



ORDINANCE 054-2023

TO AMEND CHAPTER 110 – FACILITY COSTS AND CITY FEES AND CHAPTER 941 – CEMETERY,
OF THE CODIFIED ORDINANCES OF THE CITY OF MARYSVILLE

WHEREAS, the City desires to recoup its costs related to the programs and services provided which are detailed in Chapter 110 – Facility Costs and City Fees and Chapter 941 – Cemetery, of the Codified Ordinances of the City of Marysville; and

WHEREAS, the rates and fees have not increased in about 10 years and during that time, cost recovery has decreased; and

WHEREAS, on September 19, 2023 the Parks and Recreation Commission reviewed the current and potential facility costs and City fees of the City of Marysville; and

WHEREAS, on October 2, 2023 the City Council, during a Work Session, reviewed the current and potential facility costs and City fees of the City of Marysville; and

WHEREAS, on October 10, 2023 the Cemetery Advisory Board reviewed the current and potential facility costs and City fees of the City of Marysville, and

WHEREAS, recommended amendments from City Staff and from the meetings referenced above are detailed in Exhibit A, which is attached and incorporated herein; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. Chapter 110 – Facility Costs and City Fees and Chapter 941 – Cemetery, of the Codified Ordinances of the City of Marysville shall be amended as detailed in Exhibit A.

1st Reading October 23, 2023

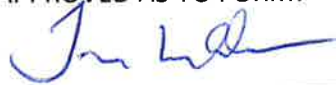

PRESIDENT OF COUNCIL

2nd Reading November 13, 2023

3rd Reading November 27, 2023

Passed: November 27, 2023

APPROVED AS TO FORM:


Law Director Date 10/23/23

ATTEST:


CLERK OF COUNCIL

CHAPTER 110. - FACILITY COSTS AND CITY FEES

Sec. 110.01. - Municipal pool passes and admission.

Pool Season Passes***	Resident*	Non-Resident**	Active Military Resident ¹
Individual	\$100.00	\$150.00	\$90.00
Family of 2	\$140.00 \$150.00	\$180.00 \$225.00	\$120.00
Each Additional Family Member (age 5+)	\$20.00 \$25.00	\$20.00 \$37.50	\$20.00 \$25.00
Senior (age 60+) or Child Care Provider	\$70.00	\$90.00 \$105.00	N/A
Senior Family of 2 (age 60+) ****	\$90.00	\$115.00 \$135.00	N/A
Daily Admission			
Ages 4 and Under with Adult	Free	Free	Free
Ages 5—18	\$5.00 \$6.00	\$5.00 \$6.00	\$4.00
Ages 19—65****	\$7.00 \$8.00	\$7.00 \$8.00	\$6.00
Senior (age 60+) ****	\$5.00	\$5.00	N/A \$5.00
Family of 3	\$15.00 \$17.00	\$15.00 \$17.00	N/A \$17.00
Additional Family Member (age 5+)	\$3.00 \$4.00	\$3.00 \$4.00	N/A \$4.00
After 5:00 p.m. (age 5+)	\$3.00 \$4.00	\$3.00 \$4.00	N/A \$4.00

* Resident of the City of Marysville (a person who either lives or works in the City of Marysville).

** Non-resident of the City of Marysville (neither lives nor works in the City of Marysville).

*** 15% Discount on all Season Passes purchased on or before ~~the April 15th~~ last Friday in April.

**** The Senior Discount Age will be raised to 61 for 2022, 62 for 2023, 63 for 2024, and 65 for 2026. From 2027 and thereafter, the Senior Discount Age will be 65 years of age.

¹ In order to receive an active military discount, proof of service must be presented.

(Ord. 2-15. Passed 2-12-2015.)

Sec. 110.02. - Municipal pool rentals.

Pool Rental (8:00 p.m. to 10:00 p.m.)	Resident*	Non-Resident**	Notes
Up to 50 25 people	\$225.00	\$285.00	
For each additional 50 25 people	\$55.00	\$55.00	
Group Rate (5 or more, non-family)			
Child	\$3.00 \$4.00	N/A \$4.00	
Adult	\$6.00	N/A \$6.00	

* Resident of the City of Marysville (a person who either lives or works in the City of Marysville), also where applicable, non-profit organizations.

** Non-resident of the City of Marysville (neither lives or works in the City of Marysville), also where applicable, for-profit organizations.

Sec. 110.03. - Parks and grounds.

