

McKendree Cemetery

Goshen Township, Hardin County

The cemetery grounds are open Dawn until dark daily.

~ Rules & Regulations ~

Jurisdiction of the McKendree Cemetery falls under the authority of the Goshen Township Board of Trustees. The Goshen Township Board of Trustees carry out and enforce the following rules and regulations and all matters concerning the operation and maintenance of McKendree Cemetery. The Goshen Township Fiscal Officer handles record keeping

Purpose

The rules established here are designed for the protection of the lot owner's. Enforcement of these rules will help protect our cemetery and preserve its beauty. It is the intention of the Goshen Township Trustees to establish and enforce these rules and regulations for the express purpose of ensuring that the McKendree Cemetery remain one of the townships major assets.

Definitions

Township Trustee – Elected officials who will be responsible for adopting all rules and regulations.

Fiscal Officer – Elected official who will be responsible for all record keeping and contact with the State of Ohio regarding cemetery.

Private Contractors – May do variety of jobs contracted by the Township trustees. All contractors will report to the trustees.

Residents – Residents are those who reside within the boundaries of Goshen Township. All others are considered non-residents.

Monuments – Will mean headstones, footstones. plaques, etc. for the purpose of these regulations.

General

1. McKendree Cemetery shall be under the control of a the Goshen Township Trustees and the Fiscal Officer.
2. Goshen Township reserves the right to modify the layout of the cemetery as appropriate and necessary.
3. The cost of all graves, interments and other fees are set by the Township Trustees and may change at any time without notice. Copies of these fees are available by contacting the Fiscal Officer.
4. Residents may purchase graves for non-resident family members; however, the grave will be deeded to the resident purchasing the grave.
5. Purchase of graves shall be made through the Goshen Township Fiscal Officer or a Trustee.
6. Purchases of graves will receive a deed entitling them to use the grave for burial of human remains, subject to the rules and regulations of Goshen Township.
7. Once purchased, the grave owner may designate or allow any person to be buried in the grave; however, graves may not be sold to anyone except back to the Township for the original purchase price.
8. If the owner of a grave gives permission for others to be buried in a remaining grave, that permission must be in writing, signed, notarized and turned into the township office. It will then be duly recorded in the proper books for future reference.
9. Upon the death of a grave owner, all remaining graves purchased by the owner will descend to their heirs as stated in their will or in accordance with the laws of descent of the State of Ohio. - ORC 517.07 -
10. Upon an ownership deed, transfer a notarized affidavit must be filed with the Township Office and will be accessed a \$20.00 charge for deed transfer.

- (A) The grantee shall provide the Board of Township Trustees, in writing, a list of the names and addresses of the persons to whom the grantee's property would pass by intestate succession.
- (B) The grantee shall notify the board in writing of any subsequent changes in the name or address of any persons to whom property would descend.
- (C) Any person who receives a McKendree cemetery lot by gift, inheritance, or any other means other than the original conveyance shall, within one year after receiving the interest, give written notice of the person's name and address to the township, and shall notify the board of any subsequent changes in the person's name or address.

Buying of Lots

1. Burial Rights may be purchased in McKendree Cemetery through the Board of Trustees or the Fiscal Officer. The Fiscal Officer maintains a receipt of purchase, showing location, area and purchase price of the lot. A Certificate of Ownership is issued from the Fiscal Officer to the burial rights owner(s).
2. The transfer of burial rights requires a proper affidavit be presented to the Board of Trustees for filing with the Fiscal Officer. There is a \$20 (twenty dollar) fee for filing of affidavits related to the transfer of burial rights.
3. Lots shall be used only for purposes of burial. *No pets, cars, motorcycles etc. shall be buried with the deceased.*

Burial & Interment

1. All burials will conform to the rules of the Board of Health of the State of Ohio.
2. A request for a burial shall be made to the Township no less than 48 hours prior to the time of interment. The township or its designated contractor will dig all graves.
3. Burials will only be permitted with a proper burial permit signed by the funeral director and accompanied by a check for applicable fees.

4. If the requesting individual is not the lot owner or immediate family of the lot owner, permission in writing by affidavit from the lot owner must be presented to the Board of Trustees before burial is permitted.
5. All interments will be subject to certain charges, which must be paid to the Fiscal Officer prior to burial unless prior arrangements have been made. A current fee schedule is available from the Fiscal Officer.

There will be no burials on Sundays or the following holidays: New Year's Day, Easter, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas.

6. Vaults are required for all burials, including in the case of cremations. Only 1 (one) full-size fault burial is permitted per grave space. *Mausoleums are not permitted.*
7. No more than 4 (four) cremation burials will be allowed per grave. No more than 2 (two) cremations are allowed on a grave with a standard size burial, or as space can allow.
8. Graves will be opened and closed only by the Board of Trustees or their contractor.
9. Persons requesting a body be moved from one part of the Cemetery to another must have permission from the Board of Trustees and will be charged according to the current fee schedule.
10. Anyone of the ages of 12 (twelve) years old and older will be charged and buried as adults. Children ages 1 (one) to 11 (eleven) years old will be charged and buried as a child. Children younger than 1 (one) year will be deemed an infant.

Disinterment

1. Disinterment will be made in a manner prescribed by the laws of the State Of Ohio
2. Disinterment will be arranged with the Goshen Township Trustees no less than two weeks prior to the disinterment and paid in advance.

