

CHAPTER 1062

FAIRVIEW CEMETERY RULES & REGULATIONS

Approved by Hiram Village Council via Ordinance 93-48 on 02/08/94

Revised via Ordinance 94-16 on 04/12/94

Revised via Ordinance 2001-34 on 12/11/01

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Revised via Ordinance 2017-02 on 04/11/2017

1062.01 BURIAL LOT PURCHASE

A. The purchase of lots by Village residents in Fairview Cemetery may be made through the Supervisor. Upon payment of the price of the lot (s), a deed will be drawn and recorded by the Fiscal Officer of the Village of Hiram. Purchase of a lot entitles the buyer to the right of burial on said lot; the real estate remains the property of the Village of Hiram.

B. When one or more than one burial lot is purchased, the deed to the lots will not be delivered to the purchaser until requirements 1, 2 and 3, along with the completed Village of Hiram Lot Transfer Form are delivered to the Fiscal Officer of the Village of Hiram:

1. The grantee shall provide to the Fiscal Officer, in Writing, a list of the names and addresses of the persons to whom the grantee's property would pass by intestate succession.

2. The grantee shall notify the Fiscal Officer, in writing, of any subsequent changes in the name or address of any persons to whom property would descend.

3. Any person who receives a Fairview Cemetery lot by gift, inheritance or any other means other than the original conveyance shall, within one year after receiving such interest, give written notice of his/her name and address to the Fiscal Officer of the Village of Hiram, and shall notify said Fiscal Officer of any subsequent changes in his/her name and address.

C. Lots not used nor intended to be used shall be returned to the Village of Hiram and the amount paid for the lot or lots at the time of purchase shall be refunded. The lot owner (s) must produce a deed or other proof of the purchase price paid in order to receive the refund. No lot may be sold or transferred other than as above in B.3. A \$ 25.00 Transfer Fee will be deducted from the refund.

1062.02 BURIAL REGULATIONS

- A. Holders of a deed for lots acquire the right of burial only, and are subject to the rules and regulations contained herein or that might be made in the future by the Council of the Village of Hiram.
- B. Lot fees and opening and closing fees shall be paid in advance of the closing. It is the obligation of the funeral director to collect and pay this money to the supervisor along with the Burial-Transit Permit.
- C. Burial is restricted to humans – not pets, etc.
- D. There will be no “stacking” of vaults or multiple burials in a single lot. Ashes of cremations may be buried in occupied grave sites, with the prior approval of the Cemetery Supervisor and in his sole discretion, when all living blood descendants of the highest living generations approve, in writing, of such burials.
- E. Ashes of cremations must be in a container, and must be buried. No ashes shall be scattered within the confines of the cemetery. Ash burials may be done not using Village interment services. Hand tools only may be used. A \$ 50.00 fee for locating the site and supervising the work must be paid in advance. No full size graves may be dug by anyone but the Village.
- F. All remains shall be in closed caskets and shall be placed in a concrete vault of either the “air seal” or “top seal” type. Cave proof fiberglass containers may be used for infant burials only.
- G. Lowering devices must be used and shall be furnished by the vault company or funeral director.
- H. Funeral directors are required to remain at the site until the vault is sealed and in place.
- I. Anyone wishing to backfill any grave may do so using hand tools only. This work will be supervised by a Village employee and any time required past 2:30 P.M. will be charged at \$ 50.00 per hour.

J. There shall be no burials on any legal holiday as defined by Section 1.14 of the Ohio Revised Code. "Legal Holiday" as used in this section includes the following days:

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| 1. First day of January | New Years' Day |
| 2. Third Monday of January | Martin Luther King Day |
| 3. Third Monday of February | President's Day |
| 4. Last Monday of May | Memorial Day |
| 5. Fourth day of July | Independence Day |
| 6. First Monday of September | Labor Day |
| 7. Second Monday of October | Columbus Day |
| 8. Eleventh day of November | Veteran's Day |
| 9. Fourth Thursday of November | Thanksgiving Day |
| 10. Fourth Friday of November | Day after Thanksgiving |
| 11. Twenty-fifth day of December | Christmas Day |

"Legal Holiday" also includes any day appointed and recommended by the Village Council, Governor of Ohio or the President of the United States as a legal holiday. If any day designated in the section as a legal holiday falls on Saturday or Sunday, the preceding Friday or succeeding Monday is a legal holiday.

K. There shall be no burials on the three-day holiday weekends of Memorial Day, Labor Day and Columbus Day. Additionally, if any "Holiday" falls on Friday, Saturday, Sunday or Monday creating a three-day holiday weekend, there shall be no burials over the three-day weekend without prior approval of the Cemetery Supervisor.

