

# **Proposed Cemetery Policy and Guidelines for the Al-Iman Cemetery**

## ***In the Name of Allah Most Gracious Most Merciful***

The Al-Iman Cemetery is owned by the Al-Iman Center of Iowa Inc., also known as Iowa City Mosque, which is a non-profit religious organization registered with the State of Iowa. This document describes the rules and regulations adopted to ensure the preservation and the proper operation of the Al-Iman Cemetery. These rules and regulations are set forth by the Al-Iman Center Cemetery Committee, which reserves the rights to amend these rules with the approval of the Executive Committee and the Board of Trustees of the Al-Iman Center of the Iowa Inc.

The Al-Iman Cemetery, hereby referred as 'AIC', is a 5.97 acre of property located on the west side of Sharon Center Rd. The actual address is 4373 Sharon Center Rd SW Iowa City IA, 52240.

## **1. RULES & REGULATIONS**

Burial privileges in Al-Iman Cemetery are ONLY for Muslims, irrespective of their school of thought or mazhab.

The decision as to whether a deceased person was a Muslim, shall be made based on the testimony of the surviving relative/family members requesting the burial and/or on the testimony of members of the Muslim community. The AIC or their designee reserves the rights to make the final determination.

### **1.1: Maintenance of Cemetery and Cemetery Lots**

The AIC shall maintain the Cemetery and individual burial/interment lots in accordance with the conditions set forth by the County, Department of Natural Resources (DNR) and State authorities with the approval of the Executive Committee and the Board of Trustees of the Al-Iman Center of the Iowa Inc.

Only those personnel/companies who are either employed/contracted or designated by the AIC shall perform any work on the Cemetery grounds. The work includes, but is not limited to, all labor performed including planting or removal of trees, flowers, gardening, construction, grave openings and closings, or any kind of maintenance required for the upkeep of the Cemetery.

Any contractor performing work in the Cemetery must comply with all legislation including Workers' Compensation, Environmental Protection and Occupational Health and Safety. Proof of general liability insurance must also be provided at the request of the AIC. All Cemetery policies apply to contractors working within the Cemetery.

Any damage caused by contractors will be rectified by the Cemetery at the expense of the Contractor.

## **1.2: Responsibilities of the family/legal representative of the Deceased:**

It shall be the responsibility of the family members/legal representative, referred to as “family”, to directly work with holding places, such as hospitals, hospice or nursing home, to get the body released. Family shall be responsible for clearing any legal issues surrounding the matter. Family is advised to work directly with Lensing Funeral Home in all these matters. Family of the deceased may contact any of the cemetery committee members listed below or representative who may guide towards coordinating the whole process. However, the overall responsibility remains on the family.

**Ghusl** (Shariah washing of the body) shall occur in the Funeral Home. All the incurred expenses for the above are the responsibility of the family.

Janazah prayer arrangement is also the responsibility of the family.

AIC will not allow the body of any deceased to be buried without official Death certificate fully completed and signed by appropriate authority. If the deceased is from outside the State of Iowa, then a Burial-Transit permit is also required in addition to the death certificate. It is the responsibility of the family to obtain, and pay for, these documents.

AIC does not charge for the plot of the grave. However, there are service charges and maintenance fees for the grave and the general maintenance of the Cemetery. The following costs are the responsibility of the family of the deceased:

- Service charges
- Biodegradable wooden /Cardboard box (if needed)
- Kafan (Shroud) and other materials to prepare the body for burial
- Grave marker

The deceased or family has only interment rights to be buried. However, they don't own any part of the cemetery.

## **1.3: Burial Process:**

Before each burial, AIC staff or committee member shall be furnished with a written order showing the deceased's name, address of last residence, date and place of death, name and address of the deceased's next-of-kin or legal representative, the time at which the funeral will arrive at the cemetery, and the name of the funeral director.

A Burial Permit indicating the death has been registered must be provided on the day of burial and before the interment takes place.

