

## **Galena Cemetery Rules and Fees**

The Galena Cemetery is open sunrise to sunset and is available to all persons. The cemetery is owned and operated by The Village of Galena as of September 2016. The cemetery is operated under the control of the Village Council and the Mayor. Problems and concerns should be brought to the attention of the cemetery clerk by contacting the Village offices. The cemetery caretaker and the cemetery clerk shall be appointed by Council. The cemetery caretaker may be the same person as the cemetery clerk. If the cemetery caretaker cannot resolve a problem, the clerk will bring the matter to attention of the Village Administrator. Galena Village Council shall retain the right to amend these rules and regulations as appropriate.

The Galena Village Cemetery is not operated for profit. All receipts are expended for the upkeep and improvement of its property. As a service to Village residents who pay taxes toward the cemetery operation, resident lots cost less than non-resident lots.

### **Purchase of Grave Spaces**

#### Purchasing

All sections of the cemetery have been platted into lots with single burial spaces available or entire lots (4 spaces). Each space size varies in dimension, according to the section that the space is located in. No space will be sold on non-platted ground.

Persons desiring to purchase a grave space are invited to visit the cemetery clerk at the Village offices, where they will be informed of available spaces and the cost of the spaces. Prospective buyers may meet with the cemetery clerk at the cemetery, and physically view the spaces they wish to purchase. After viewing the spaces, if they wish to purchase a space or spaces, payment is to be made to the Village of Galena at the municipal offices. After payment is made, you will receive your deed to the space(s) within ten (10) working days. No space(s) is considered sold and no burial shall take place until the space is paid in full. No partial payment for burial spaces will be accepted by the Village. The Village accepts cash, check or money orders. Credit cards are not accepted.

#### Purchasing for Residents or Non-residents

Lots purchased by residents for themselves and their immediate family, defined as parents, spouses, and children will be charged resident prices. To be eligible for purchase of lots at resident rates, the purchaser must be a Village resident at the time of purchase. However, residents who are required to leave the Village because of healthcare or nursing needs

may purchase lots and services at resident prices. Special cases or circumstances will be reviewed by the cemetery clerk and/or the Village administrator.

All non-residents (people not living in the Village of Galena) graves will be purchased at non-resident prices and deeded in the non-resident's name. The sale of more than four graves requires approval by the Village administrator. Persons who own property within the Village but reside outside the Village are considered non-residents of the Village and are required to purchase lots or services at non-resident prices. Persons who live outside of Delaware County will be charged the "All Others" rate.

### Resale or Surrender

Once sold, lots may not be resold. The owners of a lot or space, on which there are no interments, may surrender the same back to the Village.

### Reserving & Transferring Spaces

Lot owners are encouraged to reserve the spaces they purchase by designating who should be interred in each space. This is especially important if a lot owner passes away before the other grave spaces are occupied. Lot owners may give permission for burial in their spaces of the remains of other persons not designated on the deed, but not for financial gain. In this case, the difference between the purchase price of the lot, based upon the residential status of the lot owner designated on the deed, and the current cost of the lot based upon the residential status of the person to be interred (with permission) shall be paid in full to the Village by the lot owner or his/her heirs prior to burial. Immediate family of Village residents, defined as parents, spouses, and children, will be charged resident prices. A fee applies for all deed transfers.

## **Rights of Owners**

### Inheritance of Spaces

All purchased burial spaces shall have the right of burial of the person or name as the guarantee on the conveyed deed. However, a spouse shall have a vested right of interment of his or her body in any burial space conveyed to the other. This right shall continue as long as he or she shall remain the spouse of the space owner, or shall be his or her spouse at the time of such space owner's demise.

Anyone inheriting spaces should notify the Village as soon as possible. The surviving spouse of the original owner of a grave has a right to one (1) of the grave spaces of the predeceased spouse. This right may be voluntarily forfeited at any time. The right will terminate upon burial of said spouse. The burial rights in the remainder of the spaces descend pursuant to a specific bequest/devise in the Last Will and Testament of the deceased owner.

