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| A. | Minimum charge<br>(300 sq. in. and under) | \$100.00        |
| B. | All larger sizes (over 300 sq. in.)       | .35 per sq. in. |
- (2) The length of monuments and markers shall not exceed three-fourths of the width of the lot upon which they are centered. Monuments or markers shall not exceed forty-eight inches above the base. Bases shall not exceed twelve inches in height. [Reference all provisions of 941.06(f)]  
(Ord. 11-01. Passed 3-22-01.)

#### **941.05 INSTALLMENT PURCHASES.**

- (a) Lots Purchased by Installments Shall Require:
- (1) An initial payment of one hundred dollars (\$100.00) per gravesite.
  - (2) Then twenty-five dollars (\$25.00) per gravesite per month until the purchase price is paid in full.
  - (3) The purchaser may not place anything on the lot, nor may interment be made until the purchase price is paid in full.
  - (4) Purchasers of cemetery lots by installment shall keep their accounts current. Any account not current within sixty (60) days of notification shall have the purchase agreement forfeited.
  - (5) If the purchase agreement is forfeited, the total amount received less fifty dollars (\$50.00) shall be refunded and the gravesite made available for resale to the public. (Ord. 11-01. Passed 3-22-01.)

#### **941.06 RULES AND REGULATIONS.**

- (a) Definitions.
- (1) "Cemetery" means a burial place for the human dead, only.
  - (2) "Lot", "plot", "gravesite" or "burial space" shall be used interchangeably, and means one, or more than one, adjoining graves.
  - (3) "Interment" means the disposition of the remains of a deceased person or persons by entombment or burial
  - (4) "Memorial" includes a monument, marker, tablet, private mausoleum or tomb for family, individual use, tombstone, or burial vault.
  - (5) "Endowment" means a specified amount of money set aside by the lot owner with only interest used, not principal, and given to Oakdale Cemetery for services rendered on such lot. No specific instructions go with the same. On the effective date of this revised ordinance, no new endowments will be accepted by Oakdale Cemetery.
  - (6) "Special endowment" means a specific sum of money placed in trust by lot owners with Oakdale Cemetery with only the interest on the investment to be used as the donor so desires. Only the Superintendent carries out the specific terms. On the effective date of this revised ordinance, no new special endowments will be accepted by Oakdale Cemetery.  
(Ord. 11-01. Passed 3-22-01.)
  - (7) "Resident" means any person who either lives or works in the City of Marysville. (Ord. 19-13. Passed 4-25-13.)
- (b) Care of Lots.
- (1) Under no circumstances shall a lot be terraced above or below surrounding or adjoining lots.
  - (2) To keep all lot owners harmonious as possible without infringing on an adjoining lot, ALL plantings shall be under the supervision of the cemetery personnel.

