

Cemetery Rules and Regulations
For
Bronson Township
Huron County, Ohio

**This manual contains rules, regulations, policies, and procedural information for
cemeteries operated by the Board of Trustees of Bronson Township, Huron County, Ohio**

Hester Cemetery – Ridge Road

Olena Cemetery – Peru Olena Road

Brightman Cemetery – Peru Hollow Road

BRANSON TOWNSHIP, HURON COUNTY, OHIO
Cemetery Rules and Regulations

For the mutual protection of every lot purchaser, these rules and regulations are hereby adopted by the Board of Trustees of Bronson Township, Huron County, Ohio as of this 24th day of February, 2021. All spaces sold and all visitors to the cemetery shall be subject to the rules and regulations and to any amendments that follow.

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Introduction

In order to ensure the health, safety, and general welfare of the public and to promote a safe and reverent environment for the families and other associates of the deceased the following rules, regulations, policies, and procedures have been adopted by the Board of Trustees of Bronson Township, Huron County, Ohio. (hereinafter “Board” or “Township”). Further, any and all disputes as to the interpretation of these rules and regulations shall be at the sole and final discretion of the Board of Trustees of Bronson Township.

The conveyance of a Certificate of the Right of Interment only conveys to the recipient the right of burial for the identified plot(s). Further, the Board of Trustees of Bronson Township reserve the right to inspect any Certificate of the Right of Interment prior to the opening of any plot which is subject to an imminent burial. In the event the original purchasers of the Certificate of the Right of Interment are deceased, additional documentation may be necessary to verify the deceased’s burial eligibility for the subject plot.

1. DEEDS

- 1.1 No purchaser of any lot will be considered the owner of the subject lot until the price for the purchase of the lot is fully paid and a Cemetery Lot Purchase Agreement has been properly executed. At the time of payment, or at the next subsequent Township meeting, a deed will be issued to the purchaser as evidence of ownership.
- 1.2 A deed to a lot conveys interment rights only. Title to the fee of the real property shall remain in the name of the Bronson Township Board of Trustees, Huron County, Ohio.
- 1.3 As owner of the real property, the Township retains control and supervision of all lots which have been sold.
- 1.4 A deed does not confer the right to sell, transfer, or assign the fee ownership of any lot or any portion thereof located within any cemetery subject to these rules and regulations.
- 1.5 Deed owners, and their suspected heirs, shall make the Township aware of any changes relevant to the ownership of the deed upon the death of the owner thereof, or their suspected heirs, if any.
- 1.6 The record of deeds shall be kept in the possession of and managed by the Township Fiscal Officer pursuant to the Ohio Revised Code. The record of deeds shall be the only evidence of ownership recognized by the Township Trustees.

- 1.7 The holder of any Certificate of the Right of Interment may sell his/her right of burial to another individual so long as **all** of the following occur:
- A Certificate Transfer Form must be requested in writing from the Fiscal Officer of Bronson Township, Huron County, Ohio.
 - This form must be completed with the notarized signatures of all parties involved.
 - A fee will be assessed in compliance with the fee schedule of these cemetery rules and regulations of Bronson Township. (see Attachment #1: Fee Schedule)
 - Upon receipt of the Certificate Transfer Form by the Board of Trustees of Bronson Township, the Fiscal Officer of Bronson Township shall complete and deliver a new Certificate of the Right of Interment to the purchaser/new owner.

2. INTERMENTS

- 2.1 Fees for an interment shall be paid in advance of the interment in accordance with the schedule of fees in effect at the time of interment. No interment shall be permitted until the Township has received full payment.
- 2.2 No interment shall be made unless the remains are accompanied by an interment permit, or cremation certificate as applicable.
- 2.3 Interments shall be made only by the Township, its employees, or its authorized agents.
- 2.4 A minimum of forty-eight (48) hour notice is required for the preparation of a grave.
- 2.5 Unless immediate interment is ordered by the Board of Health, interments are not to be performed on Sundays and the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Should a situation arise where an interment is to be performed on a Sunday or any of the aforementioned holidays, the interment fee shall be as dictated within the attached fee schedule for these cemetery rules and regulations. (See Attachment #1: Fee Schedule)
- 2.6 All outer interment vaults shall be made of cement, concrete, steel, or other materials sufficiently strong enough to hold up to the grave load, and which will not deteriorate from underground conditions. This provision applies to both casket interments and cremation inurnments.
- 2.7 Cremated remains shall be inurned in a sealed urn, in addition to the outer interment case requirements as detailed by Section 2.6 of these cemetery rules and regulations.

