

CEMETERY RULES AND REGULATIONS

MANCHESTER, GRILL AND KYSER CEMETERIES



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CONTACTS

DEPUTY SERVICE DIRECTOR

BRYAN KEPLER

CITY OF NEW FRANKLIN

SERVICE DEPARTMENT: 330.882.3824 OR SERVICE@NEWFRANKLIN.ORG

Manchester Cemetery
1030 West Nimisila Road
New Franklin, OH 44216

Grill Cemetery
6395 South Cleveland-Massillon Road
New Franklin, OH 44203

Kyser Cemetery
1418 Swigart Road
New Franklin, OH 44203

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INTRODUCTION

Manchester, Grill and Kyser Cemeteries are tax supported, owned and operated by the City of New Franklin.

Manchester Cemetery located at 1030 West Nimisila Road, is the City's largest cemetery located on 8.93 acres, just 1/8-mile West of the intersection of West Nimisila and Manchester Road. One of the oldest sections of this cemetery was donated by Mr. Jacob Balmer for the burial of his wife, in 1815. Mrs. Balmer had passed away after having been bitten by a rattlesnake. In the years since, the City has acquired several adjacent properties to enlarge the cemetery. The most recent addition is the former site of the Lutheran Church - one of the City's earliest landmarks - built in 1880 and lost to a fire in 1992.

Kyser Cemetery located at 1418 Swigart Road was purchased on November 28, 1861, from John and Rebecca Kyser. The Kyser Family was paid the sum of 25 cents for the Kyser Burial Ground. Situated near Tweed Lake Estates, this historic, 0.45-acre cemetery is closed to all burials, and graves are no longer available for purchase.

Grill Cemetery located at 6395 South Cleveland-Massillon Road, is on 1 acre of land.

Any additional structure or space will be subject to new rules and regulations outlined at the time of completion.

PURCHASING AND DEEDS

All cemetery land is property of the City of New Franklin. Cemetery deeds convey the right to use a portion of the land for graves. A cemetery deed does not grant ownership of property, nor is it a deed of conveyance in fee simple. Instead, it is an easement for the purpose of burial only. The City of New Franklin issues a deed in which the grant of rights is made to the Grave Holder, subject to the Rules and Regulations existing at the time of the purchase of the deed, as well as any subsequent changes thereafter. As part of the agreement to purchase from the City of New Franklin, Grave Holders, and the parties for whom they have responsibility, have agreed to comply with all Rules and Regulations established by the City.

Deeds are issued by the City of New Franklin. Each grave shall be issued a separate deed. The deed to all graves will be issued in the name of natural persons only. Business names and trusts are strictly prohibited on the deed of any grave.

No more than 10 graves shall be sold to any legal resident of New Franklin and no more than 5 graves shall be sold to any non-resident. The purchase of a grave for a non-resident at resident pricing is strictly prohibited. At no time shall any graves be purchased for resale with intent to profit.

Inherited and previously purchased graves cannot be exchanged for any other grave location.

The City of New Franklin reserves the right to repurchase any grave from the Grave Holder, at any time, at the current price. Graves may be donated back to the City at will.

Under the following circumstances a deed transfer may be issued by the Service Director or Deputy Service Director: inheritance, gift, or private sale. The original deed may be required to be presented to an authorized representative of the City of New Franklin prior to the transfer and may be subject to a Deed Transfer Fee. See [Fee Schedule](#) for details.

In the event of inheritance, the heir or executor must contact the City Service Department. A new deed may be issued upon the receipt of appropriate documentation or the order by the Probate Court.

In the event of a private sale, the Grave Holder may determine the purchase price. For any private sale or gift, the Grave Holder must notify the City for a transfer of the deed.

In the event of deed transfer from a resident to a non-resident, both the Standard and Resident-to-Non-Resident Fees shall apply to each grave. See [Fee Schedule](#) for details.

To purchase a grave please contact the Service Department at [330.882.3824](tel:330.882.3824).

GENERAL RULES

All rules and regulations defined herein will apply uniformly.

All cemetery property is sacred ground devoted to the burial of loved ones. A respectful atmosphere shall be maintained at all times. For the mutual protection of every Grave Holder these Rules and Regulations have been established as the guiding elements of the operation of Manchester, Grill and Kyser Cemeteries. It is expected that these rules will be duly appreciated and respected.

The City reserves the right at any time to change, amend, alter, repeal, rescind or adopt new Rules and Regulations with respect to the cemeteries.