If the owner or heirs cannot be located, the burial rights of the testate owner with no specific bequest /devise shall be distributed in accordance with the Will of the testate owner and the State Statute of Descent and Distribution. The same would apply to distribution of

intestate owner. At the time of enactment of this legislation, the Statute of Descent and Distribution is codified as Ohio Revised Code 2105.06

The Village will follow Ohio Revised Code procedures to repossess abandoned graves.

## **Funerals and Interments**

### Deadlines for Arrangements

Due to the Village's limited staff, dates and times for burials should be confirmed with the Village prior to finalizing arrangements to ensure staff are available. Arrangements for interments must be made at least 48 hours in advance of the time set for the funeral. Weekend burials are at the discretion of the Village administrator. Arrangements must be made by 4 p.m. Thursday for weekend burials. There are no burials on Village holidays (as noted on the Village calendar at <https://www.galenaohio.gov>).

### Fees Must Be Paid in Full

For an interment, directions must be given and charges prepaid at the cemetery clerk's office. Charges can also be included with the funeral home payments, and the funeral home will transfer payment at the time of interment.

### Interments

No body, except that of a human being, may be interred in the cemetery. Only one (1) interment may be made in a single grave space, except:

1. An infant may be buried with its parent in the same casket.
2. In the case of infants, two infants will be allowed to be interred in one (1) space end to end.
3. Two cremated remains of a related person may be permitted to be interred over a regular burial, conditions permitting, upon the approval of the lot owner and the cemetery caretaker.
4. Two cremations will be allowed to be interred in one grave space end to end.
5. Additional cremains may be allowed if interred at the same time and at the discretion of the Village administrator.

Cremation burials must be in a permanent, non-biodegradable container.

### Indigent Burials

Indigent burials are governed by Ohio Revised Code. If a person is deemed indigent and was living within the Village municipal boundaries at the time of death, the Village must provide a grave space and pay for burial. The Village may, at its discretion, provide a foundation and marker.

## **Monuments, Markers, & Foundations**

### Foundation Fees

Foundations for any memorial work shall not be made until the space has been paid for at the cemetery clerk's office. No monument or marker of any kind will be erected upon any space before the grave has been paid in full. The foundation cost shall be at the current construction cost (pre-set per square inch price).

### Foundation Construction

Foundations, which shall be made of concrete, can only be poured six months after a traditional casket burial to allow for the ground to settle. Cremation foundations do not require the six-month waiting period. All fixtures on burial spaces shall be on a foundation. Foundations are poured in May and September usually by the 15<sup>th</sup> of the month so orders are due to the cemetery clerk by May 1 and September 1. All foundation construction shall be by the Village. All foundations are poured at the discretion of the Village, and only with the owner's approval. Special foundation construction outside of the normal pour dates will be at least double the normal cost and will be determined by the Village.

Persons engaged in erecting monuments or other structures must provide suitable planking to prevent injury to sod, grass, trees or other planting or stonework. If any damage occurs, the person or company causing the damage will be required to repair the damage to the cemetery caretaker's satisfaction. Cemetery workers will exercise all possible care to protect headstones, plantings, and decorations on all spaces. These items can be fragile and the Village disclaims responsibility or liability for any accidents or damages which may occur.

### Benches

Benches shall be permitted only in place of a headstone on a burial space and shall require a foundation. Bench foundations shall be 2" wider than the widest part of the bench. Any existing benches may remain so long as they are maintained to be level and in general good condition. The Village reserves the right to remove any bench which is not maintained.

## **Decoration & Maintenance of Grave Spaces**

### Permitted

Flowers are permitted to be planted on grave sites within the Planting Zone: on the grave side of the headstone, no more than twelve inches from the headstone, and not to exceed its width. All plants, statuary, staked decorations, and other decorative items must remain in the Planting Zone. Vases permanently attached to the headstone are permitted. Grave blankets and decorations are permitted November 1<sup>st</sup> through March 15<sup>th</sup>.

