



MOST PURE HEART OF MARY (MPHM)

CEMETERY POLICIES

INTRODUCTION

It is the purpose of MPHM Cemetery to provide a beautiful, dignified and an appropriate final resting place for departed loved ones. We believe in and are firmly committed to the teachings and tradition of the Roman Catholic Church with regards to the Corporal Work of Mercy involved in the burial of the dead and the sacredness of the human body.

In formulating these policies, it is the sincere desire of MPHM Cemetery administrators to provide guidelines for retaining a reverent environment. All Owners of a Certificate of Right of Burial and all visitors shall be subject to these policies.

DEFINITIONS

Burial Rights: The right to be buried in a cemetery grave. MPHM Cemetery retains the ownership of the property on which the grave is located.

Cemetery Administration: Those individuals holding a position that involves decisions or maintenance of cemetery business. The administration includes MPHM Cemetery Committee members, Finance Council members, Pastor, Maintenance personnel, Business Manager, and Cemetery Recorder.

Certificate Holder/Owner of Certificate of Right of Burial: The person in whose name the Certificate of Right of Burial is issued as designated by the purchaser.

Cremains: The remains of a person who has been cremated.

Disinterment: The recovery of human remains by exhumation, disentombment or disinterment.

Entombment: The burial of human remains.

Flush/Flat Marker: A marker that is level with the ground.

Heir: Someone who has inherited or is entitled to the right from a parent or relative who is no longer living.

Indigent: A person who does not have the means with which to purchase burial rights.

Installment Plan: A financial arrangement which allows a purchaser to pre-arrange payment of burial rights through a series of payments, including a down payment, to be paid in full within one year or less.

Inurnment: The placement of cremated remains into an urn.

Marker/Monument: An identification label made of stone or metal that is placed upon a grave, which contains information about the person buried in that grave.

Outer Burial Container: Any container which is designed for placement in the grave around the casket.

Owner: The person in whose name the Certificate of Right of Burial is issued as designated by the purchaser. The Owner and purchaser may be the same person.

Perpetual Care: The general care and maintenance needs of the cemetery grounds. This includes planting, cutting, watering and care of lawns, trees, shrubs and flowers, and upkeep of buildings, walks and roadways.

Reservation: The Owner's revocable or non-revocable right to designate the use of every Right of Burial purchased.

Saddle Floral Piece: A floral decoration designed to sit atop a grave marker.

Sexton: The cemetery staff responsible for the general maintenance of the cemetery, as well as the opening and closing of graves.

OWNERSHIP AND PRIVILEGES

A. Nature and Extent of Rights Acquired

- Upon payment of the purchase price of a space, the purchaser acquires the Rights of Burial in said space, subject to the policies and procedures of the cemetery. The purchaser shall receive a Certificate of Right of Burial; MPH M Cemetery retains title to the cemetery property. The purchase of a cemetery grave does not include land, only the burial right for that space.
- No interment will be permitted in, or marker allowed, on any space not fully paid for.
- The files located at MPH M Parish Center are to be considered the correct record. Any discrepancy between the administrative files and the Certificate of Right of Burial will be considered a clerical error. The cemetery reserves the right to recall, correct and reissue the correct certificate.
- Through the use of a Reservation, the Owner of a Certificate of Rights of Burial may designate the person(s) who may use the right of burial. A reservation is established by filing an affidavit with the Cemetery Administration specifically designating the person(s) for whom the interment space is to be utilized. A duly established reservation is binding upon the Cemetery Administration and the heirs and successors of the Owner. A Right of Burial established by a reservation may be waived and shall be terminated only upon disposition elsewhere of the remains of the person entitled thereto. Every reservation is deemed irrevocable if the Owner does not specifically designate the reservation as revocable. The Owner must designate the reservation as revocable to avoid the Cemetery Committee's requirement that a reservation not designated as revocable cannot be removed without notice to the person for whom the reservation is established.
- The policies outlined within this document are incorporated into the agreement when purchasing a pre-need or at-need Right of Burial. MPH M Cemetery Committee is permitted and reserves the right to make modifications or amendments to these policies without notice and all Owners, their heirs, successors, assigns and visitors will be subject to these policies.

B. Descent, Inheritance or Distribution of Burial Rights.

- Burials by or of heirs, after the original parties named on Certificates are deceased, requires the permission of living heirs, in writing and notarized, on forms supplied by MPH M Cemetery Administration.
- In the circumstance of inheritance of a Right of Burial, appropriate proof of inheritance must be supplied by the heir.