Parks and Grounds	Resident*	Non-Resident**	Notes
Park Shelter			
Up to 4 hours	\$30.00	\$50.00	
Over 4 hours	\$45.00	\$75.00	

Sean Doeberth Amphitheater (American Legion Park)	\$50.00 per hour (plus \$100.00 refundable deposit)	\$70.00 per hour (plus \$100.00 refundable deposit)	
Partners Parks Pavilion***	\$100.00 per hour (2 hour minimum)	\$150.00 per hour (2 hour minimum)	A permit is required if alcohol is to be served at the event.

Partners Park Alcohol Permit****	\$250.00 (Plus \$250.00 refundable deposit)	\$250.00 (plus \$250.00 refundable deposit)	In addition to the permit, the City requires a Special Duty Marysville Police. The department is to be present during the duration of the event. The cost of the officer is the responsibility of the applicant and is not included in the Alcohol Permit fee.
Concession Services			Items will be charged at fees which attempt to recover direct costs of operations.

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** Non-resident of the City of Marysville (neither lives or works in the City of Marysville), also where applicable, for-profit organizations.

*** The rental fee will be waived for the Donors to the Partners Park. This waiver does not apply to the fee for the alcohol permit or the cost to procure the off-duty officer. This waiver will be effective until December 31, 2024.

**** The Alcohol Permit fee and deposit are in addition to the cost for the pavilion rental.

(Ord. 12-15. Passed 3-26-2015.)

Sec. 110.04. - Recreational services.

Recreational service	Fee	Notes
Programs Adult Sand Volleyball Junior/Teen Sand Volleyball** Disc Golf Basketball* Pickleball** Baseball* Softball* Kayaking at the Reservoir** BMX Open Rides		In general, the recreation program will attempt to recover, on an aggregate basis, 50% of its costs associated with a particular program. Rates will be reviewed periodically to ensure this cost recovery goal is met. ; while recognizing that some programs may be somewhat less/more. This is to be based on the nature of the programs. This will ensure that individual fees are reviewed annually, and any unusually high/low programs are aged.
Field Usage/Rental Baseball Volleyball Softball Basketball Pickleball Soccer Football Disc Golf Tennis	\$40.00/day/ eld (tournament play) \$15.00 Per Hour/ Per Field/Court (2 hour minimum) Max Price- \$75.00 per field	
Club/Travel/ Organizational Season Rental	Travel/club sport level organization will be charged \$150 per season/ per team for regular use of City Facilities.	
Classes Passport to Fishing Passport to Kayaking Passport to Archery Passport to Trails** BMX Open Rides Adult Kayaking**		In general, the recreation program will attempt to recover, on an aggregate basis, 50% of its costs associated with a particular program. Rates will be reviewed periodically to ensure this cost recovery goal is met. ; while recognizing that some programs may be somewhat less/more. This is to be based on the nature of the programs. This will ensure that individual fees are reviewed

		annually, and any unusually high/low programs are aged.
Pool Swimming Lessons	\$35.00 (with pool pass) \$50.00 (no pool pass)	
Pool Recreation Classes: Swim Lessons Swim Team Lane Rentals		In general, the recreation program will attempt to recover, on an aggregate basis , 50% of its costs associated with a particular program. Rates will be reviewed periodically to ensure this cost recovery goal is met. ; while recognizing that some programs may be somewhat less/more. This is to be based on the nature of the programs. This will ensure that individual fees are reviewed annually, and any unusually high/low programs are aged.
Swim Team	\$65.00 (with pool pass) \$80.00 (no pool pass)	

* Programs/ Classes that the City of Marysville has programmed in the past, and is possibly capable of reprogramming/ returning

** Future Programs/Classes that the City of Marysville would like to offer to the community.

Sec. 110.05. - Miscellaneous costs and city fees.

Parks and Grounds	Fee	Notes
Cemetery		See <u>Chapter 941</u> of the Codied Ordinances
Tree Information Service	\$0.00	
Streets and Utilities		

Water Service		See <u>Chapter 931</u> of the Codi ed Ordinances
Sanitary Sewer Service		See <u>Chapter 925</u> of the Codied Ordinances
Refuse Collection Service Residential		See <u>Chapter 945</u> of the Codied Ordinances
Recycling Collection Service		See <u>Chapter 945</u> of the Codied Ordinances
Stormwater Service		See <u>Chapter 937</u> of the Codied Ordinances

General Utility Street Usage		Fees negotiated as part of franchise agreements
Spilled Load Clean-Up		Fees will be based upon fully burdened hourly rate plus any out of pocket costs and other direct costs
Damage Property Repair		Fees will be based upon fully burdened hourly rate plus any out of pocket costs and other direct costs
Street/Traffic Sign Service		Fees will be based upon fully burdened hourly rate plus any out of pocket costs and other direct costs
Finance Department		
Returned Check (NSF)	\$20.00	
City Administrator's Office		

Civil Service Testing	\$10.00/applicant	
Taxi Cab License	\$25.00/year per taxicab	Plus cost of any legal review performed by the City
Various Departments		
Special Events and Performances		Fees will be based upon full burdened hourly rate plus any out-of-pocket costs and other direct costs.
Application Fee for Special Events*	Non-refundable \$50 processing fee	
Document Printing and Copying		
Per Page	\$0.05	
City Map/Blueprint	\$1.50	
Planning and Zoning Code Book	\$35.00	
Building Inspection		
Residential		Contract with Union County
Commercial		Contract with Union County

Sec. 110.06. - Municipal services.

