

BYLAWS, RULES AND REGULATIONS

TOWN OF MAINE CEMETERY ASSOCIATION

TOUHY AVENUE AND DEE ROOD

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CHARTERED 1858

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STATEMENT OF PURPOSE

The purpose of this Association is to provide for the perpetual care and maintenance of the Town of Maine Cemetery – a hallowed place and historical landmark located in Park Ridge, Illinois.

To achieve that Purpose, the Association – acting through a Board of Trustees – will provide advice, direction, guidance and oversight to the professional management of the Cemetery (i.e., Cemetery employees, vendors and agents).

The Board has a sacred trust to preserve and protect the Town of Maine Cemetery and its past, present and future.

ARTICLE I

Name

Section 1. The Cemetery Association under the provision of its charter is known as the Town of Maine Cemetery Association.

Section 2. The Office of the Association is located at the Cemetery, Dee Road and Touhy Avenue.

Section 3. Office hours are 8:00 AM to 3:00 PM, Monday through Friday, Saturday by appointment .

ARTICLE II

Membership

Section 1. The membership of the Association shall consist of those persons who have completed payments upon one or more graves in the Cemetery, or those holding title as heirs, devisees or assigns, subject to the Regulations heretofore and hereafter adopted by the Association.

Section 2. Any person, a Member of the Association as above provided, shall be entitled to attend any annual or special meeting of the Association. Members may ask questions, offer suggestions or present petitions to the Board of Trustees. Members must abide by Robert's Rules of Order (per Article V, Section 3). Individuals not following parliamentary procedure may be removed from a meeting for unruly or disruptive behavior.

Section 3. The regular meetings of the members of the Association shall be held at the Office of the Cemetery or such other place as may be designated on the dates and times agreed to by the Trustees in the Spring and Fall.

Section 4. The Fall Meeting shall be designated as the Annual Meeting for the purpose of electing Trustees and Officers of the Association.

Section 5. Public notice of the date, time and place of the Annual Meeting of the Association shall be given by the Secretary and/or Office Manager.

ARTICLE III

Government and Management

Section 1. The government of the Association shall be vested in a Board of seven (7) Trustees. All Trustees shall be elected at the Annual Meeting of the Association or any adjournment thereof, for a term of two years, and until their successors are duly elected and qualified. The term of a Trustee elected to fill a vacancy shall be for the unexpired term of the Trustee whose vacancy is being filled.

Section 2. Only persons who are Members of the Association (per Article II, Section 1) shall be eligible to become a Trustee.

Section 3. Vacancies in the Board of Trustees may be filled by the Board at any meeting thereof. Such Trustee so elected, however, shall serve only until the next Annual Meeting or until his successor shall have been duly elected and qualified.

Section 4. Special meetings of the Board of Trustees may be called at any time by the President and, in his absence, by application of three (3) members of the Board of Trustees, by mailing to each Trustee, at least three days prior to the date of said meeting, a written statement of the object, time and place of such meeting.

Section 5. A quorum shall consist of five (5) Trustees in person or by proxy, but a number less than a quorum can adjourn the meeting to a future day.

Section 6. The Board of Trustees are empowered to fix the price for the sale of lots, sell and transfer the same, provide for the care and upkeep of the Cemetery, including perpetual care of the graves and to make all needed Rules and Regulations for the conduct and government of the Cemetery. The Trustees may also appoint and employ such professional help as may be necessary.

Section 7. The Board of Trustees may set apart such portion as they see fit of the monies received from the sale of lots, but in no case less than the amount required under the Statutes of the State of Illinois (15% of sales), for the purpose of keeping the Cemetery and the graves therein permanently in good order and repair. Said funds shall be kept separate from all other assets as an especial trust fund controlled by State Bank Trust.

Interest and income derived from such trust fund shall be applied only to the purpose expressed herein and shall not be diverted from such use.