- (3) Flower beds may be made the full length of the monument on the lot at the head of grave only and twelve (12) inches out from the monument toward the burial spaces. No planting is allowed on the backside or sides of the monument. Cemetery personnel will remove plantings not meeting these requirements.
- (4) The use of decorative gravel and/or stone, lava rock or like material is not permitted.
- (5) No chairs, statues, artificial animals, settees, jars, boxes, shells, toys, bottles or glass containers, used as a receptacle, nor battery operated or electrified devices or any other inappropriate items shall be placed on gravesites. The cemetery personnel shall remove all such articles that violate this rule.
- (6) Artificial flowers shall be permitted all year, with the exception that grave blankets will be removed by February 1st to prevent damage to grass. Artificial flowers should be attached to the monument or within the twelve inch space in front of the monument or placed in the urn(s). Artificial flowers which are severely weathered or are out-of-season, shall be removed by Cemetery personnel, labeled with the date removed, the name on the grave from which they were removed, stored by the shop for four months to allow family members the opportunity to claim them and then disposed of.
- (7) Oakdale Cemetery shall not be responsible for any tools or other personal property, unattended by its owner.
- (8) All urns or vases shall be removed from a lot if not in use by June 1st, or if they are showing significant signs of deterioration or are causing problems in mowing, unless they are an integral part of the monument. Items removed shall be labeled with the date removed, the name on the grave from which they were removed, stored by the shop for four months to allow family members the opportunity to claim them and then disposed of. Urns and vases may be made of concrete, metal, plastic or other material.
- (9) No trees, plants or shrubs, shall be planted on lots or graves.
- (10) If any existing tree, plant, or shrub on any lot becomes detrimental or injurious to adjacent lots, walks, avenues or monuments, it shall be removed.
- (11) The use of "shepherd's rods" for hanging baskets, containing live or artificial flowers, are allowed, with the requirements that they be flush against the monument with the basket hanging over the monument and/or the 12 inch space in front of the monument, to make it easy to mow around. The height shall not exceed 60 inches from the ground. Ornamental objects hanging from the shepherd's rods are prohibited. "Shepherd's rods" which are not in use after June 1st shall be removed and shall be labeled with the date removed, the name on the grave from which they were removed, stored by the shop for four months to allow family members the opportunity to claim them and then disposed of.
- (12) Oakdale Cemetery reserves the right to remove any or all floral designs, flowers, weeds, trees, shrubs or plants of any kind.
- (13) Any article made of concrete is not considered ornamental and is strictly forbidden. (Ord. 11-01. Passed 3-22-01; Ord. 49-02. Passed 9-12-02.)

(c) Lots.

- (1) Persons desiring to purchase a lot shall go to the cemetery office, where records shall be kept, and the Superintendent or his assistant shall show the lots that are available and for sale.
- (2) Each individual section is subdivided into lots of different sizes, so as to meet the various needs of purchasers.
- (3) No lots shall be sold in any section until the same has been properly graded, landscaped, seeded, drained, water service installed and platted and is approved by Council.
- (4) Prices of all lots are fixed by Council and cannot be altered, in any circumstance.
- (5) Lots are conveyed by deed, for purposes of interment only. Lots are transferable by owners relinquishing the original deed to the cemetery
- (6) Cemetery personnel shall mark all lots by cornerstones, numbered to correspond with the deed, record and plat book, and set as level as possible with the sod.
- (7) No curbing, fencing, hedging, borders or enclosures, or other boundary markings shall be permitted on any lot. The cemetery reserves the right to remove the same if erected, planted or placed.
- (8) Purchased lots are exempt from taxation and liabilities for debts.
- (9) No lot owner has the right to transfer any lot, in whole or part, for profit or other similar devices.
- (10) The lot owner may dispose of an unused portion of a lot in a legal will or notarized statement. One copy shall be delivered to the cemetery office in order that it may be recorded.
- (11) As a husband is not always an heir-at law of his wife, nor wife of her husband, neither shall necessarily inherit the lot from the other. To assure the survivor an interest in the lot, both named should be embraced in the deed. If the proprietor died testate, the lot shall descend to his or her heirs jointly and in equal, undivided shares, subject to the same conditions. The heirs shall be determined by the statutes of Ohio, in force at time of death.
- (12) Persons purchasing a lot may not place anything on the lot, until all of the purchase price is paid in full.
- (13) Any purchaser desiring to return an entire lot or unused portion, may do so by bringing or mailing his or her certificate to the City of Marysville, where they will be reimbursed for the exact amount paid, less a service charge of twenty dollars (\$20.00) per gravesite.
- (14) The taking of plants, shrubs, trees or flowers from another's lot or grave is strictly forbidden.
- (15) The number of interments which may be properly made upon a lot is definitely fixed at the time of purchase, and no more shall be permitted.
- (16) The remains of the original lot owner shall stay on the original lot. Other remains may be removed from one lot to another, with legal consent by the closest, living legal heir(s) and then only for good cause, according to the aforesaid rules.

(d) Interments.

- (1) All interment charges shall be paid in advance, or guaranteed by the Funeral Director, personally.
- (2) Interments in one grave space are limited to either one body(casket), one body plus two cremations, or a total of three cremations. One body and an infant in a mother's or father's arms can be included in one casket.