The family of the deceased will be required to sign burial request documents to begin the process of the burial.

All burials must take place in the presence of a cemetery committee member or their designee.

AIC reserves the right to refuse a request for burial without providing specific reasons to the family.

AIC reserves the right to refuse any ritual that has no ground in Islamic Shariah jurisprudence before, during, and after burial.

No reservation for the grave site(s) will be permitted before hand by **any one** including any of the Masjid or Cemetery Board or Committee member.

Only the grave site immediately next to an occupied one, in compliance with the master plan, will be used.

Only authorized cemetery personnel either contracted or assigned by AIC cemetery committee may open or close a grave (including lowering the corpse in the grave). Cemetery staff may temporarily delay any burial if the safety of the public is at risk.

All interment shall take place strictly between the hours of 9 AM to before Dusk. Washed and prepared body from the funeral home must be received at the cemetery no later than 3:00 P.M. to be buried the same day. County agreement strictly prohibits any disturbance to the neighborhood outside this time frame. There is no lighting arrangement in the cemetery other than day light.

Additional service charges may apply on the weekends/holidays.

AIC shall not be responsible for any of the delay that might occur due to inclement weather conditions / other reason which are not in control of AIC. When weather conditions permit and it is safe for the diggers and the public, only then would burial be performed.

**Contagious Diseases:** If a death is the result of a contagious disease, it is a legal requirement that the Cemetery be notified before the burial takes place. The disinterment of a person who has died from a contagious disease may be made only with the consent of the local public health officials.

**Burial Containers:** A burial container selected for interment must be of a rigid, biodegradable material, i.e. wood or cardboard. Under no circumstances may an individual enter a grave during the course of an interment in order to handle the burial container or human remains, for health and safety reasons.

**Removal of Human Remains:** With the written consent of the Interment Rights Holder, human remains may be removed from a grave. Before a removal can take place, a certificate provided by the local public health officials must be received at the cemetery office. Authorized public officials may order a removal without the consent of the Interment Rights Holder(s) or next of kin. The Cemetery is not responsible for any damage to a burial container that might take place during the course of a removal.

Unauthorized burial at the Muslim cemetery will be dealt with swiftly. All costs associated with remedial of the unauthorized burial including attorney fees and AIC charges will be billed and collected from persons responsible for the unauthorized burials.

No grave shall be raised above the established grade (no cement or brick grave). No enclosure of any kind, such as a fence, hedge, ditch, gravel, or shrubs shall be permitted around any grave. No tomb or mausoleum may be erected on any grave.

Grave depth shall be a minimum of five (5) to six (6) feet below the surface of the ground.

No one is allowed to make any changes or alterations to the graves.

No vehicles are to be driven through the cemetery grounds, except the grave digger or maintenance person's vehicle.

No person shall pluck or remove any plant or flowers from any part of the cemetery.

No digging of holes or breaking/injuring any tree shrubs or in any way defacing the grounds or structures of the cemetery.

No person shall be permitted to use profane or boisterous language or in any way disturb the quiet and good order of the cemetery.

No advertisements, notice, or sign of any kind will be allowed unless placed or distributed by AIC.

AIC reserves the right to refuse permission to anyone to open the coffin or to touch the body of the deceased without the consent of the legal representative of the deceased or without a court order.

#### **1.4: Memorials/Marker:**

Monuments shall not be permitted on graves or plots in any section within the cemetery.

AIC is not responsible for repair or replacement of any name plate or marker. The family of the deceased will be required to pay all the cost associated with. Only authorize personnel can install it after approval by AIC committee.

Only one markers or headstone per grave is allowed by permission of AIC committee.

No structure shall be allowed a top the grave site except for the grave markers or headstone as approved by AIC committee.

