

PREAMBLE

Green Mound Cemetery is dedicated, used and intended to be used for the final disposition and memorialization of human remains. Green Mound Cemetery is publicly-owned and open to the general public.

I. DEFINITIONS

101. Arrangement Conference

The term "arrangement conference" means a meeting, either at -need or pre-need, between the Cemetery and an individual or family during which funeral and cemetery merchandise and services are discussed and the cemetery records information regarding that person or family.

102. Interment Space

The term "Interment Space" means a plot of real estate intended for the burial of one set of human remains that have not been cremated, or up to two (2) sets of human remains that have been cremated.

103. Memorial

The term "memorial" means any item of merchandise used to identify the person interred in an interment space or to commemorate their life, deeds or career, including but not limited to a bench, crypt plate, grave marker, monument, niche plate, plaque, or vase, but not including a mausoleum.

104. Memorial Care

The term "memorial care" means any care provided or to be provided for the general maintenance of memorials, including but not limited to refinishing, resetting, straightening, or replacing damaged memorials.

105. Outer Interment Container

The term "outer interment container" means a container engineered and designed to hold a casket or other type of inner burial container that supports the overlying earth, and the earth and vault handling equipment used in cemetery operations, including but not limited to burial vaults and grave liners.

106. Owner

The term "owner" means the person who lawfully possesses an interment right and whose name is recorded as such in the Township's records.

107. Rules and Regulations

The term "Rules and Regulations" means these Brown Township Board of Trustees Rules and Regulations governing Green Mound Cemetery.

108. Scattering

The term "scattering" means the final disposition of cremated remains by dispersing them in the air or on the surface of the ground.

109. Section

The term "section" means an area within the cemetery consisting of more than one interment space established by the cemetery as a subdivision of a lot for organizational purposes.

110. Township

The term "Township" means Brown Township, Delaware County, Ohio.

111. Urn

The term "urn" means a receptacle in which cremated remains are placed for final disposition.

II. CARE AND MAINTENANCE OF GROUNDS, THE CEMETERY'S CARE FUND & PLANTING OF FLOWERS, SHRUBS OR TREES

201. Care of Grounds and Perpetual Care

The Township shall have sole and exclusive authority to maintain the cemetery's buildings and grounds, subdivide the property, plat, map, survey and install improvements within the cemetery.

In the past, cemeteries allowed indiscriminate plantings of trees, shrubs and flowers on cemetery gravesites as a common practice. This was well and good when cemeteries were small and care was largely by individual lot owners. As cemeteries grew in size and lot owners passed away or migrated to other localities, care and maintenance of the cemetery was left more and more to cemetery management to perform. Over time, this also became an increasing problem for cemeteries from the standpoint of finances and labor required to do ground maintenance work. It also made it difficult to maintain a general and consistent landscape appearance.

202. Plants, Trees and Shrubs

If any tree, shrub or plant, by means of its roots, branches or otherwise, becomes detrimental to any Interment Space, walkways, roadways, waterways or drainage systems, or if for any other reason its removal is deemed necessary, the Township shall have the right to remove any such tree, shrub or plant, or any part thereof, or otherwise correct the existing condition as, in the Township's judgment, it deems best. The Cemetery shall have no obligation to replace trees, shrubs and plants removed by the Cemetery, even if they were purchased as a memorial. Suggested miniature and dwarf species: Pyrus – pear; Prunus – cherry & plum; Magnolia; Crataegus – Hawthorne; Amelanchier – service berry; Acer Campestre – hedge maple; Acer Ginnella – hedge maple; and Malus SP - crabapple

203. Ingress and Egress, Walkways, Waterways, Roadways, Drainage Systems and Buildings

The Township reserves to itself, and to those lawfully entitled thereto, a perpetual right of ingress and egress over interment spaces for the purpose of passage to and from other Interment Spaces. Except as necessary to gain access to other Interment Spaces within the cemetery, persons within the cemetery grounds shall use only the avenues, walkways and roadways. The Cemetery reserves the right to alter, change or remove walkways, roadways, waterways and drainage systems and other physical properties.