Indigent Funerals

ORC Section 9.15 provides that a township has a statutory obligation to pay for the burial or cremation expenses for deceased indigents who were living in the township at the time of their death.

As used in this section, "legal residence" means a permanent place of abode used or occupied as living quarters at the time of a person's death, including a nursing home, hospital, or other care facility.

When the body of a dead person is found in a township or municipal corporation, and such person was not an inmate of a correctional, benevolent, or charitable institution of this state, and the body is not claimed by any person for private interment or cremation at the person's own expense, or delivered for the purpose of medical or surgical study or dissection in accordance with Section 1713.34 of the Ohio Revised Code, it shall be disposed of as follows:

- (A) If the person was a legal resident of the county, the proper officers of the township or Municipal Corporation in which the person's body was found shall cause it to be buried or cremated at the expense of the township or Municipal Corporation in which the person had a legal residence at the time of death.
- (B) If the person had a legal residence in any other county or state at the time of death, the superintendent of the county home of the county in which such body was found shall cause it to be buried or cremated at the expense of the township or municipal corporation in which the person had a legal residence at the time of death.
- (C) If the person was an inmate of a correctional institution of the county or a patient or resident of a benevolent institution of the county, the person had no legal residence in the state, or the person's legal residence is unknown, the superintendent shall cause the person to be buried or cremated at the expense of the county.

Such officials shall provide, at the grave of the person, or, if the person's cremated remains are buried, at the grave of the person's cremated remains, a metal, stone or concrete marker on which the person's name and age, if known, and date of death shall be inscribed.

A political subdivision is not relieved of its duty to bury or cremate a person at its expense under this section when an indigent person claims the body. As used in this section, "indigent person" means a person

whose income does not exceed one hundred fifty percent of the federal poverty lines, as revised annually by the United States department of health and human services in accordance with Section 673(2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C. 9902, as amended, for a family size equal to the size of the person's family.

Care of Lots

- 1) Decorations are not to exceed one foot away from the headstone. Flowerbeds that protrude on the back or sides of the headstone may (in some cases) intrude upon someone else's lot. Should this occur, the decorations may have to be removed. Decorating is to be at the headstone line only. There is to be no fencing, masonry pavers or rocks placed around flowerbeds.
- 2) Trees, shrubs, rose bushes or hedges are not permitted. Those now in existence will be removed if not kept trimmed by the owner. A bush or hedge may be removed if it interferes with a burial, placement, a marker, or other grave spaces (s) at the discretion of the Board of Trustees.
- 3) Statues or figurines may be no taller than 18" (eighteen inches) and must be contained within the 1' (one foot) planting area around the headstones. Posts or shepherd hooks for hanging baskets are also prohibited. Hanging solar lights are permitted within the planting area but may be no taller than 18" (eighteen inches). There is to be no decorative stone groundcover.
- 4) The Board of Trustees at their discretion will remove all live and artificial flowers (including wreaths) that become unsightly.
- 5) All benches, seats and urns must be contained within the planting area and maintained by the owner. If they become rusty, unpainted or broken, the Board of Trustees at their discretion may remove them.
- 6) Items placed on graves are at the owners' own risk. The Board of Trustees shall not be held responsible for lost, stolen, or broken items nor for damage to flowers or other plant
- 7) Winter wreaths and other decorations must be removed by April 1st. Summer decorations must be removed by October 1st.

- 8) Type and placement of trees purchased for the cemetery will be at the discretion of the Board of Trustees. Persons wishing to place trees at the cemetery should contact the Board of Trustees.
- 9) The Board of Trustees retains all rights above ground as to what may be placed on the graves.

Monuments

- 1) Persons wishing to erect a monument shall seek the permission of the Board of Trustees.
- 2) Monuments may be no wider than the grave(s) for which they are intended.
- 3) The foundation for all monuments, markers, stones, etc.. will be installed by the contractor chosen by the Board of Trustees. A permanent and firm foundation is necessary to allow the monument or marker to remain standing erect over time. Charges for foundations are made through the monument company.
- 4) Markers must be made of marble or granite. The use of cement or metal is not permitted. Bronze military plaques are permitted.
- 5) The Board of Trustees reserves the right to prohibit or to remove any headstone or monument to inappropriate or offensive due to size, shape or inscription.

Conduct

- 1) The Cemetery will be open daily from Dawn until Dark.
- 2) The playing of games, illicit parking, the playing of loud music or other excessive noise and other improprieties are prohibited.
- 3) Children shall not be left unattended.
- 4) Littering is prohibited.
- 5) Discharging a firearm is not permitted within the Cemetery except for a military funeral or salute.

- 6) Persons not following the rules and regulations shall be asked to leave the Cemetery grounds.

Motor Vehicles

1. Motor vehicles shall not be driven through the grounds at a speed greater than 5 miles per hour and must remain on the roads. Unlicensed motor vehicles or snowmobiles are not permitted in the Cemetery.
2. Vehicle horns must not be sounded in the Cemetery. Engines shall be turned off on stopped vehicles.
3. Vehicles are not allowed to turn around upon burial or grassy areas. Vehicles must stay on roads at all times.

**** All Rules and Regulations Listed in This Brochure are
Subject to Change without Notice.**

Goshen Township Board of Trustees

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