The following actions are strictly prohibited within the City's cemeteries and are subject to prosecution according to law:

- Presence on cemetery property outside of normal visitation hours without reasonable cause or permission from the Deputy Service Director.
- Playing, loitering, or parking any vehicle without official business in the cemetery.
- Parking or driving vehicles on grass.
- Speeds exceeding 5 mph within the cemetery.
- Picking or cutting of any flowers or plants not owned by the individual.
- Damaging, defacing, removing, sitting, or standing on any monument, headstone, or equipment.
- Performing any act of disrespect to property or object displayed in memory of the deceased.
- Pets of any kind.

HOURS OF OPERATION

The hours of the cemetery grounds are dawn to dusk daily. The Service Department office hours are Monday through Friday 7:00 am to 3:00 pm.

All services must arrive at the cemetery **prior** to the indicated time.

Available Service Times		
Standard Graveside Services	Monday - Friday	8:00 am - 1:00 pm
Afternoon Services	Monday - Friday	1:01 pm - 4:00 pm
Weekend Services	Saturdays	8:00 am - 1:00 pm
Weekend - Afternoon Services	Saturdays	1:01 pm - 4:00 pm

Afternoon and weekend services are subject to additional fees. See [Fee Schedule](#) for details.

Multiple burials outside of standard operating hours will be charged independently.

No interments shall take place on Sundays, any Holiday, or the day after Thanksgiving. An exception may be made if ordered by the Board of Health or other governing body.

INTERMENTS

To arrange an interment please contact the City Service Department at 330.882.3824. The Service Department will schedule and supervise all interments. At least seventy-two hours' notice, exclusive of Sundays and Holidays is required for any interment.

Prior to burial, the City requires a Grave Holder or family representative to complete a Burial Position Confirmation form when more than one grave has been purchased. This uniformly applies to the burial of multiple cremains in one grave. Forms must be returned to the Service Department no less than 24 hours before the service. The Burial Position Confirmation form will be provided at the time of purchase or upon request for interment.

During severe weather conditions, the Deputy Service Director or designated individual may contact the Funeral Director to postpone funeral services until the grave can be properly opened and closed.

Prior to interment, payment in full shall be made and the burial permit provided to the City.

Interment will commence 30 minutes after the conclusion of the graveside service.

A maximum of three cremains will be permitted in a single grave. Cremains may be added to an existing burial site containing a casket in a container no larger than 12" high by 12" wide and 12" long. A casket, however, may not be added to a grave with existing burial cremains. No cremains shall be buried inside of a casket. Each interment will be charged independently. See [Fee Schedule](#) for details.

FOUNDATIONS, MONUMENTS, MARKERS AND GRAVESTONES

Foundations, monuments, markers, and gravestones are not installed by the City and must receive approval from the Deputy Service Director prior to installation. Foundations are not to be installed between November 1st and April 1st.

All foundations for monuments, markers and gravestones must be built in accordance with the specifications outlined by this document at the expense of the grave owner. Any foundation that does not meet the required criteria will be replaced at the expense of the Grave Holder. See [Page 11](#) and [Page 12](#) for details.

Foundation, monument, and gravestone mark-outs will be completed by the Deputy Service Director or designated individual and charged directly to the monument company of choice. See [Fee Schedule](#) for details.

Monuments, markers, and gravestones must be composed of granite or bronze.

Monuments, markers, and gravestones are to be placed in the center of single graves on the West end, or head, of the grave. Two or more names on any one monument qualify as a family monument and shall be placed on the centerline of double graves.

All primary engraving will face the grave and will be displayed toward the foot of the grave.

Government markers are to be placed on the backside of the gravestone when possible. In the instance that the backside of the gravestone is not available, the marker may be placed on the East end, or foot, of the grave, flush with the ground and shall have no flowers, plants, or adornments. Any government marker must have its own foundation. For government marker information please contact the funeral home that will be performing the service.

The construction of any mausoleum or building structure is strictly prohibited on any grave unless initiated by the City for burial purposes.

Local companies include but are not limited to the following:

Monuments

Summit Memorial-330.773.2385
North Hill Memorial-330.253.2179
Pertee Memorial-330.345.8811
Chislors Monuments and Stone-330.753.2210
Midwest Everlasting Memorial-330.334.1988
Bethel-Miller Memorials-330.452.0697

Foundation Installation

Ohio Monument-330.418.5388

Monument Cleaning

GraveGuard Gravesite Maintenance-330.353.9111

MONUMENT, BASE, AND FOUNDATION SPECIFICATIONS

STANDING MONUMENT

Single Grave- 4 ft. x 12 ft.

