

# **RESTLAND CEMETERY BAINBRIDGE TOWNSHIP, OHIO**

## **GRAVES**

### **POLICIES, RULES, REGULATIONS**

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#### **OWNERSHIP OF GRAVES**

- 1) Any person who, on the date of purchase, is and, for three years or more immediately preceding such date, has been a resident of Bainbridge Township may own a maximum of four (4) graves per family household at the resident rate.
- 2) Any person who is a former resident of Bainbridge Township who owns property in Bainbridge Township may own a maximum of four (4) graves per family household at the resident rate.
- 3) Any person living in a public institution but whose last permanent home address was in Bainbridge Township may own a maximum of four (4) graves per family household at the resident rate.
- 4) Any person in Military Service who lived in Bainbridge Township for a minimum of fifteen (15) years may own a maximum of four (4) graves per family household at the resident rate.
- 5) Former Bainbridge Township residents who lived in Bainbridge Township for a minimum of fifteen (15) years may own a maximum of two (2) graves per family household at the non-resident rate.
- 6) A representative of the estate of a person who was qualified to own a cemetery grave may only purchase one (1) grave for the deceased.
- 7) A Bainbridge Township Deed For Cemetery Lot (“Deed”) is issued by Bainbridge Township to each owner of a grave.
  - a) The Deed to a grave conveys only the right of burial.
  - b) The grave owner shall provide to Bainbridge Township, in writing, a list of the names and addresses of the persons to whom the grave(s) ownership would pass by intestate succession.
  - c) The grantee shall notify Bainbridge Township, in writing, of any subsequent changes in the name or address of any persons to who grave(s) ownership would descend.
  - d) Any person who receives a Bainbridge Township cemetery grave by gift, inheritance, or any other means other than the original conveyance shall, within one year after receiving the interest, provide written notice of their name and address to Bainbridge Township, and shall notify Bainbridge Township of any subsequent changes in their name or address.
  - e) If a grave is voluntarily vacated or the right to bury is relinquished, all rights with respect to said grave reverts to Bainbridge Township, which will refund the Owner payment to the owner at the rate specified in the fee schedule.
  - f) Bainbridge Township shall have right of reentry to grave ownership:
    - (1) If the notification requirements are not met.
    - (2) If the owner or a member of the owner’s immediate family has not used the grave within fifty (50) years.
  - g) At least ninety days before establishing reentry or terminating ownership, Bainbridge Township shall send a notice, by certified mail, to the last known owner at the owner’s last known address to inform the owner that the owner’s interest in the lot will cease unless the notification requirements are met or ownership is renewed. If the owner’s address is unknown and cannot reasonably be obtained, it is sufficient to publish the notice once in a newspaper of general circulation in the county.
- 8) Exceptions to the above must be made by written request to Bainbridge Township for review.

## **BURIAL RULES**

- 1) Burial in Restland Cemetery is limited to the owner of the grave and anyone related to the owner by blood or marriage.
- 2) Burials shall be scheduled a minimum of 48 hours in advance. Scheduling requests shall be directed to Bainbridge Township at 440-543-9871 during regular business hours (8:30 AM – 4:00 PM).
- 3) Burial fees shall be paid at the time of burial scheduling.
- 4) Burial schedule:
  - a) Normal burial hours are between 10:00 AM and 2:00 PM, Monday through Saturday.
  - b) Burials shall not be scheduled on Sunday or Holidays.
- 5) No burial shall be made unless the body or remains is accompanied by a burial permit.
- 6) Full burials shall use a concrete vault.
- 7) Cremations shall use a permanent air-tight, water-tight container (example: marble, plastic or metal).
- 8) Burials per grave are limited to (1) one of the following:
  - a) one full burial and up to three cremains
  - b) four cremains only
- 9) Only human remains shall be buried.
- 10) No other objects are permitted in a grave other than the vault, casket, and urns.
- 11) All cemetery activities shall be performed by personnel authorized by Bainbridge Township.

## **DISINTERMENT RULES**

- 1) Disinterment schedule:
  - a) The township shall receive one (1) week's notice for disinterment.
  - b) Disinterment shall be limited to weekdays only.
  - c) Disinterment shall be scheduled between 8:00 AM and 12:00 PM.
- 2) Remains shall not be removed without written consent of Township and the surviving spouse or the next of kin of the deceased with legal rights. See Ohio Revised Code section 517.23 and 517.24 for details. If such consent cannot be obtained, the remains shall not be removed.
- 3) The family shall be responsible for any charges from any private firms involved or from any damage to headstone or vault. The family must sign a waiver.

## **MARKERS**

- 1) All grave markers shall have prior approval of Bainbridge Township. All grave markers shall be placed on a concrete footer which shall be provided by, and installed by, Bainbridge Township (see Fee Schedule).
- 2) Markers over three (3') feet shall require written approval from Bainbridge Township.
- 3) Family markers that run east to west and cover a grave space are not permitted.
- 4) Head stones will be placed on the west end of the grave. The head stone inscription should be readable from the west side of the headstone. A second marker may be placed at the east end of the grave, but may only be 1' x 2' in size and be flush to the ground. No flowers may be planted around the second marker.
- 5) For benches, a written request must be made to Bainbridge Township and Cemetery Advisory Board for review and recommendation to the Bainbridge Township Board of Trustees. All benches must rest on a full-length concrete footer.
- 6) Benches must be made of granite, limestone or marble and must be pinned.
- 7) All permanent markers must be made of granite, marble or bronze.
- 8) All markers of wood or other materials are considered temporary and will be removed after four months by Bainbridge Township.
- 9) Bainbridge Township will not be held responsible for any damage that may occur to any marker other than the standard, approved marker.
- 10) No mausoleums will be permitted.

