



PASSED: February 20, 2024



---

Jason R. Jacobs  
PRESIDENT OF COUNCIL

ATTEST :



---

Nicholas Ciofani  
CLERK OF COUNCIL

APPROVED: Feb 22, 2024



---

Kevin Corcoran  
MAYOR

CHAPTER 1062 CEMETERIES

- 1062.01 COUNCIL AS CEMETERY BOARD; RULES AND REGULATIONS
- 1062.02 DEFINITIONS
- 1062.03 SEXTON
- 1062.04 APPOINTMENT OF ASSISTANTS AND CARETAKERS BY SEXTON
- 1062.05 REGISTER AND RECORD OF SEXTON
- 1062.06 RECORDS AND DUTIES OF CLERK OF COUNCIL
- 1062.07 DEED RESTRICTIONS, TRANSFERS AND REMOVAL
- 1062.08 LOT AND SERVICE CHARGES
- 1062.9 RULES FOR CEMETERY GROUNDS
- 1062.10 INTERMENTS
- 1062.11 GRAVE MARKERS; FLOWER POT HOLDERS
- 1062.12 CEMETERY PERMANENT MAINTENANCE FUND AND CEMETERY INCOME FUND
- 1062.13 MAINTENANCE OF RECORDS OF PUBLIC CEMETERIES AND CREMATORIES BY CLERK OF COUNCIL; COMPUTERIZATION
- 1062.14 CONTENTS OF GRAVES
- 1062.15 PERPETUAL CARE
- 1062.99 PENALTY

CROSS REFERENCES

- Burials may be prohibited - see Ohio R.C. 759.05
- Management and control - see Ohio R.C. 759.09
- Union cemeteries - see Ohio R.C. 759.27 et seq.
- Burial permits - see Ohio R.C. 3705.24 et seq.
- Burial of indigent persons - see Ohio R.C. 5113.15
- Division of Cemeteries - see ADM. 242.05(b)(2)
- Trees within cemeteries - see S.U. & P.S. 1032.06(a)

1062.01 COUNCIL AS CEMETERY BOARD; RULES AND REGULATIONS

Council shall constitute the Cemetery Board and may adopt such rules and regulations governing the operation of the Municipal cemeteries as may, from time to time, be deemed necessary, which rules, when adopted, shall have the same force and effect as though the same were specifically set forth in this chapter.

1062.02 DEFINITIONS

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the

singular number include the plural number. The word "shall" is always mandatory and not merely directory.

"Ash grave" means land where cremated remains in an urn are buried.

"Burial" means disposition of human remains below ground, also called interment.

"Casket" means a container manufactured of wood or metal designed for the viewing of a body in the funeral home. The casket then acts as storage and protection for the body during transportation to the cemetery for interment

"Cemetery" is the parcel of land designated in North Ridgeville's Cemeteries.

"City" means the City of North Ridgeville.

"Disinterment" means to remove a vault or urn from a grave site.

"Foundations" are the base or footing on which a memorial is installed.

"Grave site" means a space of land reserved for the burial of an individual or where an individual is buried.

"Interment" means to bury a vault below the surface of the ground in a grave space.

"Interment rights" means the particular right to place the remains of a deceased person in a specific interment space within a cemetery, subject to the limitations set forth by the cemetery.

"Inurnment" means to bury cremated remains in an urn below the surface of the ground, in an ash grave.

"Lot" means the section in the cemetery as described upon the plat of said cemetery purchased for the purpose of interment rights.

"Marker" means a flat memorial quarried from granite or cast in bronze and placed at ground level at the head or foot of a grave.

"Memorial" means a monument, grave marker, or headstone identifying a grave or graves.

"Mounment" is ant memorial structure erected upon other than a marker, vault, or mausoleum.

"Opening and closing" means digging and closing the grave for burial of a vault or urn.

"Owner" is the person or persons to whom the City has conveyed interment right(s) or who hold such right(s) by inheritance.

"Person" means any individual, firm, partnership, association, corporation, company, or organization of any kind.

"Perpetual Care" means care forever.

"Urn" means a container for cremated remains. The urn must be of retrievable materials such as bronze, plastic or cultured marble.

"Vault" means an outer container manufactured of concrete, fiberglass, or steel into which a casket is placed for burial. Its purpose is to prevent the ground from sinking after burial, as well as providing protection for the casket.

"Vehicle" means any wheeled conveyance whether motor-powered or self-propelled. The term shall include any trailer in tow of any size, kind, or description. Exception is made for baby carriages and vehicles in the Service Department, Police Department or Fire Department.