Division of Police	Fee	Notes
Parking Violations		See <u>Chapter 351</u> of the Codied Ordinances

Solicitor's Permit	\$75.00	
Fingerprinting		
BCI & FBI	\$56.00 \$60.00	
BCI Only	\$32.00 \$35.00	
FBI Only	\$24.00 \$35.00	
Special Duty Police Cruiser Fee	\$8.00/hour \$15.00/hour	

Police Report Reproduction	\$0.05/copy	
Police Photo Reproduction	Actual cost	Plus postage
Video/Audio Tape Reproduction	Actual cost	Tapes supplied
Non-emergency Lock Out Assistance	\$0.00	
Other Agency Dispatch		The percentage of recovery is dependent on the agreement negotiated between the parties
In City Hunting Permit	\$20.00	
Division of Fire		
Fire Protection Services to Neighboring Townships		Per existing contracts
Special Duty Event Fee, Medic Apparatus	\$450 first 3 hrs (minimum), + \$150 each additional hour thereafter	City sponsored events & Union County Fair Week will not be charged for event coverage

Special Duty Event Fee, Fire Apparatus (Engine/Rescue/Ladder)	\$675 first 3 hrs (minimum), + \$225 each additional hour thereafter	City sponsored events & Union County Fair Week will not be charged for event coverage
Special Duty Event Fee, Utility Apparatus (EMS Utility Gator or Grassfighter)	\$240 first 3 hrs (minimum), + \$80 each additional hour thereafter	City sponsored events & Union County Fair Week will not be charged for event coverage
EMS Billing to Non-Residents		
BLS	\$650.00 + \$12.00 per patient loaded mile	
ALS I	\$750.00 + \$12.00 per patient loaded mile	
ALS II	\$850.00 + 12.00 per patient loaded mile	

The City/Administration may consider waiving the associated fees on a case by case basis.

The City/Administration will seek to do a rate review at least every 5 years.

(Ord. 2-15. Passed 2-12-2015.)

PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE
TITLE FIVE - PUBLIC SERVICES
CHAPTER 941. CEMETERY

CHAPTER 941. CEMETERY¹

¹State law reference(s)—Burials may be prohibited, ORC 759.05; management and control, ORC 759.09; Cemetery Endowment Fund, ORC 759.12, 759.15; burial permits, ORC 3705.24 et seq.; burial of indigent persons, ORC 5113.15.

Sec. 941.01. Oakdale Cemetery.

Statement of Purpose. The City of Marysville recognizes its responsibility to protect and enhance the grounds of Oakdale Cemetery. The obligation to facilitate the interment process with respect and to assure the proper care of these sacred grounds by adherence to the highest maintenance standards is acknowledged.

(Ord. 34-15. Passed 10-22-2015; Ord. 52-19 . Passed 9-9-2019.)

Sec. 941.02. Oakdale Cemetery hours.

(A) *Working and Visiting Hours.*

- (1) Working hours shall be 7:30 a.m. until 4:00 p.m. daily, excluding Saturdays, Sundays and holidays.
- (2) Visiting hours shall be 7:30 a.m. to sunset every day. Visiting at any other time shall be considered trespassing.

(Ord. 34-15. Passed 10-22-2015; Ord. 52-19 . Passed 9-9-2019.)

Sec. 941.03. St. John's Catholic Cemetery.

(A) *City Services Provided.*

- (1) The City shall provide for the opening and closing of gravesites, the installation of foundations and disinterment services for St. John's Catholic Cemetery upon the following conditions.
- (2) Orders for interments, disinterments and foundations shall follow the same regulations as for Oakdale Cemetery. The City shall not provide any services on Sundays or holidays.
- (3) The City shall be paid the required fee as charged by Oakdale Cemetery for any service performed. St. John's Catholic Cemetery shall be responsible for the collection and payment of all fees owed to the City.

(Ord. 34-15. Passed 10-22-2015; Ord. 52-19 . Passed 9-9-2019.)

Sec. 941.04. Cemetery rates.

