

Cemetery Rules
Farmington, Ohio
July 21, 2010

These rules were adopted May 11, 2010 by the Board of Trustees of Farmington Township. The Rules and Regulations adopted by the Board are effective May 12, 2010 replace and supersede all previous rules and regulations which may have been in effect.

The cemeteries are operated in conformance with the Ohio Revised Code and the rules and regulations established by the Board of Township Trustees. The Board is responsible for the maintenance of all cemetery facilities, including but not limited to the roads, drives, grounds, buildings and other physical properties. The Board, in compliance with the Ohio Revised Code, may create, eliminate, modify, or otherwise alter the rules and regulations at any time with or without notice.

Farmington Township maintains 2 cemeteries. They are: Hillside and East. Both are located on State Route 88.

MANY OF THESE RULES MAY SEEM RESTRICTIVE BUT ARE NESSESARY TO CONTROL LAWN MAINTENANCE COSTS AND TO MAINTAIN AN ORDERLY AND PLEASANT ATMOSPHERE FOR CITIZENS VISITING THE CEMTERIES.

01. All visitors are requested to respect the solemnity of the place, and strictly observe the Rules & Regulations which have been established by the Trustees.

02. The Cemetery is closed from sunset to sunrise. Trespassers will be prosecuted.

03. The Cemetery is maintained for the use and benefit of the public, our Rules and Regulations have been adopted for its care and maintenance and are designed to give all Lot Owners equal rights and protection therein.

04. Our Cemeteries serve all persons and faiths with equal respect.

PLOTS/LOTS

05. "Owner" means the owner of the rights of Interment as the holder of the deed.
06. Courts have held that a deed to a cemetery lot represents personal property, not real estate, and that a widow has no dower right therein, but her right of burial in the lot may not be denied.
07. Upon the death of the recorded owner, the control of the unused or under-designated grave/s shall go to the legally designated beneficiary/s. If none is so designated, the ownership shall follow the requirements of the Ohio Revised Code.
08. When requested by the lot owner;
there will be a limit of two (2) interments permitted on one (1) grave site.
Option (a) Shall consist of one (1) casket burial as the first burial followed by one (1) cremation interment placed directly above.
Option (b) Shall consist of two (2) cremated interments at the same level.
Option (c) In the event that a cremation burial is succeeded by a casket burial, extra charges will apply as follows:
a disinterment and reinterment fee.
In all three cases the cremated remains shall be placed at the head of the lot 18" to 24" deep.
09. "Resident" rates apply to anyone who was eligible to vote in Farmington Township or the Village of West Farmington. The fact that that anyone has previously resided in the township or village for any length of time doesn't affect this eligibility.
In a case where someone has had to enter a nursing facility for health reasons special status will apply.
10. Any non-resident claiming rights as a resident shall be required to deposit the non-resident fee with the Township Clerk after which the Trustees shall decide the issue involved. After determination a refund may be granted.
13. The Cemetery Sexton shall be given a minimum of 48 hours notice of Interment.
14. All associated costs are listed on the "Rates for Farmington Township Cemeteries" which is supplied on request and

also published each January.

15. The funeral director or funeral home, which arranges for opening and/or purchase of a grave, shall be responsible for payment of both the grave and the opening fee.

16. No interment will be permitted until graves are paid for in full.

17. The owner of a lot may, during his lifetime, designate in writing to the Township Clerk the names of those members of his family (or near relatives) whom he wishes to have interred upon his lot. Such writing will then be filed in the Township office with the deed, and the cemetery caretaker to ensure that none but those so designated are interred therein.

18. It is the lot owner's responsibility to notify the Farmington Township Clerk of any change in their residence, address or designations.

19. Cemetery plots may not be sold or transferred to another individual by the owner. Our cemetery lots are considered family lots at time of purchase.

20. Farmington township does not repurchase plots/lots.

21. All burial vaults are subject to the approval of the township.

22. All casket interments shall require a cement vault, except in the case of cremations. Infants may be a combination Casket/Vault.

23. Cremations ashes shall be interred, and shall be in a durable container. Only Township personnel will be permitted to open and close graves for cremations.

24. Sunday or Holidays burials require additional charges.

25. Funerals shall be scheduled for arrival to the cemetery prior to 1:00 P.M. Late arrivals will be assessed a premium rate.

26. The cemeteries are maintained by our Road Department employees with volunteer help from the Farmington Cemetery Association.

26a. Our employees will not arrange or lower any vault or casket

their only service shall be the open and close the burial site.

27. No planting is allowed at either Township Cemetery.

28. Picking, mutilating or disturbing flowers, trees or shrubs or anything of a memorial nature is prohibited without permission of township personnel.

MARKERS/MONUMENTS

29. The ownership of a deed to a lot does not confer any right to do planting nor erect a monument, vase, etc. The only legal right being that of interment.

30. As the deed to a lot conveys only the right of burial therein, the Township retains control and supervision of all lots that have been sold and it shall be the duty of the caretaker to enter upon any lot and prohibit, modify, or remove any structure, object, improvement, or adornment on such lot that may have been placed thereon in violation of the rules, or that may be considered objectionable or injurious to the lot or adjoining lots, or the general appearance of the cemetery.

31. All grave markers will be on a concrete foundation. The foundation shall have a minimum depth of thirty (30) inches and be of such length and width to extend a minimum of four (4) inches on all sides of the grave marker. Flush mounted monuments or markers shall have a minimum foundation of six (6) inches of concrete.