### 1062.03 SEXTON

There shall be a Sexton to be appointed by the Mayor with the approval of Council who shall enforce the rules and regulations which may hereafter be adopted from time to time by Council. The Sexton shall maintain order in the Municipal cemeteries, make complaints for any violations

of this chapter, supervise all caretakers and visitors, and supervise the opening and closing of all graves and all interments or disinterments.

#### 1062.04 APPOINTMENT OF ASSISTANTS AND CARETAKERS BY SEXTON

The Sexton may appoint not more than two Assistant Sextons, whose duties shall be to open and close graves and perform such other cemetery work as may be assigned by the Sexton. The Sexton may also appoint not more than three Caretakers, who shall perform such duties necessary for the upkeep and care of the Municipal cemeteries and such other cemetery service as may be assigned to them by the Sexton.

#### 1062.05 REGISTER AND RECORD OF SEXTON

The Sexton shall keep a register and record of all interments and disinterments made in Municipal cemeteries, which record shall disclose the name of the deceased, his or her residence, place of burial, the name of the undertaker officiating, and the type of vault or box used. Such records shall be public records and open to public inspection.

#### 1062.06 RECORDS AND DUTIES OF CLERK OF COUNCIL

It shall be the duty of the Clerk of Council to make and keep a permanent record of the ownership of all burial lots in the Municipal cemeteries, which records shall be at all times open to public inspection. It shall also be the duty of the Clerk of Council to issue deeds and make transfers of ownership upon the sale of any grave lot. Records regarding the same shall include:

- (a) An accurate map of the Municipal cemeteries;
- (b) The names of the owners of all lots which have been sold;
- (c) The correct description of all lots for sale; and
- (d) The exact location of each grave upon each cemetery lot.

#### 1062.07 DEED RESTRICTIONS, TRANSFERS, AND REMOVALS

All deeds to cemetery lots shall require that:

- (a) The owner shall abide by all the rules and regulations established for the management and control of the Municipal cemeteries;
- (b) No purchase of any lot shall be made for speculative purposes;
- (c) No cemetery lots shall be resold for more than the original purchase price;
- (d) No deed shall be transferred until prior approval, in writing, has been obtained from the Sexton. A fee of twenty dollars (\$20.00) for the transfer of a cemetery deed shall be

charged. Transfers by will or by the laws of descent and distribution of the State shall control ownership of lots held by deceased persons.

- (e) The City of North Ridgeville does not buy back lots or single burial spaces.
- (f) The deed to a lot conveys only burial rights. The title to the land remains with the City of North Ridgeville.
- (g) The Sexton, as approved by the Mayor, reserves the right to correct any errors that may occur either in making interments, disinterments, or removals, or in the description, transfer, or assignment of any interment property.
  - (1) With the approval of the Mayor, the Sexton can accomplish this by canceling the interment, transfer, or assignment, and substituting or transferring other interment property of equal value and similar location, if possible, or by refunding the amount of money paid on account of said purchase. In the event the error shall involve the interment of the remains of any person on such property, the Sexton reserves the right to remove and re-inter the remains to such property of equal value and similar location as may substituted and assigned in lieu thereof.
- (h) A permit from the Board of Health must be presented at the Clerk of Council's Office along with an application for removal, made in accordance with the state of Ohio, governing the disinterment and removal of the human dead, if remains are to be disinterred and removed from the cemetery.

Permits for disinterments will be issued only upon written consent of the owner of the lot or surviving spouse, children (if legal age), or parents of the deceased.

#### 1062.08 LOT AND SERVICE CHARGES

The Sexton shall receive for each grave lot of eight feet by three and one-half feet, whether sold singly or as double lots, five hundred and fifty dollars (\$550.00) per grave lot for residents and seven hundred and fifty dollars (\$750.00) for non-residents. If at any time a separate section of any cemetery is laid out for infants, the charge shall be eighty dollars (\$80.00) for a grave two feet by two feet for residents and two hundred dollars (\$200.00) for nonresidents. Under the statutes of the State of Ohio, no profit may be realized from the sale of cemetery lots by a municipal corporation. Therefore, the prices fixed for lots in the City of North Ridgeville cemeteries are based upon actual cost of development and maintenance only.

The Sexton shall receive the following charges for the services rendered as hereinafter set forth:

(a) Interments:

Nonresident:	Infant	\$275.00, plus cost of lot
	Crematory burial	\$325.00, plus cost of lot
	Adult	\$550.00, plus cost of lot
Resident:	Infant	\$200.00, plus cost of lot
	Crematory burial	\$275.00, plus cost of lot
	Adult	475.00, plus cost of lot
Weekend Extra Charges: Saturday/ Sunday		\$600
Holiday Charges		\$1000/.00

Additional charges shall be as determined by the Sexton, as approved by the Mayor.