Loose Articles: Loose articles of remembrance that are placed on a grave but are deemed a safety hazard or that hinder the overall maintenance of the cemetery are not permitted. These include but are not limited to: Articles made of glass or ceramic, Articles made of corrosive metals, Sharp objects or loose stones, Trellises and hanging baskets, any type of border fence or wall, Chairs or benches, these items will be removed without notification.

Loose Flowers and Wreaths: Fresh cut or artificial flowers, not in a breakable or corrosive container, may be placed on a grave. Dead or unsightly flowers will be removed by the cemetery administration.

Wreaths may be placed on graves between November 1st and March 31st. They must be removed by March 31st to allow for spring maintenance and clean up. The Cemetery is not responsible for any damage to or loss of articles placed on a grave.

All graves will be arranged according to the master plan submitted to Johnson County.

No graves or structures shall be located within any utility easements on the property.

AIC disclaims all responsibility for loss or damage beyond its control, and especially from damages caused by elements, act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or order of military or civil authority, whether damage is direct or collateral.

AIC reserves the right to regulate the method of decorating graves to harmonize with the surroundings.

Unauthorized markers, permanent decorations of any kind, plants and shrubs are not permitted. Any violation will result in removal of such construction, without exception or notice to the family.

Children under the age of 18 years must be accompanied by their adult guardians.

Food and drinks in the burial area is prohibited.

No pets are allowed in the Cemetery.

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardships. AIC therefore reserves the right, without notice, to make

exceptions, suspensions or modifications in anyone or all of the rules and regulations when in its judgment such changes appear advisable. Such temporary exceptions, suspension or modifications shall in no way be construed as affecting the general application of these rules and regulations.

AIC reserves the right to enlarge, reduce, re-plat or change the boundaries of cemetery property, including the right to modify or change the location of, remove or regrade roads, drives, walks, parkways, or any part thereof.

AIC may adopt new rules and regulations from time to time or it may alter, amend or repeal all or any part of these rules and regulations. At such time these rules and regulations shall be amended or replaced by the new rules and regulations.

Once at AIC property, please obey all signs. Please park at the designated areas only.

The information on total cost associated with the burial will be shared with the family of the deceased.

### **1.5: General Information**

Presently there is not a paid manager hired for the cemetery, and as a result, the hours of public access to the cemetery are limited.

The operating expenses of the cemetery are covered solely and exclusively by donations from the members of the Muslim Community of the Iowa City, Coralville, neighboring towns and other volunteers. It is recommended that all community members contribute generously to meet all the expenses incurred for regular maintenance and necessary upgrades and expansion of the cemetery.

Visitors use the cemetery at their own risk and should be aware of the following:

Vehicles must be operated in a safe and dignified manner within the cemetery grounds no one may damage or deface any property belonging to the cemetery.

Cemetery Committee approval is required for special events or any type of filming or photography

AIC retains the right of passage over every grave so that cemetery operations may be performed effectively.

AIC is not required to replace plants, shrubs, or trees which have been damaged or destroyed.

Group assembly, other than burial services, are prohibited

Any article or device, which is detrimental to the maintenance or constitutes a hazard to machinery, cemetery staff or the public, or any article or device which, in the reasonable opinion of the corporation, is unsightly or does not conform with

the natural beauty or design of the cemetery may be removed by from any grave by AIC.

No person shall,

(a) Willfully destroys, mutilate, deface, injure or remove gravestone or other structure placed in the cemetery, or any fence, railing or other work for the protection or ornament of the cemetery, or other structure in the cemetery; unless authorized to do so by AIC committee.

(b) Willfully destroy, cut break or injure any tree, shrub or plant in the cemetery; unless authorized by AIC committee.

(c) Playing any sort of game or sport in the cemetery is prohibited

(d) Discharge firearms in the cemetery

(e) Willfully and unlawfully disturb persons assembled for the purpose of burying a body in the cemetery

(f) Commit a nuisance in the cemetery.

Upon violation of any of these rules, appropriate action will be taken.

