

ORDINANCE NO. 2023.027

ORDINANCE TO AMEND ORDINANCE 2022.009 TITLED “ADDING VILLAGE OF BLANCHESTER CEMETERY RULES AND REGULATIONS AND DECLARING AN EMERGENCY”

WHEREAS, the Village of Blanchester passed Ordinance No. 2022.009 to establish the Cemetery Rules and Regulations for the operation of the Village of Blanchester Cemetery (“Cemetery”); and

WHEREAS, the current Cemetery Rules and Regulations set forth in Ordinance No. 2022.009 are no longer in the best interest of the Village of Blanchester;

WHEREAS, the Village of Blanchester desires to amend Ordinance No. 2022.009 pursuant to Ohio Revised Code Section 731.19; and

NOW THEREFORE BE IT RESOLVED, by the Council of the Village of Blanchester, Clinton County, Ohio that:

SECTION 1.

The Cemetery Rules and Regulations, as set forth in Ordinance No. 2022.009, titled “Adding Village of Blanchester Cemetery Rules and Regulations and Declaring An Emergency” is hereby amended, in its entirety, as shown in the attached Exhibit A.

SECTION 2.

The Village of Blanchester finds and determines that all formal actions of this Village concerning and relating to the adoption of this Ordinance were taken in an open meeting of the Village of Blanchester and that all deliberations of this Village of Blanchester that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION 3.

This Ordinance shall be read three times and shall be in full force and effect from and after the first date provided by law.

Josh Parks moved the adoption and Mrs. Lewis seconded the motion and the roll being called upon its adoption the vote resulted as follows:

Councilman Brumbaugh YES

Councilwoman Lewis YES

Councilman Garner YES

Councilman Parks YES

Councilman Hopkins YES

Councilman Gephart YES

Adopted this January day of 11, 2024.

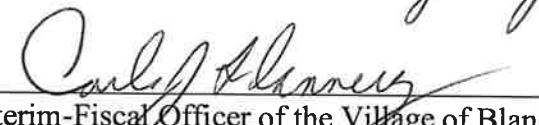


Mayor John Carman

Fiscal Officer's Certificate:
The State of Ohio, County of Clinton, ss:

I Carla Flannery, Interim-Fiscal Officer of the Village of Blanchester, Clinton County, and in whose custody the Files, Journals, and Records are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing Resolution is taken and copied from the original now on file with said Village, that the foregoing has been posted as required, has been compared by me with the said original and that the same is true and correct copy thereof.

Witness my signature, this day of January 11, _____, 2024.



Interim-Fiscal Officer of the Village of Blanchester, Clinton County, Ohio.

EXHIBIT A

2022.01 PURPOSE.

This chapter governs the Village of Blanchester's Cemetery and any other cemeteries acquired hereafter, and all matters related to operations and maintenance, including but not limited to the sale; repurchase and transfer of plots and niches; interments; disinterments; reinterments; care and maintenance of plots, niches, and graves; and any and all other subjects as may be incident thereto. Plots may be repurchased at twenty-percent (20%) less than purchase price. The Cemetery Board is hereby authorized to promulgate rules and regulations concerning cemetery matters in accordance with this chapter.

2022.02 CEMETERY BOARD.

A Cemetery Board of Trustees shall consist of three members, whose term of office shall be served in accordance with R.C. 759.20. The Board shall meet and conduct business in accordance with all local, state and federal statutes in accordance with Chapter 2022.009 of the Ordinances of the Village of Blanchester to ensure the proper maintenance and functions of all municipally owned cemeteries owned and operated by the Village of Blanchester including, but not limited to the Village of Blanchester Cemetery ("Blanchester Cemetery"). ~~The Cemetery Board shall meet at least once yearly and serve for a term of two (2) years.~~

