



# CANFIELD TOWNSHIP

Mahoning County, Ohio

21 S. Broad Street • Canfield, Ohio 44406 • 330-533-4239

## Dean Hill Cemetery

### *Rules & Regulations*

#### **Section 1 – Purchase of Lots:**

1. Cemetery lots shall be purchased at Canfield Township Office, 21 S. Broad Street, Canfield, or directly from the Township Sexton.
2. All Lots must be paid for at the time of purchase.
3. Fees are:

Lots for Canfield Township Residents	\$ 500.00
Lots for Non-Residents	\$ 600.00
Grave opening for Canfield Township Residents	\$ 500.00
Grave opening for Non-Residents	\$ 600.00
Cremation Burial for Residents	\$ 250.00
Cremation Burial for Non-Residents	\$ 300.00
Saturdays an additional	\$ 300.00

4. Checks must be made payable to Canfield Township Trustees.
5. Deeds shall be issued by Canfield Township Trustees and or the Fiscal Officer.  

Deeds shall be transferred upon request by the legal owner and upon approval of the Trustees, then new Deeds will be issued and the Sexton will be notified, only then can the new owners use the lots.
6. Lots may be transferred or sold back to Canfield Township Trustees.
7. Single lots shall be sold if available.

#### **Section 2 – Repurchase of Cemetery Lots (R.C. 517.07):**

1. Canfield Township may repurchase any cemetery lot or burial space from the owner upon receipt of a written request of said owner. The Township will pay the owner the original purchase price of the lot or burial space, as listed on the deed or otherwise in the Township records, for the cost of the lot or burial space. If the owner is deceased and the heir wishes to sell the lot or burial space to the Township, it is the responsibility of said heir to provide satisfactory evidence that they are the lawful heir of the decedent. In the event there is more than one heir, all heirs must consent.

### **Section 3 – Transfer of Deeds from Owner to Other Relatives:**

1. If the lot owner wishes to transfer a cemetery deed(s) to another family member then the Burial Rights Transfer Form (which is found on the Township website) must be completed. The original Transfer Form will be maintained by the Township and new deed(s) will be issued under the named individual. If the applicant is a township resident a fee of \$25.00 (twenty-five) dollars per deed will apply. If the applicant is a non-township resident a fee of \$50.00 (fifty) dollars per deed will apply.
2. If the owner is deceased, Canfield Township will transfer a cemetery deed only upon order of the Mahoning County Probate Court or another Court of competent jurisdiction, unless the terms of sale and deed provide otherwise, in accordance with R.C. 517.073 or any other lawful provision.

### **Section 4 – Interment and Inurnment:**

1. All burials shall be restricted to human remains.
2. Interment shall mean burial of the remains of a deceased human being.
3. Inurnment shall mean the burial of cremated human remains.
4. A burial vault is an outside burial container used to encase human remains and shall be made of concrete or metal.
5. Burial vaults are required for all interments and inurnments.
6. Green burials and natural burials are prohibited.
7. The scattering of cremated remains on cemetery grounds is prohibited.
8. Permits for burial are required and issued by the Mahoning County Board of Health.
9. All openings and closings shall be paid in advance of the performed service.
10. Funerals shall be permitted Monday through Friday and be concluded by 5pm.
11. Burials shall not be permitted on Sundays or Holidays.
12. Grave occupancy:
  - a. One full burial per lot
  - b. Cremations one or two shall be permitted
  - c. A full burial and a cremation shall be permitted in a single lot only when the full burial occurs first
13. The Sexton upon approval by the Trustees has the right to have authorized parties appear at the cemetery to select the correct grave to be opened and to sign an authorization form designating such.

### **Section 5 – Disinterment:**

1. All disinterment or disinurnments shall comply with cemetery rules and regulations and Ohio State Law. Application for such must be made by next of kin of the deceased and with consent of the owner of the lot, if different.
2. All openings and closings must be paid in advance of the performed service.
3. The Sexton shall use utmost care in disinterments, but will not assume any liability for damage incurred.
4. An applicant must be at least 18 years of age and of sound mind to apply for disinterment.