### **Fig or ISLAMIC INJUNCTIONS REGARDING A MUSLIM FUNERAL & BURIAL PROCESS:**

There is no Islamic teaching or evidence of the following acts:

- Putting the Quran under the head of a dying Muslim.
- Asking junubs (Those who are not in a state of purity) to leave the burial site.
- Putting flowers, candles etc., in the deceased's room.
- Reading the Quran during the Ghusul (washing the deceased body).
- Making special zikr (Certain words to remember Allah) during the Ghusul.
- Writing anything on the shrouds.
- Putting the picture of the deceased or some of his/her clothes or flowers in front of or around the Kafan (Shroud).
- To use a coffin (Box) unless there is necessity to use it, such as the body of the deceased is damaged, or for health reasons, or when the grave is wet and cannot be dried.
- Revealing the face of the deceased after putting the body in the grave.
- That one need to transfer the deceased to another country.
- Reading the Quran in the cemetery
- Shouting with special zikr before, during, and after burial.
- Women are forbidden from attending the burial.

- Slaughtering an animal during or after burial.
- Putting flowers, food, water, or money around the grave that will benefit the deceased.
- Putting anything in, on or around the grave that will benefit the deceased.
- Arranging a mourning gathering on the day of death, or on the third day after death, or on the seventh, or on the twentieth day, or on the fortieth day, or on the anniversary of the death.
- That the relatives of the deceased should wear black clothes.
- Staying in a state of sadness for one year.
- Visiting the grave after three days, or seven days, or twenty days, or forty days.
- Visiting the grave of the parents every Friday.
- Visiting the grave any special days such as Eid days, Ashura day, or Ramadan.
- The Quran or Surah Al-Fatiha during the visit to the cemetery, but only make Dua (Supplicate) for the deceased and other dead Muslims.
- Wiping hands over the grave, or kissing the grave.

The following should be observe during burial

- During burial, all Muslims who are present should refrain from unnecessary talking, arguments. It is time to remember death, and the hereafter.
- A grave is dug deep enough to totally hide the body of the deceased.
- The grave should be always perpendicular (Horizontal) to the direction of Qiblah
- Only Muslim men should carry out putting the body in the grave.
- It is recommended that those who put the deceased in the grave are not in condition of junub.
- The deceased's male relatives are expected to put the body in the grave.
- It is recommended that a deceased Female is placed in her grave by her mahram.
- It is recommended to say while putting the body of the deceased in the grave: (Bismil llah wa ala millati rasulil llah), which means: "In the name of Allah and in the faith of the Messenger of Allah".
- The deceased's body should rest on his right side, and should be close to the wall and supported so that the body will not fall back.
- The deceased's face should be towards the Qiblah. □
- It is suggested to put above the body a layer of wood or other layer, so that dirt will not be put directly on the body when they fill the grave with dirt if body is not placed in a box.
- After the burial, relative or community member may stay for a while to make Dua' (Supplication) for the deceased. □
- It is prohibited to build any form of construction on the grave, or decorate the grave.
- It is prohibited to step over, lean, or sit on a grave.
- It is prohibited to put candles on the grave.



## Visiting The Cemetery

The purpose of visiting the cemetery is to remember the absolutely reality that every soul will have to die one day. Therefore, it is wise that we prepare ourselves for the Day of departure from this temporary life. and to make Dua (supplicate to Allah) for forgive of the deceased 's sins.

### Guidelines on Visiting the Cemetery

Visiting the cemetery benefits both the living and the dead. The visitors will be reminded of their own death and they make duas (supplication) for the dead Muslims.

