

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No.

2022-20

Passed

January 17, 2023

VILLAGE COUNCIL OF GREENWICH, OHIO
ORDINANCE NO.: 2022-20

AN ORDINANCE AMENDING THE GREENWICH CODIFIED MUNICIPAL CODE BY REPEALING AND REPLACING CHAPTER 1062 REGARDING GREENLAWN CEMETERY

WHEREAS, the Village established guidelines for the Greenlawn Cemetery passed and adopted by Ord. 628, Passed 08-3-76; and

WHEREAS, the Policy and Rules Committee of Village Council has reviewed Chapter 1062 for possible updates. And after review, recommends that Chapter 1062 be repealed and replaced;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GREENWICH, STATE OF OHIO: (RC 731.18)

SECTION 1. That Chapter 1062 of the Greenwich Codified Municipal Code is hereby repealed to be replaced herein.

SECTION 2. That Chapter 1062 of the Greenwich Codified Municipal Code is hereby replaced with the following:

CHAPTER 1062
Greenlawn Cemetery

- 1062.01 Prohibited activities; dogs.
- 1062.02 Damaging or defacing and property.
- 1062.03 Markers /Monuments
- 1062.04 Maintenance of memorials and tombs.
- 1062.05 Damage to property by contractors.
- 1062.06 Wet ground conditions; prohibited work.
- 1062.07 Enclosures around lots prohibited.
- 1062.08 Control of trees, shrubs bushes.
- 1062.09 Floral baskets; removal; disposal.
- 1062.10 Decorations
- 1062.11 Spring clean-up.
- 1062.12 Fees.
- 1062.13 Upkeep and maintenance.
- 1062.14 Opening and closing graves.
- 1062.15 Hours
- 1062.99 Penalty.

CROSS REFERENCES
Burials may be prohibited - see Ohio R.C. 759.05
Management and control of cemeteries - see Ohio R.C. 759.20
Burial permits - see Ohio R.C. 3705.24 et seq.
Burial of indigent persons - see Ohio R.C. 5113.15
Offenses relating to property - see GEN. OFF. Ch. 642
Trees and shrubs - see S.U. & P.S. Ch. 1026

1062.01 PROHIBITED ACTIVITIES; DOGS.
No dogs shall be permitted within Greenlawn Cemetery, unless confined to a vehicle.

1062.02 DAMAGING OR DEFACING PROPERTY.
No person shall maliciously damage, deface or disturb any marker, monument, mausoleum, grave or the grounds in Greenlawn Cemetery.

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1062.03 Markers/Monuments

(a) The ownership of a deed to a lot does not confer any right to do planting nor erect a monument, vase, etc. The only legal right being that of interment.

(b) As the deed to a lot conveys only the right of burial therein, the Village retains control and supervision of all lots that have been sold and it shall be the duty of the caretaker to enter upon any lot and prohibit, modify, or remove any structure, object, improvement, or adornment on such lot that may have been placed thereon in violation of the rules, or that may be considered objectionable or injurious to the lot or adjoining lots, or the general appearance of the cemetery.

(c) All grave markers will be on a concrete foundation. The foundation shall have a minimum depth of thirty (30) inches and be of such length and width to extend a minimum of four (4) inches on all sides of the grave marker. Flush mounted monuments or markers shall have a minimum foundation of six (6) inches of concrete.

(d) All concrete footers shall be installed under the supervision and control of, the cemetery sexton or designee.

(e) A private contractor designated by the Monument Company will perform this service.

1062.04 MAINTENANCE OF MEMORIALS AND TOMBS.

Should any memorial, mausoleum or tomb become unsightly, dilapidated or a menace to visitors, the Village has the right to correct the condition or remove such memorial, mausoleum or tomb at the expense of the lot owner.

1062.05 DAMAGE TO PROPERTY BY CONTRACTORS.

Any person engaged in the construction or erection of a monument or marker who damages a monument, marker, tree, shrub, sod or ground shall be held accountable by the Village for such damage.

1062.06 WET GROUND CONDITIONS; PROHIBITED WORK.

Council may prevent the erection of monuments or markers or other construction at times when damage would be done to drives and sod by trucks because of wet ground conditions.

1062.07 ENCLOSURES AROUND LOTS PROHIBITED.

No curbing, fencing, hedging, borders or enclosures of any kind are permitted around any lot. Council reserves the right to order the removal of such enclosures if so erected, planted or placed.

1062.08 CONTROL OF TREES, SHRUBS AND BUSHES.

Absolutely no trees, shrubs, or bushes to be planted on in lots.