5. No disinterment shall be allowed if the decedent died of a contagious or infectious disease until a permit has been issued by the board of health of a general health district or city health district.
6. Application for disinterment shall be made by the surviving spouse or by order of the Mahoning County Probate Court under R.C. 517.24 (B).
7. The applicant, at their own expense, must procure the actual party who will perform the disinterment. The party performing the disinterment must show proof of insurance prior to performing any service. Furthermore, the applicant will be responsible for any damages caused by said disinterment and must agree, in writing, to indemnify and hold harmless the Township.
8. Applicant shall have thirty days from the receipt of the Resolution of the Board of Trustees granting the Application for Disinterment or from the Probate Court Order to perform the disinterment.
9. All work must be scheduled with the Canfield Township Cemetery Sexton.
10. The applicant shall file a Verification of Reinterment within thirty (30) days from disinterment that the remains of the decedent have been reinterred.
11. A payment of \$1,000.00 dollars and/or other approved amounts may apply for the opening and closing of the grave and will be paid to the Township before the disinterment is scheduled.
12. Further subject to R.C. 517.23 and R.C. 517.24 as amended from time to time.

#### **Section 6 – Monuments and Markers:**

1. Monuments and markers shall be set on concrete foundations. Said foundations shall only be installed by Canfield Township personnel.
2. Foundations must be paid for in advance of the performed service. Foundation fees are \$0.50 per square surface inch.
3. Foundations shall not be installed from November to April; and as weather permits.
4. All monuments and markers must meet the cemetery's specifications.
  - a. Lettering is allowed on both sides provided the stone is finished or polished on each
  - b. The monument base shall not exceed the dimension of the foundation
  - c. Monuments must be cut to properly fit the foundation or the monument company will be responsible for the expense of pouring a new foundation
  - d. All monuments and markers must be kept in line within the section
  - e. No monuments or markers shall be allowed at the grave unless the foundation is complete
  - f. Only one monument or marker shall be permitted per grave and must be placed at the head of the grave
5. Monument companies erecting monuments and markers assume all liability for damage to lawns, trees, shrubbery, other fixtures, etc.

#### **Section 7 – Cemetery Care:**

1. Canfield Township

- a. Assumes responsibility for cutting the grass, removing leaves and trash
  - b. Leveling and filling sunken graves to keep level with surroundings
2. Decorations and Plantings
- a. April 1 to November 15 -- flags, summer decorations and flowers shall be permitted and not to exceed six items per grave
  - b. December 1 to March 15 – wreaths or holiday decorations shall be permitted and not to exceed six items per grave
  - c. Signs, banners, and balloons shall be prohibited
  - d. Graves exceeding 6 items shall be brought into compliance by the Sexton
  - e. Items not removed by the indicated dates shall be removed by the Sexton
3. Planting of trees or shrubbery shall be prohibited

**Section 8 – Grounds:**

- 1. In order to promote, preserve or improve the appearance, dignity and safety of the cemetery the following is necessary:
  - a. The Cemetery shall be closed from dusk to dawn
  - b. Automobiles shall not be driven through the cemetery at a speed greater than the posted 10 miles per hour speed limit
  - c. No parking shall be permitted on the grass and caution shall be taken not to block the narrow drives
  - d. No one shall be permitted to sit or lounge on the grounds, graves or monuments
  - e. Children shall not be permitted to use the cemetery as a playground
  - f. Pets shall be prohibited in the cemetery with the exception of animals aiding the handicapped
  - g. Under no circumstances shall glass vases be placed on a grave
- 2. The Sexton shall have responsibility for the cemetery and enforcing all of the above stated rules and regulations.

**Section 9 – Lost Deeds:**

- 1. If Canfield Township receives a written request to replace a lost deed, the Board of Trustees will review the request and approve the replacement deed only to the lot owner upon sufficient proof of ownership and completion of an Affidavit of Ownership and Indemnification.
- 2. If the owner is deceased, Canfield Township will replace a lost deed only upon order of the Mahoning County Probate Court or another Court of competent jurisdiction.

*If any section or portion of these Rules and Regulations is determined to not be in compliance under Ohio Revised Code Chapter 517 Cemeteries, said Chapter shall supersede that section or portion of the Rules and Regulations.*

Motion 2022-94 11/15/2022  
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