



Beech Grove Cemetery Rules and Regulations

The Beech Grove Cemetery located at 436 Fleming Road, is owned and operated by the Springfield Township Board of Trustees, Hamilton County, Ohio. The cemetery is operated in conformance with the Ohio Revised Code as well as the rules and regulations established by the Board of Trustees. The Board of Trustees is responsible for the maintenance of all cemetery facilities, including but not limited to the roads, drives, grounds, buildings and other physical properties. The Board of Trustees, in compliance with the Ohio Revised Code, may create, eliminate, modify, or otherwise alter the rules and regulations at any time. Those who are not compliant with the rules and regulations are subject to civil penalties and/or criminal prosecution as applicable.

1. Definitions:

- a. Casket – used interchangeably with coffin; the burial vessel for the deceased.
- b. Cemetery - all the land for earth burials and buildings for Inurnments (Niches) at Beech Grove Cemetery.
- c. Cemetery Lot – an individual parcel of land for earth burials.
- d. Columbarium – a building with niches for funeral urns to be stored.
- e. Cremains – cremated remains.
- f. Disinterment -- the recovery of human remains by exhumation, disentombment, or disinurnment.
- g. Interment - burial in the earth or above ground in a niche.
- h. Monument – grave marker used to identify and memorialize the deceased.
- i. Niche - an above ground burial space, sized for an urn containing cremated remains of a body.
- j. Owner - the original purchaser or transferee of the deed.
- k. Township – Springfield Township, its Board of Township Trustees, its employees and any person designated as cemetery sexton.
- l. Vault - an outer container holding either a casket or urn.

2. Visitation and Access to the Cemetery:

- a. The cemetery is open to the public from dawn to dusk every day.
- b. Children under the age of sixteen must be under adult supervision while in the cemetery.
- c. Loitering is not permitted.
- d. The speed limit within the cemetery is 10 MPH.
- e. Vehicles must remain on paved services at all times.
- f. Animals and pets are not permitted in the cemetery. Documented service animals are permitted.
- g. Alcohol, illegal substances, and firearms are prohibited.
- h. Visitors shall observe good order while in the cemetery.
 - i. Loud talking, loud music, excessive vehicle noise, or any other type of disruptive behavior is not permitted.
 - ii. The touching of monuments or headstones or removal of decorations without the permission of the owner or owner's heirs is strictly prohibited.
 - iii. Persons visiting cemetery lots or columbarium niches during the services for adjoining lots or niches should be respectful and consider (if possible) making another visit at another time.
 - iv. All trash must be removed.
- i. No person shall remove any flowers, trees, shrubs, or bushes without the permission of Springfield Township.

3. Placement of Decorations or Memorials on Cemetery Lots and Columbarium Niches:

- a. Flowers, flags, wreaths or other decorations ("decorations") may be placed on cemetery lots so long as they are consistent with these regulations.
- b. During mowing season, April 1st through November 30th, decorations shall be kept in urns and stone saddles. No decorations may be placed on the ground during this time.
- c. Christmas decorations must be removed by March 1st. Memorial Day and special holiday decorations may remain for two weeks after any holiday (other than

Christmas. Only artificial flowers are permitted from Nov 1st until March 1st of the following year. Fresh flowers must be used at all other times during the year.

- d. Decorations must be placed within a 2-foot area immediately adjacent to the corner and in front of each headstone on any cemetery lot.
- e. Items of food may not be left in any area of the cemetery.
- f. The planting of flowers, shrubs, bushes, vines, or trees is prohibited. Landscape timbers are likewise prohibited.
- g. Trees, bushes, shrubs, vines, decorative stone, and landscape timbers are not permitted. Glass items such as vases, jars, etc. are not permitted as they present a hazard to visitors and cemetery workers.
- h. Coping, fences, curbing, steps, benches, any structure made of wood, arches or other supports for hanging baskets or urns are prohibited.
- i. The use of any decoration of a columbarium niche is prohibited.
- j. Decorating the surrounding trees, shrubs and landscape with ornaments, statues, wind chimes, bird feeders, stepping stones, shepherd's hooks, etc., is not permitted. These items could become caught in mowing equipment and could endanger visitors and cemetery workers.
- k. Springfield Township will remove and discard decorations remaining after the time period for which they are permitted,
- l. Springfield Township reserves the right to remove and discard any decoration or memorial which it deems to be obscene, distasteful, unsightly, dangerous, an impediment to its mowing or other maintenance operations, or otherwise prohibited by these regulations without notice to, permission of, or compensation to the cemetery lot or columbarium niche owner.
- m. Springfield Township is not responsible for the theft, disappearance or wildlife damage of any decoration and reserves the right to immediately remove any decoration which does not comply with these decoration regulations.