Section 8. The Association may receive by gift or bequest, real or personal property, or the income of such property, which shall be conveyed in trust for the improvement and maintenance of the Cemetery, chapel or such other structures in the Cemetery as may be designated by the terms of the gift or bequest and in accordance with such reasonable rules and regulations as may be made from time to time by the Board of Trustees.

ARTICLE IV

Elective Officer and Duties

Section 1. The officers of the Association shall be a President, Vice-President, Secretary and Treasurer (or Secretary/Treasurer), each to be elected at the Annual Meeting and to serve for the ensuing fiscal year and until their successors are duly elected and qualified. Terms of office are two years but not limited to two years. The officers shall be elected from among the Members of the Board of Trustees. The Board of Trustees shall have the power to fill all vacancies among the officers designated by this section.

Section 2. Other officers and agents may be appointed by the Board of Trustees and they shall perform such duties as shall be designated by the President or by the Board of Trustees, including a Sexton of the Cemetery and an Office Manager.

Section 3. The Trustees, by resolution, require any or all of the officers and employees of the Association to give bond to the Association with sufficient security to be approved by the Trustees, conditioned upon their faithful performance of the duties of their respective officers and employment.

Section 4. The Trustees of the Association may at any time by a majority vote remove any officer or employee of the Association and declare such office vacant and elect a successor.

Section 5. The President of the Association shall preside at all meetings of the Trustees and Members, shall have general control and authority of all business affairs of the Association subject to the direction of the Board of Trustees, and shall perform such other duties as may be assigned to him/her by the Board.

Section 6. The Vice-President shall preside in the absence of the President.

Section 7. The Secretary shall keep a full and accurate report of the proceedings of all meetings of the Association and shall perform such other duties as may be assigned to him/her by the Board of Trustees.

Section 8. The Treasurer shall receive, hold, invest or expend under the direction of the Board of Trustees all money paid to the Association, shall keep an accurate account of the receipts and expenditures, with vouchers for the latter. The Treasurer shall render accounts at such stated periods as the Trustees may require and shall render a complete itemized account of all financial transactions of this Association at the annual meeting. The Treasurer shall give such bond for the faithful discharge of his duties as may be required by the Board of Trustees. The place of making deposits and method of drawing all checks shall be under the direction of the Board of Trustees. The books of the Treasurer shall at all times be open to the inspection of the Members of the Board of Trustees and he shall deliver the same to his/her successor with all monies in his/her hands. He/she shall make a report of the condition of the Treasury whenever required by the Board of Trustees.

Section 9. A majority of the members of the Board of Trustees may declare as vacant the office of any Trustee or other officer where said Trustee or officer has failed to attend at least three successive meetings of the Board of Trustees without good cause.

ARTICLE V

Miscellaneous

Section 1. All conveyances shall be signed in the name of the Association, signed by the President and attested by the Secretary or Treasurer and ensealed with the Seal of the Association.

Section 2. These Bylaws may be repealed, modified or amended or new Bylaws adopted at any regular meeting of the Association by the affirmative vote of majority of the members present.

Section 3. The conduct of all meetings of the Association shall be in accordance with Robert's Rules of Order.

Rules and Regulations

The following Rules and Regulations have been adopted by the Board of Trustees:

LOTS

- 1) No sale, transfer of assignment of any lot shall be valid without the consent of the Association endorsed on the conveyance.
- 2) Each lot owner shall at once notify the Association of any change in his post office address.
- 3) All work upon lots shall be done under the direction of the Cemetery Sexton.
- 4) At the expiration of one year, all graves on lots which are not paid for may, at the discretion of the Board of Trustees, be declared forfeited.
- 5) Corner posts for lots will be allowed but must be level with the surface of the lot.
- 6) Board will consider on a case-by-case basis to repurchase graves at what was paid up to \$500.00

INTERMENTS

- 1) Bodies will not be interred unless burial is accompanied by the proper burial permit.
- 2) Lot owners desiring graves to be opened, or other work to be done, will be required to exhibit the deed for the lot or to give other satisfactory evidence of ownership.

