

Sec. 30-9. - Oak Grove Cemetery rules and regulations.

The following shall constitute the rules and regulations of the Oak Grove Cemetery:

- (1) The size of each burial lot is normally five feet by ten feet, although there are varying sized lots that may be slightly smaller or larger. Infant or child-sized lots and lots for cremations are smaller. Columbarium niches for urns containing ashes or a cemetery section devoted to the scattering of ashes are to be in specific locations as determined by city council. The price of lots, niches, or for scattering shall be set by the city council. A filing fee for the deed shall be added to the cost of the burial lot and each deed shall be recorded by the purchaser of the burial lot.
- (2) No burial will be placed on top of another burial for any reason.
- (3) No person shall dig any grave or bury, attempt to bury, exhume or remove any corpse in the city's cemetery without notice to and permission of the cemetery authority. All fees shall be paid prior to interment.
- (4) No grave shall be opened for the purpose of interments or dis-interments in the city's cemetery except by licensed funeral directors or contractors working for funeral directors.
- (5) The cemetery authority shall mark all burial lots prior to burials and all corner markers, headstones, and monuments prior to being set. A fee for this service shall be set by the city council.
- (6) Burial lot corner markers are permitted; however, such markers shall not extend more than one inch above ground level.
- (7) Any monument, gravestone, or slab erected within the city cemetery must have a firm foundation of brick, stone, mortar, and/or concrete, or reinforcing sufficient to prevent the same from failing, sinking, leaning or collapsing.
- (8) Burial vaults are required for each interment and shall be below ground level. Slabs to cover graves are permitted and must be at ground level.
- (9) The planting of trees and shrubbery is prohibited without the written approval of the cemetery authority. Grass is the only permitted foliage that may be planted within the cemetery. Grass may only be planted on the lot owner's parcel. Mowing of grass on any parcel shall be the responsibility of the cemetery landscaping staff.
- (10) Coping or fencing by non-authorized personnel is prohibited, except that traditional stone coping is permitted when installed with the top set at one inch above the level of the surrounding ground.
- (11) No one may enter the cemetery between sunset or 7:30 pm, whichever is earliest, and 7:00 am except city or cemetery authority personnel, or emergency personnel.
- (12) No one may injure or deface any trees, flowers, shrubbery, graves, tombstones, monuments, seats, buildings or structures of any kind in the cemetery. Carving on or nailing items into trees is specifically prohibited as is puncturing of tree bark for any reason.
- (13) No one may commit a nuisance or deposit trash or refuse matter in the cemetery.
- (14) Unless the cemetery authority establishes perpetual care for individual lots, each family using the cemetery is required to keep their burial lots clean and free of all faded artificial flowers, broken pots, dead flowers, toys, or other debris.
- (15) No vaults or other materials may be stored outside the cemetery walls or within the city cemetery area.
- (16) The community planning director, designated staff or cemetery authority must be contacted for disposal of any excess dirt.

