

RULES GOVERNING
MANCHESTER, GRILL AND KYSER
CEMETERIES

OF THE

CITY OF NEW FRANKLIN
SUMMIT COUNTY, OHIO

ADOPTED BY THE SERVICE DIRECTOR:

JANUARY 30, 2007

MANCHESTER, GRILL and KYSER CEMETERIES are tax supported, owned and operated by the CITY OF NEW FRANKLIN.

The rules and regulations of MANCHESTER, GRILL and KYSER CEMETERIES have been formulated after due consideration. The OHIO REVISED CODE has been followed as a guide. While some rules may appear arbitrary, each however, has been adopted for the specific purpose of protecting the lot owner and to ensure the beauty, character and distinction of MANCHESTER, GRILL and KYSER CEMETERIES. It is expected that they will be duly appreciated and properly respected.

The following rules may be changed at any time by the Service Director with the approval of the CITY OF NEW FRANKLIN:

1. The CITY OF NEW FRANKLIN shall employ a Service Director who shall have charge and control of these cemeteries under the direction and authority of the CITY OF NEW FRANKLIN.

2. Persons desiring to purchase graves shall call upon the Service Director who will furnish the necessary information. Deeds are issued by the Clerk/Treasurer of the CITY OF NEW FRANKLIN.

3. a. At the discretion of the Service Director, under special circumstances, past residents, who have resided in FRANKLIN TOWNSHIP, NEW FRANKLIN VILLAGE AND/OR THE CITY OF NEW FRANKLIN may be given the privilege to purchase graves at the resident price, provided they have been absent from the community for less than ten (10) years. Proof of former residency will be required.

- b. At the discretion of the Service Director, under special circumstances, past residents, who have resided in FRANKLIN TOWNSHIP, NEW FRANKLIN VILLAGE AND/OR THE CITY OF NEW FRANKLIN may be given the privilege of burial at one of these cemeteries, at the resident price, provided they have been absent from the community for less than ten (10) years. Proof of former residency will be required.

4. Not more than ten (10) graves shall be sold to a resident of the CITY OF NEW FRANKLIN. Not more than five (5) graves shall be sold to non-residents.

5. All of the land is the property of the CITY OF NEW FRANKLIN, in fee simple. Cemetery deeds convey the right to use portions of that land for graves. A separate deed shall be prepared for each grave purchased. The joint purchase of graves, except by husband and wife, is not recommended.

Each owner is vested with the title to his or her graves for the sole purpose of interment.

6. The CITY OF NEW FRANKLIN maintains the right to repurchase any cemetery graves from their owner, at any time, and at a price that is mutually agreed upon by the CITY OF NEW FRANKLIN and the owner.

7. Deed transfers may be approved by the Service Director in the following circumstances: Inheritance, Gift/Private Sale. In any case, there is a \$25.00 fee (per grave) for a deed transfer. In addition, there is a fee of \$25.00 (per grave) for the issuance of a deed to the new owner, provided the original deed is returned to the Clerk/Treasurer.

a. Inheritance from Owner – If a valid will for the decedent exists and a probate estate in the appropriate court has been opened, the executor must submit a copy of his/her appointment certificate.

If a valid will does not exist, a probate estate will be necessary in order to protect the City from claims of heirs who may not have been notified of the existence of a cemetery lot or graves. Once the estate without a will has been opened, the administrator must submit a copy of his/her appointment certificate.

In either case, the duly appointed executor or administrator must contact the Clerk/Treasurer of the CITY OF NEW FRANKLIN to be advised of the complete procedure necessary to transfer the deed to the appropriate heir.

b. Gift or Private Sale by Owner – The owner of graves may dispose of them via gift or private sale. If a private sale, the owner may set his or her own sale price.

In either case, the grave owner must contact the Clerk/Treasurer of the CITY OF NEW FRANKLIN prior to the gift or private sale. The owner will be advised of the complete procedure necessary to transfer the deed to the new owner.

8. Inherited or previously-purchased graves cannot be exchanged for other graves located in a more desirable location of any of the three Cemeteries.

9.a. Graves may not be purchased by a resident with the intent to inter non-residents at the resident fee.

b. When a non-resident either purchases a grave, or receives a grave as a gift, from the deed owner(s), whether the deed owner is a resident or non-resident, a fee shall be charged. Said fee shall be equal to the difference between the resident and non-resident grave prices which are in effect at the

time of the transfer to the non-resident. Said fee shall not apply to the transfer of graves which have been inherited by a non-resident.

