



City Council Policy # 11 Forest-Llewellyn Cemetery Rules & Regulations

Date Approved: October 5, 2015

Dates Amended: 12/17/2018; 12/21/2020; 4/5/2021; 12/18/2023; 09/15/2025

The City of Kirksville owns and maintains Forest-Llewellyn Cemetery, located at the end of West Harrison Street, between Osteopathy and Centennial Streets, and Missouri and Washington Streets. The Rules and Regulations for Forest-Llewellyn Cemetery are contained in this Council Policy and are referenced in the Code of Ordinances. Chapter 14 – Cemeteries with furtherance guidance from RSMo 214.010. to 2124.080.

The City of Kirksville aims to continue to improve and preserve the appearance and history of this cemetery, requiring the cooperation of the lot owners. To maintain a high standard of care and safety for the mowing and cleaning of the cemetery grounds, it is necessary to establish rules and regulations.

I. DEFINITIONS

The following words, terms, and phrases, when used in these Rules and Regulations, shall have the meanings ascribed to them in this Policy, except where the context indicates a different meaning.

Burial lot - eight (8) graves in a lot size of approximately eighteen (18) feet by twenty (20) feet. Exceptions are lots where a hill or other limiting natural feature restricts the lot size.

Burial space - a single grave, which is five (5) feet in width and nine (9) feet in length, for the intended purpose of interment of a human body or the cremated ashes (cremains) of a human body.

Green or Natural Burial – interment of an un-embalmed body placed in a biodegradable shroud or container made of natural materials or cardboard. For this policy's purpose, this definition will also include pod burials.

Marker (or Monument) - a permanent, one-piece granite, marble, or bronze gravestone that is installed flush with the ground, or raised above the ground, indicating the name of the deceased, and the date of birth and death as a means of marking a burial place.

Military marker - a flat, upright, or bronze niche marker provided by the United States Department of Veterans Affairs for an eligible veteran.

II. PURCHASE OF CEMETERY SPACES

- A. The City Clerk is authorized to sell burial lots and spaces in Forest-Llewellyn Cemetery to be used for the burial of the remains of human beings and no other purposes.
- B. **COST.** The cost of a burial space is found in the City's Fee Schedule and includes the cost for the interment of human remains or cremated remains, and the cost for the burial of one cremain at the foot of an existing grave. All burial fees are placed in a perpetual care fund.
- C. **EGGERT ADDITION.** Spaces for burial are available in the Eggert Addition only.

III. INTERMENT

- A. **CERTIFICATE OF OWNERSHIP.** Before burial, a certificate of ownership shall be acquired from the office of the City Clerk at City Hall after payment for the requested burial space.
- B. **INTERMENTS.** The number of burials in any burial space shall be as follows: one (1) traditional (casket/vault) and one (1) cremain; or two (2) cremains in a burial space.
- C. **INURNMENTS.** Only one cremain may be inurned in an existing burial space containing a casket/vault and must be placed at the foot of the burial space. Burial of cremains in other areas of the cemetery may be considered on a case-by-case basis.
- D. **GRAVE OPENINGS.** Grave openings and closings shall be the responsibility of the funeral director in charge of arrangements. The funeral director shall contact the City Clerk before any openings in Forest-Llewellyn Cemetery. If contact is not made, the City will not be responsible for correcting mistakes but will place the responsibility on the funeral director. The funeral director shall be responsible for removal of excess dirt and restoring the surrounding area to previous condition. If restoration of the surrounding area is not completed in a timely manner, the City will remedy and bill funeral director for the actual cost of labor involved.
- E. **VAULT REQUIRED.** When a wood casket is used, a vault of concrete or metal is required. A vault is not required when any other type of casket is used. Green or natural burials are not permitted.

IV. OWNERSHIP

- A. The City Clerk will issue a Certificate of Ownership to the purchaser after payment has been made for a burial space.
- B. No owner of any burial space in the Forest-Llewellyn Cemetery shall sell their burial space. However, the City would consider transfers of a burial space provided the owner requests approval of a transfer, providing proof of ownership to the City Clerk. Should the City Clerk deem a transfer of ownership is in order, the Clerk will prepare the appropriate paperwork providing it to the parties involved in the transfer of ownership.