204. Acts Beyond the Cemetery's Control

The Cemetery, the Township and its agents do not assume and are not liable for damage, actual or mental, resulting from normal operations or from loss by vandalism and other acts beyond the Cemetery's control. Specifically, but not by way of limitation, the Cemetery and its agents do not assume and are not liable for loss or damage caused by the elements, acts of God, common enemy, thieves, assailants, vandals, strikers, lockout or other labor events, malicious mischief makers, explosion, unavoidable accident, invasion, insurrection, riot, government act, regulation or order of any military or civil authority, whether the loss or damage is direct or indirect.

205. Maintenance of Grounds and Buildings

Within the limits permitted by the income of the Care Fund and the Cemetery's general funds, the cemetery grounds and buildings will be maintained and preserved. Cemetery maintenance includes maintaining a pleasing lawn, leaf disposal, seeding or laying sod, filling sunken areas, maintaining roads, cutting the grass at reasonable intervals, pruning of trees and shrubs, and such other work necessary to keep the cemetery in good and neat condition. The Township reserves the right for its workers and agents to enter upon or cross over any interment space as necessary to conduct normal cemetery operations.

Except as specifically allowed by these Rules and Regulations or by written authorization issued by the cemetery, all landscaping, care of interment spaces and other work in the cemetery will be done by Township personnel. In the event of written authorization, the authorized work shall be subject to all provisions of these Rules and Regulations that pertain to the activity involved.

206. Maintenance of Memorials - Damage

Unless damage is caused by the negligence of Township staff or agents, the Township is under no obligation to maintain, repair or replace memorials placed within the cemetery.

Nothing in these Rules and Regulations shall be construed as modifying any existing contract as to perpetual care. In general, memorials are privately-owned property and are not covered by perpetual care.

III. MEMORIALS

301. Temporary Memorials

Temporary markers placed at the time of Interment are not considered permanent. The erection of a temporary marker is a courtesy service provided by the Township, and they will be removed after a reasonable length of time or when they no longer present a neat appearance.

302. The Cemetery May Correct Errors

The Township may correct any error made in the location of a foundation or memorial.

303. General Limitation of One Memorial per Interment Space and Companion Memorials - Inappropriate or Offensive Content Prohibited.

Companion memorials are permitted with the consent of the owner(s) of both interment spaces. Only one memorial may be placed on an interment space, unless otherwise approved by the Township. Veteran's plaques at the foot of an interment space are generally allowed. The Township may refuse to install, prohibit or remove any memorial with inappropriate or offensive content, as determined by the Township. The Township may refuse to install, prohibit or remove any memorial if it conflicts with the identity of an individual interred therein.

304. Flat Bronze, Turf-style Memorials on Granite Bases and Uniform Lines Required.

With the exception of granite bench monuments, crypt plates (i.e. military veteran markers) and niche plates must be flat bronze, ground-level style with a concrete base. Memorials will be set by Township personnel/staff in uniform lines as prescribed by the general plan of the cemetery.

IV. OUTER INTERMENT CONTAINERS

401. Outer Interment Containers Are Required and Regulated

In order that the improvements and appearance of the cemetery shall remain uniform and well-maintained, the Township reserves and shall have the right to require and regulate the kind, size, design, quality and material of outer interment containers. All interments shall be made in an outer interment container approved by the Township after receipt of satisfactory proof that the container has been adequately tested and shown to be of sufficient structural strength to resist the crushing force of the overlying earth load, as well as the additional pressure of the vault and earth handling equipment commonly used in the cemetery's operations. As a matter of practice, the Township will not require proof for any outer interment container already approved by the Township.

402. Specifications

The specifications of outer interment containers are prescribed by the Cemetery. All outer interment containers must be in accordance with the specifications in effect at the time of the interment. Authorization of the Cemetery must be secured before any outer interment container may be placed or constructed within the cemetery. The Township reserves the right to reject and prevent the placement or construction of any outer interment container, embellishment or other item or structure that does not conform to the specifications of the Township that are then in effect.

All ground interments made within the cemetery shall require an outer interment container constructed of a material resistant to decomposition and capable of sustaining a static load (the weight of the earth that rests over the container) of at least 4,000 pounds (two tons) per square inch and 40,000 pounds gross load, which includes the dynamic load that varies in intensity as heavy equipment passes over the interment space.

403. Date and Time

The Township reserves the right to specify the date and time for any installation, although every effort

will be made to accommodate requested dates and times.

404. Authorization

The Township may refuse to place an outer interment container within the cemetery or may prohibit the removal of an outer interment container from the cemetery if the Cemetery has not received authorization of the owner of the particular interment space and the deceased's next-of-kin or their respective authorized representative(s).

