



## RULES AND REGULATIONS

Woodlawn is a traditional cemetery well known for its beauty, financial stability and caring services. It was founded in 1905 by men who were dedicated to providing a quiet, beautiful and affordable non-profit, non-sectarian perpetual care cemetery.

Perpetual Care consists of day-to-day operating and maintenance work, such as grass sowing or cutting, regrading of lots, resetting foundations or markers and monuments, planting and caring for trees, flowers and shrubs, snow removal and maintaining water supply systems, roads, fences and buildings.

The Association is committed to this concept of Perpetual Care and funds are set aside to properly maintain this cemetery of distinction in order that lot and niche owners may be assured of the future care of the cemetery.

The rules and regulations apply to all Association members, the general public, visitors, funeral directors and suppliers and contractors furnishing materials or performing work.

1. **TITLE.** The name of the Association is Woodlawn Cemetery Association Inc. The grounds are known as Woodlawn Cemetery.

2. **MEMBERSHIP.** The Association shall be composed of members who are burial lot or niche owners by purchase or inheritance. Membership is dependent upon full payment of a lot or niche.

3. **OWNERSHIP RIGHTS.** Purchasers of lots or niches acquire certain ownership rights for the sole purpose of interment or inurnment subject to the restrictions contained in the deed from the Association. These restrictions specify that ownership rights are subject to all the rules and regulations of the Association now in force or which may be later enacted. Further, that all lots conveyed continue under the control of the Officers of the Association so as to secure a conformity in the use, care and management thereof and to the general purposes and Rules of the Association.

4. **VOTING RIGHTS.** Members are entitled to vote as provided in this section and may cast their vote in person or by proxy at member meetings of the Association. Proxies must be filed in the Association office seven (7) days before any member meeting. If individuals by purchase are joint owners of a lot or niche or become joint owners by inheritance, the owners shall designate one person to cast a vote. A member or a designated owner is entitled to only one vote regardless of the number of lots or niches owned. Written proof of ownership and voting rights must be filed with the Association.

5. **SALE AND TRANSFER OF LOTS OR NICHES.** Any transfer or assignment of the use, or of any interest therein of a lot or niche requires the written consent of the Association. Lots or niches conveyed shall continue under the control of the Association to secure a uniformity in their use, care and management and comply with the purposes and rules of the Association. In addition, all lots and niches are subject to the laws of the State of South Dakota.

6. **SIGNS.** No signs will be permitted without the approval of the Cemetery Association. No sign indicating that a lot or niche is for sale is permitted in the cemetery.

7. **PETS.** Dogs, with the exception of seeing eye dogs, and other pets are not permitted on the Cemetery grounds. Any pets brought to the Cemetery must remain in a vehicle.

8. **INTERMENT/BURIAL.** A written order is required signed by the lot owner or a member of the family. One casket burial or one casket burial and one cremains may be interred in one grave space. Two cremains will be allowed in one grave if space permits. A cremains burial may be added to an existing casket burial only if authorized by the original lot owner.

9. **DISINTERMENT.** Disinterment is permitted by Court order and a permit from the South Dakota Department of Health.

10. **TIME OF INTERMENTS/INURNMENTS.** Interments are permitted on any day except Sundays or the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

The Association requires notice of the interments as follows: Notice must permit one full eight-hour working day from April 15th through October 31st and two eight-hour working days from November 1st through April 14th between date of notice and the interment. Saturdays, Sundays, and holidays are not considered working days.

Funeral processions in the Cemetery must be under the direction of the Association Manager or other staff.

11. **CASKET CONTAINERS.** Casket containers are required and shall be of concrete, copper or stainless steel construction.

12. **RECORDS.** Complete records of all burials shall be maintained and a diagram of the location of every interment shall be recorded in the office of the Association.

13. **RIGHTS OF ASSOCIATION.**

A. The Association reserves the right to adopt additional rules and regulations or to amend or repeal any rule or any part thereof at any time and without notice.

B. The Association reserves the right to have all work in the Cemetery performed under its supervision.

C. The Association may lay out or alter roads or walks.

D. The Manager of the Association is authorized to make temporary exceptions, suspensions or modifications of any rule, in writing, when in the judgment of the Manager such action is necessary and in the continuing best interests of the Association.

E. The Association shall not be responsible for loss or damages caused by the elements, thieves, vandals, or other acts beyond its control.

F. The Association reserves the right to remove any memorial or object of any type subsequent to installation, that in its judgment, proves to be faulty or of an inferior quality, design, material workmanship or is inappropriate or is otherwise contrary to the rules of the Association.

G. The Association reserves and shall have the right to correct any errors that may be made by it either in making interments, disinterments, or removals or in the description, transfer or conveyance of any interment property either by cancelling such conveyance and substituting and

an exchange thereof of other interment property of equal value and similar location as far as possible. In the event an error involves the interment of the remains of any person the Association shall have the right without any further liability, to remove and/or transfer such remains to other property as may have been properly conveyed or to other property of equal value and similar location. This includes the right after notifying the lot owners (assuming the address of the lot owner is available) to enter upon any lot for the purpose of disinterment or reinterment to correct any such error. No right of action against the Association or any of its officers or employees will accrue to any person unless such wrongful interment was the result of willful and malicious misconduct.

14. **POST SCRIPT.** As the number of burials increase in Woodlawn Cemetery, the problems of order, safety, neatness and beauty increase. We believe that you will agree that the natural, living beauty of nature is the finest tribute we can pay to our loved ones. To keep the Cemetery beautiful and in good taste, we urge your compliance with the Rules and Regulations set forth herein. We want Woodlawn Cemetery to be pleasing to members and to the community and believe its reputation show that these rules provide the basis for a beautiful and comfortable place. Uniform regulations permit us to maintain this beautiful Cemetery.

**GENERAL DEFINITIONS.**

A. **INTERMENT** means the burial or the inurnment of a deceased human.

B. **BURIAL** means the placement of human remains in a grave.

C. **INURNMENT** as used in modern cemetery language, means the placement of cremated human remains in an urn or the interment of the urn in a burial space.

D. **LOT, PLOT, GRAVE OR BURIAL SPACE** are used interchangeably and apply with like effect to one or more.

E. **COLUMBARIUM** means a structure containing niches for the permanent placement of cremation urns.

F. **NICHE** means a definitive wall recess in a columbarium for the placement of individual cremation urns.

G. **CREMAINS** means the cremated human remains sometimes referred to as ashes.

H. **MEMORIAL** will mean and include any monument, marker, urn, plaque, vase or structure upon or in any lot or niche placed thereupon or therein or partially therein for the purpose of identification or in memory of the interred.