(b) Disinterments:

Adults	\$1,600.00
Infants/cremains	\$1,000.00

No disinterments will be done on Saturdays, Sundays or holidays.

(c) Disinterment and interment in the same grave:

Adults	\$1,600.00 plus \$350.00
Infants/cremains	\$1,000.00 plus \$125.00

(d) Disinterment and interment in new grave:

Adults	\$1,600.00 plus \$350.00 and cost of lot
Infants/cremains	1,000.00 plus \$125.00 and cost of lot

(e) Headstone or marker foundation only:

Single	\$200.00
Double	\$275.00
Infants	\$150.00
Corner marker	\$30.00 per marker (single or double)
An additional fifty dollars (\$50.00) per foot shall be charged for anything over one foot by four feet.	

(f) Concrete footer (one foot by four feet by one foot): \$150.00 per grave

For each additional surface square foot of concrete footer in excess of one foot by four feet by one foot (surface size), there shall be a charge of fifty dollars (\$50.00).

All funds and charges received by the Sexton, and all moneys which becomes due under any provision of this chapter, shall be paid by the Sexton to the Finance Department, who shall issue a receipt therefor. A separate Cemetery Fund shall be established by the Director of Finance for the receipt of these funds.

All cemetery costs shall be reviewed annually at the appropriation meetings of Council.

1062.09 RULES FOR CEMETERY GROUNDS

- (a) Whenever, in the opinion of the Sexton, one or more lots requires regrading in order to beautify or improve the general appearance of a cemetery, he or she shall have full power and authority to do so without consent of the lot owner, but in all such cases such regrading shall be without expense to the owner and the lot shall be restored to a condition as good as before the regrading.
- (b) Any regrading by the Sexton done at the request or instance of the lot owner or family shall be paid for by the person making such request.
- (c) Digging and refilling of graves, trimming around graves, opening of graves, moving of bodies from one grave to another and constructing graves, foundations for headstones and tablets, shall be done only by a Sexton, Sexton designee or a Caretaker. Lot owners, their families or their employees may provide ordinary care for their own lots, but such work must be done in accordance with the cemetery rules and under the direction and supervision of the Sexton.



- (d) In order to maintain the harmonious plan of landscaping in the Municipal cemeteries, all planting shall be done in accordance with a landscape plan and under the supervision of the Sexton.
- (e) No mounds shall be erected on lots or graves, and no fence, railing, coping, curb, wall, hedge or enclosure of any kind shall be erected around any grave or lot.
- (f) Unless otherwise authorized by the Sexton, all grave markers and grave monuments shall be set at the end of the grave nearest the front of the lot.
- (g) The Sexton or his or her designee or Caretakers shall remove all flowers and emblems from graves as soon as they become unsightly, and there shall be no responsibility for their return.
- (h) No lot or grave shall be covered, in whole or part, by sand, gravel, broken stone, cinders, or any other substance which may prevent full growth of grass.
- (i) No advertisements of any description shall be permitted in the Municipal cemeteries.
- (j) The Municipal cemeteries shall be open to visitors at 8:00 a.m. and closed at sunset. All visitors shall enter and leave the cemeteries only by means of the drives, walks and gates provided for such purposes.
- (k) Vehicles are not permitted on the lawns or lot areas. Any driver who runs a vehicle upon the lawns, across gutters or elsewhere, causing damages as a result, will be required to compensate for such damage.
- (l) The presence of birds, both summer and winter, enhances the natural beauty of cemeteries; therefore, the cemeteries shall be considered to be bird sanctuaries. No person shall kill, wound, trap, or otherwise disturb any bird within a Municipal cemetery.
- (m) No person shall take photographs within the cemeteries, unless permission, in writing, is granted by the Sexton.
- (n) No person shall throw rubbish upon any part of Municipal cemetery grounds.
- (o) No person shall talk in a loud or boisterous manner, make any improper noise or disturbance, be drunk or intoxicated, quarrel or use any profane, vulgar or indecent language, conduct himself or herself in a disorderly manner, engage in any game, amusement or diversion or bring liquor or other refreshments into any Municipal cemetery.
- (p) Pets are not permitted on the cemetery grounds, or being the owner of pet, permit the same to run at large therein.
- (q) No person shall bring into a Municipal cemetery any firearm or discharge the same therein, except when such firearms are used by military organizations in connection with burial services.

