

AGENDA

CANFIELD CITY COUNCIL

September 19, 2018 -5:30 P.M.

FRANCIS J. McLAUGHLIN MUNICIPAL BUILDING

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call: Quorum is Present - Meeting is in Session.
4. Presentations and Proclamations
5. Approval of Minutes.
6. Reading of Communications.
7. Reports of Committees, Boards, City Manager, Finance Director, Chief of Police, Zoning Inspector and Public Works Foreman.
8. Public questions from residents (or representative) related to the above referenced reports. Questions may be limited to three (3) minutes.
9. Recognition of Persons Desiring to Appear Before Council.

10. OLD BUSINESS

Note: After each item is placed on the table for action, public comments from residents (or representative) as to that business item are received. May be limited to three (3) minutes per person and thirty (30) minutes total.

11. NEW BUSINESS

Note: After each item is placed on the table for action, public comments from residents (or representative) as to that business item are received. May be limited to three (3) minutes per person and thirty (30) minutes total.

- A. An **Ordinance** Amending the Rules and Regulations for City of Canfield Cemeteries.

Public Comments

12. Council Comments

13. Adjournment

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced By: _____

First Reading: _____

ORDINANCE

AN ORDINANCE AMENDING THE RULES AND REGULATIONS FOR CITY OF CANFIELD CEMETERIES.

WHEREAS, Council is empowered to adopt rules and regulations relating to City land and facilities; and

WHEREAS, the Parks, Recreation & Cemetery Board has previously recommended rules and changes which Council has adopted; and

WHEREAS, The Parks, Recreation & Cemetery Board has made a recommendation to modify the "Rules and Regulations of Canfield Cemeteries" and Council desires to adopt the new recommendations.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANFIELD, OHIO:

Section 1: The Rules and Regulations for Canfield Cemeteries are hereby modified as follows:

"RULES AND REGULATIONS CANFIELD CEMETERIES

Section 1. Purchase of rights of interment or inurnment.

Item 1. Cemetery lots may be purchased at the Cemetery Office in the Central Facilities Building (Broad Street). Each lot contains four (4) graves sites.

Item 2. Single graves will be sold where available.

Item 3. Graves must be paid for in-full at time of purchase.

Item 4. Any family shall be limited to purchasing eight (8) grave sites. For purposes of these Rules and Regulations, "family" shall mean a group of individuals related by blood or marriage and who reside in the same residence.

Section 2. Interments:

Item 1. Permits for burials are issued by the Mahoning County Board of Health and are required for interment or inurnment. Certificates of cremation are also acceptable for inurnments.

Item 2. Payment for opening and closing of grave must be made at time of interment or inurnment.

Item 3. When instructions regarding the location of an interment space in a lot cannot be obtained, or are indefinite, or for any reason, the graves cannot be opened where specified, the Sexton may, at his discretion open it in such location in the plot, as he deems best and proper and the City shall not be responsible or liable for damages for any error so made.

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- Item 4.** The cemetery Sexton, or designee, must be notified of a burial no less than 24 hours prior to the time of burial.
- Item 5.** In the event of emergencies or inclement weather conditions, burials will be conducted at the discretion of the Sexton or designee.
- Item 6.** Funerals are not permitted on Sundays or the following holidays: New Year's Day, President's Day, Good Friday, Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day After Thanksgiving, Christmas Eve and Christmas Day except as necessary to comply with Ohio State Law.
- Item 7.** Vaults must be made of concrete or metal.
- Item 8.** Only 1 full interment is permitted per grave. A full interment and one (1) inurnment (cremation) or two (2) inurnments (cremations) are permitted per grave.
- Item 9.** Two inurnments (cremations) can be made on a single grave providing a fee of ½ the current grave price is paid for each of the additional inurnments.
- Item 10.** If a cremation (inurnment) and full interment are to be made on one grave, the full interment must be done prior to the inurnment.
- Item 11.** Regardless of whether two (2) inurnments are made together, or a full interment and inurnment are made at the same time, separate opening and closing fees are required for each.
- Item 12.** Hours of interment: Between 8:00 - 2:00 p.m. After 2:00 p.m. charges made in accordance with Saturday burial fees as reflected in Canfield Codified Ordinance Chapter 947 as amended from time to time.
- Section 3. Disinterments:**
- Item 1.** All laws of Ohio regarding disinterment shall be complied with. Applications for disinterment should be made by next of kin of the deceased and consent of the owner of the lot involved must be obtained.
- Item 2.** Payment for disinterment shall be made in advance; the person(s) requesting a disinterment are responsible for the cost of having a vault company available to exhume the vault.
- Item 3.** The Sexton will use utmost care in making removals, but will not assume any liability for any damage incurred in so doing.
- Item 4.** Charges for disinterment shall be based on time and materials.
- Section 4. Monuments and Markers:**
- Item 1.** Monuments and markers shall be set on concrete foundations. Said foundations shall be installed by Canfield Cemetery personnel only.
- Item 2.** The monument base shall not exceed the dimension of the foundation.
- Item 3.** All monuments must be kept in line with others in said section.