V. DECORATIONS, FLAG POLES, AND FLOWERS

501. Floral Tributes and Decorations

Floral tributes and decorations are encouraged, in the manner permitted by these regulations.

The Cemetery treasures your living tributes and the benefits they bring to the appearance of the cemetery in general. The Cemetery is not responsible for any missing floral tributes or decorations or for any damage. Some floral tributes and decorations may at times need to be moved or picked up to permit Interments or for seasonal maintenance and care of the grounds.

502. Prohibited Items

No hedges, fences, edging or enclosures of any kind will be permitted on interment spaces. Mulching with wood chips, rock, landscape fabric or similar items is strictly prohibited. Wooden boxes, lawn ornaments, signs, sculptures, glass or ceramic containers, cans, toys, or any other unsightly objects or objects that can break causing safety concerns, or that could impede the Township's ability to mow or trim grass will not be permitted and these items may be removed by Township personnel without notice. Except as otherwise specifically approved by the Cemetery, benches are not allowed unless they are used in lieu of a memorial and set perpendicular to the grave.

The indiscriminate use of these types of objects detracts from the general appearance of the cemetery and makes care of the grounds very difficult. Certain areas of the cemetery may have plans and formats which come first in making decisions regarding decorations.

503. Flag Poles

Except as permitted for Memorial Day and Veterans' Day, flags and flag poles are generally not permitted at individual interment spaces. This does not apply to small flags displayed at a veteran's marker. The Cemetery maintains an Avenue of Flags.

504. Shepherd's Hooks and Removal of Dead Flowers

Fresh, silk and plastic flowers are permitted in the bronze or plastic vases included on memorials. Fresh flowers will be picked up and discarded by Township personnel without prior notice when they become unsightly. The Township may at its discretion remove decorative items if they detract from the beauty of the cemetery. In that instance, notice will be provided and owners will have an opportunity to claim the item(s).

Shepherd's hooks are not permitted.

505. Clean-up Procedures

It is the Township's practice to publish a notice in the local newspaper, as a reminder, before the Cemetery conducts seasonal clean-up and removal of flowers and decorations. However, the notice is a courtesy and these provisions shall govern.

At certain periods during the year, all flowers and other decorations must be removed from interment spaces. Decorations will be picked up by Cemetery staff one time per year. A winter cleanup will commence on or after April 1st. Summer flowers and decorations may be placed at interment spaces on or after April 15th and winter flowers and decorations may be placed at interment spaces on or after November 15th. In general, Christmas wreaths are allowed. All plantings will be cut back after Labor Day.

506. Planting of Plants, Shrubs and Trees by Permission Only

Decorative plants, shrubs and trees may not be planted at the cemetery without first securing the Township's permission. Permission will generally not be granted and will only be allowed if the proposed planting will not interfere with the care and maintenance of the grounds and when it is in harmony with the surrounding landscape.

507. Additional Decorations for Memorial Day and Veteran's Day.

Additional decorations will be allowed immediately prior to Memorial Day and Veteran's Day. United States' flags may be placed on veteran's interment spaces to observe Memorial Day and Veteran's Day. If still present, Memorial Day decorations may be removed by Township personnel on or after June 10th. If still present, Veteran's Day decorations may be removed by Township personnel on or after November 30th.

508. The Cemetery Is Not Responsible for Damage or Loss

The Cemetery is not responsible for the protection or maintenance of flowers, decorations, wreaths, emblems, flags and other items left at the interment space in conjunction with a funeral or remembrance service.

VI. OWNERSHIP OF INTERMENT RIGHTS, ADDITIONAL RIGHTS OF INTERMENT AND SUBDIVISION OF INTERMENT RIGHTS

601. Owner and Interment Records

The records of the Cemetery are kept in accordance with the most advanced ideas of modern cemetery management. The records of the Cemetery shall record and establish the owners of interment rights in the cemetery. The person named in the Certificate of Interment Rights issued and of record will be recognized and treated as the owner until another assignment and transfer has been filed with the Township and recorded. Upon the receipt of an Order of Distribution by a court having jurisdiction over the estate of a deceased owner, the Township shall revise its records to reflect the terms of the order.