10. No mausoleum or structure of any type may be constructed on grave sites.

11. When a burial is to take place, the Service Director should be notified not less than forty-eight (48) hours before the interment.

12.a. The Service Director shall supervise the diggings of all graves. No interments may be made on Sundays, New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Fourth of July, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, or Christmas Day, except in cases where the interment is ordered by the Board of Health or proper authority.

b. During severe weather conditions, the Service Director may contact the Funeral Director in order to postpone the funeral until such time as the grave can be opened and closed.

13.a. Grave side services may be held Mondays through Saturdays, from 8:00 AM to 4:00 PM. An additional charge will be made for funerals arriving at the cemetery after 2:00 PM on weekdays, and for funerals held on Saturdays or holidays.

b. Interment will commence thirty (30) minutes after the end of grave side services.

14. A maximum of three interments of cremains will be permitted in any single grave. The burial of cremains shall not be permitted in a grave which already contains a burial casket. Likewise, a casket shall not be interred in a grave which already contains burial cremains.

15.a. Foundations for headstones and monuments must be built in accordance with the specifications of the Service Director, at the expense of the grave owner. Monument and marker foundations are not installed by the CITY OF NEW FRANKLIN.

b. The location of all monument and marker foundations shall be marked by the Service Director prior to installation.

c. Monuments and markers are to be placed in the center of single graves and the centerline of double graves, on the West end or head of graves, except GOVERNMENT MARKERS may be placed at the East end, or foot, of the grave, flush with the ground, at a reasonable distance away from adjacent monuments and flowers and so as to allow for the future placement of adjacent monuments and flowers.

d. A GOVERNMENT MARKER can be installed with another monument, and may be mounted vertically on said monument.

16.a. Granite and bronze are recommended as best and most durable for headstones and memorials. The use of other materials are prohibited as they are considered unfit for such purposes. It is recommended that flush headstones and markers be used when practical.

b. Where a family monument is used, individual grave markers must be flush type. Only one (1) marker is permitted per grave.

NOTE: Two or more names on a monument qualify it to be classified as a family monument. Where a family monument is centered on an entire lot, then a flush type GOVERNMENT MARKER can be installed.

c. All flush grave markers will be set level to the ground.

17. It may be necessary for monuments to be moved, temporarily, to allow for the opening and closing of a grave in that area.

18. Settled, tipped or crooked monuments are not the responsibility of the CITY OF NEW FRANKLIN.

19. Any flowers shall be planted on the grave side of monuments and markers, or so that they are visible from the nearest driveway, but no more than twelve (12) inches from the monument or marker, and no wider than the width of the monument or marker, itself. All plantings are the complete responsibility of the person placing them. All graves will be seeded by the Service Director. All plantings which do not have the approval of the Service Director may be removed by him.

20.a. No trees, shrubs or bushes shall be allowed to be planted on any graves. The Service Director maintains the right to trim all existing trees, shrubs and bushes, and to remove those which pose a problem or are a liability.

b. No spreading plants or running vines will be permitted on any grave. No roses or urns will be permitted. No walls, borders or enclosures of any kind will be permitted around any grave.

c. Potted plants are allowed; however, the diameter of the pot must measure no more than eight (8) inches.

d. All cut or artificial flowers, wreaths and other adornments will be removed from all graves on April 1 and November 1. (On April 1, all

Christmas decorations will be removed to make way for Easter, Memorial Day and summer decorations; on November 1, all decorations will be removed to make way for Christmas wreaths.) Fresh flowers will be checked weekly and will be removed if deteriorated. Artificial flowers will be removed at the discretion of the Service Director.

21. For safety reasons, plant hangers of any kind, as well as glass containers, vases, adornments, etc., are not permitted in the Cemeteries at any time. All glass containers, vases, adornments, etc., and plant hangers, found in the Cemeteries on grave sites, will be removed by the Service Director.

22. Cemetery hours: The Cemeteries will be open for visitation from SUN-UP to SUN-DOWN each day. Any person found on Cemetery property during other times than stated above will be considered trespassing and will be prosecuted according to law. Any person who trespasses on graves or who injures or damages trees, shrubs, plants, or who defaces monuments, buildings or enclosures will be prosecuted according to law.

The rules now governing the CITY OF NEW FRANKLIN Cemeteries set forth in this document were adopted effective January 30, 2007, by the Service Director of the CITY OF NEW FRANKLIN, SUMMIT COUNTY, OHIO.

Jeffrey T. Olson, Service Director