

**RULES**

**AND**

**REGULATIONS**

**GOVERNING**

**OAK GROVE CEMETERY**

**Logan, Ohio**

**EFFECTIVE**

**JANUARY 1, 1978**



## PURCHASE OF LOTS

1. Persons desirous of purchasing a lot should call at the Office of the Cemetery, where the Superintendent or his assistant will show them the lots for sale. After the lot is selected, no lot will be regarded sold until fully paid for. When the lot or grave is paid in full, a Deed for the lot or grave will be issued.
2. All lots are for sale for cash and the bill is payable at the time of purchase.
3. As the deed to a lot conveys only the right of burial therein, the City retains control and supervision of all lots which have been sold and it shall be the duty of the Superintendent to enter upon any lot and prohibit, modify or remove any structure, object improvement or adornment on such lot which may be placed thereon in violation of the rules, or which may be considered objectionable or injurious to the lot or adjoining lots, or to the general appearance of the Cemetery.
4. Sale of lots by owners cannot be permitted, only directly to the City of Logan, at the original price paid by the owner.
5. The grounds are exempt from taxation and liability of lot owners for debts.
6. Any owner of a lot, has a right to give permission by written order, for the burial of the remains of others, than his immediate family in his lot, or portion thereof, as hereinafter directed but not for money or other consideration or profit.
7. As a husband is not always an heir-at-law of his wife, nor wife of her husband, neither will necessarily inherit the lot from the other. To assure the survivor an interest in the lot, both names should be embraced in the deed. If the prior die intestate, the lot will descend to his or her heirs jointly and in equal undivided shares, subject to the same conditions. Who the heirs are will be determined by the statutes of Ohio in force at the time of death.
8. The ownership of a deed to a lot does not confer any right to do planting nor to erect a monument, mausoleum, vase, etc., upon said lot without the written approval of the Director of Public Service.
9. The arrangement of the location of graves upon a lot is determined by the Superintendent, as it is necessary that uniformity shall prevail.
10. When an interment is to be made, the owner of the lots shall accompany the Superintendent or his assistant to the lot and declare which space is to be occupied.

11. By the general statutes of the state, each proprietor is vested with the ownership of his or her lot in fee simple, but for the sole purpose of interment.

12. On the decease of any owner or part owner of a lot in the Cemetery, the heir or devisees of such decedent are required to file in the office of the Cemetery, full proof of their heirship or proprietorship, for the purpose of being recorded in the books of the cemetery. Without such proof and record, the right of ownership or burial of such person cannot be recognized by the officers of the Cemetery.

13. When a new section of the Cemetery has been prepared for sale and a map of it made, the Director fixes the price, at which the lots shall be sold.

## INTERMENTS AND FUNERALS

14. Parties are advised to apply at the Superintendent's office before fixing the time for the funeral, to ascertain at what time he can attend to the same in order to prevent delay and confusion at the grounds. Applications will be considered each in its turn.

15. All interments will be subject to the charges which must be paid to the Superintendent when the grave is ordered, and no interment will be allowed until paid for.

- 15A. Burial of indigent cases at no charge will apply to city residents only. In the case of a non city resident, the city will provide a lot. However, any additional expenses incurred will have to be met.

16. All funeral processions, while within the Cemetery, will be under the exclusive control of the Superintendent.

17. Interments on Sundays and Holidays are not permitted except in cases of contagious disease, when ORDERED by the Board of Health, or by special permission of the Director of Public Service.

18. No body except that of a human being may be interred in the Cemetery.

19. No interment may be made unless the body is accompanied by a burial permit (this is generally procured by the undertaker).

20. No bands are permitted to enter the Cemetery except at military funerals or on Memorial Day.

21. When a burial is required, notice must be given at the Superintendent's office, as long as possible before the hour of interment. At least 16 hours, daylight business hours. All



graves must be located and the size of the vault given to the Superintendent when grave is ordered.

22. If the application is for the interment of others than the immediate family of the owner, permission in writing from such owner or part owner must be presented.

23. Interments over four feet in length are to be made in an outer case or vault of cement, metal or stone.

### **Vault Regulations**

24. The remains of any person dying of a contagious disease will not be permitted in the public vault; nor are the remains allowed to stay in the vault only while in a good state of preservation.

25. Persons other than the immediate family wishing to visit the remains in the public vault are required to obtain a written order from the relatives.

26. No burial will take place from the vaults on Sunday or Holidays, and all burials should be made in the forenoon when more attention can be given than in the afternoon. The undertaker will be required to furnish conveyance to remove bodies from the receiving vault to the grave, when so requested by the Superintendent.