## **LANDSCAPING AND DECORATIONS**

- 1) For trees to be planted, a written request must be made to Bainbridge Township for review and recommendation. Trees are only permitted in designated areas.
- 2) Small plants and annuals may be planted within one foot on the east side of the head stone.
- 3) Only flush bronze vases for cut flowers are permitted within one foot on the east side of the head stone.
- 4) The following types of landscape material are not permitted: shrubs, ground cover such as myrtle, ivy, pachysandra, ornamental grasses and grave blankets.
- 5) The following decorations are not permitted: hanging baskets, wind chimes, bird houses and items hanging from trees, statues, plastic or wood signs, stuffed animals and like objects.
- 6) Artificial flowers and Christmas decorations are allowed from December 1 through March 1. Items remaining after March 1 will be removed by Bainbridge Township and discarded.
- 7) Flags and wreaths for Memorial Day and July 4 are permitted from Memorial Day weekend through July 10.
- 8) Any planting, decoration or other item listed herein and not permitted shall be removed by Bainbridge Township.

## **RULES OF CONDUCT**

- 1) No person shall deposit any debris or waste material of any kind at any place within the Bainbridge Township cemeteries except in receptacles provided therefore.
- 2) No animals of any kind, except for guide dogs or other animals used in the assistance of disabled individuals are permitted within any of the Bainbridge Township cemeteries.
- 3) All vehicles shall be parked so that all tires of such vehicles are located on the hard surface of the cemetery roadway.
- 4) Gravestone rubbings (the practice of creating an image of surface features of a stone on paper by rubbing a rendering material over the paper) are strictly prohibited without the authorization of the township.

Note: If there are questions, please contact Bainbridge Township. If there are specific requests, they must be presented in writing to Bainbridge Township for review. These rules and regulations are subject to change.

## **INDIGENT & UNCLAIMED BODY BURIAL POLICY**

### **Purpose**

The Board of Trustees of Bainbridge Township recognizes its legal duty to provide for indigent and unclaimed body burials. This Policy is to insure compliance with Section 9.15 of the Ohio Revised Code, and to provide appropriate disposition and interment of the bodies of deceased indigent and unclaimed persons found within Bainbridge Township. It also provides the determination of residency and indigence of the decedent.

### **Determination of Residency**

Since there is no statutory definition of residency, the Township shall generally consider a person to be a resident of the Township if the person at the time of death, had a physical presence in the Township, coupled with the choice and intent to make the Township the place of the person's home, or the place for which the person is most intimately connected or identified with.

In making a determination of residency the Township shall consider the following factors:

- 1) Ownership of real property within the Township;
- 2) Being a registered voter and/or voting in a precinct within the Township;

- 3) Address appearing on driver's license or State ID;
- 4) Address appearing on Federal, State and Local Income Tax Returns;
- 5) Address appearing on Motor Vehicle Titles;
- 6) Receipt of mail within the Township;
- 7) Enrollment in the Kenston Local School District or minor children's enrollment in the Kenston Local School District;
- 8) Reputation within the community of residing within the Township;
- 9) Other relevant facts establishing a connection with the community evidencing the intent to be a resident of the Township;
- 10) Not an inmate of a correctional, benevolent or charitable institution of Ohio.

#### Determination of Indigency

In determining the indigence of the decedent, the Township shall consider the following elements:

- 1) The ready availability of real or personal property of the decedent, which if sold would provide sufficient funds for the burial;
- 2) Any employment death benefits, pensions, annuities, social security, unemployment compensation; life insurance proceeds made payable to decedent's estate; cash on hand or other financial resources available to decedent;
- 3) Inheritance, number and ages of dependents, outstanding debts, obligations and liabilities;
- 4) Any relevant facts concerning financial means.

#### Provisions For Indigent & Unclaimed Body Burial

The Township will provide for resident indigent and unclaimed body burials as follows:

- 1) The disposition and interment of the body shall be made at the Township's discretion by cremation without showing or calling hours, or interment ceremony at the grave site.
- 2) A suitable grave plot in Restland Cemetery, Bainbridge Township, will be provided for interment of the decedent's remains.
- 3) A grave marker, inscribing or displaying the name, date of birth, and date of death of the decedent will be provided.
- 4) The township shall make every effort to recover all fees associated with the disposition of indigent and unclaimed bodies.

## Limitations

The Township shall not be responsible for any body found within the Township, which is claimed by any person for private disposition and interment at the claimant's own expenses.

If the decedent is a resident of another township or municipal corporation in Geauga County, the disposition and interment of the body shall be made at the expense of the township or municipal corporation in which the decedent was a resident at time of death.

If the decedent is a resident in another county of Ohio, the superintendent of the Geauga County Home shall cause the disposition and interment of the body at the expense of the township or municipal corporation in which the decedent was a resident at time of death.

The manner of disposition and interment of an indigent and unclaimed body of a resident is solely within the discretion of the Bainbridge Township Board of Trustees as required and or limited by Section 9.15 of the Ohio Revised Code.

## Graves – Policies, Rules, Regulations

Adopted 1/23/2012  
Effective 2/1/2012  
Amended 8/13/2012  
Amended 10/8/2012  
Amended 3/11/2013  
Amended 6/29/2015

## Indigent & Unclaimed Body Burial Policy

Adopted 10/24/2011  
Amended 10/8/2012