(A)	<i>Purchase of Lots.</i>				
(1)	<i>Section</i>	<i>Body Lot</i>	<i>Residents</i>	<i>Non-Residents</i>	
	Older & K	2	\$700.00	\$1,400.00	
	M&O	2	\$800.00	\$1,600.00	
	P&Q	2	\$1,000.00 \$1200.00	\$2,000.00 \$2400.00	
(2)	<i>Section</i>	<i>Body Lot</i>	<i>Residents</i>	<i>Non-Residents</i>	
	Older, K, BX M, O	1	\$300.00	\$600.00	
	P&Q	1	\$500.00 \$600.00	\$1,000.00 \$1,200.00	
(3)	<i>Section</i>	<i>Body Lot</i>	<i>Residents</i>	<i>Non-Residents</i>	
	O	Infant	\$100.00 \$250.00	\$400.00 \$500.00	
(4)	<i>Columbarium*</i>	<i>Niche</i>	\$1,000.00	\$1,500.00	

* Initial opening and closing fee for Columbarium is included in the per niche cost.

- (4) A one-time land acquisition charge of ten percent (10%) is included in the lot charges listed in subsection (A)(1) and (2) above.

- (5) The land acquisition charge is intended to assist in the future purchase of property with the intention to expand the cemetery when warranted.
- (B) Interments are prohibited on Sundays and City holidays, including but not limited to New Year's Day, Martin Luther King Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, The Friday after Thanksgiving Day and Christmas Day. If the holiday falls on a Saturday, the Friday before will be holiday. If the holiday falls on a Sunday, the following Monday will be the holiday. Funerals must in the Cemetery by 3:00 p.m. on weekdays and 12:00 noon on Saturdays or there will be an extra fee added to the regular fee. The extra fee will be: \$50.00 for the first fifteen minutes past ~~4:00 p.m.~~ **3:00 p.m.** on weekdays and 12:00 noon on Saturdays plus \$25.00 for each fifteen minutes thereafter.
- (C) *Opening and Closing.*

	Weekday	Saturday
Standard vault grave	\$400.00 \$500.00	\$550.00 \$750.00
Infant grave	\$225.00	\$275.00
Cremation	\$225.00 \$250.00	\$275.00 \$375.00
Columbarium Niche (Additional Opening)*	\$175.00	\$200.00
Disinterment (Infant or Cremation)	Same as above for each opening	
Disinterment (Standard Grave)	\$950.00 \$1,000.00	\$1,250.00

* Initial opening and closing fee for Columbarium is included in the per niche cost. This charge is only assessed if an additional niche opening is required.

(D) *Foundations, Monuments and Markers*

- (1) Size of marker:
- (a) Minimum charge ~~(300 sq. in. and under)~~ ~~\$150.00~~ **\$475.00**
- (b) All larger sizes (over ~~300~~ **432** sq. in.) ~~\$0.55~~ **\$1.00** per sq. in.
- (2) The length of monuments and markers shall not exceed three-fourths of the width of the lot upon which they are centered. Monuments or markers shall not exceed forty-eight inches above the base. Bases shall not exceed twelve inches in height. Reference all provisions of 941.06(F)

(Ord. 34-15. Passed 10-22-2015; Ord. 52-19 . Passed 9-9-2019.)

Sec. 941.05. Installment purchases.

(A) *Lots Purchased by Installments Shall Require:*

- (1) An initial payment of one hundred dollars (\$100.00) per gravesite.
- (2) Then twenty-five dollars (\$25.00) per gravesite per month until the purchase price is paid in full.
- (3) The purchaser may not place anything on the lot, nor may interment be made until the purchase price is paid in full.
- (4) Purchasers of cemetery lots by installment shall keep their accounts current. Any account not current within sixty (60) days of notification shall have the purchase agreement forfeited.
- (5) If the purchase agreement is forfeited, the total amount received less fifty dollars (\$50.00) shall be refunded and the gravesite made available for resale to the public.

(Ord. 34-15. Passed 10-22-2015; Ord. 52-19 . Passed 9-9-2019.)

Sec. 941.06. Rules and regulations.