Monument Maximum Dimensions

Height: 4 ft.

Length: 38 in.

Width: 18 in.

Base Dimensions

Length: 2" Less than length of Foundation

Width: 2" Less than width of Foundation

Foundation Maximum Dimensions

Depth: 36 in. (Minimum- 32 in.)

Length: 42 in.

Width: 22 in.

Double Grave- 8 ft. x 12 ft.

Monument Maximum Dimensions

Height: 6 ft.

Length: 62 in.

Width: 18 in.

Base Dimensions

Length: 2" Less than length of Foundation

Width: 2" Less than width of Foundation

Foundation Maximum Dimensions

Depth: 36 in. (Minimum- 32 in.)

Length: 66 in.

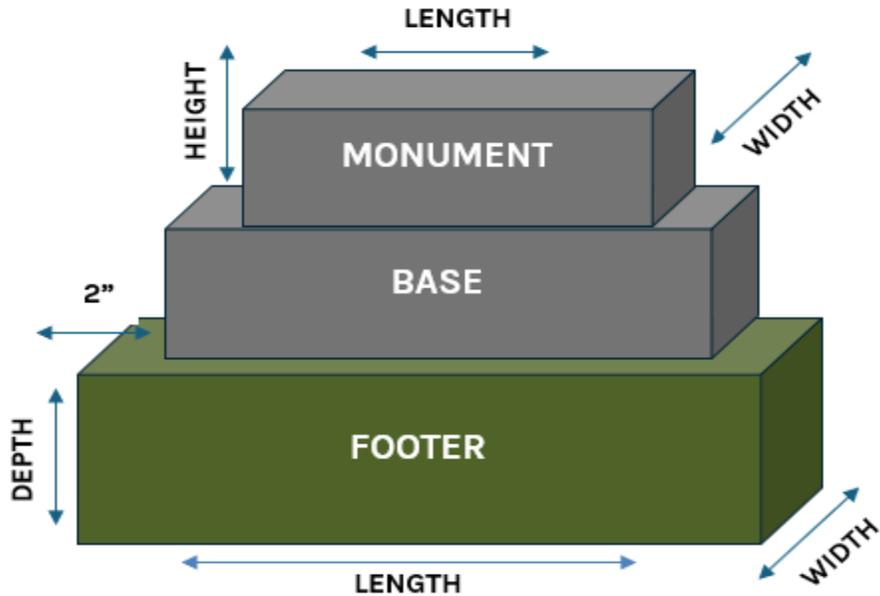
Width: 22 in.

Foundation

Any structure placed on top of the foundation must be at least 2 inches smaller than the foundation dimensions on all sides.

MONUMENT, BASE, AND FOUNDATION SPECIFICATIONS

FLAT MARKER



Flat markers may be stacked on top of or encompassed by the foundation.

Single Grave- 4 ft. x 12 ft.

Marker Maximum Dimensions

Length: 38 in.

Width: 18 in.

Foundation Minimum Dimensions

Depth: 32 in.

Length: 3" Greater than length of marker

Width: 3" Greater than width of marker

Foundation Maximum Dimensions

Depth: 36 in.

Length: 42 in.

Width: 22 in.

Double Grave- 8 ft. x 12 ft.

Marker Maximum Dimensions

Length: 62 in.

Width: 18 in.

Foundation Minimum Dimensions

Depth: 32 in.

Length: 3" Greater than length of marker

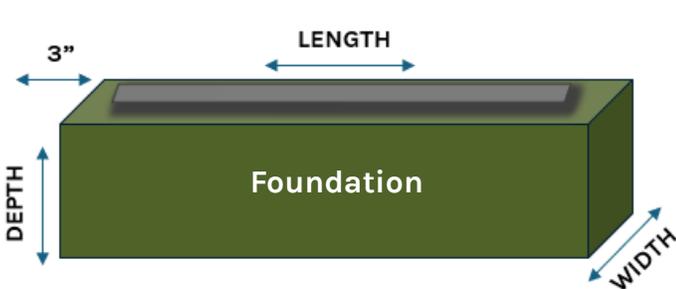
Width: 3" Greater than width of marker

Foundation Maximum Dimensions

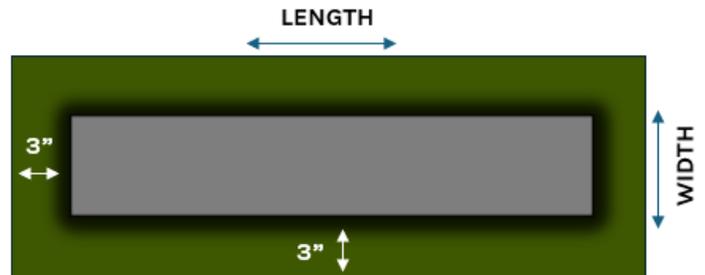
Depth: 36 in.