4. Purchase of Cemetery Lots or Columbarium Niches:

- a. Springfield Township shall sell the number of cemetery lots and columbarium niches as it deems feasible in the cemetery, taking into consideration the demand for such lots by residents of the Township, the topography of the cemetery, the costs of providing interment services, and the costs of maintaining the cemetery.

- b. The cost of all cemetery lots and columbarium niches and other fees are set by the Township Trustees and may change at any time without notice. Copies of these fees are available at the Springfield Township Administration Building located at 9150 Winton Road Cincinnati, Ohio 45231.
- c. Deeds shall be provided to persons purchasing cemetery lots and columbarium niches and shall be recorded by the Township Fiscal Officer in a book or books created and maintained for that purpose. The expense of recording the deed, if any, shall be paid by the person receiving the deed. Deeds to cemetery lots or columbarium niches grant a right of burial and/or the disposition of cremains and do not convey any other title or right to the cemetery lot or columbarium niche sold.
- d. Deeds provided to persons purchasing cemetery lots and columbarium niches after July, 2019 which remain vacant for forty (40) years or more from the date of their sale shall automatically revert to the Township upon the occurrence of the statutory procedures outlined in Section 517.07 or hereafter enacted section of the Ohio Revised Code. The terms of sale and any deed for lots or niches conveyed after July, 2019 shall specifically notify the owner of the termination date and the Township's right of reentry to the lot or niche at the end of the forty (4) year period if the lot or columbarium is not used within this time period or renewed for an extended period.
- e. Upon purchasing a cemetery lot or columbarium niche, the owner shall provide to the Township, in writing, his/her mailing address and a list of the names and addresses of the person to whom the owner's cemetery lot or columbarium niche may pass by intestate succession.
 - i. The owner shall notify the Township in writing of any subsequent changes to his/her address; and
 - ii. The owner shall notify the Township in writing of any subsequent changes in the name or address of any persons to whom the cemetery lot or columbarium niche would descend.
- f. Springfield Township reserves the right to modify the layout of any cemetery as it deems appropriate or necessary. The Township shall have the right to correct any errors that may be made concerning interments, disinterments, or in the description, transfer or conveyance of any cemetery lot or columbarium niche, either by canceling the deed for a particular vacant cemetery lot(s) or columbarium niche(s) and substituting and conveying in lieu thereof another vacant cemetery lot or columbarium niche within the cemetery or by refunding the money paid for the cemetery lot or columbarium niche to the owner or the successor of the owner. In the event that an error involves the interment of the remains of any person, the Township shall have the right to remove and transfer the remains so interred to another cemetery lot or columbarium niche in the cemetery in accordance with law.

5. Authorization to Inter or Place A Person Other than the Owner in a Cemetery Lot or Columbarium Niche:

- a. The owner of a cemetery lot or columbarium niche may allow another to be interred or placed in the owner's lot or niche, providing that the owner submits a notarized authorization form for such interment or placement to the Township, in advance of such interment or placement.