602. Limited Right of Use

Interment rights within the cemetery shall be used for no purpose other than the interment and/or

memorialization of human remains. The Township does not sell fee simple title to interment spaces. The Township sells a right of use called "interment rights" that permit the interment of one person or two cremains in the interment space purchased. An owner does not, by virtue of such ownership, acquire any ownership interest in the Cemetery or in any surrounding land, building or any improvements.

603. Recording

Any and all transfers of interment rights, whether by conveyance, assignment or Purchase Agreement, are subject to these Rules and Regulations as enacted or amended. All transfers of ownership are subject to a transfer fee that must be paid to the Township when the transfer is recorded in the Township's records. A transfer is not effective until all transfer fees are paid. Deed transfers to an owner living outside the Township will be subject to the full price paid by non-residents plus the transfer fee.

604. Additional Interments and Subdivision of Interment Spaces

Additional Interments and subdivision of Interment Spaces are not allowed without prior permission of the Cemetery. The placement of Cremated Remains under a Memorial may be permitted, as a subdivision of an Interment Space. In addition, Owners of Interment Rights may purchase an "additional right of interment" and subdivide a traditional ground Interment Spaces into sizes intended for the burial of Cremated Remains. Except for interments underneath a Memorial, the minimum size of an Interment Space used for the interment of Cremated Remains is 40 inches wide by 54 inches in length.

Interment Spaces shall not be sold, transferred, or gifted by a Purchaser or Owner to any person or party except to a co-owner, an immediate family member, a person specifically named in the Purchase Agreement, or the Township.

Interment Spaces may be transferred to any person by will, devise, or intestate succession.

605. Title and Certificates of Interment Rights

The Township will issue a Certificate of Interment Rights upon payment in full of the purchase price and the interment rights will be recorded in the records of the Cemetery as evidence of the right of interment. The title vested in the owner is limited to the right to use the space for Interment purposes only and other consistent uses, such as memorialization, allowed by these Rules and Regulations. Every interment right is subject to all applicable laws and regulations, the Articles of Incorporation and other documents establishing the cemetery and all rules and regulations adopted by the Cemetery, as then in force or as thereafter amended or adopted. The Certificate of Interment Rights shall constitute the sole agreement between the owner and the Township and any contrary statements of any agent or employee of the Township shall not be binding on the Township.

606. Reuse Is Prohibited

Human remains interred, or inurned at Green Mound Cemetery - Brown Township, may not be removed by heirs, owners or any other person having an interest in any interment rights for the purpose of reselling the interment rights.

607. Speculation Prohibited

Interment rights shall be purchased solely for the purpose of personal or family interments or another person identified in a Purchase Agreement or Certificate of Interment Rights and not for purposes of

speculation. To prevent speculation, the maximum number of Interment Spaces that may be purchased by an individual is eight (8). This rule may be waived only by the Board of Trustees. Requests for exemption must be presented in writing listing the reasons for the exception

608. Discrimination Prohibited

The Township shall not honor or abide by any agreement or provision contained in a Purchase Agreement, Certificate of Interment Rights, or other document which limits or restricts the sale, use or ownership of Interment Rights in the cemetery, or a particular section thereof, to persons of a particular race, religion or national origin, if the Township's management, in its sole discretion, believes in good faith that such restriction is contrary to applicable law.

609. Permission to Inter and Proof of Ownership

The Cemetery may prohibit any interment if it has not received a duly executed written authorization from the owner or owners of the interment rights and the next-of-kin of the deceased or their respective authorized representative(s).

The Township shall assume at all times that the owner acquired the interment rights for his or her own interment, or the interment of members of his or her family. Unless otherwise directed in writing, the Township will permit the interment of someone other than the owner only upon proof of eligibility or ownership or as set forth below.

1. Upon the death of a joint tenant, title to interment rights held in joint tenancy shall immediately vest in the survivor or survivors, subject to the vested interment rights of the remains of the deceased joint tenant.
2. When there are two or more owners, they may designate one or more persons for the purpose of granting authorization for interments, memorializations, etc. with respect to the interment rights of the owners. Any such designation must be in writing and furnished to the Cemetery. In the absence of such designation, the Cemetery shall not be liable for acting on any direction of any co-owner, provided no other co-owner has notified the Cemetery of an objection prior the Cemetery's action.
3. If an owner dies without having transferred unused interment rights either by a specific devise in the owner's will or by a written direction furnished to the Cemetery, any such unused interment rights will be deemed to descend to the heirs at law of the owner in accordance with the laws of descent and distribution of the State of Ohio, subject to the interment rights of the deceased and his or her surviving spouse. Where such a transfer of ownership results in multiple owners of any interment rights, each co-owner shall have the right to be interred in any co-owned interment space which has not been used at the time of their death, and the consent of the other co-owners shall not be required. Co-owners may not otherwise convey or authorize use of an interment right without the consent of all other co-owners.

