

ADDING CHAPTER 935 TO THE CODIFIED ORDINANCES OF THE CITY OF WILMINGTON CEMETERY RULES AND REGULATIONS AND DECLARING AN EMERGENCY

WHEREAS, the City of Wilmington has agreed to accept the transfer and assignation of real and personal property of the Sugar Grove Cemetery Association for the purposes of maintaining and operating the cemetery; and

WHEREAS, Council hereby determines that establishing rules and regulations for the maintenance and operation of the Sugar Grove Cemetery is in the public interest and is vital for the continued health, safety, and welfare of the citizens of the City of Wilmington.

NOW THEREFORE, be it ordained by the Council of the City of Wilmington, State of Ohio:

[Additions to the CODIFIED ORDINANCES are in **bold** and deletions are lined through or noted below.]:

Section 1. That Chapter 935, Cemetery Rules and Regulations is hereby added to the Codified Ordinances of the City of Wilmington as follows:

CHAPTER 935
Cemetery Rules and Regulations

- 935.01 Purpose.
- 935.02 General policy.
- 935.03 Interments.
- 935.04 Decorations.
- 935.05 Monuments.
- 935.06 Clerk of cemetery operations.
- 935.07 Fees.
- 935.99 Penalty.

935.01 PURPOSE.

This chapter governs the Sugar Grove Cemetery and any other cemeteries acquired hereafter, and all matters related to operations and maintenance, including but not limited to the sale; repurchase and transfer of plots and niches; interments; disinterments; reinterments; care and maintenance of plots, niches, and graves; and any and all other subjects as may be incident thereto. The Director of Public Service is hereby authorized to promulgate rules and regulations concerning cemetery matters in accordance with this chapter.

935.02 GENERAL POLICY.

- A. The cemetery shall be open every day of the year from sunrise to sunset.**
- B. The City shall be responsible only for markers and items installed to City specifications and approval pursuant to City ordinances.**
- C. The cemetery ground shall be sacredly devoted to the burial of the dead.**
- D. All work in the cemetery shall be done by employees of the City, or with authorization from the Director of Public Service.**
- E. No person shall discharge any firearm within the cemetery grounds, except in case of military funerals and on Memorial Day, without the written permission of the Director of Public Service.**
- F. All visitors' vehicles shall remain on the driveways.**
- G. All debris, discarded flowers or decorations shall be placed in trash containers.**

- H. Artificial flowers may be placed on graves between November 1 and April 1.
- I. No person shall remove, cut, deface or destroy cemetery or City property without authorization from the Director of Public Service.
- J. If at any time any object or structure, or any part of any structure, within the cemetery shall be deemed objectionable or unsightly, the Director of Public Service shall have the authority to remove the same.
- K. No person shall drive any vehicle faster than ten miles per hour within the cemetery, or drive over any path or walkway.
- L. Recreational use of the cemetery is subject to authorization from the Service Director.
- M. No advertising shall be allowed in the cemetery.

935.03 INTERMENTS.

A. Burials.

- 1. All remains can be permanently memorialized at Sugar Grove Cemetery by being deposited in an interment space in the earth.
- 2. All interments on owner's lot shall be enclosed in an outer container of stone, concrete, steel, brick or synthetic material approved for burial purpose.

- B. Cremated Remains. Cremated remains being in an urn may be buried in space in the earth. Under no circumstances shall the cemetery scatter cremated remains.

935.04 DECORATIONS.

- A. Planting of flowers, flower pots, evergreens or bushy plants is strictly prohibited.
- B. The cutting and trimming of grass is one of the largest and most costly maintenance activities of the cemetery. For economy of maintenance during the growing season, it is desired that flowers be placed on graves only in approved containers.
- C. The City shall have the right to remove all floral designs, flowers and other decorations of any kind from the cemetery if, in the judgment of the Director of Public Service, they do not conform to the standards set forth herein.
- D. Decorations placed upon lots and graves on special holidays during the growing season such as Easter, Mother's Day, Memorial Day, etc., shall be removed after a period of seven days to avoid the burning of the grass.
- E. Winter decorations, such as natural wreaths placed on easels, and other approved arrangements shall be permitted from November 1 to April 1.
 - 1. Winter decorations shall be removed when they become unsightly.
 - 2. All winter decorations shall be removed April 1.
- F. Articles made of concrete, benches, urns, boxes or the like shall not be permitted in the cemetery without the approval of the Director of Public Service.

935.05 MONUMENTS.

- A. Markers or monuments shall be on foundations conforming to City specifications. No foot stones shall be permitted except as a marker flush with the ground.

- B. All foundations shall be built by and in accordance with the specifications of the City at the expense of the lot owner.

935.06 CLERK OF CEMETERY OPERATIONS.

Council hereby creates the title and position of Clerk of Cemetery Operations whose selection, duties and compensation shall be as are hereinafter provided. Such position shall be considered a regular full-time position with the following terms and conditions:

- A. The Clerk of Cemetery Operations shall be appointed by and serve at the pleasure of the Director of Public Service and shall be in the unclassified civil service.
- B. The Clerk of Cemetery Operations shall be under the direct supervision of the Director of Public Service and shall keep accurate record of all proceedings concerning the Sugar Grove Cemetery and shall perform such other duties as assigned by the Director of Public Service.
- C. The Clerk of Cemetery Operations, as a regular full-time position, shall receive as compensation a salary within the range fixed by Council per annum, which shall be payable in equal biweekly installments and shall receive such other benefits to which all regular full-time City employees are entitled, including, but not limited to, vacation leave, sick leave and insurance benefits.

935.07 FEES AND SERVICES

- A. A schedule of fees for all services provided by Sugar Grove Cemetery shall be set by the Director of Public Service and shall be made available through the Office of Public Services.
- B. All funerals are to arrive at the Sugar Grove Cemetery no later than 2:45 p.m. on weekdays and by 12 noon on weekends. An additional charge of \$100.00 for the first hour and an additional \$100.00 for each subsequent hour will accrue on arrivals later than these times.
- C. It is normally not the policy of the City to open or close graves on Holidays or Sundays, unless arrangements are made in advance with the approval of the Director of Public Service.

935.99 PENALTY

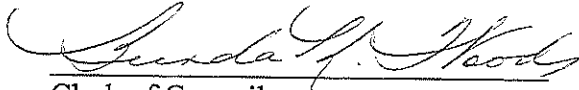
Whoever violates any of the provisions of this chapter shall be guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) and the costs of prosecution.

Section 2. That this ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety and welfare, and accordingly, shall be in full force and effect immediately upon its passage.

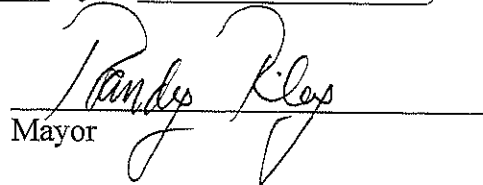
Passed this 2nd day of April, 2015.


President of Council

ATTEST:


Clerk of Council

Approved by me this 2nd day of April, 2015.


Mayor