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- Item 4.** If a monument or marker is to be replaced, the party replacing the headstone must request and receive permission from the City of Canfield and must also remove the old headstone from the cemetery.
- Item 5.** Monuments set in the cemetery east of the center drive (new sections of the cemetery) must be flat markers which are flush with the ground or ledger stones which have no more than a 2" rise. No upright stones are permitted.
- Item 6.** Headstones on single graves must be 45" or less in width. Headstones spanning two (2) adjoining graves must be 60" or less in width.
- Item 7.** Monument companies must submit a footer request to the cemetery sexton or his designee prior to the footer being installed. Said request shall contain the stone dimensions and must be approved by the Sexton or his designee.
- Item 8.** When monument companies set headstones, they shall use sand under the stone so as to make sure the stone is level and does not rock. The City of Canfield is not responsible for damage caused to stones which have not been properly installed.
- Item 9.** Workmen erecting monuments or headstones shall assume all liability to damage to lawns, trees, shrubbery and other fixtures.
- Item 10.** All memorials shall meet with the approval of the superintendent before erecting, it is permissible to have lettering on both or either side provided both sides of the stone are finished or polished.
- Item 11.** Monuments must be cut to fit the foundation or monument companies will be responsible for the expense required to pour a new foundation.
- Item 12.** No memorial shall be allowed to be left at the cemetery unless the foundation is completed.
- Item 13.** Only one marker per grave will be permitted and must be placed at the head of the grave.
- Item 14.** Foundations will be poured in spring and fall of each year.
- Item 15.** Only flat or grass type markers will be permitted to be used unless approved by Sexton in prescribed area.

Section 5. Care of Lots:

- Item 1.** All lots shall be given the same care except those lots that are endowed and are so designated to receive additional care.
- Item 2.** The Canfield Cemetery assumes the duty of cutting the lawns and keeping them free of leaves and other trash. Sunken graves will be filled and leveled, resodded, or reseeded.
- Item 3.** Graves shall be kept level with surrounding turf and flowers or shrubs shall not be planted thereon, in flat marker section.
- Item 4.** Any flower containers must be light enough to allow city employees to easily move for maintenance purposes. Containers which are difficult to move will be removed by the cemetery sexton or his designee.

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- Item 5.** No more than one vase of flowers is permitted on each grave; these shall be placed in line with the headstone. All other will be removed by Sexton two weeks after Memorial Day. Artificial flowers are NOT permitted to be stuck directly in the ground.

- Item 6.** May 15 to October 1st One vase, artificial or live.
December 1 to March 1st Wreath or artificial vase permitted.

- Item 7.** All decorations must be removed by March 15th of each year.

- Item 8.** Fences, curbs, gravel edging, or other types of enclosures are not permitted on lots.

- Item 9.** Any decorations deemed offensive by the cemetery sexton or his designee will be removed at said person(s) discretion.

- Item 10.** Canfield Cemetery shall not be liable for lost, misplaced, or broken vases, nor for damage caused by thieves, vandals, or any other cause beyond control.

- Section 6. Grounds:**

- Item 1.** Automobiles shall not be driven through the grounds at a greater speed than ten miles per hour and must be parked on the right hand side of the drive. Care should be taken not to park on narrow drives thus blocking traffic passing.

- Item 2.** Persons shall not be permitted to have refreshments within the cemetery, nor to sit or lounge on graves and monuments.

- Item 3.** Persons or vehicles are not permitted in the cemetery after dark.

- Item 4.** Children shall not be permitted to use the cemetery as a playground.

- Item 5.** Dogs and horses are prohibited in the cemetery.

- Item 6.** The Sexton shall have charge of the grounds and control of all persons in the cemetery, including the conduct of all traffic, employees, and shall have the power to enforce the rules and regulations and exclude from the cemetery any person violating same.

- Item 7.** The City of Canfield owns all cemetery property. A person or persons purchasing a grave or graves **is merely purchasing the right to be buried in that section** of the cemetery.

- Item 8.** Green burials are **NOT** permitted in cemeteries owned by the City of Canfield.

- Section 7. Cemetery Price List:** Shall be pursuant to Canfield Codified Ordinance Chapter 947 as amended from time to time."

Section 2: The City of Canfield reserves the right to modify or make additions to these rules and regulations at any time. All rules and regulations previously adopted are hereby repealed..

Section 3: That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2018.

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

ATTEST:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, hereby certify that the foregoing Ordinance was posted in a prominent place at the Municipal Building, Canfield, Ohio for seven continuous days, to-wit: _____

_____.

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____