610. Delays and Temporary Interments

The Cemetery shall not be liable for any delay in interment resulting from noncompliance with these Rules and Regulations or in any instance where the cemetery has received an objection to the interment from a person with any standing in the matter.

In order to be recognized by the Township, objections must be in writing and filed with the Township

Fiscal Officer.

611. Assignments and Transfers of Interment Rights

At this time, it is not the Cemetery's policy to repurchase interment rights, although the Cemetery reserves the right to do so. Owners of interment rights may assign and transfer their ownership rights subject to the provisions in Sections 603, 604, 606, and 609. All assignments and transfers must be recorded with the Township and are subject to a transfer fee (Schedule A). This procedure is required in order that the cemetery may at all times have a complete and accurate record of all owners. The Township shall make available to owners, upon request, the forms necessary to affect any sale or transfer of interment rights. The Township reserves the right to refuse to consent to an assignment and transfer of interment rights until the purchase price of the interment rights has been paid in full.

612. Changes by the Cemetery

The Township reserves the right to enlarge, reduce, re-plat or change the boundaries or grading of the cemetery from time to time, including the right to remove, re-grade, modify or change the locations of features, roads, drives, trees, shrubs, flowers, landscaping and walks. The Township further reserves the right to lay, maintain, operate, alter or change pipelines or gutters for sprinkling systems, drainage and lakes, as well as the right to use the Cemetery property not sold to owners for Cemetery purposes, including the interring and preparing for interment of dead human bodies, or for anything necessary, incidental or convenient thereto.

613. Prices and Fees

All prices and fees shall be as set forth in the attached Schedule A and as approved by the Township. Except as otherwise required by the Ohio Revised Code, prices and fees are subject to change.

614. Termination for Lack of Use

A. Time Within Which Cemetery Grave Space or Cemetery Lot Must Be Used

The Owner, a member of the Owner's family, or an Owner's descendant must use the Interment Space(s) within the Cemetery Lot within fifty (50) years of the date of purchase of the Interment Space.

The Owner shall have a right to renewal of the time for use of the Interment Space. Any such renewal shall be for an additional term of fifty (50) years and be provided to the Owner at no cost.

The terms of sale and any deed for Interment Space(s) purchased after the effective date of these Rules and Regulations shall be conveyed with a termination date and shall state that the Board shall have right of reentry to the Cemetery Grave Space or Cemetery Lot on the termination date if Interment Space(s) is not used within this time period or renewed for an extended period.

B. Right of Reentry – Failure to Meet Use Requirements

The Township shall have right of reentry to any Interment Space(s) purchased after the effective date of these Rules and Regulations if the Interment Space(s) is not used within fifty (50) years of the date of purchase or renewed for an extended period.

At least ninety days prior to the termination date for use of the Interment Space, the Board shall send a notice to the Owner to inform the Owner that the Owner's interest in the Interment Space(s) will cease unless the Owner contracts for renewal by that date. The Board shall send the notice by certified mail to the Owner if the Owner is a resident of the township or is a nonresident whose address is known. 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.

In order to establish reentry, the Board shall pass a resolution stating that the conditions of the sale or of the deed have not been fulfilled, and that the Board reclaims its interest in the lot.

The Board shall compensate Owners (if known) of unused lots who do not renew the terms of sale or the deed by paying the Owner eighty per cent (80%) of the purchase price.

VII. VISITORS AND PROHIBITED BEHAVIOR

701. Drug Use Prohibited

The possession or consumption of alcoholic beverages or illegal drugs within the cemetery is strictly forbidden.

702. Thefts and Damage

Except for the lawful owner thereof, no person shall remove any plant or flower, either wild or cultivated, from any part of the cemetery. All persons are strictly forbidden to break or injure any tree or shrub, to damage any memorial or to deface the grounds of the cemetery.

The Cemetery and the Township are not liable for theft or damage to any personal property, including artifacts or personal effects, placed on or near interment spaces or elsewhere in the cemetery.