27. The custodian will refuse to admit to vault any casket which leaks either fluids or odorous gases.

28. All burials from the Public Vault shall be made in the forenoon, when more attention can be given than in the afternoon, when the greater number of funerals take place. In burying from the Vault, the friends may assemble at the grave, where the remains will be taken, free of charge.

29. All interments will be subject to the charges which must be paid to the Superintendent when the grave is ordered, and no interment will be allowed until paid for.

30. Funerals on reaching the Cemetery will be in charge of the Superintendent or one of his assistants, and each driver will be required to carefully observe and obey all directions given.

31. It is not permitted to open a casket at the grave unless application is made in advance and approved by the Superintendent.

32. Interments and disinterments may be made only by the regular employees of the Cemetery and upon written order from the office.

### **PLANTING & CARE OF LOTS**

33. All grading or improvements on lots, and all excavations for vaults and the building of foundations and graves, must be done by the employees of the Cemetery. Moderate estimates will be given by the Superintendent and all charges must be paid before the work is begun. No person will be allowed to plant on graves or lots without previously consulting the Superintendent, when he will personally advise with any lot owner.

34. The planting of flowers or shrubs so that they overhang and cause dripping upon and discoloration of stones, relieves the Cemetery of any responsibility for keeping the stones clean; and the Superintendent may remove such planting without further notice.

35. The making of flower beds or the planting of shrubs upon a grave is not permitted.

36. If any tree or shrub standing on any lot shall, by means of its roots, branches, or otherwise, become detrimental, dangerous or inconvenient to adjacent lots or avenues; if it becomes unsightly or for any other reason, its removal shall be deemed necessary, the Superintendent shall have the right, and it shall be his duty, to remove such tree or shrub or any part thereof, as in his judgment may seem best.

37. Scattering or leaving discarded flowers, paper, cans, jars, bottles, baskets or any rubbish whatsoever upon lots, roadways or grounds is strictly prohibited.

**38. No Glass Containers On Any Lot Or Grave. No Wires, Iron Rods or Coat Hangers On Any Lot or Grave. No Planting or Setting Decorations Out Across Graves.**

39. Keep all decorations up close to your monuments and markers. Permission must be granted by Cemetery Superintendent before planting or placing anything on the cemetery lot. We must know what you are going to do on your lot before we will OK it.

40. The placing of boxes, shells, toys and similar articles upon the graves or lots, or flowers planted in the sod is inconsistent with the proper keeping of the grounds, and will not be permitted. The right is reserved to have removed, all flowers, potted plants or wreaths etc. when frosted, faded or withered.

41. The Superintendent shall establish the grade of all lots, lawns and avenues, and shall direct generally all improvements within the grounds, upon all lots, before as well as after interments have been made therein. He will have charge of the planting, sodding, surveying and improvements generally at the Cemetery.



42. Flowers will be removed from the grave at the discretion of the Superintendent and in no event shall they be left thereon longer than five days (except in winter). As soon as practicable after the flowers are removed, the earth will be settled and the mound remade to regulation size.

43. The Superintendent is authorized to take down and remove fences, hedges or railings surrounding lots, and in exchange to give and set corner stones properly marked. Where fences or other structures on any lot, have by reason of neglect become objectionable in the judgment of the Director of Public Service, he may authorize the same removed, in which case the outline of the lot shall be preserved by properly marked corner stones, at the expense of the Cemetery.

44. The Director of Public Service has no wish to unnecessarily interfere with the tastes of individuals in regard to the style of their improvements, but in justice to the interests of the Cemetery, he reserves to himself the right given him by law, of preventing or removing any structure or object which he shall deem injurious.

#### **MONUMENTS, MAUSOLEUMS AND GRAVE MARKERS**

45. The building of foundation may be done only by the Cemetery employees. There is a fixed charge for this work, and it is usually paid by the granite dealer who includes it in his bill to the lot-owner. The rate of such charge may be learned at the Cemetery Office. Orders for the same should be given to the Superintendent.

46. No markers or monuments may be brought into the Cemetery on Sundays, or general holidays

47. Foundations shall be of concrete.

48. Contractors, and their workmen shall be governed by the rules of the Cemetery, and the work shall be done under the direction of the Superintendent.

49. No ropes or chains may be attached to trees or other objects without the express permission of the Superintendent.

50. Derricks, blocking, runway and other materials may not be brought into the Cemetery without permission from the Superintendent to be obtained in advance of delivery.

51. Crating, boxes and packing materials, form boards, together with all other debris brought in shall be removed from the cemetery by the contractor and the monument cleaned before leaving the job.

52. In making and enforcing rules for the placing of monuments, headstones and mausoleums, the Cemetery seeks to protect the interest of the lot-owners. Cemetery employees are not permitted to recommend any particular granite

dealer. Neither will the Cemetery act as a collection agency for granite dealers, and no dealer will be permitted to remove a stone without a written order.