3. INTERMENT RIGHTS

- 3.1 The number of interments which may be made upon a lot is definitely fixed and no additional interments will be permitted. The number of interments shall be as follows: one (1) full interment and up to one (1) additional cremation inurnment or, if no full interment, up to two (2) cremation inurnments. If there is to be a full interment and an additional cremation inurnment in a single plot, then the full interment must precede the additional cremation inurnment.
- 3.1.1 Cremated remains may be inurned inside of specially designed and appropriate monuments rather than through the traditional inurement process with the prior written consent of the Township
- 3.1.2 Remains inurned in compliance with Section 3.1.1 of these rules and regulations as detailed above shall pay the applicable Perpetual Service Fee for the monument inurnment. (See Attachment# 1).
- 3.2 All interments made upon lots shall be restricted to lot owners and the immediate family members of the lot owner, unless the Board of Trustees of Bronson Township, Huron County, Ohio, approves an alternative arrangement, previously submitted in writing to the Board of Trustees of Bronson Township, Huron County, Ohio.
- 3.2.1 “Immediate Family Member” shall mean the following: Grandparent, Parent, Sibling, Spouse, Child and/or Step-Child.
- 3.3 A lot owner desiring to allow another person (Non-Immediate Family Member) to utilize his or her lot for interment/inurnment must give his or her request and consent to same in writing to the Township. Notice to the Township may be accomplished either by delivery to the Board of Township Trustees, the Bronson Township Fiscal Officer, or to the Township Cemetery Sexton, if any. Board of Trustees for the Township maintains full discretion to approve or deny any such request.
- 3.4 The location of a grave upon any lot shall be determined by the Township, its employees, or its authorized agent.
- 3.5 The owner of a lot, as evidenced by the record of deeds, may at any time designate the person whom he or she wishes to have interred in the lot. Such designation shall be made in writing and recorded in the books of the Township.
- 3.6 If the owner of a lot does not designate an identifiable person to be interred into his or her lot, upon the death of the lot owner, the Township will recognize the surviving spouse, or

next of kin of the deceased owner, as having the right of interment upon the lot, in order of their deaths, until said lot is fully occupied. The Township shall make this decision insofar as it is able to ascertain the identities of such parties and shall not be responsible for errors committed in making such determination(s).

- 3.7 If the owner of a lot does not designate a person to be interred in his or her lot during his or her lifetime, and if there is no surviving spouse or identifiable next of kin, the suspected heirs of the owner may, by a written agreement, signed and notarized by all suspected heirs, determine who among them shall have the right of interment of said lot. Upon the presentment of this written agreement to the Board of Trustees of Bronson Township by the aforementioned suspected heirs, the Bronson Township Fiscal Officer shall issue a new Certificate of the Right of Interment to the designated heir.
- 3.8 The Township reserves the right to refuse the granting of interment rights to any person unless such person exhibits to the Township the deed or indenture to the lot upon which the interment is requested or can be sufficiently verified as having a right to interment in that lot by the Township records.
- 3.9 No sale, transfer, or assignment shall be valid without approval of the Township, as endorsed on the conveyance by the Township Trustees.
- 3.10 Sales, transfers, and assignments are privileges which may be granted or refused by the Township after due investigation and at the sole discretion of the Township Trustees.
- 3.11 Purchaser shall comply with notification requirements set forth in R.C. 517.07 and the Cemetery Lot Purchase Agreement.
- 3.12 The Township Trustees may repurchase a lot at any time at a mutually agreed upon price not to exceed to the original purchase price.
- 3.13 Any lot which is not utilized within ninety-nine (99) years from the date of purchase of the lot, as specified in the record of deeds, whether by the purchaser, the purchasers' immediate family, or another appropriate party, shall be forfeited and thus returned to Bronson Township for resale or other use as necessary upon the sole discretion of the Board of Trustees of Bronson Township.

4. DISINTERMENT

- 4.1 A written application of the next of kin of a person interred in the cemetery is required for the consideration of any disinterment.

- 4.2 The Township will make a disinterment upon receipt of the proper permit issued by the Health Department, or a proper legal order.
- 4.3 When such disinterment arrangements are made, delivery of the remains shall be made to the applicant upon payment of the reasonable cost and expense of such disinterment, in accordance with the fee schedule and any other charges in effect at that time.