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- 3) All graves shall be dug by workmen employed by the Association for that purpose. No filling, sodding, boxing, mounding or other work shall be done except by such employees. No grave shall be less than four feet below the level of the nearest walk.
- 4) Disinterment will not be accomplished without the consent of the Cemetery Sexton and such action shall be done under Sexton direction and by workmen employed by the Association.
- 5) Request for the opening of a grave shall be given in sufficient time to allow eight hours of daylight for the work.

HEADSTONES

- 1) Wire designs containing flowers shall be removed as soon as flowers fade. The Association will not be responsible for loss to any portable articles left upon any lot, grave, or other part of the Cemetery.
- 2) **All monuments and markers shall be set upon a foundation either concrete or limestone. This can be set by outside contractors after given notice to the Cemetery Manager for location and requirements have been met.**
 - 2a) Damaged monuments, which present a safety concern, should be brought by the Sexton to the Board's attention for appropriate action.
- 3) The Cemetery will engage in the sale of headstones to be designed and ordered by a Cemetery staff. A fee for foundations will be charged per current price list. A fee for all foundations required for stones by outside vendors. Fee schedules are available.
- 4) Lot owners desiring foundations to be put in must order same at least fifteen (15) days in advance of the date that the setting is to be done. No masonry requiring the use of cement or mortar shall be done when the weather is such that injury from frost may occur. All foundations must be finished true and level. All foundations shall be installed by workmen employed by the Cemetery.

PLANTING OF TREES, ETC.

- 1) Permission must be obtained from the Cemetery Sexton before planting any tree or shrub and no tree or shrub growing within the Cemetery shall be removed without Sexton's consent.
- 2) If any tree or shrub situated in any lot shall become unsightly, dangerous or detrimental to the adjacent lot or walks, Cemetery Sexton shall have the right and it shall be its duty to remove said tree or shrubs, or such parts thereof as may be necessary.
- 3) If anything be placed on or in any lot, which shall be deemed offensive, improper or injurious to surrounding lots, the Cemetery Sexton shall have the right and it shall be its duty to enter upon said lot and remove said object or objects.

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- 4) After a bed or grave is prepared, owners may, if they chose, set out their own flowers. Plants set out in an unsightly manner, or left uncared for, will be removed.
- 5) The right to alter walks and drives is reserved.
- 6) The Cemetery Sexton may take such action as may be necessary, though not expressly authorized by the rules, in order to protect the property of the lot and grave owners or of the Cemetery Association from injury, to preserve peace and good order, or to prevent injury to lots, graves, grounds, or buildings.
- 7) In the interest of harmony and general appearance of the Cemetery, all so-called improvements made without the consent of the Cemetery Sexton will be subject to removal without notice to the owners.
- 8) Persons discarding rubbish in other than receptacles provided will be subject to penalty.
- 9) These regulations shall be posted on the Cemetery grounds.

MISCELLANEOUS

- 1) Persons or picnic parties with refreshments will not be permitted within the Cemetery.
- 2) Persons with firearms will not be permitted within the Cemetery and no one will be permitted to disturb the quiet and good order of the place, except veterans' observances.
- 3) Dogs will not be permitted within the Cemetery, except guide dogs for the blind.
- 4) Picking flowers, wild or cultured, breaking or injuring any trees, plant or shrub, or in any way injuring any monument, headstone or ornament, or other structure or property within the Cemetery will, under the State law, subject the offender to severe penalties.
- 5) Security means shall be in effect at all times. Grave locations to be marked clearly and above ground level. (Insurance)
- 6) These regulations shall be posted at multiple locations on the Cemetery grounds.
- 7) **Town of Maine Cemetery does not offer "Pre Need Services Contracts".
Burial service is paid in full at the time of need only.**