

CITY OF EDEN PRAIRIE  
PLEASANT HILL CEMETERY  
RULES AND REGULATIONS

1. Interments

- 1.1. Grave owners are only granted the right of interment in their grave(s). The City of Eden Prairie reserves the right to refuse to permit interment of anyone who is not a relative of the owner, by blood or marriage. Written, notarized permission of the grave owner must accompany all requests for permits to bury persons not members of the immediate family of the grave owner.
- 1.2. No interment shall be made in the cemetery except upon at least 24 hours notice prior to the time set for the interment.
- 1.3. No casket shall be interred within the cemetery grounds unless first properly enclosed in a concrete vault or grave box.
- 1.4. Cremated remains must be placed in a permanent urn or concrete burial receptacle prior to burial, the scattering of cremated remains is not permitted.
- 1.5. Prior to interment, in the event that an owner of a grave or funeral director fails or neglects to inform the City of specific locations of where the burial is to take place, the City of Eden Prairie reserves the right to designate the location of said burial. In the event that an owner of a grave or a funeral director fails or neglects to inform the City of specific dimensions of the concrete vault, grave box, or permanent urn or concrete burial receptacle to be used in said interment, the City shall assume the dimensions to be that of a standard concrete vault or grave box, and shall act thereon without assuming any liability in the event that the actual dimensions are different. Information as to the specific location of the intended interment and the specific dimensions of the vault used therein shall be given to the City in writing. Any mistakes or errors made in the location of interment or size of grave occurring as a result of receiving oral information, or incomplete or incomprehensible written information, shall not result in any liability on behalf of the City.
- 1.6. The owner of the grave and/or funeral director shall be responsible for procuring the interment permit and shall be responsible for properly identifying the body to be interred before it is placed in the vault. In the event any mistakes or errors are made as to the information in the interment permit or as to the identification of the body, the City shall not be held liable.
- 1.7. No interment of two or more bodies shall be made in one grave except in the following cases:
  - (1) A parent and child may be buried in one casket.

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- (2) Two infants may be buried in one casket.
  - (3) Two urns of cremated remains may be buried on one grave.
  - (4) One body in a casket and one urn of cremated remains may be buried in one grave.
- 1.8. No interments may be made in the cemetery unless all the ordinances, rules, and regulations regarding interments have been complied with and until the purchase price of said grave and all burial fees are paid, or arrangements have been made with the City to pay for such costs.
- 1.9 The cost of interments, including the burial of cremated remains, shall be determined by the City, and is subject to change. A current fee schedule may be obtained at the City offices.
2. Delay of Interment
  - 2.1. The City of Eden Prairie will not be liable for any delay in the interment of a body when a protest to the interment has been made or where failure to comply with these Rules and Regulations result in delay of interment.
3. Disinterments
  - 3.1. Before any grave may be opened for any purpose, written permission of the next-of-kin of the body to be disinterred shall be filed with the City, along with written permission of the grave owner, unless said grave owner is predeceased. The disinterment will be scheduled by the City. This provision does not apply when disinterment is ordered by a duly-authorized public authority.
  - 3.2. The costs of disinterments shall be determined by the City.
4. Conditions of Grave Purchases
  - 4.1. All graves will be sold subject to these Rules and Regulations and any amendments or adoption thereto. The purchaser shall expressly agree, in the deed conveying the grave, that their rights are subject to these Rules and Regulations and any amendments thereto shall constitute the complete sale agreement between the cemetery and the grave owners.
  - 4.2. No grave shall be used for any purpose other than the burial of human remains and the placement of appropriate memorials, pursuant to the Rules and Regulations of the cemetery.

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- 4.3. No easement or right of interment is granted to any grave owner in any road, drive, alley, or walkway within the Pleasant Hill Cemetery, but such a road, drive, alley, or walkway may be used as a means of access to the owner's cemetery grave or graves.
- 4.4. In the event any errors are made by the City or agent thereof in making interments, disinterments, or removal, or in the description, transfer or conveyance of any interment property, the City shall have the right to correct such error by:
  - (1) canceling such conveyance and substituting and conveying in lieu thereof another interment property of equal value in a location to be determined by the City, or
  - (2) refunding the amount of money paid on account of said purchase

5. Purchase of Graves

- 5.1. All fees, costs, or charges shall be set by the City and are payable to the City of Eden Prairie at the City offices located at 8080 Mitchell Road, Eden Prairie, Minnesota.
- 5.2. Upon full payment of the purchase price of a grave, the City of Eden Prairie will issue a cemetery Deed conveying the grave, executed by the City, and the Deed shall be recorded in the records of the City. Description of the grave will be in accordance with the cemetery plats, which are kept at the City offices.