- (3) All interments shall be made in concrete, metal or sectional vaults (approved) or plastic. No wooden boxes, except for children two years of age or under, may be used.
  - (4) All interments are subject to local, County and State laws.
  - (5) Errors may be corrected. If, at any time, a misinterment is made, the Superintendent shall have the error corrected as soon as humanly possible.
  - (6) Parties are advised to apply at the cemetery office before fixing the time for the funeral, to ascertain at what time the Superintendent can attend to the same, in order to prevent delay and confusion at the grounds. Applications will be considered each in its own turn.
  - (7) All interments shall be made under the supervision of the Superintendent and by the employees of the cemetery.
  - (8) No body shall be removed from the grounds, nor shall a body be removed from one part of the cemetery to another, without permission of the Superintendent and such removal shall be made by cemetery employees, under his supervision.
  - (9) The cemetery requires that all interments are settled solid before sodding.
  - (10) The arrangement of the location of graves upon a lot is determined by the Superintendent, as it is necessary that uniformity prevail.
  - (11) No interments shall be made without a burial permit furnished by the Funeral Director and delivered to the Superintendent before disposition of the body concerned.
  - (12) Orders for interments shall reach the Cemetery office forty-eight hours preceding the interment, except infants two (2) years or younger shall require twenty-four hour notification. For all Monday services, the order shall reach the Cemetery office by 12:00 noon on the preceding Friday.
  - (13) Funerals must be in the Cemetery by 3:00 p.m. on weekdays and 12:00 noon on Saturdays. [Cross reference 941.04 Section (b)]
  - (14) Upon entering the cemetery gates, the funeral cortege is in charge of the Superintendent or his assistants, and his orders shall be followed by the Funeral Director. No Funeral Director, his assistant, employee or agent shall be permitted to open the casket or touch the remains without the consent of the legal representation of the deceased or without a court order.
- (e) Removals; Disinterments.
- (1) All disinterments are subject to local, County and State laws and shall be enforced at all times.
  - (2) Arrangements for removals and disinterments must be made with outside firms or agencies. Cemetery personnel are restricted to the excavation of gravesite ground only.
  - (3) The Superintendent shall have the removal permit or disinterment permit from the County Health Departments involved.
  - (4) No disinterments or removals shall be executed in or out of Oakdale Cemetery on Sundays or holidays.
  - (5) Upon entering the cemetery gates the funeral cortege is in charge of the Superintendent or his assistants, and his orders shall be followed by the Funeral Director. No Funeral Director, his assistant, employee or agent shall be permitted to open the casket or touch the remains without the consent of the legal representative of the deceased or without a court order.
  - (6) No person other than authorized personnel of Oakdale Cemetery shall erect or cause to be placed a sign, notice or display of any kind on cemetery grounds. Prosecution will follow any infringement of this rule.

- (f) Monument, Markers and Memorials.