(A) *Definitions.*

- (1) **Cemetery** means a burial place for the human dead, only.
- (2) **Lot, plot, gravesite or burial space** shall be used interchangeably, and means one, or more than one, adjoining graves.
- (3) **Interment** means the disposition of the remains of a deceased person or persons by entombment or burial.
- (4) **Memorial** includes a monument, marker, tablet, private mausoleum or tomb for family, individual use, tombstone, or burial vault.
- (5) **Endowment** means a specified amount of money set aside by the lot owner with only interest used, not principal, and given to Oakdale Cemetery for services rendered on such lot. No specific instructions go with the same. On the effective date of this revised ordinance, no new endowments will be accepted by Oakdale Cemetery.
- (6) **Special endowment** means a specific sum of money placed in trust by lot owners with Oakdale Cemetery with only the interest on the investment to be used as the donor so desires. Only the Superintendent carries out the specific terms. On the effective date of this revised ordinance, no new special endowments will be accepted by Oakdale Cemetery.
- (7) **Resident** means any person who either lives or works in the City of Marysville.
- (8) **Columbarium** means a stone structure with small compartments (niches) for cremation urns to be stored.
- (9) **Niche** means a small compartment in a columbarium to store a cremation urn.

(B) *Care of Lots.*

- (1) Under no circumstances shall a lot be terraced above or below surrounding or adjoining lots.
- (2) To keep all lot owners harmonious as possible without infringing on an adjoining lot, ALL plantings shall be under the supervision of the cemetery personnel.
- (3) Flower beds may be made the full length of the monument on the lot at the head of grave only and eighteen (18) inches out from the monument toward the burial spaces. No planting or decorations are allowed on the backside or sides of the monument. Cemetery personnel will remove plantings not meeting these requirements.
- (4) The use of decorative gravel and/or stone, lava rock or like material is not permitted.
- (5) No chairs, statues, artificial animals, settees, jars, boxes, shells, toys, bottles or glass containers, used as a receptacle, nor battery operated or electrified devices or any other inappropriate items shall be placed on gravesites. The cemetery personnel shall remove all such articles that violate this rule.
- (6) Artificial flowers shall be permitted all year, with the exception that grave blankets will be removed by February 1st to prevent damage to grass. Artificial flowers should be attached to the monument or within the eighteen-inch space in front of the monument or placed in the urn(s). Artificial flowers which are severely weathered or are out-of-season, shall be removed by Cemetery personnel, labeled with the date removed, the name on the grave from which they were removed, stored by the shop for four months to allow family members the opportunity to claim them and then disposed of.
- (7) Oakdale Cemetery shall not be responsible for any tools or other personal property, unattended by its owner

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- (8) All urns or vases shall be removed from a lot if not in use by June 1st, or if they are showing significant signs of deterioration or are causing problems in mowing, unless they are an integral part of the monument. Items removed shall be labeled with the date removed, the name on the grave from which they were removed, stored by the shop for four months to allow family members the opportunity to claim them and then disposed of. Urns and vases may be made of concrete, metal, plastic or other material.
 - (9) No trees, plants or shrubs, shall be planted on lots or graves.
 - (10) If any existing tree, plant, or shrub on any lot becomes detrimental or injurious to adjacent lots, walks, avenues or monuments, it shall be removed.
 - (11) The use of "shepherd's rods" for hanging baskets, containing live or artificial flowers, are allowed, with the requirements that they be flush against the monument with the basket hanging over the monument and/or the 18 inch space in front of the monument, to make it easy to mow around. The height shall not exceed 60 inches from the ground. Ornamental objects hanging from the shepherd's rods are prohibited. "Shepherd's rods" which are not in use after June 1st shall be removed and shall be labeled with the date removed, the name on the grave from which they were removed, stored by the shop for four months to allow family members the opportunity to claim them and then disposed of.
 - (12) Oakdale Cemetery reserves the right to remove any or all floral designs, flowers, weeds, trees, shrubs or plants of any kind.
 - (13) Any article made of concrete is not considered ornamental and is strictly forbidden.
 - (14) Oakdale Cemetery reserves the right to remove any ornamental item it deems dangerous.
 - (15) After three violations from a single lot, the item(s) will be disposed of.
- (C) *Lots.*
- (1) Persons desiring to purchase a lot shall go to the cemetery office, where records shall be kept, and the Superintendent or his assistant shall show the lots that are available and for sale.
 - (2) Each individual section is subdivided into lots of different sizes, so as to meet the various needs of purchasers.
 - (3) No lots shall be sold in any section until the same has been properly graded, landscaped, seeded, drained, water service installed and platted and is approved by Council.
 - (4) Prices of all lots are fixed by Council and cannot be altered, in any circumstance.
 - (5) Lots are conveyed by deed, for purposes of interment only. Lots are transferable by owners relinquishing the original deed to the cemetery.
 - (6) Cemetery personnel shall mark all lots by cornerstones, numbered to correspond with the deed, record and plat book, and set as level as possible with the sod.
 - (7) No curbing, fencing, hedging, borders or enclosures, or other boundary markings shall be permitted on any lot. The cemetery reserves the right to remove the same if erected, planted or placed.
 - (8) Purchased lots are exempt from taxation and liabilities for debts.
 - (9) No lot owner has the right to transfer any lot, in whole or part, for profit or other similar devices.
 - (10) The lot owner may dispose of an unused portion of a lot in a legal will or notarized statement. One copy shall be delivered to the cemetery office in order that it may be recorded.
 - (11) As a husband is not always an heir-at law of his wife, nor wife of her husband, neither shall necessarily inherit the lot from the other. To assure the survivor an interest in the lot, both named should be

