

RULES AND REGULATIONS

As required by ORC 517.06
of

Munson Township Maple Hill & Fowlers Mill Cemeteries

PURPOSE

These rules and regulations are designed for the protection of owners of interment and/or inurnment rights as a group. They are intended, not as restraining, but rather as preventing the inconsiderate from taking unfair advantage of others. Their enforcement will help protect the Cemetery and create and preserve its beauty. These rules and regulations are hereby adopted as the rules and regulations of the Cemetery, and all owners of interment or inurnment rights, visitors and contractors performing work within the Cemetery, shall be subject to said rules and regulations, amendments or alterations as shall be adopted by the Township from time to time, hereby superseding any and all previous Rules and Regulations.

DEFINITIONS

"Cemetery" shall mean not only the land and the improvements thereon, but Maple Hill and Fowlers Mill Cemeteries, its employees and duly authorized representatives.

"Owner" shall mean the owner of rights of interment or inurnment.

"Interment" shall mean burial of the remains of a deceased human being.

"Inurnment" shall mean the burial of cremated human remains.

"Memorial or Monument" shall mean any marker placed upon any lot for the purpose of identification or in memory of the interred.

"Burial Vault" shall mean an outside burial container as specified by the cemetery to incase human remains.

"Contractor" shall mean any person, firm or corporation or anyone other than an employee of the Cemetery engaged in placing, erecting or repairing any memorial or monument and performing any work on the Cemetery grounds.

CEMETERY HOURS

The Township's cemeteries are open from daylight to dusk daily.

SUPERVISION OF CEMETERY

The Township reserves the right to compel all persons coming into the Cemetery to obey all rules and regulations adopted by the Township.

These rules and regulations may be changed, without notice to any owner by the Township.

The Township shall take responsible precaution to protect owners and the property rights of owners within the Cemetery from loss or damage but it distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control. The Township is not and shall not be liable for damage caused by elements, acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasion, insurrections, riots, or orders of any Military or civil authority, whether the damage be direct or collateral.

The Township reserves the right to correct any errors that may be made by it either in making interments, disinterment's, inurnments, dis-inurnments or removals, or in the inscriptions, transfer, or conveyance and substituting and conveying in lieu thereof other interment or inurnment rights of equal value and similar location as far as possible, or as may be selected by the Township or, in the sole discretion of the Township, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment or inurnment of the remains of any person in such property, the Township reserves and shall have the right to remove and transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. The Township shall also have the right to correct any errors made by allowing the placement of an improper inscription, including an incorrect name or date on the memorial or monument. Upon correction no further liability shall exist against the Township.

The rights to enlarge, reduce, replant or change the boundaries or grading of the Cemetery on a lot or grave, from time to time, including the right to modify or change the locations of or any part thereof or remove or re-grade pathways, is hereby expressly reserved by the Township. The Township reserves to itself and to those lawfully entitled thereto and those permitted by the Township to do so, a perpetual right of ingress and egress over lots for the purpose of passage to and from other lots.

OWNERSHIP

Interment or Inurnment rights shall be used for no other purpose than the disposition of the human dead.

SALE AND PURCHASE OF INTERMENT/INURNMENT RIGHTS

All interment and inurnment rights are sold subject to payment of the amount posted in the Cemetery or Township office for the area of the lot. All interment and inurnment rights shall be fully paid prior to their use.

A Munson Township resident may purchase graves at the residential rate for their immediate family, defined as parents, spouse, spouse's parents, and children. Graves may be purchased for siblings or grandparents with the rate determined by where they reside. Additional graves that are purchased for family members that are undetermined would be assessed at the non-residential rate.

The transfer of any interment or inurnment right by any owner shall not be binding upon the Township unless same shall first be duly approved in writing by the Township. The Township shall issue a new deed per ORC 517.07 to the new owner subject to the provisions of said deed

or certificate. The sale of any interment or inurnment right to anyone other than the Township is prohibited. The owner may sell their interment or inurnment right back to the Township for the original price paid.

Any and all transfers of any interment or inurnment right, whether same be by conveyance or assignment are subject to all rules and regulations of the Cemetery, which are now in full force and effect or which may be hereafter adopted.

The subdivision of interment or inurnment right is not allowed without the consent of the Township and no one shall be buried in any lot not having an interest therein, except by written consent of the Township.

The Township may exchange interment or inurnment rights, when desired by owners. When such an exchange is made, the original deed must be surrendered, if considered necessary by the Township before any change is affected.

Each owner is vested with the ownership of his or her interment or inurnment right for the sole purpose of interment or inurnment of human dead bodies. Under the rules and regulations of the Cemetery, the interment and inurnment rights cannot be conveyed without the consent of the Township, nor any use, division or improvements of them be made which the Township prohibits, or may deem improper. The owner of interment or inurnment rights may dispose of same by will, subject to the foregoing conditions: if owner dies intestate, the interment or inurnment rights will descend to his or her heirs according to law. The Township cannot be responsible for the carrying out of the intent of the grantor.

BURIAL REGULATIONS

No interment or inurnment shall be made unless the opening and closing fee for such grave has been paid in advance, and a burial permit or cremation certificate for the deceased has first been presented to the Township and the deed verified by a trustee or sexton. The Township will comply with the provisions of Section 3705.17 of the ORC.