1062.09 FLORAL BASKETS; REMOVAL; DISPOSAL.

All forms or baskets used in funeral displays are the property of the lot owner and shall not be removed by anyone, except by written permission of the owner. If the owner does not claim them within five seven days, they shall become the property of Greenlawn Cemetery and shall be disposed of.

1062.10 DECORATIONS

The recorded owner of the grave shall be the controller in respect to the placement, care, and maintenance of flowers and/or decorations on the grave in agreement with cemetery rules.

(a) All items placed at the Cemetery must be of a respectful nature.

(b) The placing of lucky stones, slag, gravel, or other similar products around markers is not permitted.

(c) No planting of flowers on the grave.

(d) The placing of all markers must be approved by the cemetery sexton or a representative of the Village.

(e) If any decorations are a detriment to the maintenance or mowing, the Sexton has the authority to remove them.

(f) Items left to be removed from a grave by the cemetery maintenance crew become the property of the Village. Please help us by clearing your own sites.

(g) Because of safety concerns no glass containers are allowed. Please consider removing any fragile items which may shatter by contact with a sting trimmer. Decorations must be placed close to the monument/footer.

(h) All items placed on a grave must remain within the boundaries of that grave and cannot infringe upon another grave site.

(i) No more than 2 flower arrangements and/or personal items per grave. For the time being shepherd staffs are allowed for flowers, wind chimes, etc. and are to be placed at the side of monuments. They will be counted as 1 of the 2 maximum items allowed per grave.

(j) Flowers or decorations deemed unsightly, tattered or out of season will be removed and discarded.

(k) Any item placed in the cemetery that is inconsistent with these rules and regulations, or that has not been approved by the Village, may be removed without notice.

(l) Toys, ornaments, athletic equipment, metal designs, ceramic figurines, home-made markers, lighting, etc., are prohibited.

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(m) Unattached and/or loose ornaments subject to being wind-blown(moved) are prohibited.

(n) The village of Greenwich will not be responsible for monuments, vases, eternal candles, etc., damaged because of vandalism and/or theft, nor be responsible for decorations and flag holders left out by lot owners.

1062.11 SPRING CLEAN-UP.

After April 1, but prior to April 15, of each year, a general spring clean-up shall be given to the Cemetery. All winter wreaths, pot, bracket, or other decorations shall be removed by the caretaker and disposed of.

1062.12 FEES.

(a) The fee charged for a grave space in Greenlawn Cemetery will be three hundred fifty dollars (\$350.00) per space for a resident of the Village. As used in this subsection, "resident" means only those persons living within the Village corporation limits. Any person wishing to purchase space in Greenlawn Cemetery who does not reside within the Village corporation limits will pay five hundred dollars (\$500.00) per space.

(b) The fee for opening and closing graves is three hundred fifty dollars (\$350.00).

(c) There will be a charge of fifteen dollars (\$15.00) for any deed done in duplicate or for any deed done because of a transfer of the grave space to another person.

(d) The fee for the processing, handling, and internment, of a single urn shall be one hundred fifty dollars (\$150.00).

1062.13 UPKEEP AND MAINTENANCE.

(a) Council shall supervise the upkeep and maintenance of Greenlawn Cemetery.

(b) Upkeep and maintenance do not include the opening and closing of a grave.

(c) Council may hire additional help if needed.

1062.14 OPENING AND CLOSING GRAVES.

The village cemetery sexton is hereby authorized to collect fees for the opening and closing of graves at the village cemetery and to then pay the person performing the service.

1062.15 HOURS.

Greenlawn Cemetery shall be closed from Dusk to Dawn.

1062.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

SECTION 3. CODIFICATION. That the Clerk is hereby instructed to submit this legislation to the village codification service.

SECTION 4. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

RECORD OF ORDINANCES

Ordinance No. 2022-20 Passed January 17, 2023

PASSED AND ADOPTED on this 17th day of January, 2023.
Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(5):
YEAS: 5 NAYS: — ABSTAIN: —

ATTESTATION
(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.

Wesley Saltee [Signature]
MAYOR FISCAL OFFICER

First Reading: 12/20/2022
Second Reading: 1/03/2023 (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))
Third Reading: 1/17/2023 (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

CERTIFICATE OF PUBLICATION
RC 731.24

I hereby certify that a succinct summary of the above legislation was/will be published *once a week for two consecutive weeks* as required by RC 731.21 and 731.22(A) in the following newspaper(s) of general circulation: *Shopper's Helper North, 211 Myrtle Ave., P.O. Box 368, Willard, OH 44890, 419.935.0184.*

[Signature]
CLERK OF COUNCIL