

**CITY OF BALDWIN
RULES AND REGULATIONS
FOR THE CARE & PRESERVATION
OF BALDWIN CEMETERY**

DEFINITION OF CEMETERY LOTS

A cemetery lot shall consist of land area 4' by 10'

SALE OF LOTS

All sales shall be made on an approved form (Deed) which grants a right of burial only and does not convey any other title to the lot or burial space sold. Such form shall be executed by the City Clerk/Cemetery Sexton. The Deed shall be signed by the City Clerk/ Cemetery Sexton. One copy shall be kept on file for City use. The original is given to the purchaser who then becomes the Internment Rights Holder.

Only human remains may be buried (no pets).

Cemetery lots are transferable but done only through the City Clerk/Sexton and can be sold back to the City of Baldwin (at the original price) or gifted back. Cemetery lots that have been sold but remain vacant for fifty (50) years from the date of sale shall automatically revert to the City upon occurrence of both of the following events:

- a. Notice shall be sent by the Clerk by first class mail, return receipt requested, to the last known address of the last owner of record informing him/her of the expiration of the fifty (50) year period and that all rights with respect to said lots/burial spaces will be forfeited if the owner does not affirmatively indicate in writing to the Clerk within 60 days from the date of mailing of the written notice the owner's desire to retain said burial rights.
- b. No written response to said notice indicating a desire to retain the cemetery lots/burial spaces in question is received by the Clerk from the last owner of record of said lots/burial spaces, or the owner's heirs or legal representative, within 60/30 days from the date of mailing of said notice.

The City Sexton shall maintain records concerning all burials and burial permits, separate and apart from any other records of the City and the same shall be open to public inspection at all reasonable business hours.

PURCHASE PRICE

As of May 1, 2026, a lot, described as one gravesite, will be sold at:

- a. \$750.00 for residents of the City of Baldwin
- b. \$1500.00 for non-residents
- c. Payable to the City of Baldwin

- d. \$25.00 for gravesite marking
- e. \$25.00 for monument marking
- f. Payable to Sexton or person charged by the City to mark gravesites/monuments.

The lawful owner of any cemetery lot within the City shall promptly provide the City Clerk with any change in that owner's mailing address.

The City Council may periodically alter the foregoing fees to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition.

MONUMENTS AND FOUNDATIONS

1. No monuments or markers shall be erected until all assessments have been paid. The rights of owners of lots to erect monuments shall be subjected to the approval of the Baldwin City Council
2. Further erection of any above ground vaults or mausoleums shall be prohibited.
3. Dealers or manufacturer's cards of advertisements shall not be cut or marked on any stone or placed anywhere within the cemetery enclosure.
4. Markers on all lots purchased after January 1, 1999 will be classified as flat grass markers with a four-inch cement border around the base.
5. The City of Baldwin will not be held responsible for any damage, loss or theft of any personal property such as flowers, plants, decorations, vases, crocks, markers, monuments, etc.
6. No material other than standard granite or bronze shall be used for any monument or marker. Crosses or other grave markers of wood or iron, that are left as permanent will not be allowed, with the exception of military markers.
7. Should it become necessary to move any structure, tree, or monument at the gravesite for a burial, all fees will be the responsibility of the gravesite owner. The City of Baldwin will not be liable for any fees associated with moving any structure, tree or monument.
8. The footing or foundation upon which any marker or memorial must be placed shall be constructed by the company placing the marker or memorial and shall be paid for by family or other responsible person involved at their expense.
9. Owners shall be responsible for the upkeep of markers, monuments etc. Should any monument or memorial (or monument which was in place before this Ordinance became effective) become unsightly broken moved off its proper site, dilapidated or a safety hazard, the City Council shall have the right at the expense of the owner, to correct the condition or remove the same. The City shall make reasonable attempts to contact the owner prior to any such work beginning.

INTERMENTS

1. No grave shall be dug or interments made except under the supervision of the Cemetery Sexton or representative of the Baldwin City Council.
2. All casket burials shall be in a standard funeral director approved durable vault installed or constructed in each lot/burial space before interment and buried 6 ft deep.
3. The cemetery allows two cremated remains to be placed on one gravesite or one cremated remains to be placed on one casketed gravesite at the discretion of the gravesite owner.
4. Receptacle for remains must be solid and durable. Receptacle will not be taller than 12 inches if being placed in existing gravesite.
5. Grave opening and closing prior to and following a casket burial therein, shall be at a cost determined by the funeral home in charge of the burial, and no burial spaces shall be opened and closed except under the direction and control of the City Sexton. The request for opening of a burial site can be made through the funeral home directly to the City sexton.

GROUND MAINTENANCE

1. No build-up, grading, leveling, or excavating upon burial space shall be allowed without the permission of the City Council. Surfaces other than earth or sod are prohibited without prior approval from the City Council.
2. Fencing benches or structures of any kind are not allowed except with an approved variance by the Baldwin City Council.
3. No tree, shrub, bush shall be planted, removed, cut down or destroyed within the borders of any lot without the consent of the Baldwin City Council. If, in the opinion of the Baldwin City Council, any tree, shrub, or bush situated upon any lot becomes detrimental to any adjacent lot or avenue OR becomes unsightly OR inconvenient to caretaker, Baldwin City Council reserves the right to remove such trees, shrubs, bushes, or parts thereof as may be necessary.
4. Having a fire, snowmobiles, golf carts or 4-wheelers are strictly prohibited from cemetery grounds at all times.
5. All refuse of any kind or nature including, but not limited to, dried flowers, wreaths, papers, and flower containers will be removed from the cemetery within 14 days after a burial. Artificial flowers, or articles of similar nature, shall be removed at the discretion of the caretaker.
6. Planters and urns may be placed within the border, to the left or right of a marker or in the case of a double marker, to the center, in such a way that the mower may cut the grass around the marker. No flowers may be planted on the grave. Live or artificial flowers may be placed securely in pot stands at any time. However, live or artificial flowers may be placed on graves 5 days prior to Memorial Day but must be removed 10 days after Memorial Day. If not properly cared for, such plantings (artificial or live) may be removed at the discretion of the caretaker.
7. ALL FLOWERS MUST BE REMOVED BY OCTOBER 1 FROM CEMETERY PROPERTY.

CEMETERY HOURS

The cemetery shall be open to the general public from Dawn to Dusk each day. No person shall be permitted in the City cemetery at any time other than the foregoing hours.

CHANGES IN RULES AND REGULATIONS

The Baldwin City Council Reserves the right to amend these rules and regulations in order to best serve the interests of the cemetery, City, and Interment Rights Holders and is not required to give notice of such action

The provisions of these rules and regulations are hereby declared to be severable and should any provision section or part hereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision section or part hereof involved in such decision and shall not affect or invalidate the remainder of these rules and regulations which shall continue in full force and effect.