All human remains not cremated must be contained in a burial vault prior to burial.

No grave space may contain more than two urns of cremated remains or one urn of cremated remains and one body.

The Township must be notified of an impending interment or inurnment service no later than 12:00 noon of the prior business day. Notification of a Monday service must be received no later than 3pm on the previous Friday. The Township reserves the right to schedule interment or inurnment services according to the Township's availability of service times and needs. An extra fee will be charged for interments or inurnments scheduled for a Saturday, Sunday, holiday, or after 3pm weekdays.

The Funeral Home and grave owner is responsible for supplying tents and chairs for any graveside services.

Funeral processions, upon entering the grounds of the Maple Hill or Fowlers Mill Cemeteries shall be subject to the direction of the Township or authorized employees of the Township.

Following an interment or inurnment, the grave will be dressed with seed and hay. Some settling will occur and will be addressed prior to the laying of a foundation for a monument.

DISINTERMENT/DIS-INURNMENT

Application for disinterment or dis-inurnment must comply with the provisions of Section 517.23 of the ORC. A Township may conduct a disinterment or dis-inurnment if requested to do so by the surviving spouse, on order of a probate court or to correct an interment or inurnment error. Any person desiring to remove a body from the grave space of another must present a written permit signed by the owner, the next of kin and also himself to have such removal made. These shall remain on file in the office of the Township. No such removal shall be made without the written consent of the Township, and then only on such conditions as the Township shall prescribe.

MONUMENTS

The Township will put in all foundations for headstones and veteran's plaques. Foundations over 48" in length will be time and materials with the price to be set by the sexton. A foundation is free for a veteran's service plaque.

No touching, scraping, rubbing or spraying of liquids on the memorials or monuments is permitted for any purpose. No sitting or leaning on monuments is permitted unless said monument is a bench.

GENERAL CARE/MAINTENANCE

The general care of the entire Cemetery grounds and lots is assumed by the Township. The Township shall direct all improvement within the grounds and upon all lots and graves before, as well as after interments have been made therein. They shall have charge of the planting, laying of sod, surveying and general improvements. All work on lots or graves will be done by employees of the Township under the direction of the Township, except when permission is otherwise granted. All grading, landscaping work, and improvements of any kind, and all care of lots and all plantings, trimmings, removal of trees, shrubs, and herbage of any kind and all openings and closings of lots, all interments, inurnments, disinterment's and removals shall be made under the direction of the Township.

DECORATION REGULATIONS

No glass jars, vases or shepherd's hooks (hanging plants) are allowed. Fresh flowers will be removed at the discretion of the township. Holders containing flowers or other decorations will be removed as soon as the flowers fade and wither, and the right is reserved by the Township to make such removal. Also winter wreaths, and artificial flowers will be removed between April 1st and May 1st to prepare cemeteries for Memorial Day, and the Owner thereby forfeits all rights, title and interest to the same, and the Township may dispose of them in any way it deems best.

If any inscription or object is placed on any memorial, monument or other structure, and it is determined by the Township to be offensive, the Township shall have the right to enter upon such lot to remove, change or correct the offensive inscription or object at the expense of the owner. If any tree, shrub or plant standing upon any lot, by means of its roots, branches, or otherwise, becomes detrimental to adjacent lots, aisle ways, or if for any other reason its removal is deemed necessary, the Township shall have the right to remove such tree, shrub or plant, or any part thereof, or otherwise correct the condition existing as in their judgment seems best. No person shall pluck or remove any plant or flower, either wild or cultivated from any part of the Township. No enclosure of any kind, such as a fence, coping, hedge or ditch, shall be permitted around any grave or lot. Grave mounds shall not be allowed and no lot shall be raised above the established grade.

Small plantings will be allowed if approved by a trustee or sexton. All shrubs, trees, etc. will be trimmed at the township's discretion. The Township shall have the right to remove any dead or damaged tree, shrub or vine.

Veterans' flags will be displayed for a reasonable time for Memorial Day. These flags are the property of Munson Township.

GENERAL REGULATIONS

No children under the age of 16 are permitted within the Cemetery without adult supervision.

No pets shall be permitted in the Cemetery.

No parking on the grass.

The Township is not responsible for theft or damage to anything placed on graves or lots.

Only vaults, grave markers, monuments or vases approved by the Township shall be permitted.

All persons are strictly forbidden to break or injure any tree or shrub, or mar any landmark, memorial or monument, or in any manner deface the grounds of the Cemetery.

All persons are reminded that the grounds are sacredly devoted to the burial of the dead and that the provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wanton injury, disturbance and disregard of the rules and the laws of Ohio.

MODIFICATIONS AND AMENDMENTS

The Township may, and it hereby expressly reserves the right at any and all times, with or without notice to Owners, to adopt new rules and regulations, or to amend, alter and/or repeal any rule, regulation and/or article, section, paragraph and/or sentence in the Rules and Regulations.

Special cases may arise in which the literal environment of a rule may impose unnecessary hardship. The Township, therefore, reserves the right without notice, to make exceptions, suspensions or modifications in any of the Rules and Regulations, when in its judgment, the same appear advisable; and such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of these Rules and Regulations, or as creating any enforceable precedence.