- (17) Any firm conducting business within the city cemetery is responsible for maintaining the cleanliness of the area in which they work and reporting any damage caused to the cemetery authority representative or community development director's office.
- (18) Canopies shall be removed within seven days of the burial date and shall not be erected more than two days prior to the burial date.
- (19) Donations will be accepted and used by the Oak Grove Cemetery authority for the benefit of the cemetery.
- (20) Each grave is required to be marked by the licensee with a permanent marker. Acceptable markers are a concrete slab, headstone, or minimum 12-inch by 24-inch head or foot stone marker with name and dates.
- (21) Public restrooms are not available within the cemetery.
- (22) The maximum allowable size for any tractor digging, closing or preparing burial sites within the Oak Grove Cemetery shall be 140 inches in length, 65 inches in width and a maximum wheelbase of 75 inches. Only the minimum size boom or crane truck will be permitted to install burial vaults, head stones or slabs. Any vehicle damaging property within the cemetery will be banned from the cemetery and the company operating the equipment will be held liable for any damages. No vehicle may drive over any slab, monument, or any other burial lot identification structure located within the Oak Grove Cemetery.
- (23) Water hose used for cleaning or irrigation must be supplied by lot owner and each hose must be removed from the cemetery as owner departs the cemetery. Failure to remove a hose will result in the city removing and disposing of the water hose. The plot owner will not be reimbursed for any disposed of item.
- (24) Any garden tools or other items needed to maintain a lot must be supplied by lot owner and removed from the cemetery as owner departs the cemetery. Any tools left will be removed and disposed of by the city. The plot owner will not be reimbursed for any disposed of item.
- (25) No lights may be installed within the cemetery except those installed by the city.
- (26) Any plant, decoration or other object not located on a slab, monument or within legal lot lines will be removed and disposed of by the city or the cemetery authority. Items used during a funeral service must be removed or located totally within the owners legal lot lines, seven days following the funeral service. The plot owner will not be reimbursed for any disposed of item.
- (27) Benches must be placed within a lot owner's legal lot lines.
- (28) Any dilapidated bench, pot or other decoration will be removed immediately either by cemetery staff or by the plot owner and relocated by plot name to the cemetery maintenance structure. If after 30 days the plot owner does not replace or claim the item(s), the city will dispose of the item(s). The plot owner will not be reimbursed for any disposed of item.
- (29) Lot owners are not permitted to plant trees on their lots without permission of the cemetery authority.
- (30) No one is permitted to install rock mulch or other permanent mulch on any lot in Oak Grove Cemetery to prevent damage from stones thrown from cemetery equipment onto adjacent gravestones and to prevent injury to bystanders.
- (31) Containers, which do not provide proper drainage, are not permitted. Glass containers, glass ornaments or glass decoration of any type is not permitted.
- (32) Any exception to the above regulations must be approved by the cemetery authority. Before making an exception, the cemetery authority must determine that all the following conditions are met: (a) the exception is necessary for the use of a cemetery lot in the same as other cemetery lots; (b) the exception would not materially be detrimental to the purposes of this chapter, or to other lots or property in the cemetery or adjacent property, or otherwise conflict with any objective of the city or cemetery authority; (c) the exception requested is the minimum exception

which would alleviate the need; and (d) the need for an exception is not the result of the action of the owner or previous owner.

- (33) A grid map of the cemetery's lots is kept in the office of the community development director and by the Oak Grove Cemetery authority and can be changed at any time to meet future burial needs and earlier burials as long as no burials are disturbed.
- (34) The cemetery authority, under proper notification of city manager or community development director, may be required to suspend these rules and regulations for a stated time period during a declared emergency event.

Cremation Burials

There can be at least 2 burials in a standard size lot, however at least one has to be cremated. If both burials are cremations they must be buried in the middle of the lot and above and below each other in order to stay within the boundaries of the lot.

The burial hole is dug at least 2 feet.

Family can dig the hole or the City will dig hole at no charge.

St. Marys City Ordinance Sec. 30-14. – Handling of cremations in Oak Grove Cemetery

- (a) Small lots currently available for cremations are located in certain designated areas of the cemetery and are available for the interment of the cremains of one individual.
- (b) One of the adult size plots located throughout the cemetery may be purchased at the regular price and used for the interment of no more than two remains, two cremains, or the remains of one individual and the cremains of another individual, with up to two markers on the plot.
- (c) An adult size lot for the purpose of holding a single inurnment bench will sell for the same price as an adult interment plot.
- (d) An inurnment bench, memorial, monument or headstone containing no more than two cremains will be allowed on a single adult size lot and will be used in place of any other memorial.
- (e) The inurnment bench shall be made of marble or granite and will be placed at center of the plot.
- (f) An inurnment bench for two cremains must fit within the required size limit of a regular Oak Grove monument.

- (g) Only a licensed monument company or its contractors may open and reseal an inurnment bench.
- (h) An inurnment bench may be placed only with the consent of the Oak Grove Cemetery Authority.
- (i) The City of St. Marys, by separate fee ordinance, does hereby adopt an administration fee for each placement of ashes in an inurnment bench.