

# *Union Township Trustees*

## *Rules and Regulations Of Licking Cemetery*

### **PURPOSE**

Cemetery rules and regulations are designed for the protection of owners of interment and/or inurnment rights as a group. They are intended, not as restraining, but rather as preventing the inconsiderate from taking unfair advantage of others. Their enforcement will help protect the Cemetery and create and preserve its beauty. These rules and regulations are hereby adopted as the Rules and Regulations of the Licking Cemetery, and all owners of interment or inurnment rights, visitors and contractors performing work within the Cemetery, shall be subject to said Rules and Regulations, amendments or alterations as shall be adopted by the Union Township Board of Trustees from time to time, hereby superseding any and all previous Rules and Regulations.

### **DEFINITIONS**

Board – Board of Union Township Trustees and its successors, as well as its duly authorized Cemetery representatives and employees.

Cemetery – Licking Cemetery and the land and the improvements thereon.

Owner – The owner of rights of interment or inurnment.

Interment – Burial of the remains of a deceased human being.

Inurnment – Burial of cremated human remains.

Memorial or Monument – Any marker placed upon any lot for the purpose of identification or in memory of the interred.

Burial Vault – Outside burial container as specified by the Board to incase human remains.

Contractor – Any person, firm or corporation or anyone other than a cemetery employee engaged in placing, erecting or repairing any memorial or monument and performing any work on the Cemetery grounds.

### **OHIO LAW**

The sale of cemetery lots by Townships in Ohio is governed by O.R.C. Section 517.07. The Board will adhere to all parts of the applicable law and enjoy any rights given by the law, including the right of re-entry.

## **CEMETERY HOURS**

The Cemetery is open from Daylight until Dusk Daily.

## **OWNERSHIP**

Interment or Inurnment rights shall be used for no purpose other than the disposition of the human dead. The Board may, in its sole discretion, refuse to permit anything to be done within the Cemetery in violation of the requirements of these Rules and Regulations.

## **SUPERVISION OF CEMETERY**

The Board reserves the right to require all persons coming into the Cemetery to obey all rules and regulations adopted herein.

These Rules and Regulations may be changed, without notice to any owner, by the Board.

The Board shall take responsible precaution to protect owners and the property rights of owners within the Cemetery from loss or damage, but it distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control. The Board is not and shall not be liable for damage caused by natural elements, acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or orders of any Military or civil authority, whether the damage be direct or collateral.

The Board reserves the right to correct any interment, dis-interment, inurnment, dis-inurnment, removal, inscription, transfer or conveyance errors that may be made. The Board, shall, in its sole discretion, determine the best and most efficient means of correcting any such errors, which may include, but shall not be limited to, the refunding of money paid.

The rights to enlarge, reduce, replant or change the boundaries or grading of the Cemetery on a lot or grave, from time to time, including the right to modify or change the locations of or any part thereof or remove or re-grade walks or paths, is hereby expressly reserved by the Board. The Board shall also have the rights to lay, maintain and operate, or alter or change pipe lines or gutters for sprinkling systems, drainage, lakes etc. The Board reserves to itself and to those lawfully entitled thereto and those permitted by the Board to do so, a perpetual right of ingress and egress over lots for the purpose of passage to and from other lots.

## **SALE AND PURCHASE OF INTERMENT/INURNMENT RIGHTS**

All interment and inurnment rights are sold subject to payment of the amount posted in the Cemetery or Township office for the area of the lot. All interment and inurnment rights shall be fully paid for prior to use.

Burial space is sold with the understanding that it may be used for no other purpose than for the burial of the human dead.

The sale or transfer of any interment or inurnment right by any owner shall not be effective and binding unless the same shall first be duly approved in writing by the Board. The Board shall issue an Interment/Inurnment Right, per O.R.C. Section 517.07, to the new Owner subject to the provisions expressly included therein. The same rule shall apply in all cases of assignment for interment or inurnment rights.

Any and all transfers of interment or inurnment right, whether same is by conveyance or assignment, are subject to all rules and regulations of the Cemetery, which are now in full force and effect or which may be hereafter adopted.

The subdivision of interment or inurnment rights is not permitted without the written consent of the Board. No one shall be buried in any lot not having an interest therein, except by written consent of the Board.

All work on lots or graves will be done by the Cemetery employees under the direction of the Board, except when permission is otherwise granted. All grading, landscaping work, and improvements of any kind, and all care of lots and all plantings (including trees), trimmings, removal of trees, shrubs, and herbage of any kind and all opening of lots, all interments, inurnments, disinterment and removals shall be made under the direction and with the approval of the Board.

No enclosure of any kind, such as a fence, coping, hedge or ditch, shall be permitted around any grave or lot. Grave mounds shall not be allowed and no lot shall be raised above the established grade.

The Board may exchange interment or inurnment rights, when desired by owners. When such an exchange is made, the original conveyance must be surrendered by proper assignment, or by re-conveyance, if considered necessary by the Board before any change is affected.

Each owner is vested with the ownership of his or her interment or inurnment right for the sole purpose of interment or inurnment of human dead bodies.

The owner of interment or inurnment rights may dispose of same by will, subject to the foregoing conditions: If Owner dies intestate, the interment or inurnment rights will descend to his or her heirs according to law. The Board cannot be responsible for the carrying out of the intent of the grantor.

The general care of the entire Cemetery grounds and lots is assumed by the Board.

If any inscription or object is placed on any memorial, monument or other structure, and it is determined by the Board, in accordance with contemporary community standards, to be offensive, the Board shall have the right to enter upon such lot to remove, change or correct the offensive inscription or object, and may do so at the expense of the owner.