### The following items are prohibited:

1. Planting at the side or non-grave side of the headstone;

2. Planting of trees, shrubs, yucca, rose bushes, or similar plants unless approved by the cemetery caretaker;
3. Potted plants are discouraged but will be allowed inside the planting zone if they are temporary and maintained.
4. Excessive decoration (as determined by the caretaker);
5. Lot enclosures of bricks, timbers, rocks or any other material;
6. Glass containers, metal stakes outside the planting zone, and fences;
7. Stones and other bedding materials (mulch is permitted);
8. Permanent flower vases or planters mounted beyond the foundation;
9. Decorations that emit sounds, flashing or bright light, or motion; and,
10. Profanity or obscene images.

Any planting may be removed if it is outside the Planting Zone. Plantings outside the planting zone are prohibited if they infringe upon other grave spaces, or are considered unsightly, a nuisance, or a hazard. The caretaker has the right to remove any planting or decorations determined to be unsightly, inconvenient or dangerous, at the Village's discretion without explanations at any time.

### Family & Village Responsibilities

The village is responsible for maintaining foundations and the grounds. The cemetery crew will seed all spaces grass seed level with the surrounding grade, eliminating mounds. The village will not be liable for lost, misplaced, or broken flower vases or decorations, nor for plantings, grave markers, or other property damaged by the elements, thieves, vandals, or other causes beyond its control.

Maintaining plantings is the responsibility of the grave owner or family. Families should monitor and manage their decorations and plantings regularly. If the family does not, the caretaker will remove artificial flowers and clean grave spaces on April 1<sup>st</sup> and November 1<sup>st</sup> of each year or any time that they become damaged or unsightly or a danger when mowing or trimming.

### **Miscellaneous Rules**

All persons are prohibited from picking either wildflowers, shrubs, or other plantings.

Dogs are only allowed to be walked on the roads through the cemetery, and not on the cemetery grounds or across graves. Owners must have pets on a leash and must pick up after their pets. Failure to do so could result in the person and pet being banned from the cemetery grounds.

Visitors on foot have the right of way at all times. Automobiles and bicycles shall not be driven over lawns or graves. If damages result from such practice, the driver of such vehicle shall be held liable for the cost of repair of the damages.

# Galena Cemetery Fees

## Burial Space

Galena Resident	Delaware County Resident	All Others
\$200	\$600	\$1,200

Deed transfers are \$25.00 per grave space.

## Opening and Closing

	Weekday	Weekend or Holiday (according to Village Calendar)
Regular Burial	\$500	\$800
Infant Burial	\$200	\$400
Cremation Burial	\$200	\$400
Exhumations	\$800	Not Available

## Monument Foundation

The maximum size of a single headstone is 42"x18" and of a double headstone is 90"x18".

The price of a concrete foundation is based on its size, at the rate of \$0.75 per square inch. This price may change based on market rates and is to be determined administratively.

Minimum Foundation Fee            \$220 or \$0.75 per square inch  
 Military Marker Foundation Fee   \$175

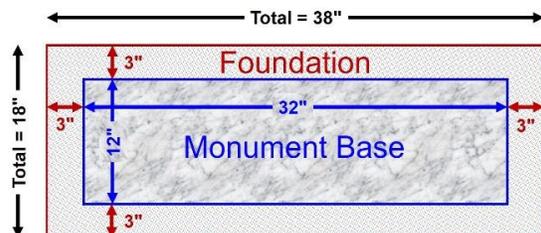
The price of a foundation equals the size of base plus 6 inches on width and length (3" extra for each side). The concrete foundation is to be formed, so as to be 3 to 4 inches above the ground and the minimum foundation is required to be 6" longer and 6" wider than the base of the foundation and 30" deep.

Foundations are poured twice a year in May and September. The fee for foundations poured at other times will be a minimum of twice the normal fee, and will only be poured at the discretion of the village administrator. The deadline for foundation orders is May 1<sup>st</sup> and September 1<sup>st</sup>. All fees must be paid in full before foundation work begins.

### Example:

If the monument base is 12"x32", then add 3" to each side, so the total foundation calculation would be 18"x38"= 684 square inches.

684 square inches x .75 = \$513.



**Foundation Size Example**