1062.03 HEADSTONES

- A. All headstones are to be placed on the west end of the lot. There shall be a limit of one (1) above ground marker per grave site.
- B. Flush markers shall not exceed sixteen inches by twenty-four inches (16" x 24") per person.
- C. All foundations shall be placed as directed by the Supervisor. Foundations shall extend two inches (2") beyond the marker on all sides. Foundations shall be twenty-four inches (24") deep and shall be flush with the ground.
- D. No footstones will be allowed unless they are placed flush with the surface of the grave.
- E. There shall be no mausoleum structures erected within the Village of Hiram Fairview Cemetery.

1062.04 GENERAL RULES

- A. Winter decorations may be left in place until April 1st. Any plants not removed by November 1st may be removed by Village employees.
- B. The Village has the right to remove any shrub or shrubs, flowers, urns, etc. that interfere with the normal operations of cemetery maintenance or which do not lend themselves to the proper appearance of the cemetery.
- C. All funeral processions shall be under the direction and control of the cemetery Supervisor or their designee while they are on cemetery grounds.
- D. No children shall be admitted to the cemetery grounds, without the permission of the Supervisor, unless they are accompanied by a parent or other adult who shall be responsible for their conduct.
- E. No firearms shall be permitted in the cemetery except those used in a military funeral or the Memorial Day services.
- F. Charity burials shall be made only through the direction of the Council of the Village of Hiram.
- G. Motor vehicles shall be operated and parked only on marked driveways, except Village cemetery equipment necessary for carrying on the work of the employee of the Village.
- H. The Supervisor shall have the power to enforce all of the Village of Hiram Fairview Cemetery rules and regulations and to exclude any person or persons who are violating same.
- I. The Supervisor or their designee shall be in charge of the cemetery grounds and buildings and, at all times, shall be responsible for the supervision and control of all persons within the cemetery, including, but not limited to, the conduct of funerals, traffic, employees, plot owners, and visitors.
- J. In unusual circumstances, the Supervisor has the right and obligation to defer or delay burial proceedings until a decision can be made by the Council of the Village of Hiram.
- K. The Village of Hiram Cemetery is open to visitors daily from sun rise to sun set.

1062.05 INTERMENT FEES

A.	<u>Weekday</u>	<u>Saturday</u>	<u>No Sunday Interments</u>
Adult Graves	\$ 350.00	\$ 650.00	
Infants	\$ 100.00	\$ 200.00	
* Ashes	\$ 150.00	\$ 350.00	
Transfer Fee	\$ 25.00		

* Burial of ashes not under the direction of a funeral director will be charged a permit fee of \$ 50.00. Weekend burial of ashes may be dug in advance with appropriate hand tools available on loan from the Supervisor and the site covered and marked until interment.

B. The existing interment fees quoted above shall be increased to cover the actual costs involved in removing and replacing any previously set grave markers. These additional costs shall be charged in addition to the existing flat rate costs.

C. An additional fee of \$ 50.00 per hour will be charged for funerals which arrive at the cemetery after 2:30 P.M.

D. The fee for disinterment shall be \$ 1,000.00, because of extra labor required. This fee does not include cost of new grave site, regular interment fee (if any) nor any fees due to a vault company. Village of Hiram and applicant or applicants for disinterment shall act in full compliance with the Ohio Revised Code, including Sections 517.23-24.

E. The day of disinterment is at the discretion of the Supervisor. Applicant or applicants must sign a "waiver of liability" form before disinterment can take place.

1062.06 LOT PRICES

A. Lot prices in Fairview Cemetery are \$ 300.00 for residents of the Village of Hiram and for **Military Veterans providing documentation**, \$ 350.00 for residents of the Township of Hiram, and \$ **600.00** for all others. The Village of Hiram reserves the right to provide a single grave site to Village of Hiram employees and retirees at a reduced price of \$ 100.00.

B. A resident of the Village/Township is defined as one who owns real property within the Village/Township, or one who lives within the Village/Township, or one who has lived within the Village/Township within the five years immediately preceding the date of lot purchase, or one who has left a residence within the Village of Hiram/Township of Hiram in order to enter a nursing home or similar assisted living facility.

C. This Section does not affect the right of burial to persons who purchased a lot (s) prior to the enactment of these Rules and Regulations.

1062.07 ADMINISTRATION

A. The Village of Hiram Village Administrator shall be the Superintendent of the Fairview Cemetery and shall report to the Village of Hiram Council at least once annually.

B. The Fiscal Officer of the Village of Hiram has the authority, with approval of the State Auditor and Village Council to set up the appropriate accounts for Fairview Cemetery.