Length: 66 in.

Width: 22 in.



Frontal View



Radial View

Any marker placed on or in the foundation must be at least 3 inches smaller than the foundation dimensions on all sides.

FLOWERS, PLANTS AND ADORNMENTS

Flowers, plants, and adornments are permitted. To maintain a neat appearance, the following rules and regulations have been established for the planting, placement, and care of any flower, plant, or adornment. The Deputy Service Director reserves the right to direct ground crews to remove or mow any flowers, plants or adornments that have become unsightly. In no way shall the City of New Franklin personnel be responsible for the placement or maintenance of any flower, plant, or adornment.

All flowers, plants and adornments must be located on the gravesite. Items may be no wider than the gravestone and must be placed within 12 inches of any monument or marker. Any items outside of this area will be removed.

Potted plants are permitted in a pot no larger than 8 inches in diameter.

The following items are strictly prohibited and subject to removal:

- Spreading plants, vines, and grasses
- Rose bushes
- Trees, shrubs, or bushes of any kind
- Urns
- Walls, borders, fences, or enclosures of any kind
- Plant hangers
- Glass vases
- Flags larger than 18 inches in height
- Bird feeders
- Pin wheels
- Garland
- Yard decorations
- Solar Lights
- Clothing
- Toys of any kind
- Statues
- Balloons

Any adornment deemed inappropriate is subject to removal.

All seasonal flowers and adornments will be removed on April 1st and November 1st each year.

Live flowers and plants will be checked weekly for freshness and disposed of as needed.

Artificial flowers and plants will be removed at the discretion of the City.

RESPONSIBILITY OF MAINTENANCE

The City reserves the exclusive right to do all landscape work, grading, and necessary improvements within the cemetery. The City maintains responsibility for all tree work including trimming, planting, and removal, cleaning, and maintenance of roadways, paths, walkways, and buildings. All improvements or alterations of graves shall be under the direction of and subject to approval by the City. Any alteration made without prior consent of the City, is subject to removal/restoration at the expense of the Grave Holder or next of kin.

The City is not responsible for settled, tipped, or crooked monuments, or the repair or reconstruction of granite, bronze, or concrete work.

INDIGENT CREMATION

(ORC 9.15)

When the body of a deceased person is found in New Franklin, and such person was not an inmate of a correctional, benevolent, or charitable institution of this state, and the body is not claimed by any person (other than an indigent person) for private cremation or burial at the person's own expense, or delivered for the purpose of medical or surgical study or dissection in accordance with Section 1713.34 of the Revised Code, it shall be disposed of as follows:

1. If the person was a legal resident of New Franklin, the City shall cause the person to be cremated at the expense of New Franklin. "Legal residence" is defined as a permanent place of abode used or occupied as living quarters at the time of a person's death. "Indigent person" means a person whose income does not exceed one hundred fifty per cent of the Federal poverty line, as revised annually by the United States Department of Health and Human Services in accordance with section 673(2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat 511, 42 U.S.C. 9902, as amended, for a family size equal to the size of the person's family. The City is not relieved of its duty to cremate a person at its expense when the body is claimed by an indigent person.
2. The City shall make a determination as to indigence based upon the information provided by the indigent applicant.
3. The City's obligation hereunder is not supplemental and shall be limited to a total expense of Seven Hundred Fifty Dollars (\$750.00). The funeral home shall make every effort to locate funds from other resources, including but not limited to Social Security, Veterans' benefits, charitable/benevolent organizations, and insurance from any source. New Franklin shall be responsible for the difference between Seven Hundred Fifty Dollars (\$750.00) and the total amounts received by the funeral home from all sources. If the amount received is equal to or in excess of Seven Hundred Fifty Dollars (\$750.00), then the City shall have no responsibility for

payment of any fees.

4. Following services by the funeral home, the funeral home shall submit a bill indicating a total charge of Seven Hundred Fifty Dollars (\$750.00) less funds received from all other sources. The City shall then process payment to the funeral home in accordance with this policy.