6. Transfer of Cemetery Lot or Columbarium Niche:

- a. Upon the death of the owner of a cemetery lot or columbarium niche, the control of the unused or undesignated cemetery lot or columbarium niche shall be transferred to the legally designated beneficiary or beneficiaries of the owner. If no one is designated, all remaining lots or niches of the owner shall descend to his or her heirs in accordance with laws of descent of the State of Ohio. All such transfers shall comply with the requirements of this section.
- b. The owner of any cemetery lot or columbarium niche may transfer the deed to such cemetery lot or columbarium niche. All such transfers shall comply with the requirements of this section.
- c. Any person who receives a cemetery lot or columbarium niche by gift, inheritance, or any means other than the original purchase from the Township shall, within one year after receiving the interest, give written notice of the person's name and address to Springfield Township.
 - i. Upon receipt of the notification of the transfer of the interest in a cemetery lots or columbarium niche, the Township shall request proof of transfer by:
 - 1. An affidavit of the owner verifying the transfer; or
 - 2. If the owner is deceased, an affidavit of the transferee with supporting documentation to verify that the owner is deceased and the transferee is the rightful heir of the owner and entitled to inherit the cemetery lot or columbarium niche as a designated beneficiary thereof or by means of the laws of descent of the State of Ohio.
 - ii. Upon verification of the legitimate transfer of the cemetery lot or columbarium niche, the Township shall issue a new deed designating the transferee as the owner of the interest in the cemetery lot or columbarium niche. A \$15.00 administrative fee will be charged for all deed transfers. Transfers shall be effective only upon the written approval of such transfer by the Township and issuance of a new deed. The new deed shall be entered by the Township Fiscal Officer in the book or books created and maintained for that purpose and the original deed shall be cancelled.

- d. Any person to whom a transfer deed is issued shall provide to the Township, in writing, his/her mailing address and a list of the names and addresses of the person to whom the transferee's cemetery lot or columbarium niche may pass by intestate succession.
 - i. The transferee shall notify the Township in writing of any subsequent changes to his/her address; and
 - ii. The transferee shall notify the Township in writing of any subsequent changes in the name or address of any persons to whom the cemetery lot or columbarium niche would descend.

7. Renewal of Termination Period for Vacant Cemetery Lots or Columbarium Niches: At least thirty (30) days prior to the termination date for use of the cemetery lot or columbarium niche, the owner of a vacant cemetery lot or columbarium niche may request a renewal of the termination period for an additional ten (10) years. A timely request for renewal shall be granted by the Township unless to do so creates an undue hardship with regard to cemetery maintenance or planning. Renewals shall be recorded by the Township Fiscal Officer in the book or books created and maintained for this purpose.

8. Forfeiture of Vacant Cemetery Lots or Columbarium Niches/Township Right of Reentry

- a. Upon Failure to Comply with Notification Requirements: If the owner of any cemetery lot or columbarium niche fails to comply with the requirements to: (1) notify the Township of his/her name and mailing address and any subsequent changes thereto or (2) to notify the Township of the names and addresses of any persons to whom the owner's cemetery lot or columbarium niche may pass by intestate succession and any subsequent changes thereto, the Township shall have the right to reenter the cemetery lot or columbarium niche and forfeit the rights of the owner thereto. All forfeiture proceedings shall comply with Section 517.07 or hereafter enacted controlling section of the Ohio Revised Code.
- b. Upon Vacancy 40 Years after the Purchase of the Cemetery Lot or Columbarium Niche: Cemetery lots and columbarium niches sold after July, 2019 which remain vacant for forty (40) years or more from the date of their sale, without renewal, shall automatically revert to the Township upon the occurrence of the forfeiture procedures established in Section 517.07 or hereafter enacted controlling section of the Ohio Revised Code.

9. Repurchases of Lots or Columbarium Niches: The Township may repurchase any cemetery lot or columbarium niche from the owner at any time at a price that is mutually agreed upon by the Township and the owner.

10. Cemetery Lot and Columbarium Niche Opening Charges: The Township may charge reasonable fees for the opening and closing of any cemetery lot or niche prior to and

following a burial therein, including the interment of ashes. Such fees shall be set from time to time by resolution of the Township Board of Trustees. No cemetery lot or niche shall be opened or closed except under the direction and control of the Township.

11. Interment and Placement in Columbarium Niche:

- a. Only one (1) person shall be buried in a cemetery lot
- b. No more than two cremains shall be placed in any columbarium niche.
- c. Not less than a 48-hour prior notice shall be given to the Township in advance of any funeral to allow for the opening of the cemetery lot or preparation of the columbarium niche.
- d. Interments will only take place once a proper burial permit is signed by the funeral director.
- e. An interment fee shall be collected by Springfield Township prior to burial.
- f. Interment will be scheduled only after presentment of the original deed or certificate of title and after all required fees and costs have been paid for the cemetery lot . ***If the original deed or certificate of title cannot be produced, legal proof of ownership shall be provided to the Cemetery Sexton or Public Works Director with a notarized affidavit indemnifying Springfield Township from any claim associated with said interment.***
- g. To ensure the safety of persons attending burials, NO ONE may attend the lowering of the casket after the service.
- h. No one may open a casket that is in the confines of the cemetery without the proper legal authority, and where necessary, only by order of a court of competent jurisdiction.
- i. All caskets of the deceased will be encased in a top sealed concrete vault. Caskets for infants will be encased in a non-decomposable baby vault. Cremation remains should also be in cremation vaults or urns.
- j. Cremains shall not be buried on an existing cemetery lot without the proper documentation and authorization, approved by the Township. Cremains may not be scattered anywhere in the cemetery.