embraced in the deed. If the proprietor died testate, the lot shall descend to his or her heirs jointly and in equal, undivided shares, subject to the same conditions. The heirs shall be determined by the statutes of Ohio, in force at time of death.

- (12) Persons purchasing a lot may not place anything on the lot, until all of the purchase price is paid in full.
- (13) Any purchaser desiring to return an entire lot or unused portion, may do so by bringing or mailing his or her certificate to the City of Marysville, where they will be reimbursed for the exact amount paid, less a service charge of twenty dollars (\$20.00) per deed.
- (14) The taking of plants, shrubs, trees or flowers from another's lot or grave is strictly forbidden.
- (15) The number of interments which may be properly made upon a lot is definitely fixed at the time of purchase, and no more shall be permitted.
- (16) The remains of the original lot owner shall stay on the original lot. Other remains may be removed from one lot to another, with legal consent by the closest, living legal heir(s) and then only for good cause, according to the aforesaid rules.

(D) *Interments.*

- (1) All interment charges shall be paid in advance, or guaranteed by the Funeral Director, personally.
- (2) Interments in one grave space are limited to either one body (casket), one body plus two cremations, or a total of three cremations. One body and an infant in a mother's or father's arms can be included in one casket.
- (3) All interments shall be made in concrete, metal or sectional vaults (approved) or plastic. No wooden boxes, except for children two years of age or under, may be used.
- (4) All interments are subject to local, County and State laws.
- (5) Errors may be corrected. If, at any time, a misinterment is made, the Superintendent shall have the error corrected as soon as humanly possible.
- (6) Parties are advised to apply at the cemetery office before fixing the time for the funeral, to ascertain at what time the Superintendent can attend to the same, in order to prevent delay and confusion at the grounds. Applications will be considered each in its own turn.
- (7) All interments shall be made under the supervision of the Superintendent and by the employees of the cemetery.
- (8) No body shall be removed from the grounds, nor shall a body be removed from one part of the cemetery to another, without permission of the Superintendent and such removal shall be made by cemetery employees, under his supervision.
- (9) The cemetery requires that all interments are settled solid before sodding.
- (10) The arrangement of the location of graves upon a lot is determined by the Superintendent, as it is necessary that uniformity prevail.
- (11) No interments shall be made without a burial permit furnished by the Funeral Director and delivered to the Superintendent before disposition of the body concerned.
- (12) Orders for interments shall reach the Cemetery office forty-eight hours preceding the interment, except infants two (2) years or younger shall require twenty-four hour notification. For all Monday services, the order shall reach the Cemetery office by 12:00 noon on the preceding Friday.
- (13) Funerals must be in the Cemetery by 3:00 p.m. on weekdays and 12:00 noon on Saturdays. See: 941.04 Section (B).

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- (14) Upon entering the cemetery gates, the funeral cortege is in charge of the Superintendent or his assistants, and his orders shall be followed by the Funeral Director. No Funeral Director, his assistant, employee or agent shall be permitted to open the casket or touch the remains without the consent of the legal representation of the deceased or without a court order.

(E) *Removals; Disinterments.*

- (1) All disinterments are subject to local, County and State laws and shall be enforced at all times.
- (2) Arrangements for removals and disinterments must be made with outside firms or agencies. Cemetery personnel are restricted to the excavation of gravesite ground only.
- (3) The Superintendent shall have the removal permit or disinterment permit from the County Health Departments involved.
- (4) No disinterments or removals shall be executed in or out of Oakdale Cemetery on Sundays or holidays.
- (5) Upon entering the cemetery gates the funeral cortege is in charge of the Superintendent or his assistants, and his orders shall be followed by the Funeral Director. No Funeral Director, his assistant, employee or agent shall be permitted to open the casket or touch the remains without the consent of the legal representative of the deceased or without a court order.
- (6) No person other than authorized personnel of Oakdale Cemetery shall erect or cause to be placed a sign, notice or display of any kind on cemetery grounds. Prosecution will follow any infringement of this rule.