703. Statuary, Benches, Chairs and Other Similar Objects

The installation of statuary, benches (except as permitted in Section 502), chairs and other like items is prohibited.

704. Criminal Mischief Laws Will Be Strictly Enforced

The Cemetery grounds are sacredly devoted to the interment of human remains and the provisions and penalties of law will be strictly enforced in all cases of intentional injury, disturbance and disregard of these Rules and Regulations and the Ohio Revised Code.

705. Cemetery Employees

Visitors and owners may not hire Cemetery employees, nor pay them to perform any service related to operation of the cemetery or that would create a conflict of interest.

706. Disorderly Conduct

No person shall be permitted to use profane or boisterous language or in any way disturb the quiet and good order of the cemetery.

707. Visitors

The Cemetery will be open to visitors and owners at all times between dawn and dusk. Any person entering the Cemetery at any other time without authorization from Township personnel will be considered a trespasser. Visitors must use the public entrance on State Highway 521 to enter or leave the cemetery.

Upon entering the cemetery grounds, all funeral activities, including funeral processions, are subject to the direction of a duly authorized representative of the Cemetery. Except as may be necessary to gain access to other interment spaces within the cemetery, persons within the cemetery grounds shall use only the avenues, walkways and roads.

Except as otherwise expressly permitted by the Township, hunting is strictly forbidden in the Cemetery.

Dogs must be on a leash at all times and solid waste caused by the animal must be removed.

708. Automobiles

Automobiles shall not be driven through the cemetery in excess of a safe speed and shall always be driven on the right side of the roadways. Speed limits are 10 MPH unless otherwise posted. Automobiles are not allowed to turn around on the roadways and are not allowed to park or come to a full stop in front of an open grave, unless in connection with a graveside service.

709. Firearms

Other than law enforcement authorities, visitors may not bring, carry or use firearms within the cemetery except in connection with a military guard of honor and military service or upon prior approval of the Cemetery. Visitors may not carry or use air or paint guns within the cemetery.

VIII. INTERMENTS

801. Locating Services and Identification of Human Remains

The person making the funeral arrangements with the Township and the funeral director, if different, shall designate the applicable interment space. The information used by the Township to locate the interment space must be available in ample time to allow preparation of the interment space. Any change of location made after the interment space has been opened for interment shall be at the expense of the responsible person.

The Township relies upon the identification of the deceased provided by the funeral director conducting the funeral services, next-of-kin or the authorized representative and shall have no obligation to independently establish or verify the identity of the remains to be interred.

802. Safety of Attendees

The Township may require that all persons attending an interment or disinterment remain at a safe distance, as determined by the cemetery personnel, from the interment space during the interment or disinterment process.

803. Interments by Cemetery or Authorized Personnel

All interments and dis-interments within the cemetery shall be performed only by Township personnel or persons authorized by the Township.

804. One-Person Limit - Additional Interments by Permission Only

The Cemetery permits the interment of only one person per interment space. Because the one- person limitation is established primarily to assure accurate records of interments and their location within the cemetery, the cemetery will generally subdivide interment spaces to allow an additional right of interment subject to the restrictions set forth in these Rules and Regulations (see Section 604, if the size of the existing interment space is large enough that it can be subdivided).

805. Cremated Remains

The scattering of cremated remains shall not be permitted on Cemetery grounds. The Cemetery does not have a scattering garden at this time. Cremated remains may be interred in a grave, subject to the limitation of one person or two cremains per interment space.

806. Scheduling of Interment Services

The Township must be provided with advance notice of all interments. In general, 48 hours prior notice is required, but exceptions will be made in cases of death from contagious disease, or as authorized by the cemetery. Additional time may be required when the ground is frozen.

The Cemetery may postpone or reschedule any interment service if, in the discretion of Cemetery personnel, too many services are concurrently scheduled, because of inclement weather conditions, or because of other conditions beyond the Cemetery's control.

807. Disinterments

All charges and fees for a disinterment must be paid in advance.

As a condition of performing any disinterment, the Township requires written authorization signed by the owner and the deceased's next-of-kin or their respective authorized representative on a form approved by the Township. Each disinterment must be conducted in accordance with state and local law and a disinterment permit is required.