53. Heavy loads shall not be permitted to enter the grounds unless by permission of the Superintendent.

54. Before ordering monuments or markers, lot owners are requested to consult the Superintendent and ascertain if there is space on the lot for the desired stone or marker.

55. All temporary funeral markers will be allowed for only one year after interment, after which time they may be removed.

56. No single marker or monument shall be over 3 ft. in length, no double marker or monument shall be over 7 ft. in length.

57. All markers set above the ground must be 6" in height, if less than 6" in height, it must be ground level and set with the contour of the ground.

#### **MAUSOLEUMS**

58. Private mausoleums will be permitted in such parts of the Cemetery as the Service Director may approve, provided a sufficient fund be first placed in charge of the Association. The fund so provided shall be not less than ten per cent of the cost of the structure, and to be determined by the construction of the building. The said fund to provide for the perpetual care of the proposed structure, or for completely razing the same if it is ruined by forces over which the Association has no control, and for the burial of the bodies contained in said mausoleum, in the location where the mausoleum stood, and restoring the lot to good condition. The plans and specifications for such intended structure must be first submitted to the Service Director and will be subject to his approval or recommendations.

59. Owners of mausoleums now standing, are urgently solicited to make such provision for the future care and preservation of their mausoleum, while those most interested are yet living, and to the end that these structures shall forever remain intact as places of sepulture and as ornaments to the Cemetery. It is essential that provisions be made for putting the building in the best possible condition before the Cemetery is charged with the care of it.

60. The mausoleum, whether constructed entirely or partly above ground, must be provided with a complete system of ventilation, and with crypts entirely and separately inclosed independent of the walls. All crypts must be provided with copper case or casket hermetically sealed.



## RULES AND REGULATIONS

61. Do not touch anything in the Cemetery that does not belong to you. Do not give orders or make complaints to the workmen. Go to the office, there you will always receive prompt, courteous and effective attention.
62. The Superintendent will use reasonable care in engaging competent and experienced workmen, in seeing that they do their work with customary carefulness; but the Cemetery distinctly disclaims any responsibility or liability for accident or damage, to headstones, vases, monuments or mausoleums, resulting from the ordinary hazards of Cemetery work. The Cemetery does not assume any liability for accident or damage to person or property due to defects of machinery, implements, tools, and equipment used in work.
63. The Cemetery endeavors to maintain an adequate police force within the Cemetery, and reasonable efforts are made to protect flowers, trees, shrubs and other property on lots within the grounds; but no responsibility for their protection is guaranteed.
64. Nothing may be brought into or removed from the Cemetery without a written permit from the Superintendent. (This rule is designed to prevent theft, and unauthorized entrance upon lots or graves.)
65. Children will be excluded at any time unless accompanied by an adult who will be responsible for their conduct.
66. No person shall discharge firearms within the Cemetery except at military funerals or Memorial Day exercises.
67. No person with firearms, refreshments or liquors will be permitted to enter the grounds.
68. The use of the roads and paths in this Cemetery as thoroughfares or public highways, either in vehicles or on foot, is prohibited. Violators of this rule shall be considered as trespassers.
69. All persons are forbidden, under penalty of the law, to kill, wound or trap any bird or animal within the limits of the Cemetery, or to remove the young of any animal or remove the eggs of any bird.
70. All persons are strictly prohibited from plucking any plants, whether wild or cultivated, disturbing birds, breaking or injuring any tree or shrub, marring any monument or land-mark, or in any way defacing the Cemetery.
71. There shall be no driving allowed over the lots or upon the lawns under any pretense whatsoever.
72. All persons are forbidden to sit upon monuments, headstones, mausoleums whether upon their own lot or others.
73. Children must not be permitted to play upon lots or lawns, nor climb upon headstones or monuments.
74. School children, in charge of a teacher, art students, botanists, ornithologists, students of forestry, or others who may benefit from a study of the works of art and nature will be welcomed to the Cemetery. All who propose to make visits for such purposes are requested to call upon the Superintendent before going about the grounds.
75. Prosmiscuous walking on the lawns is not permitted.
76. No person shall sit upon or occupy any private lot nor his or her own, or belonging to a member of the family.
77. Casual visitors to the Cemetery who are not members of a funeral procession or party, are forbidden to intrude upon a funeral or to loiter about an open grave, merely to satisfy an idle curiosity.
78. Trespassing upon the grounds of the Cemetery is forbidden.
79. The Superintendent may expell from the Cemetery or arrest any person disturbing its sanctity by noisy, boisterous or other improper conduct or who shall violate any of the foregoing rules.
80. Omnibuses or conveyances of cumbersome description will not be allowed to enter the grounds except by special permission of the Superintendent.
81. No person will be permitted to enter the Cemetery except through a gate.
82. The Cemetery is open to visitors

### ONLY IN DAYLIGHT HOURS

83. COMPANIES: Vault, Florist, Monument, Nursery, and adults and children or anyone else causing damage or destruction in the City's cemeteries, will be charged for it and are asked to repair or replace whatever it is as good as it was. This will pertain to any damage that will happen within the bounds of the Cemeteries, such as, roads, fences, water lines, flower pots, urns, monuments, trees, grass, all buildings and burial lots, and etc.