DISINTERMENT

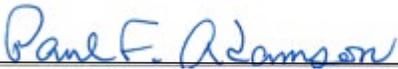
Disinterment is the act of removing a casket or cremains from its current burial location. Disinterment rights and responsibilities shall be as those set forth in Ohio Revised Code Chapter 517.

Cemetery Right to Disinter

Pursuant to Ohio Revised Code Section 517.23 (D) the City of New Franklin may disinter, reinter, and grant permission to disinter or reinter any remains buried in the cemetery to correct any interment error.

ENACTMENT

The rules now governing the City of New Franklin Cemeteries set forth in this document were adopted effective May 6, 1998, and revised August 7, 2024, by the Service Director of the City of New Franklin, Summit County, Ohio.



Paul Adamson, Mayor and Service Director

FEE SCHEDULE

	Resident	Non-Resident
Standard Grave Purchase	\$1000	\$3,000
Burial Vault Interment	\$800	\$1,500
Baby Grave Purchase	\$500	\$1,500
Baby Interment	\$500	\$1,500
Cremain Interment	\$500	\$1,000
Grave Mark-out	\$100	\$100
Monument, Marker, or Foundation Mark-out	\$100	\$100
Burial Vault Disinterment	\$2,000	\$2,000
Cremain Disinterment	\$800	\$800
Afternoon Graveside Service	Additional \$500	
Weekend Graveside Service	Additional \$500	
Weekend Afternoon Graveside Service	Additional \$700	
Deed Transfer- Standard	\$150	
Deed Transfer- Resident to Non-Resident	\$2,000	

INDIGENT CREMATION APPLICATION (1 OF 2)

City of New Franklin, Summit County, Ohio

Name of deceased: _____

Address: _____

How long was the deceased a legal resident of New Franklin, Ohio? _____

Date of birth: _____

Date of death: _____

S.S. No.: _____

Death Cert. No.: _____

Funeral home: _____

Marital Status: _____

Was there a will? _____

Applicant's name: _____

Address: _____

Phone number: _____

Relation to deceased: _____

Is applicant: Authorizing funeral services (signing contract)? __Yes__ No _____

Unable to finance funeral services? __Yes__ No _____

Applicant's monthly income from:

Employment: _____

Social Security: _____

Pension/ Retirement: _____

Other Sources: _____

Total Monthly Income: _____

Other sources available for decedent's funeral expense (list source and amount):

Insurance: _____

Veterans: _____

Fraternal/ Benevolent/ Charitable organizations: _____

Other: _____

I, _____, certify that the above information is true and accurate regarding the decedent, my financial circumstance, and other sources of funding for cremation/funeral expenses.

INDIGENT CREMATION APPLICATION (2 OF 2)

City of New Franklin, Summit County, Ohio

I understand that the cost of the funeral/cremation shall not exceed the maximum allowable under the City of New Franklin Indigent Cremation Program (\$750.00). I further understand that funding must be sought from other sources and that any funds contributed by another source must be revealed and will be deducted from the maximum allowable under this Program. Additionally, if the funeral home asks for any funds above the maximum allowable under the Program, I will report that fact to the Program Administrator.

I also understand that if I knowingly make a false statement on this application that I can be charged with falsification of a document, which is punishable to the full extent of the law. I further understand that this application is a public record which will be kept on file at the City of New Franklin and made available for inspection upon request.

Applicant's Signature

Before me a Notary Public, in and for said County, personally appeared the above named, _____, who testified that the above statements are true as he/she verily believes.

Sworn to and subscribed before me this _____ day of _____ 20____.

Seal

Notary Public

CITY OF NEW FRANKLIN

Proof of Residency Form

Proof of residency is required for the determination of fees for the Manchester, Grill and Kyser Cemeteries. A Resident is defined as a person living in the City of New Franklin, or a person no longer living in New Franklin after spending the majority of their adult life in the City (including formerly Franklin Township). In no event will a non-resident be considered a resident without having spent at least twenty years of their adult life in the City, nor will they be considered a resident if they have not resided in the City within three years of the date of application.

Applicant

Name: _____

Phone: _____

Email: _____

Current Resident

Address: _____

Number of Years of Residency: _____

Former Resident

Former Address: _____

Number of Years of Residency: _____

From _____ To _____

Additional Information: _____

Print Name

Signature

Date

OFFICE USE ONLY

Resident

Non-Resident

Employee Signature: _____ Effective Date: _____