6. Transfer of Graves

- 6.1. In order to transfer ownership of a cemetery grave to another, the owner must complete a Transfer of Ownership document provided by the City, and have the same signed by a witness and notarized by a Notary Public. The Transfer of Ownership document must be reviewed and approved by the City prior to the transfer of a grave by the owner. The owner of a grave may transfer said grave to:
  - (1) The City of Eden Prairie at the original sale price, or if the original price is unknown, the resale price shall be the current sale price for a similar grave;
  - (2) any surviving relative by will for the use and benefit of the person designated in the will;
  - (3) any person who is a resident of the City of Eden Prairie; or
  - (4) any other person approved by the City of Eden Prairie upon application by the owner of the grave.

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When a transfer has been made in conformance with these rules, the City will issue a deed to the new owner upon surrender of the prior deed belonging to the previous owner. The surrendered deed will then be canceled and retained by the City.

- 6.2. No grave will be permitted to be re-sold, disposed of, or otherwise used, until the purchase price, and all unpaid fees, costs or charges have been paid in full.
- 6.3. No cemetery grave may be re-sold or otherwise disposed of without prior approval of the City.
- 6.4. Grave owners may not allow interments to be made in their grave for remuneration unless the process for transfer of graves has been completed and approved by the City.

7. Descent of Graves

- 7.1. On the death of a grave owner, such grave shall be granted and conveyed by the City to any of the deceased's parents, descendants or siblings, pursuant to the Minnesota Intestate Succession Laws, Minn. Stat. 525.14, who are qualified to be buried therein, unless provided for by will. The City may request such evidence as it may deem necessary to prove that the grave in question is received by the person who would be entitled to receive it.

8. Markers and Upright Monuments

- 8.1. Every grave marker must be placed in the space reserved therefore as shown upon the plat of such grave, or as directed by the City.
- 8.2. No marker or upright monument, nor any part thereof, may be constructed of limestone, sandstone, or any artificial material.
- 8.3. No upright monuments will be allowed in Section III of the cemetery; only flat grave markers of sizes specified by the City will be allowed therein. Marker size shall be limited to 12" x 24" x 4" for a single, flat marker and 12" x 40" x 4" for a double, flat marker, unless otherwise approved by the City. Exception: Upright monuments are allowed in Sections I and II of the cemetery. Any new upright monuments must be of similar size and composition as the current monuments and must be approved by the City prior to installation.
- 8.4. No foundation will be required for flat markers, which shall be set flush with the ground. All markers will be set by City of Eden Prairie personnel or by private contractors who must contact the City to receive adequate instruction related to proper placement. Exception: Upright monuments in Sections I & II may require a foundation and must be approved by the City prior to installation.

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- 8.5. Four-inch wide unadorned mowing borders of approved materials will be encouraged in the cemetery. It will be the responsibility of the owner to have the marker set; however in the event it is set onsite, the City shall approve the work. Any contractors and others involved in such activity must notify the City before commencing any work thereon.

If a marker or upright monument is to be set by the City, payment of the marker setting fee must be paid to the City in advance.

9. Permanent Care

- 9.1. The general care of the cemetery is assumed by the City and includes the following:

- (1) cutting of grass at reasonable intervals;
- (2) raking and cleaning the grounds;
- (3) pruning of shrubs and trees;
- (4) maintaining the general preservation of the graves and grounds, walks, and
- (5) maintaining roadways, boundaries, and structures.

The general care of the cemetery may be awarded by contract to private firms by the City, if desired.

- 9.2. General care of the cemetery assumed by the City shall not be required to include the maintenance, repair or replacement of any grave marker or memorial placed or erected upon graves, nor shall it include any special or unusual work in the cemetery.

10. Flowers, Adornments, and Landscape Improvements

- 10.1. Plants and flowers may be placed in a pot(s) on a single, durable and erect stands at a grave site. The City or any of its employees will not be responsible for the damage or destruction to any flowerpot or vase placed directly on the ground. Flowers placed directly on the grave will be removed and discarded prior to routine cutting of grass.
- 10.2. Pots and stands should be removed by November 1 of each year and can be replaced at the appropriate grave site beginning May 20 of each year. If pots and stands are left year-round, the City is not responsible for the damage, destruction, or loss thereof.