If any tree, shrub or plant standing upon any lot, by means of its roots branches, or otherwise, becomes detrimental to adjacent lots, avenues, or if for any other reason its removal is deemed necessary, the Board shall have the right to remove such tree, shrub or plant, or any part thereof, or otherwise correct the condition.

No person shall pluck or remove any plant or flower, either wild or cultivated from any part of the Cemetery, except flowers planted along the front and sides of their family's monument.

The following items are prohibited from being placed or erected on the Cemetery grounds, unless provided by the Board: bird baths, glass vases, borders, edging, fences, shepherd's hooks, plaques, lighting fixtures, benches, miscellaneous memorabilia and pots.

### **BURIAL REGULATIONS**

No interment or inurnment shall be made unless the opening and closing fee for such grave has been paid in advance.

The Board reserves the right to compel all persons authorized to order the opening and closing of a grave to appear at the cemetery more than 24 hours in advance of such interment or inurnment, in order to select the desired grave or niche to be opened. In addition, the completion and execution of the Cemetery's "Interment/Inurnment Authorization" form may be required.

No interment or inurnment shall take place at the Cemetery unless a burial permit for the deceased has first been presented to the Board, as in accordance with Section 3705.17 of the O.R.C.

Funeral processions, upon entering the grounds of Licking Cemetery shall be subject to the direction of the Board, or authorized employees of the Cemetery.

The Board must be notified of an impending interment or inurnment service no later than 48 hours prior to service.

The Board reserves the right to schedule interment or inurnment services according to the Cemetery's availability of service times and needs.

The Board shall have the right to have an interment or inurnment service at the grave according to the Cemetery's schedule and current weather conditions.

When a removal is to be made from a single grave to another grave, the formerly occupied single grave space and all rights therein revert to the Owner thereof. If no steel or concrete vault has been used for this original interment, one must be furnished by the person requesting the removal. If there is a steel or concrete vault and the same is in a removable condition, charge for removal of vault must be paid in advance.

Application for disinterment or dis-inurnment must comply with the provisions of Sections 517.23 and 517.24 of the O.R.C.

The Board shall determine a disinterment or dis-inurnment fee on a case-by-case basis which shall represent the actual costs incurred by the Board.

The Board requires the use of an outer burial container for the burial of casketed remains and the use of a recoverable container for the burial of cremated remains.

Grave Liners (concrete liners) are prohibited.

No grave space may contain more than four urns of cremated remains. In addition, a maximum of one cremated remains may be interred over a casketed burial.

No grave space may contain more than two markers/monuments. All upright markers shall be placed at the head of the grave.

No cremated human remains, or otherwise, shall be scatted on Cemetery grounds.

### **GENERAL REGULATIONS**

No children under the age of 16 are permitted within the Cemetery without adult supervision. All children must display appropriate behavior while on the grounds of the Cemetery.

All pets shall be on a leash and excrement must be contained and disposed of in an appropriate manner while in the Cemetery.

No soliciting or advertising is permitted within the Cemetery.

Alcohol is strictly prohibited on Cemetery grounds.

Bringing lunches, food, beverages or illegal substances for consumption within the Cemetery is strictly forbidden.

The sitting or leaning on monuments or walls is not permitted. Benches placed within the Cemetery are placed for this purpose.

The Board and/or Cemetery are not responsible for theft or damage to anything placed on graves or lots.

Only vaults, grave markers, monuments or vases approved by the Board shall be permitted to be used.

The foundation for all markers shall be installed by the Board at the expense of the Owner(s).

The Board shall have the right to remove any dead or damaged tree, shrub or vine.

Any person found on the Cemetery grounds when the Cemetery is closed, without permission, shall be considered a trespasser.

All vehicles entering the Cemetery shall use designated roadways, shall not park off such roadways and shall maintain reasonable speed.

Flowers or other decorations will be removed as the flowers fade and wither, and the right is reserved by the Board to make such removal.

Artificial flowers, wreaths or grave blankets for fall/winter are permitted from November 15 through March 1. Families shall remove all wanted items by March 1, or the Board shall remove and discard such items.

No person shall use profane or boisterous language or in any way disturb the quiet and good order of the Cemetery.

All persons are forbidden to hunt fowls or other animals about the Cemetery.

All persons are strictly forbidden to break or injure any tree or shrub, or mar any landmark, memorial or monument, or in any manner deface the grounds of the Cemetery.

Groundskeepers are employed by the Board to maintain the entire Cemetery. No money shall be paid to these attendants. All orders, inquiries and complaints must be left at the Township Office.

No person or persons other than an employee of the Township so authorized shall be permitted to bring or carry firearms within the Cemetery. The following persons are specifically exempted from this rule: a licensee who has been issued a concealed handgun license under Sections 2923.125 or 2923.1213 of the O.R.C. or a military guard of honor when in charge of an Officer and during a military service.

Flowers may be planted along the front and sides of a monument within six inches.

No flowers shall be planted along the rear of a monument.

All persons are reminded that the Cemetery grounds are sacredly devoted to the burial of the dead and the provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wanton injury, disturbance and disregard of the rules and the laws of Ohio.

### **MODIFICATIONS AND AMENDMENTS**

The Board may, and it hereby expressly reserves the right at any and all times, with or without notice to Owners, to adopt new rules and regulations, or to amend, alter and/or repeal any rule, regulation and/or article, section, paragraph and/or sentence in these Rules and Regulations.

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Board, therefore, reserves the right without notice, to make exceptions, suspensions or modifications in any of the Rules and Regulations, when in its judgement, the same appear advisable; and, such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of these Rules and Regulations, or as creating any enforceable precedent.