- (1) Any person contemplating the erection of a monument, marker or memorial shall first consult the Superintendent, so that memorials appropriate in size and design shall be selected for the proposed location.
- (2) The design, size and material shall be approved by the cemetery authorities.
- (3) All orders for foundations shall be presented on a regular form provided by the monument company, signed by the lot owner and dealer furnishing the memorial.
- (4) No marble or aggregate stones shall be allowed in the cemetery. Any dealer or producer who violates this regulation is subject to removal from the list of approved dealers.
- (5) All foundations to monuments, markers, etc., shall be made at ground level. (Note Special Provisions of Section 23)
- (6) All monument foundations shall be constructed of wet concrete, by cemetery employees, under the supervision of the Superintendent or his assistant. Charges will be billed to the dealer ordering the same.
- (7) Under no circumstances shall a foundation for a monument or marker be installed during freezing weather. The season for installation is usually April 1 to November 15, weather permitting.
- (8) Persons engaged in erecting markers or monuments or other structures, shall provide planking and use it to prevent injury to established turf. No ropes or chains may be attached to trees or other obstacles.
- (9) Mausoleum – (reserved for future section)
- (10) Cremation Garden – (reserved for future section)
- (11) The Superintendent shall refuse to permit the erection of, or shall cause the removal of any monument, marker or memorial which does not approximate the material, size or design required for a specific location. A good or better grade of granite or bronze will be acceptable, in the discretion of the Superintendent.
- (12) Markers, shall be placed two inches from lot lines, rather than placed in an unusual position of the lot. This is to facilitate lawn mowing by eliminating obstructions.
- (13) No monument, marker or memorial shall be installed without a foundation.
- (14) Temporary markers shall be allowed until a permanent monument or marker is set in place, but a temporary marker shall not be allowed for longer than one year maximum under any conditions. Temporary markers shall meet the siting requirements of a regular marker.
- (15) All memorial dealers shall abide by the rules and regulations of Oakdale Cemetery. Any dealer who violates such rules shall be removed from the approved list.
- (16) Cemetery employees shall exercise all possible care to protect monuments or markers, etc., and the lettering thereon, while working about them.
- (17) The cemetery personnel shall, to the best humanly possible, try to erect foundations, as soon as practicable, but shall not be liable for certain completed dates.
- (18) If indebtedness is charged against a lot owner or dealer, the cemetery authorities reserve the right to refuse installations on any lot.
- (19) Heavy loads of any kind, shall not be permitted to enter the grounds without the permission of the Superintendent.
- (20) No inscriptions or writings of any kind shall be placed or cause to be placed, on any monument or marker without the proper credentials presented to the Superintendent.

- (21) Under no circumstances shall any kind of hand made affair, resembling a memorial stone or rough boulder be placed on any lot in the cemetery.
  - (22) Approaching the bereaved and soliciting any business within the cemetery is not permitted.
  - (23) All memorials twenty-eight inches by fourteen inches or less in Section "K", "M" and "O" and future sections, shall be kept flush with existing ground level.
- (g) General Rules.
- (1) All visitors are expected to respect the solemnity of the cemetery, and strictly observe the rules which have been established by the cemetery authorities for the purpose of securing quiet and good order at all times, within these grounds.
  - (2) Visiting hours are from 7:30 a.m. to sunset. Visiting at any other time shall be considered trespassing.
  - (3) All lot owners have an interest for the welfare of the cemetery, and are subject to the laws, governing and respecting the rights of others.
  - (4) Persons not conducting themselves in a proper manner shall be excluded from the grounds. We consider these grounds as sacred, and people should act accordingly, while visiting here.
  - (5) No person shall mar or deface any property within the cemetery.
  - (6) Authorized cemetery personnel shall have the right at all times, to enter upon any lot, mausoleum or other structures, for a reasonable purpose.
  - (7) Vehicles in the cemetery shall not exceed fifteen miles per hour.
  - (8) In meeting a funeral procession on the grounds, a vehicle shall come to a complete halt, and remain so, until the cortege has completely passed. There will be no passing in the same general direction.
  - (9) The driver of a vehicle shall heed and obey all warnings, and signs given by designated personnel.
  - (10) There are trash cans dispersed on grounds for your convenience. Please keep your cemetery neat by cooperation. Your assistance is encouraged and needed, whenever possible.
  - (11) Sprinkling cans are placed at every hydrant, which are conveniently distributed on grounds. When not in use, place them where they belong, so that the next person might find them.
  - (12) Plucking of flowers, breaking of tree limbs, shrubs or any plants, on or off a cemetery lot is prohibited.
  - (13) No alcoholic beverages shall be permitted on the grounds at any time.  
(Ord. 11-01. Passed 3-22-01.)

**941.07 MINIMUM DEPTH FOR GRAVES.**

All burials in Oakdale Cemetery exceeding three feet six inches in length shall be excavated to a depth of not less than fifty-four inches and the bottom of such excavation shall be level.  
(Ord. 11-01. Passed 3-22-01.)