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- 10.3. Stands unutilized for extended periods of time or not maintained may be removed by the City.
- 10.4. Live or flowering-type potted plants are allowed on special dates such as Religious holidays, Memorial Day, birthdays, or anniversaries. They will be permitted to remain on display for five (5) days after which they may be removed and discarded.
- 10.5. Any manner of artificial flowers, plants, wreaths, or other adornments are subject to immediate removal beyond a single maintenance period, with the exception of 30 days following interment or if placed in single, durable and erect flower stand.
- 10.6. No trees, shrubs, or vines may be planted, nor may any fences erected by any private party on the cemetery grounds. The City reserves the right to remove any tree, shrub, vine, plant, or flowers which may become unsightly, dangerous, diseased, or which is not in keeping with the landscape design of the cemetery.
- 10.7. All landscaping, grading, and seeding shall be done by the City of Eden Prairie and its designated employees or contractors. All graves will be seeded and kept flush with the adjacent ground.
- 10.8. The City will make water available to grave owners for care of flowers and plants in pots and stands from May 20 to October 20 of each year, depending on the weather and/or general availability of water.

11. Cemetery Management

- 11.1. The responsibility for the management of the Pleasant Hill Cemetery and all matters related thereto shall be vested in the City.
- 11.2. The Eden Prairie Parks, Recreation and Natural Resources Department shall be responsible for the care and maintenance of the cemetery.

12. Hours

- 12.1. The cemetery will be open daily to visitors during the hours of 7:00 a.m. to sunset. Permission to enter at all other times shall be secured from the City. The City reserves the right to refuse admission to the cemetery and to refuse the use of any of the cemetery's facilities, at any time, to any person or persons whom the City may deem objectionable in consideration of the best interest of the cemetery.

13. General Provisions

- 13.1. Persons within the cemetery shall use only the paths and walkways. No one is permitted to walk upon or across graves unless it is necessary to do so to gain access

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- to one's own grave. The City expressly disclaims any liability for any injuries sustained by anyone violating this rule.
- 13.2. Persons visiting the cemetery or attending funerals are strictly prohibited from writing upon, defacing, or injuring any memorial and from breaking or injuring any tree, shrub, plant, or other structure within the cemetery grounds.
- 13.3. The following acts, in addition to any other applicable violations of City ordinances and regulations, are expressly prohibited:
- (1) The driving of motor vehicles into the cemetery, unless attending a funeral, visiting a relative or friend's grave site, or carrying on maintenance work authorized by the City.
  - (2) The driving or parking of any motor vehicle across or upon any grave.
  - (3) The driving of any motor vehicle in excess of ten miles-per-hour within the cemetery grounds.
  - (4) Loud or boisterous talking or music.
  - (5) Bringing lunches or refreshments into the cemetery or consuming them on the grounds.
  - (6) Peddling or soliciting the sale of any non-cemetery commodity within the cemetery grounds.
  - (7) Placing of signs, notices, or advertisements of any kind within the cemetery.
  - (8) Bringing firearms into the cemetery except by military escort accompanying a veteran's funeral, attending memorial services, or by police officers.
- 13.4. Special cases may arise in which the literal enforcement or interpretation of a rule may impose an unnecessary hardship. In such cases, the City reserves the right to make exceptions or modifications to, or suspensions of, any of these Rules and Regulations, when the City deems that such action appears to be necessary. Such a temporary exception, modification, or suspension shall in no way be construed as affecting the general application of such Rules and Regulations.
- 13.5. The City of Eden Prairie reserves the right to remove all monuments, markers, flowers, plants, trees, decorations or other similar objects whenever they become unsafe or unsightly without incurring any liability to any party.

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- 13.6. Specific costs for graves, interments, disinterments, burial of cremated remains, and setting markers are not included in these Rules and Regulations since these are set by resolution of the City Council. A current schedule of fees can be obtained at the City offices.
- 13.7. The City of Eden Prairie reserves the right to amend these Rules and Regulations whenever it is determined that it is in the best interest of the cemetery to do so. The City is not required to give notice of such intended action to any person.

14. Pets

- 14.1 Dogs and other family pets, including aid-assisting dogs, are permitted on the cemetery grounds. All pets, including aid-assisting dogs, must remain on a leash no longer than six (6) feet in length at all times while on the cemetery grounds.