12. Disinterments: No disinterment or removal shall be allowed except for a good reason and with the permission of the Township. Disinterment may be performed upon the order of probate court, application by a surviving spouse, or by direction of the Township to correct an interment error as outlined in Ohio Revised Code §517.23. The Township, without written application or order of a court, can make a disinterment and re-interment to correct an

interment error. Owners acknowledge on behalf of themselves, their heirs, successors, and assigns that Beech Grove Cemetery has the right to correct any errors that involve the interment of the deceased person. The Township shall notify the decedent's last known next of kin prior to disinterment.

- a. All requests for disinterment must be made in writing to Springfield Township on the form provided by the Township. All disinterment requests must be notarized and provide the necessary information required by the Ohio Revised Code.
- b. If the request is approved, the applicant shall pay all reasonable costs and expenses associated with the disinterment in advance.
- c. The Township shall exercise due care in making a disinterment and removal, but assume no liability for the damage to any casket or outer container incurred in making the disinterment and removal (unless the disinterment is performed by the Township to correct an interment error).
- d. The hour and manner in which disinterments and removals are performed shall be at the sole discretion of the Township. Families are not permitted to witness the disinterment procedure but will be notified upon the completion of the services.

13. Monuments:

- a. All monuments shall be approved by Springfield Township. Only marble, granite, or bronze will be allowed. Monuments may only contain appropriate text, designating the name, date of birth, date of death, military service, and brief remembrances. Pictures, photographs, illustrations and other graphic designs shall not be permitted.
- b. All monuments and urns shall be placed on a concrete foundation installed by the Township, at the owner's expense. The Township may determine that a "concrete strip" be used in lieu of an individual foundation.
- c. All monuments installed after June 1, 2019 shall be no taller than 2 feet above the foundation.
- d. Monuments may be situated over a single grave or centered over two graves.
- e. Cemetery employees will generally pour foundations twice per year. Once at the beginning of May and again at the beginning of October. Special pours are allowed; however, the cost of the foundation may substantially be increased due to labor and short load concrete costs.
- f. Township employees or designated contractors shall perform all labor. This includes, but is not limited to, placing of monuments and markers, construction of concrete foundations, excavating and backfilling graves.

- g. Persons responsible for ordering monuments shall provide the Township with at least 48-hours' notice of the date and time of delivery of the monument to ensure that a Township employee can be present for the delivery of the monument. Under no circumstances shall Township employees be required to assist with the unloading of any monument.
- h. The maintenance, repair and upkeep of a cemetery memorial, marker, urn or similar item is the responsibility of the heirs or family of the person buried at that location. The Township has no responsibility or liability regarding the repair, maintenance or upkeep regarding any such marker, memorial, urn or similar item. Persons interested in obtaining information as to the proper cleaning and repair practices can contact the Township during regular business hours.
- i. Springfield Township reserves the right to remove any monument that is deemed to be inappropriate, offensive, or hazardous to the public or general appearance of the cemetery.
- j. The Township may temporarily remove monuments for operational requirements or maintenance of the cemetery.
- k. The cost of all internments, foundations and other fees are set by the Township Trustees and may change at any time without notice. Any such changes shall not be applied to internments or foundations which have been contracted and payments or deposits received therefor prior to the enactment of any fee modification. Copies of these fees are available at the Springfield Township Administration Building located at 9150 Winton Road Cincinnati, Ohio 45231.
- l. In the event that a Township employee or contractor working on behalf of the Township damages a grave marker or monument, Springfield Township will repair the damage. However, Springfield Township will not be responsible for any article placed at a gravesite, or within the cemetery, that is not a grave marker or monument established or associated with the gravesite.