The Cemetery shall exercise due care in conducting a disinterment, but shall assume no liability for damage to any human remains, casket or other type of inner burial container, outer interment container, or urn. When a disinterment is to be made from one interment space to another interment space within the cemetery and an outer interment container was not used in the original interment, an outer interment container meeting the Cemetery's specifications must be furnished by the person arranging the disinterment.

The Township will provide the following services for disinterment:

1. Location of the Interment Space to be disinterred.
2. Opening of the Interment Space.
3. Closing of the Interment Space after disinterment is complete.
4. Removing and, if applicable, reinstalling the Memorial.

The person arranging the disinterment must arrange all other necessary services from another service provider, including removing the human remains from the interment space, replacing interment containers if necessary, transporting the human remains and interring the human remains in the new interment space, wherever located.

808. The Township May Correct Errors

The Township reserves and shall have the right to correct any errors that may be made by the Cemetery in making an interment, a disinterment, or sales, transfers or conveyances of interment rights, including the right to substitute and convey in lieu thereof other interment rights of comparable value and similar location (to the extent possible) as selected by the Township. Alternatively, the Township, in its sole discretion, may refund the greater of the amount of money paid on account of the purchase of the interment rights or the current sale price of the interment rights, or services to which the error relates.

If the error involves the interment of the human remains in an incorrect location, the Township reserves and shall have the right to remove and transfer such remains to the correct location or to a similar location of comparable value selected by the Township. The Township shall have no liability as a result of any errors of the type described in this paragraph other than its obligation to take the remedial actions described in this section.

IX. INSTALLATION OF MEMORIALS BY AN INDEPENDENT THIRD PARTY

901. Damage to the Cemetery Grounds

A person installing a memorial shall be responsible to the Township for any damage caused to the cemetery grounds, including roadways, other than normal use.

902. General Requirements

1. Installation work shall cease during any nearby funeral procession or memorial service.
2. Installation work shall be done during the cemetery's normal weekday hours (9:00 a.m. to 4:00 p.m.) or at such other times as may be arranged with the cemetery.
3. A person selling a memorial shall review the rules of the cemetery to ensure that the memorial will comply with these rules prior to ordering or manufacturing the memorial. A memorial must comply with these Rules and Regulations. In the event of non-compliance, the person installing the memorial, or the person who hired the installer, is responsible for removal of the Memorial and shall pay any reasonable expenses of the Cemetery in connection with the Memorial's removal.
4. The installer shall follow the Township's instructions regarding the positioning of the Memorial. The amount of the Township's locating fee is set forth in Appendix B.

5. The installer shall carefully fill in any areas around the memorial with topsoil or sand, in accordance with the Township's written instructions.
6. The installer shall remove all equipment and any debris which has accumulated during installation of the memorial.
7. The installer shall check to see if any adjacent memorials have become soiled or dirty during installation of the memorial and, if so, shall clean the adjacent memorials.
8. If the installer damages any property at the cemetery, the installer shall notify the Township immediately. The installer, with the prior permission of the Township, shall repair the damage as soon as possible to the Township's satisfaction.
9. The Township may inspect the installation site of a memorial at any time. If the Township determines that cemetery rules are not being followed during the installation, the cemetery may order the installation to stop until the infraction is corrected.
10. The cemetery will provide written notice to the installer as soon as possible if the Cemetery believes that any of the following have occurred:
 - a. The Memorial has not been installed correctly.
 - b. The person installing the Memorial has damaged property at the cemetery.
 - c. Other cemetery requirements for installation have not been met, such as removal of debris or equipment.

X. AMENDMENTS

1001. Notice and Copies

A copy of these Rules and Regulations shall be made available for inspection and purchase at the Fiscal Officer's office. Copies will be produced to interested persons at the cost of reproduction as set forth in Appendix A. Owners are entitled to one set, and any amendments, without charge.

1002. Right to Revoke or Amend Rules

The Cemetery hereby reserves the right, at any time or times and without notice, to adopt new Rules and Regulations or to amend or repeal any existing rule or regulation.

1003. Exceptions and Waivers

Circumstances may arise in which the literal enforcement of these Rules and Regulations may impose an unnecessary hardship. The Township reserves the right to make exceptions, suspensions, or modifications of any rule or regulation without notice when, in its judgment, a waiver is advisable. Any such waiver shall not be construed as affecting the general application of these Rules and Regulations.

Adopted by Resolution 2012-09-11-01 effective September 12, 2012