5. DECORATIONS, FLOWERS, AND LANDSCAPE

- 5.1 Artificial decorations may be used at gravesites.
 - 5.1.1 Any and all decorations must be removed when the decorations become faded, frayed, or otherwise damaged. Failure to remove any decorations which have become damaged shall become the property of the Board of Trustees of Bronson Township.
- 5.2 All flowers, baskets, or other arrangements used in funeral displays are the property of the lot owner. Such funeral displays shall be removed within seventy-two (72) hours after interment. If the flower(s), basket(s), or arrangements are not claimed within seventy-two (72) hours after the interment, or before the contents are deteriorated, such will become property of the Township.
- 5.3 The planting of any decorative trees, shrubs, plants, or other horticultural endeavor is expressly prohibited. Any and all decorative trees, shrubs, plants, or other horticultural endeavor, however planted and wherever situated in the cemetery, shall be determined to be the property of the Township.
- 5.4 Planting of larger shrubs and trees is expressly prohibited.
- 5.5 Any trees or shrubs which become detrimental to any lot, lane, or other plot located in a township cemetery, or those which are dangerous, inconvenient, or obstructive to the necessary work of the Township, shall be removed or trimmed at the sole discretion of the Trustees.
- 5.6 The Township reserves the right to remove all flowers, potted plants, wreaths, winter blankets, or other decorations, including but not limited to when said items becomes frosted, faded, withered, or otherwise worn or damaged.
- 5.7 The placing of boxes, toys, or similar articles upon graves or lots must be in monuments which are designed to incorporate them and none of these items and articles may be placed or left along the marker.

- 5.7.1 Any articles left at a grave site in violation with Section 5.7 of these rules and regulations shall be forfeit to the Board of Trustees of Bronson Township and therefore may be removed by the Township.
- 5.8 Any item placed upon a grave or lot must be of substantial nature, and approval from the Township must be secured in advance of placement.
- 5.9 The Township is not responsible for any item(s) placed on a grave or lot in any area.
- 5.10 Rusty, unpainted, or broken vases, seats, benches, or similar items, will be removed by the Township.
- 5.11 Each grave shall be restricted to no more than two (2) decorations and each must be kept in-line with the headstone. Additionally, decorations and flowers shall not extend more than 8” in front of the headstone. Decorations and flowers may be removed by the Township two weeks after placement on a grave.
- 5.12 There shall be no curbing, fencing, or enclosures of any type around lots. Per example, wire and glass are strictly prohibited.
- 5.13 Subject to any more restrictive time requirement, any owner notified, either by phone or mail, to remove any item from their grave or lot will have ninety (90) days to do so or the Township will remove the same.
- 5.14 Special exceptions may be made by the Township to new gravesites during the first twelve (12) months of grieving.
- 5.15 The Township shall not be liable for any loss or damage to any decoration, flower, winter blanket, or landscape.

6. MONUMENTS, MEMORIALS, AND MARKERS

- 6.1 A lot is restricted to a maximum of one (1) erect headstone per grave at the head of the grave. Other headstones on the same grave must be of the flat/flush style.
- 6.2 A lot with multiple grave sites, e.g. multiple interred cremation remains, may have multiple flat/flush headstones but the lot is subject to the one (1) erect headstone per grave restriction.
- 6.3 The maximum dimensions of a headstone are to be no greater than thirty-six (36) inches in height, and no greater than twenty-four (24) inches in width.

- 6.4 All foundations for monuments, memorials, markers, mausoleums, tombs, or other like structures shall be installed by the Township, its employees, its authorized agents, or a party approved by the Township. No person, other than those listed immediately above, is permitted to perform work on any lot in the cemetery.
- 6.5 The Township shall have the right to prohibit, modify, or remove any monument, memorial, marker, or other structure which is considered injurious to the lot, adjoining lots, or other cemetery property, at the sole discretion of the Trustees.
- 6.6 The Township shall have the right to prohibit, modify, or remove any monument, memorial, marker, or other structure which is considered objectionable to the general public or general appearance of the cemetery, at the sole discretion of the Trustees.
- 6.7 Should any monument, memorial, or marker become unsightly, dilapidated, or a menace to visitors, the Township shall have the right to either correct the condition or to remove the same at the expense of the lot owner.
- 6.8 A funeral directors' temporary grave marker(s) may be left at the gravesite for up to one (1) year.
- 6.9 All monuments must be set on a footer of no less than eight (8) inches greater than the width thereof, and no less than eight (8) inches greater than the length thereof, and with said footer being no less than six (6) inches thick in depth.
- 6.10 All flat veteran markers are required to be set upon a footer equal to the dimensions of the marker and of no less than four (4) inches thick in depth.

7. LIABILITIES AND RESPONSIBILITIES

- 7.1 The Township shall not be responsible for any mistake occurring as to the particular space, size, or location of the lot where an interment is desired.
- 7.2 The Township shall not be liable for any activity in the care and maintenance of the cemetery. The Township shall use reasonable care in engaging competent and experienced cemetery employees and workmen, and in overseeing the work they perform.
- 7.3 The Township explicitly disclaims any responsibility for any accident or damage to person or property, including monuments, memorials, markers, vases, or any other property, resulting in any way from the ordinary performance of cemetery work.