- (r) No monuments are permitted to be erected upon any lot(s) of all North Ridgeville's cemeteries.
- (s) Metal emblems, wooden and plastic crosses, markers, flags and pennants are prohibited upon lots or graves except during the observance of Memorial Day. They may be placed upon graves by authorized representatives, not to exceed two days prior to Memorial Day and they must be removed prior to June 8<sup>th</sup>.
- (t) The City disclaims any liability for objects/decorations that are damaged or stolen from lots or gravesites.

#### 1062.10 INTERMENTS

- (a) All the interments or reinterments shall be in a concrete vault.

#### 1062.11 GRAVE MARKERS; FLOWER POT HOLDERS

- (a) For single graves, the size of grave markers shall not exceed twenty-eight inches in length and sixteen inches in width.
- (b) Double markers shall not exceed four feet in length and one foot in width.
- (c) A normal footer shall be installed for all grave markers.
- (d) In new sections, flower pots or flower pot holders shall not exceed eight inches in diameter.
- (e) No glass-like or metal-like vases/pots are permitted in any cemetery.
- (f) No plants shall be planted in the ground. Fresh-cut flowers and artificial wreaths/Flowers will be permitted only in plastic vases/pots.
- (g) Artificial wreaths/flowers in plastic vases/pots will be permitted upon lots in the City of North Ridgeville cemeteries only during the winter months from November 1<sup>st</sup> through March 31<sup>st</sup>.
- (h) The cemetery does not hold responsibility for the ordering or engraving of the markers.
- (i) Headstone installations occur 2-3 times a year, with the first installation occurring in May and the last occurring in October. Any markers delivered through the winter months will be stored until the first installation in May.
- (j) Headstones that become unlevel must be brought to the attention of the Sexton. At such time, it will be at the discretion of the section to determine the severity. Leveling the markers will be done by the cemetery staff as time allows.

- (k) The City of North Ridgeville disclaims any responsibility or liability for accidents or damages to markers, cases, mausoleums, or vaults resulting from ordinary hazards of cemetery work. The City does not assume liability for accidents or damages to property due to the defects of machinery, implements, tools, and equipment used in its work.

#### 1062.12 CEMETERY PERMANENT MAINTENANCE FUND AND CEMETERY INCOME FUND

- (a) There are hereby established two funds, with the approval of the Bureau of Inspection and Supervision of Public Offices, to be known as the Cemetery Permanent Maintenance Fund and the Cemetery Income Fund.
- (b) There shall be paid into such Funds such moneys as are received from any sources designated for such respective purposes.
- (c) Disbursements from such Funds shall be limited to those authorized by Council for the respective purposes of such Funds, to provide for a cemetery program for the City.

#### 1062.13 MAINTENANCE OF RECORDS OF PUBLIC CEMETERIES AND CREMATORIES BY CLERK OF COUNCIL; COMPUTERIZATION

- (a) The Clerk of Council is hereby directed to maintain permanent records for all public cemeteries and crematories located within the City, and such records shall include the following information:
  - (1) The name of the deceased.
  - (2) The last residence of the deceased.
  - (3) The date of birth and place of birth of the deceased.
  - (4) The date of death and place of death of the deceased.
  - (5) The date of burial and place of burial of the deceased.
  - (6) The sex of the deceased.
  - (7) The funeral director.
  - (8) The obituary citation of the deceased.
  - (9) The cause of death of the deceased.
  - (10) The lot number, section number, block number, grave number and burial site.
  - (11) The name of the lot owner.
  - (12) Additional remarks.
- (b) All records for public cemeteries and crematories shall be computerized.

#### 1062.14 CONTENTS OF GRAVES

A cemetery grave may only contain one casket and two cremains, or only three cremains. Cremains should have a durable outer vault.

### 1062.15 PERPETUAL CARE

The City of North Ridgeville agrees to give perpetual care consisting of the followings services: lawn mowing at reasonable intervals (minimum of once a month), re-sodding, seeding, filling in sunken graves, sodding over the surface of graves to lot level, trimming and/or replacing all trees and shrubbery, maintaining all roadways, buildings and structures which are necessary to the general use of all lots in the cemetery, and leveling of grave markers (headstones). Neither the purchase prices of lots, graves or the perpetual care agreement include repairing or replacing markers or the repair of damages caused by the elements or malicious vandalism.

### 1062.99 PENALTY

Whoever violates any of the provisions of this chapter, for which no penalty is otherwise provided in these Codified Ordinances, is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.