
- c. The grave vacated by the disinterment must be filled, compacted and restored like a regular interment.
- d. No disinterments will be allowed while the ground is frozen or unstable.
- e. The engraved niche faceplate must be replaced with a new faceplate at the fee in effect at the time of the disinurnment. The family may keep the engraved faceplate.

10. MARKERS AND MONUMENTS

- a. A permit is required for installing all markers and monuments. The monument installation form and permit fee listed in the fee schedule must be received in the City office at least two business days prior to installation.
- b. Every monument and marker shall be placed in the space shown on the cemetery plat as staked by the superintendent.
- c. No monument or marker may be placed unless the location has been staked by the superintendent and the full purchase price of the lot has been paid.
- d. No monument or marker may be constructed of limestone, sandstone, wood or other material which will not assure relative permanency.

- e. Every grave shall be marked with a permanent marker or monument, as specified below, within one year from the date of burial. Markers and monument foundations may not be installed on frozen ground or when the ground is not firm enough to support the installation equipment.
- f. The City of Benson is not responsible for any damage to the marker, monument, foundation, granite or concrete border due to natural elements or vandalism.
- g. The City will not be held responsible for any damage to a temporary marker.

11. MARKERS

- a. Markers must be laid flush with the existing ground contour. Adding fill material to make the marker level is not allowed.
- b. Markers must have a minimum 4" concrete or granite border (wash). The maximum dimensions of the marker, including the required border, are 38" X 24" for a single width grave space or 60" X 24" for two or more adjacent graves. Markers must be installed true to line with other markers in the same row.
- c. No more than two markers or one marker and one monument may be installed on any single lot. Monuments are headstones and must be placed on the west end of the lot adjacent to the lot line. A marker may be used as a headstone or a footstone. Footstones must be installed adjacent to the east line of the lot. No markers or monuments may be placed elsewhere on the lot.
- d. Ground level markers which are required in sections 5 and 6 are placed adjacent to 4ft wide walking paths located between double rows of grave spaces. (See map of sections 5& 6)
- e. Vases and sub-surface voids designed to hold vases shall not be integrated into markers.

12. MONUMENTS

- a. Monuments shall be placed on a level concrete or granite foundation with a minimum 4" border around the granite monument base. The maximum dimensions of the foundation for monuments are 42" X 24" for a single width grave space or 72" X 24" for two or more adjacent graves. Monuments must be installed true to line with other monuments in the same row.
- b. The maximum total height of any monument shall not exceed forty-eight inches (48") from the ground elevation.
- c. See the attached drawings for acceptable placement and sizes of markers and monuments.
- d. In time, monuments and markers may lean or sink due to adjacent excavation or seasonal soil instability. The lot owner or family is responsible for the cost of periodic straightening.
- e. Multi-piece monuments must be installed with pins and/or bonding to prevent movement.
- f. Lots are surveyed and marked with ceramic or metal corner pins that set level with the ground. Removal is prohibited. No fence, stone, or concrete coping shall be constructed around any lot. No lot may be filled higher than the adjacent ground level.

13. PLANTING REGULATIONS

- a. No trees, shrubs or vines shall be planted or grown upon any grave or plot in the cemetery without prior written approval by the City.

14. GRAVESITE FLOWERS AND DECORATION REGULATIONS

- a. Flowers must be in a flower urn, planter, pot or otherwise removable container.

- b. Permanent flower urns or pots must be placed in a one-legged plant stand alongside the monument and not be wider at the base than the concrete marker or monument foundation. The plant stand must be in-line with the other gravestones in the row. No part of the plant stand, container or plant may extend beyond the lot line. The one-legged plant stands must be at least ¾" in diameter and hold no more than one potted plant.
- c. Ground level flower containers, artificial flowers, wreaths or crosses for Memorial Day must be removed by June 15th to permit mowing and trimming. Any left after this date will be removed and disposed.
- d. Veteran's bronze stars approved by the City are allowed in addition to the aforementioned flower containers.
- e. Glass objects or glass containers of any kind are not permitted.
- f. Toys, metal framework, items with any movable parts designed to move with wind, solar, batteries or any other power source, shepherd hooks, Styrofoam or wooden crosses, ornaments, figurines, solar lights, balloons, wind chimes, decorative flags or items of the same nature are not permitted. The City reserves the right to remove any items deemed unacceptable.
- g. No floral sprays or decorative arrangements are permitted to be affixed or secured to the top of upright monuments.
- h. By October 1st of each year, all floral decorations including real and artificial flowers along with the containers shall be removed. The one-legged plant stands may remain on site. Stands not in use by July 1st will be removed.

15. GENERAL CEMETERY REGULATIONS

- a. No person may discharge any firearm or have possession of any firearm within the cemetery grounds at any time except for use during military services, Memorial Day observations, or use by law enforcement personnel.
- b. No person shall wrongfully take, remove, or convert to his own use any property within the cemetery without the owner's written consent or make any excavation therein without first obtaining consent of the cemetery superintendent.
- c. No person may wrongfully obstruct or blockade any driveway or pathway within the cemetery.
- d. No person may drive any vehicle in excess of five miles per hour within the cemetery and such vehicles must confine their travel to established roadways except where the superintendent expressly authorizes such travel elsewhere.
- e. No person shall disturb the dignity, peace, and quiet of the cemetery by the use of excessive noise or boisterous and unruly conduct within the limits of the cemetery.
- f. No person shall enter or leave the cemetery except through established gateways provided for that purpose.
- g. No person may allow any animal to run at large in the cemetery.
- h. No person may loiter at any time, nor be in the cemetery without permission of the superintendent at any time between the hours of sunset and 7:00 a.m.
- i. No person may use the cemetery grounds or any road therein as a public thoroughfare nor drive any vehicle in or upon the cemetery grounds except for legitimate purposes relating to the ordinary and customary use of the cemetery.