7.4 The Township will take reasonable precautions to protect lot owners and their property rights, within the cemetery, from loss or damage, but it distinctly disclaims all responsibility of loss or damage from causes beyond its control.

7.5 In no event shall the Township be responsible for damage caused by acts of vandalism.

8. GENERAL

8.1 The cemetery shall be open at dawn and closed at dusk.

8.2 All roadways and paths throughout all cemeteries subject to these rules and regulations are subject to a speed limit of five miles per hour (5 mph).

8.3 No visitor shall disturb, remove, or move any monument, memorial, marker, or any other property not owned or under the authority of the visitor.

8.4 Alcohol and firearms are expressly prohibited on all cemetery property.

8.5 Children visiting the cemetery shall be accompanied by an adult and are subject to control of the adult responsible for them.

8.6 Dogs, at all times while on the cemetery grounds, shall be on a leash and under the control of the owner(s) responsible for them.

8.7 Advertising of any type is strictly prohibited within the cemetery. Trademarks etched into memorials are not considered advertising.

8.8 All grading and ground improvements shall be done by the Township Trustees, their employees, or their authorized agents.

8.9 The cemetery sexton, if applicable, shall be contacted for any sales transactions or inquiries.

8.10 The Board of Trustees of Bronson Township shall, by resolution, establish a schedule of fees, charges, and expenses and a collection procedure for fees and expenses for matters pertaining to the administration and enforcement of these cemetery rules and regulations. The schedule of fees shall be posted in the Township Hall and available upon a request made of the Fiscal Officer of Bronson Township.

8.10.1 Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on plot, lot, grave, or any other lands within any cemetery subject to these rules and regulations.

- 8.10.2 The schedule of fees may be altered or amended only by the Board of Trustees of Bronson Township.
- 8.11 Anything not expressly permitted by these Rules & Regulations shall be prohibited unless otherwise approved by the Board of Trustees of Bronson Township.
- 8.12 Only human remains may be interred in any burial lot. Pet burials are expressly prohibited.
- 8.13 The maximum number of lots which may be purchased by a person is set at two (2) lots.
- 8.14 The Board of Trustees of Bronson Township reserve the right to make modifications or amendments to these rules, regulations, policies, and procedures without advance notice.
- 8.15 The Township shall comply with all requirements of R.C. §9.15 regarding indigent burials.
- 8.16 These rules supersede all previous rules and regulations of the Township's cemeteries.

9. DEFINITIONS

Cemetery: the lands and areas set aside and apart from the surrounding lands for which interments and inurnments of the deceased by means of burial.

Certificate of the Right of Interment: the legal conveyance document by which conveys and details the ownership of the rights of interment upon a specified plot of land within a cemetery subject to these rules and regulations. Also referred to as a burial deed or generically in reference specifically to that of cemeteries, a deed.

Cremation: the process of reducing and rendering the remains of a deceased person into small particles through the exposure of the deceased's body to flame and intense heat and subsequent pulverization of the remaining fragments.

Disinterment: the recovery of human remains by exhumation. Disinterment does not include the repositioning of an outside outer burial container that encroaches an adjoining burial space.

Footer: a concrete slab of which a monument is set upon.

Grave: an excavation in the earth in which a deceased person is to be buried.

Interment: the act or process of burying a deceased person with a coffin into a grave with an appropriate interment vault, or the inurning of the cremated remains of a deceased person into a grave. The permanent disposition of the remains of a deceased person by burial or inurnment.

Lot: a single grave within a given plot which is to be used for or intended to be used for the burial of human remains by either tradition interment or inurnment.

Monument: a memorial structure made of granite or other similar material that is placed on a grave or plot to identify the deceased person(s) interred or inurned in said grave or plot. Monument may either be placed to stand vertically in an upright position extending up from the ground or be a flat grave marker which does not significantly extend beyond ground level.

Plot: the designation of one or more lots which is utilized to determine the location of a specific lot within a cemetery.

Owners and Purchasers: persons who have purchased a Right of Interment in a cemetery which is subject to these rules and regulations.

Resident: a person who is currently residing within the geographic jurisdiction of Bronson Township, Huron County, Ohio at the time of their death, or a person who resided within the jurisdiction of Bronson Township, Huron County, Ohio at the time the individual entered an extended care facility, such as a nursing home or hospice.

Right of Interment: an individual's right to a burial or inurnment which arises out of the purchase of said right in accordance with these Cemetery Rules and Regulations.

Tier: the designation of a row of plots within a cemetery which is utilized to determine location of a particular lot.