2022.03 GENERAL POLICY.

- A. The cemetery shall be open every day of the year from sunrise to sunset.
- B. The cemetery ground shall be sacredly devoted to the burial of the dead.
- C. All work in the cemetery shall be done by employees of the Village, or with authorization from the Cemetery Board or Cemetery Board's authorized agent.
- D. No person shall discharge any firearm within the cemetery grounds, except in case of military funerals and on Memorial Day, without the written permission of the Cemetery Board or Cemetery Board's authorized agent.
- E. All visitors' vehicles shall remain on the driveways.
- F. All debris and discarded flowers shall be placed in trash containers.
- G. No ground decorations shall be permitted as of March 31, 2023.
- H. No person shall remove, cut, deface or destroy cemetery or Village property without authorization from the Cemetery Board or Cemetery

Board's authorized agent.

- I. If at any time any object or structure, or any part of any structure, within the cemetery shall be deemed objectionable or unsightly, the Cemetery Board or Cemetery Board's authorized agent shall have the authority to remove the same.
- J. No person shall drive any vehicle faster than ten miles per hour within the cemetery, or drive over any path or walkway.
- K. Recreational use of the cemetery is subject to authorization from the Board.
- L. No advertising shall be allowed in the cemetery.

2022.04 INTERMENTS.

A. Burials.

1. All remains can be permanently memorialized at I.O.O.F. Cemetery by being deposited in an interment space in the earth.
2. All interments on owner's lot shall be enclosed in an outer container of stone, concrete, steel, brick or synthetic material approved for burial purpose.
3. Cremated Remains. Cremated remains being in an urn may be buried in space in the earth. Under no circumstances shall the cemetery scatter cremated remains.

2022.05 DECORATIONS.

- A. Planting of flowers, flower pots, evergreens or bushy plants is strictly prohibited.
- B. The cutting and trimming of grass is one of the largest and most costly maintenance activities of the cemetery. Therefore, the placement of decorations or pots on the ground is strictly prohibited.
- C. The Village shall have the right to remove all floral designs, flowers and any and all adornments of any kind from the cemetery if, in the judgment of the Cemetery or Cemetery Board's authorized agent, they do not conform to the standards set forth herein.

2022.06 MONUMENTS.

- A. Markers or monuments shall be on foundations conforming to Village specifications. No foot stones shall be permitted except as a marker flush with the ground.
- B. All foundations shall be built by and in accordance with the specifications of the Village at the expense of the lot owner.

2022.07 CLERK OF CEMETERY OPERATIONS.

The Board of Trustees hereby creates the title and position of Clerk of Cemetery Operations whose selection, duties and compensation shall be as are hereinafter provided. Such position shall be considered a regular full-time position or part-time with the following terms and conditions:

- A. The Clerk of Cemetery Operations shall be appointed by and serve at the pleasure of the Cemetery Board
- B. The Clerk of Cemetery Operations shall be under the direct supervision of the Cemetery Board and shall keep accurate record of all proceedings concerning the I.O.O.F. Cemetery and shall perform such other duties as assigned by the Cemetery Board or Cemetery Board's authorized agent.
- C. The Clerk of Cemetery Operations, as a regular full-time or part-time position, shall receive as compensation a salary within the range fixed by Council per annum, which shall be, payable in equal biweekly installments and shall receive such other benefits to which all regular full-time or part-time Village employees are entitled, including, but not limited to, vacation leave, sick leave and insurance benefits.

2022.08 FEES AND SERVICES

- A. A schedule of fees for all services provided by the Blanchester Cemetery shall be set by the Cemetery Board and shall be made available through the Village of Blanchester's website.
- B. All funerals are to arrive at the Blanchester Cemetery no later than 2:45 p.m. on weekdays and by 12 noon on weekends. An additional charge of \$100.00 for the first hour and an additional \$100.00 for each subsequent hour will accrue on arrivals later than these times.
- C. It is not the policy of the Village to open or close graves on Holidays or Sundays, unless arrangements are made in advance with the approval of the Cemetery Board or Cemetery Board's authorized agent.

2022.09 PENALTY

Whoever violates any of the provisions of this chapter shall be guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) and the costs of prosecution.