- Everyone visiting the cemetery should be properly dressed.
- All visitors must conduct themselves in the best manner.
- It is prohibited for Muslim females to frequently visit the cemetery.
- Mourning over the dead is allowed in Islam.
- Grieving for the death of a beloved person is normal, and crying over the dead is allowed in Islam.
- It is prohibited to express grief by wailing in a loud voice, shrieking, beating the chest and cheeks, tearing hair or clothes, breaking things or scratching faces or saying phrases that makes a Muslim lose faith.
- From the authentic teachings of Prophet Muhammad (P.B.U.H) there are ONLY three things that benefit the dead:
  1. *Sadaqa Jariyya; Continues Charity*
  2. *Knowledge left by the deceased from which others benefit;*
  3. *A righteous child who makes Duas (supplication), or perform duties that the parents did not do during their lifetime, such as fasting missed days of Ramadhan, performing the Hajj, or pay their debts.*
- Anything else that you do would not benefit your beloved deceased.

Salatul Janazah for the one who died far away is allowed.

## Contractor Agreement

The AIC shall maintain the Cemetery and individual burial/interment lots in accordance with the conditions set forth by the County, Department of Natural Resources (DNR) and State authorities with the approval of the Executive Committee and the Board of Trustees of the Al-Iman Center of the Iowa Inc.

Only those personnel/companies who are either employed/contracted or designated by the AIC shall perform any work on the Cemetery grounds. The work includes, but is not limited to, all labor performed including planting or removal of trees, flowers, gardening, construction, grave openings and closings, or any kind of maintenance required for the upkeep of the Cemetery.

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Any damage caused by contractors will be rectified by the Cemetery at the expense of the Contractor.

**Al-Iman Center of Iowa, 1812 W. Benton Street, Iowa City, Iowa**

**Al- Iman Cemetery (AIC) Burial Application Forms:**

I \_\_\_\_\_ (print full name) as the next of kin or legal representative of the deceased have read the AIC Rules and Regulations, and agree to comply with them. I also agree to comply with any future rules and regulations, which may be set forth by the AIC or any government agency.

As the next of kin or legal representative of the deceased, I am also responsible to have other members of the deceased family/relatives to comply with all the AIC rules and regulations at present and in the future.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Relation to the Deceased: \_\_\_\_\_ Phone \_\_\_\_\_

Address:  
\_\_\_\_\_

Witness: \_\_\_\_\_

Address: \_\_\_\_\_

Deceased's Full Name:  
\_\_\_\_\_

Date of Birth \_\_\_\_\_ Place of Birth \_\_\_\_\_

Date of Death \_\_\_\_\_ Place of Death \_\_\_\_\_

Gender: \_\_\_\_\_ Last Residence: \_\_\_\_\_

**For Official Use Only**

Approved by \_\_\_\_\_ Dated \_\_\_\_\_

Grave Lot # \_\_\_\_\_ Grave number \_\_\_\_\_ Date of Burial \_\_\_\_\_

Burial Arrangements made by: \_\_\_\_\_

Death Certificate No. \_\_\_\_\_ Date issued: \_\_\_\_\_

## AUTHORIZATION, CONSENT AND RELEASE OF LIABILITY

I/We, the undersigned, certify, warrant, and represent that I/We have the full legal right and authority to, and permission from any and all other relatives, guardians or conservators to authorize the Cemetery Committee of the Al-Iman Center Inc. (AIC) to process the Islamic burial of

\_\_\_\_\_ (*Name of Deceased*)

(hereinafter referred to as “the Deceased”), and further no one else has this authority.

I/We agree to indemnify, release, and hold the Committee, their affiliates, agents, employees and assigns, harmless from any and all loss, damages, liability or causes of actions (including attorneys' fees and expenses of litigation) in connection with the Islamic burial of the deceased, as authorized herein.

Except as set forth in this authorization, no warranties, expressed or implied, are made by the Committee or any of their respective affiliates, agents, or employees.

I/We warrant that all representations and statements made herein are true and correct, and that I/We have read and understand the provisions contained in this document.

\_\_\_\_\_  
Print Name Signature Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Relationship

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Print Name Signature Date

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Witness

Signature

Date