V. MARKER OR MONUMENT

The space available for a marker is five (5) feet. No more than seventy (70) percent of the five-foot space can be used for a marker. A one (1) foot space should be allowed between the head of the grave and the marker. A foot marker may be considered on a case-by-case basis.

The owner of a burial space, or a monument dealer representing the owner, must contact the Cemetery Sexton before placement of a marker or monument.

- A. **MATERIAL.** A marker shall be granite, marble, or bronze. The only exception shall be the temporary marker placed by the funeral directors to identify the interment.
- B. **INSTALLATION.** Only licensed monument dealers/builders, City employees, or City-approved agents shall install or erect a marker or monument in the cemetery.

- C. **DAMAGED OR DETERIORATED.** When any marker or monument becomes unsightly, damaged, or deteriorated, the City shall do what it can within the resources available to have the marker or monument repaired or removed.
- D. **CREMATION MARKER.** If cremains are inurned at the foot of the grave, a foot marker will be allowed, so long as all rules and regulations are followed for a traditional burial space.
- E. **MILITARY MARKER.** The City will defer to the United States Department of Veterans Affairs standards for all federally-supplied markers.

VI. FLOWERS AND DECORATION

- A. Headstone sprays, fresh cut flowers, and artificial flowers contained in a permanent vase attached to the marker, are permitted year-round but are subject to removal by City staff when they become soiled, weathered, or displaced by a storm event.
- B. Holiday flowers and wreaths on a stand may be placed on a burial space for Memorial Day and Independence Day two weeks before each holiday, and must be removed two (2) weeks after each holiday, or they will be discarded by the City.
- C. Vases and statues of a size that can be adhered to or attached to the marker are allowed at a burial space.
- D. **PROHIBITED.** Other decorations will be prohibited including, but not limited to: solar lights, shepherd hooks of any size, statues, figurines, vases, pottery, ceramics, wind chimes, decorative rocks, wood chips, landscape timbers, furniture, Christmas trees, ornaments, trinkets, adornments, borders, flag poles, and banners.
- E. Funeral flowers may be removed by City staff, without notice, after seven (7) days following the interment.
- F. Flags may only be placed at burial spaces by military officials and/or their agents. Flags will be removed by the City two (2) weeks after a holiday observance unless a flag is damaged, whereupon it will be removed immediately.

VII. PLANTINGS

No plantings of any kind will be allowed.

VIII. TRUST FUND

All revenue derived from lot sales, perpetual care fees, and donations will be deposited in the Forest-Llewellyn Park Cemetery Trust Fund, with only interest earned on said funding being used for the operation and care of the cemetery.

Individual donations are tax deductible under Section 170 of the IRS Code.

IX. FRIENDS OF FOREST-LLEWELLYN CEMETERY COMMITTEE

The Friends of Forest-Llewellyn Cemetery was created to encourage community support to the operation of the Forest-Llewellyn Cemetery. This Committee is focused on restoration and preservation of the Cemetery and operates under the auspices of the Kirksville Historic Preservation Commission (KHPC).

The Friends of Forest-Llewellyn Cemetery will work with City staff and other community organizations to ensure that the cemetery is preserved for the education and appreciation of future generations. The committee will develop and disseminate educational information to the general public, generating both an awareness of and appreciation for, the historical significance of this local landmark; and will identify and establish fundraising events and activities.

- A. **MISSION.** The Friends of Forest-Llewellyn Cemetery Committee's mission is to assist in the restoration and preservation of Forest-Llewellyn Cemetery. As a member of this organization, members are expected to prioritize renovations, establish long-range maintenance plans to repair broken markers or monuments, damaged statuary, and collapsed tombs; replace dead trees; and improve and maintain the entryway into the cemetery.
- B. **MEMBERSHIP.** The membership appointment to the Friends of the Forest-Llewellyn Cemetery will be made by the Mayor with the consent of the City Council. No membership terms will be established.
- C. Recommendations that will impact the historic nature of the Forest-Llewellyn Cemetery will be brought to KHPC for their support before going forward to the City Council.

Staff support will be provided by the Community and Economic Development Director and City Clerk.