(F) *Monument, Markers and Memorials.*

- (1) Any person contemplating the erection of a monument, marker or memorial shall first consult the Superintendent, so that memorials appropriate in size and design shall be selected for the proposed location.
- (2) The design, size and material shall be approved by the cemetery authorities.
- (3) All orders for foundations shall be presented on a regular form provided by the monument company, signed by the lot owner and dealer furnishing the memorial.
- (4) No marble or aggregate stones shall be allowed in the cemetery. Any dealer or producer who violates this regulation is subject to removal from the list of approved dealers.
- (5) All foundations to monuments, markers, etc., shall be made at ground level. (Note Special Provisions of Section 23)
- (6) All monument foundations shall be constructed of wet concrete, by cemetery employees, under the supervision of the Superintendent or his assistant. Charges will be billed to the dealer ordering the same.
- (7) Under no circumstances shall a foundation for a monument or marker be installed during freezing weather. The season for installation is usually April 1 to November 15, weather permitting.
- (8) Persons engaged in erecting markers or monuments or other structures, shall provide planking and use it to prevent injury to established turf. No ropes or chains may be attached to trees or other obstacles.
- (9) Mausoleum (reserved for future section).
- (10) Cremation Garden (reserved for future section).
- (11) The Superintendent shall refuse to permit the erection of, or shall cause the removal of any monument, marker or memorial which does not approximate the material, size or design required for a specific

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- location. A good or better grade of granite or bronze will be acceptable, in the discretion of the Superintendent.
- (12) Markers, shall be placed two inches from lot lines, rather than placed in an unusual position of the lot. This is to facilitate lawn mowing by eliminating obstructions.
 - (13) No monument, marker or memorial shall be installed without a foundation.
 - (14) Temporary markers shall be allowed until a permanent monument or marker is set in place, but a temporary marker shall not be allowed for longer than one year maximum under any conditions. Temporary markers shall meet the siting requirements of a regular marker.
 - (15) All memorial dealers shall abide by the rules and regulations of Oakdale Cemetery. Any dealer who violates such rules shall be removed from the approved list.
 - (16) Cemetery employees shall exercise all possible care to protect monuments or markers, etc., and the lettering thereon, while working about them.
 - (17) The cemetery personnel shall, to the best humanly possible, try to erect foundations, as soon as practicable, but shall not be liable for certain completed dates.
 - (18) If indebtedness is charged against a lot owner or dealer, the cemetery authorities reserve the right to refuse installations on any lot.
 - (19) Heavy loads of any kind, shall not be permitted to enter the grounds without the permission of the Superintendent.
 - (20) No inscriptions or writings of any kind shall be placed or cause to be placed, on any monument or marker without the proper credentials presented to the Superintendent.
 - (21) Under no circumstances shall any kind of handmade affair, resembling a memorial stone or rough boulder be placed on any lot in the cemetery.
 - (22) Approaching the bereaved and soliciting any business within the cemetery is not permitted.
 - (23) All memorials twenty-eight inches by fourteen inches or less in Section "K", "M" and "O" and future sections, shall be kept flush with existing ground level.

(G) *Columbarium*

- (1) Each space can hold up to three cremains. Purchaser must confirm urns will fit in the given space.
- (2) Each niche will be identified by (1) Columbarium number and/or name. (2) The letter of the row in which it is located. (3) The number of the column in which it is located.
- (3) Each niche measures 12 inches tall by 12 inches wide by 14 inches deep and will hold one urn no larger than 11.75 inches x 11.75 inches x 11.75 inches or two (2) urns, each no larger than 5.75 inches x 5.75 inches x 14 inches.
- (4) A contractor specified by the City will determine the price of engraving based on the design of the faceplate.
- (5) Each Niche front may contain the name and dates of no more than three (3) persons. A one-inch border on all four sides of each niche must be left undisturbed. Niche fronts will be engraved by a contractor specified by the City.
- (6) Except for the attachment of military recognition installed by a contractor specified by the City, no drilling or attachment of any kind to the niche fronts is permitted.
- (7) Decorating of niche fronts is not permitted.