Lend your assistance in preserving the neatness and careful keeping of the grounds, remembering that whatever



is beneficial to the appearance of the Cemetery in general is of interest to you as a lot owner.

## TRAFFIC REGULATIONS

84. Admission of automobiles upon the roads of the Cemetery has been permitted as a privilege. It is restricted to those persons who observe the Traffic rules adopted by the Cemetery officials.
85. Failure to comply with the rules renders the offender liable to arrest. Habitual offenders may be denied permission to bring their automobiles into the Cemetery.
86. Violators of the traffic rules are subject to arrest on the grounds or may be summoned to the Police court.
87. The speed of automobiles is limited to 15 miles per hour.
88. Vehicles are not permitted to turn upon the roads but must go around the section when reversing their direction.
89. Visitors on foot have the primary right to the use of the roads and all vehicle drivers are required to observe their right by carefully driving and a strict adherence to the rules.
90. Automobile funeral processions must obey the traffic rules the same as individual drivers.
91. Heavy trucking in the Cemetery is permitted only in connection with work therein and a permit must first be obtained by the Superintendent.
92. Automobiles shall not be driven in high gear up or down steep grades when the roads are wet or icy.
93. Vehicles shall keep to the right side of the road and when stopping shall do so only with the right hand side of the vehicles next to the gutter (or lawn).
94. Funeral processions shall not be passed by automobiles going in the same direction, nor shall the procession be closely followed or joined by persons not members of the funeral party. When meeting a procession, the driver shall stop until the funeral has passed.
95. No motorcycles, motor bikes or bicycles will be admitted to the Cemetery except escorting a funeral.
96. The Superintendent may expell from the Cemetery or arrest any person disturbing its sanctity by noisy, boisterous or other improper conduct or who shall violate any of the foregoing rules.

97. Any persons disturbing the quiet and good order of the place by noise or improper conduct, or violating any of the foregoing rules, will be compelled instantly to leave the Cemetery.

98. The officers and employees of this Cemetery having been appointed, under an act of the Legislature of Ohio, special police officers, with power to arrest on sight and prosecute all those who violate the ordinances, or commit trespass, all persons, therefore, are reminded that the grounds are sacredly devoted to the burial of the dead, and that provisions and penalties of the law will be strictly enforced in all cases of wanton injury, disturbance and disregard of the rules.

99. It is of the utmost importance that there should be a strict observance of all proprieties due the place, whether embraced in these regulations or not.

## NOTE

Under the laws of Ohio, the officers and employees of the Cemetery have been appointed special Police Officers. They have the power to arrest summarily all trespassers and persons who violate any of the rules and regulations adopted by the Director of Public Service.

The Superintendent shall be charged with enforcement of all rules and regulations adopted by the Director of Public Service.

All rules and regulations heretofore adopted, which are contrary to or conflict with those herein published, are rescinded and declared void.

## THE FOLLOWING EXTRACTS ARE FROM THE LAWS OF OHIO

Sec. 6, Act of 1848. "Burial lots sold by such Cemetery shall be for the sole purpose of interments and shall be subject to the rules prescribed by the Cemetery."

Sec. 5, Act of 1848. "Such Cemetery shall have power to adopt such rules and regulations as they shall deem expedient for disposing of and conveying burial lots."

Sec. 4, Act of 1848. "And shall have power to prescribe rules for the enclosing and adornment of lots and for erecting monuments in the Cemetery; and to prohibit any use, division, improvement, or adornment of a lot which they may deem proper."

Sec. 12495, R.S. 3580. "Whoever violates a bylaw, rule or regulation adopted by the Trustees or other officers of a Cemetery, with reference to the protection, good order and



preservation of Cemeteries and the trees, shrubbery, structures and adornments therein, shall be fined not less than five dollars nor more than fifty dollars."

Sec. 12496, R.S. 3580. "Superintendents, watchmen or agents of a Cemetery may arrest on view a person found violating the next preceding section."

FRED G. MALONE  
Director of Public  
Service & Safety