32. All concrete footers shall be installed under the supervision and control of, the cemetery sexton.

32 a. Footers will be installed at two time periods of the year. Once in the spring, with requests made by May 1 Again in the fall, with request made by August 1. Weather permitting, the footers will be set in time for marker display on Memorial Day and Labor Day respectively.

32 b. A private contractor designated by the township will perform this service. No markers or stones will be permitted until said contractor has been paid in full.

33. Monuments must be made of granite, marble or bronze.

34. The use of footstones is discouraged, but if used, they are

to be sunk to a level of the surrounding lawn surface .

35. All markers shall be facing east west to allow for cemetery maintenance.

36. Only one Monument may be placed on a grave plot.

DECORATIONS

37. The recorded owner of the grave shall be the controller in respect to the placement, care, and maintenance of flowers and/or decorations on the grave in agreement with cemetery rules.

38. All items placed at the Cemetery must be of a respectful nature.

39. The placing of lucky stones, slag, gravel, or other similar products around markers is not permitted.

40. No planting of flowers on the grave.

41. The placing of all markers must be approved by the cemetery sexton or a representative of the township.

42. Outlining of graves or markers with wood, metal frames or crushed stone is not permitted.

43. All winter decorations must be removed by April 1st

43 a. No spring/summer decorations may be displayed til May 1

43 b. Spring/summer decorations must be removed by October 1

43 c. No winter decorations may be displayed until November 1st
After these dates our maintainance department and/or the cemetery association WILL CLEAR ALL ITEMS.

44. All floral items left after October 1st and April 1st will be disposed of, including those on top of the monuments. Small personal items will be left intact as long as they are on the foundation and not subject to being wind-blown.

45. If any decorations are a detriment to the maintenance or mowing, the Sexton has the authority to remove them.

46. Items left to be removed from a grave by the cemetery maintenance crew become the property of the township. Please help us by clearing your own sights.

47. Because of safety concerns no glass containers are allowed.

47 a. Please consider placing any fragile items which may shatter by contact with a sting trimmer.

48. Decorations must be placed close to the monument/footer.
48 a. Township has final say as to the term close, (less than 10 inches being the of thumb).
49. Grave Blankets are permitted November through March only
50. All items placed on a grave must remain within the boundaries of that grave and cannot infringe upon another grave site.
51. No more than 2 flower arrangements and/or personal items per grave.
- 52 . For the time being shepherd staffs are allowed for flowers, wind chimes, etc. and are to be placed at the side of monuments. They will be counted as 1 of the 2 maximum items allowed per grave.
53. Flowers or decorations deemed unsightly, tattered or out of season will be removed and discarded.
54. Any item placed in the cemetery that is inconsistent with these rules and regulations, or that has not been approved by the Board, may be removed without notice.
55. Toys, ornaments, athletic equipment, metal designs, ceramic figurines, home-made markers, lighting, etc., are prohibited .
56. Unattached and/or loose ornaments subject to being wind-blown(moved) are prohibited.
57. Farmington Township will not be responsible for monuments, vases, eternal candles, etc., damaged as a result of vandalism and/or theft, nor be responsible for decorations and flag holders left out by lot owners
58. In the event that a Township employee or agent damages a grave marker or monument, Farmington Township will repair the damage.
58 a. Farmington Township will not be responsible for any "article" placed at a gravesite, or within the cemetery, that is not a grave marker or monument established or associated with the gravesite.
59. Policy on Repair or Replacement of Damaged Tombstones - When a tombstone(s) has been damaged by a specific occurrence, and the family cannot be contacted to arrange for repair or replacement, the trustees will determine the cost of repairs, and if that cost

exceeds the cost of a (10" to 12" x 20" to 24" x 4") grasser monument the township will install a grasser(s).

GENERAL

60. One cemetery lot shall be provided when the decedent has no life insurance or other assets at the time of death. The township shall provide a grave if one is not already owned by the decedent, provided that the decedent is a resident of the Township. Should death occur in a nursing facility outside the Township, availability of this benefit shall be determined by the decedent's legal domicile prior to the nursing facility.

61. In case of interment errors, pursuant to Section 517.23 of the Ohio Revised Code, the Township has the right to disinter a deceased person to correct an interment error. Owners and purchasers acknowledge on behalf of themselves, their heirs, successors, and assigns that the Township has the right to correct any errors that involve the interment of a deceased person. Pursuant to the Ohio Revised Code and Township policy, notice of the actions to be taken by the Township will be provided to the decedent's last known next of kin prior to the correction.

62. Any person making application for the disinterment or reinterment permit accepts all responsibility for the payment of such disinterment/reinterment. Any vault company charges shall be paid by the applicant.

63. Shrubs and trees may be considered in certain areas with approval by trustees. Once planted they become the property of the cemetery. Any tree or shrub on any lot by reason of spreading roots or branches that becomes detrimental to the adjacent lots, paths, walks or drives, or unsightly or inconvenient to passers by, the Trustees shall have the right to remove said tree or shrub or any such parts.

64. Only human remains may be interred in the Cemetery.

65. Any exception granted to the above rules must be brought before a majority of the trustees at the next regular meeting.

Any questions or concerns, please contact the cemetery office at 330.889.3024