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- (8) No Artificial decorations are permitted. Live flowers may be used only in areas that have been preapproved by cemetery personnel.
- (9) Attachments of any kind to niche fronts is not permitted.
- (H) *General Rules.*
- (1) All visitors are expected to respect the solemnity of the cemetery, and strictly observe the rules which have been established by the cemetery authorities for the purpose of securing quiet and good order at all times, within these grounds.
- (2) Visiting hours are from 7:30 a.m. to sunset. Visiting at any other time shall be considered trespassing.
- (3) All lot owners have an interest for the welfare of the cemetery, and are subject to the laws, governing and respecting the rights of others.
- (4) Persons not conducting themselves in a proper manner shall be excluded from the grounds. We consider these grounds as sacred, and people should act accordingly, while visiting here.
- (5) No person shall mar or deface any property within the cemetery.
- (6) Authorized cemetery personnel shall have the right at all times, to enter upon any lot, mausoleum or other structures, for a reasonable purpose.
- (7) Vehicles in the cemetery shall not exceed fifteen miles per hour.
- (8) In meeting a funeral procession on the grounds, a vehicle shall come to a complete halt, and remain so, until the cortege has completely passed. There will be no passing in the same general direction.
- (9) The driver of a vehicle shall heed and obey all warnings, and signs given by designated personnel.
- (10) There are trash cans dispersed on grounds for your convenience. Please keep your cemetery neat by cooperation. Your assistance is encouraged and needed, whenever possible.
- (11) Sprinkling cans are placed at every hydrant, which are conveniently distributed on grounds. When not in use, place them where they belong, so that the next person might find them.
- (12) Plucking of flowers, breaking of tree limbs, shrubs or any plants, on or off a cemetery lot is prohibited.
- (13) No alcoholic beverages shall be permitted on the grounds at any time.
- (Ord. 34-15. Passed 10-22-2015; Ord. 52-19 . Passed 9-9-2019; Ord. 046-2022 . Passed 7-25-2022.)

Sec. 941.07. Minimum depth for graves.

All burials in Oakdale Cemetery exceeding three feet six inches in length shall be excavated to a depth of not less than fifty-four inches and the bottom of such excavation shall be level.

(Ord. 34-15. Passed 10-22-2015; Ord. 52-19 . Passed 9-9-2019.)

Sec. 941.08. Reserved.

Editor's note(s)—Ord. No. 51-04, adopted Oct. 28, 2004, repealed § 941.08, which pertained to Oakdale Cemetery permanent maintenance and upkeep fund.

Sec. 941.09. Cemetery advisory board.

- (A) The Cemetery Advisory Board shall be made up of five members. The Board shall consist of a funeral director, a Veteran from a Veteran's Service Organization or a member from a Federally chartered organization, (e.g.,

American Legion, VFW, Amvets, DAV, DAR, Blue Star Mothers) a Council Member and two Marysville citizens. Members shall all be appointed by the President of Council and shall be limited to three (3) consecutive two (2) year terms. Terms established to expire as follows: Council Member, Veteran or Veteran Auxiliary representative and one citizen member, December 31, 2022, Funeral Director and one citizen member December 31, 2023.

- (B) The Cemetery Advisory Board shall meet prior to March 15 of each year to elect a chairperson responsible for presiding over the meetings and placing concerns and/or issues before the Board for discussion and resolution.
- (C) The Board shall meet on an as-needed basis, but not less than twice per year.
- (D) A majority of the members shall be a quorum for the transaction of business.
- (E) In addition to hearing citizens' concerns, responsibilities of the Board also include studying, investigating, advising and reporting to the Public Safety/Services Committee plans and/or recommendations to further the effective operation and maintenance of the cemetery. The Board shall make said report to the Public Safety/Service Committee at least once per calendar year.
- (F) A journal and minutes of its proceedings shall be maintained by a member of the Board.

(Ord. 34-15. Passed 10-22-2015; Ord. 52-19 . Passed 9-9-2019; Ord. 046-2022 . Passed 7-25-2022.)

Sec. 941.10. Indigent burial procedure.

- (A) According to ORC 5101.521, a funeral director burying the body of an indigent person that is to be buried at the expense of the City, shall submit to the Director of Finance a notarized statement of the amount of any contributions received from friends, relatives or others, of insurance or property, real or personal, or of any other thing of value, which may be applied to the burial expense of such person, or in the absence of any such things of value which may be so applied. Further, the funeral director shall submit a notarized, itemized statement of the burial expense of such person, as well as a death certificate.
- (B) Upon the submission of such notarized statement to the Director of Finance and its approval by the City Manager as a satisfactory compliance with the requirement of this chapter, there shall be paid to such funeral director for the burial of such person an amount not to exceed one thousand dollars (\$1,000.00). This maximum amount shall include the cemetery and crematory charges, less the amount of any such things of value, which may be applied to such funeral expense as shown by the required notarized statement.

(Ord. 24-05. Passed 5-12-2005; Ord. 26-18 . Passed 4-9-2018.)

Secs. 941.11, 941.12. Reserved.

Sec. 941.13. Exceptions.

In cases of emergency, epidemic, catastrophe or Acts of God, the provisions of this chapter may be suspended by order of the **City Manager** ~~Mayor~~.

(Ord. 11-01. Passed 3-22-2001; Ord. 52-19 . Passed 9-9-2019.)