- MPHM Cemetery shall, in no way, be held responsible for failure to properly determine the legal successorship of the said space owner.
- In the absence of a specific disposition by the Certificate Owner, either in his/her Last Will and Testament or other written declaration of record, the Cemetery Committee will follow a modified form of the order of the statute of descent and distribution in determining the use of the remaining Rights of Burial. In all cases, the Certificate Owner and his/her spouse have the primary and secondary rights of interment pursuant to a spouse's vested rights. All interments and rights of interment are subject to the requirements set forth in applicable Canon Law, these policies and applicable Ohio law. Any unused Rights of Burial or places of interment may be used by the children of the original Certificate Owner in the order of need. In the event that a child of the original Owner is interred, a reservation will be established for the spouse of that deceased child. After the children of the original Owner are deceased or relinquish any interest in any remaining interment space, then to the descendants of descendants of those children. In the event that there are no immediate heirs, then to any other heirs of the Owner and their spouse in accordance with the statutory distributions established under Ohio law (Ohio Revised Code, Chapter 2105) and to those heirs according to need with a reservation established for the spouse of an heir interred. In the event that a Certificate Owner dies without a devise or any known kindred, the Rights of Burial shall revert to MPHM Cemetery.

C. Transfer of Rights of Burial

- Owners of Certificates of Rights of Burial may transfer their burial rights to other parties by completing, signing and having notarized, the appropriate forms supplied by MPHM Cemetery administration.

D. Resale of Rights of Burial

- An Owner of a Certificate of Rights of Burial or an heir holding rights to a Certificate may donate that space back to MPHM Cemetery at any time.
- A Certificate Owner or heir may sell a Right to Burial to another individual for the original purchase price. The sale and transfer must be facilitated through MPHM Cemetery administration, using appropriate signed and notarized forms.

BURIALS

A. General Requirements

- Interments are limited to human dead.
- No interments will be permitted unless proper arrangements are made through a licensed funeral director.
- The appropriate disposition of cremated remains is inurnment or entombment within an established cemetery. The scattering of remains is prohibited. Other practices, such as division of cremated remains, are not in accord with the teachings of the Roman Catholic Church, and are therefore prohibited.
- Right of Burial fees of deceased indigent persons may be waived, regarding individual circumstances, by the decision of the Pastor of MPHM Church.

B. Advance Payment of Rights of Burial

- Graves may be purchased on an installment plan if purchased in advance of need when the proper arrangements are made with MPHM Cemetery Administration.
- An installment plan requires a non-refundable deposit of 25% of the total cost of the grave/s to be purchased and the remaining balance to be paid in full within one year. If full payment has not been

received within one year, grave/s will revert to MPHM Cemetery. No refund will be given to the purchaser for the deposit amount paid.

- An installment plan will not be allowed when a burial is being performed.

C. Hours When Burials Are Permitted

- No funeral or interment will be allowed in the cemetery on Sundays.
- On all other days, burials will be allowed between the hours of 8:00 am and 3:00 pm.
- Oakland Cemetery sextons may add additional charges for interments requiring the opening or closing of graves on weekends or holidays.
- In the event of severe weather, unfavorable grounds conditions or delays caused by conditions beyond control, interments may be postponed.

D. Vaults

- A concrete or metal burial vault is required for all full body interments.
- Vaults are not required, but are encouraged, for cremated remains. However, vaults cannot be accommodated for cremated remains buried on top of a full body burial, due to space constraints.

E. Excavating and Refilling of Graves

- The Oakland Cemetery sextons will be in complete charge of every interment. No grave shall be opened, filled, refilled, or sodded except by the Oakland Cemetery personnel.

F. Burials Per Grave

- Please see diagram on page 14.
- No more than one casket will be allowed in a grave.
- One interment only shall be allowed in a casket, except a father or mother with an infant child, or two children buried at the same time.
- Cremains are to be buried in a designated grave space only. Two cremain burials are permitted per grave space.
- Only one cremated remains is permitted to be buried on top of another grave space with a casketed burial, dependent upon the dimensions of the receptacle and existing adequate space, individually determined by Oakland Cemetery administration.

G. Errors

- The MPHM Cemetery Administration, as deemed proper, shall correct any errors made in interments, disinterment, removals, or in the description, transfer or conveyance of any interment property, at the cost of MPHM Cemetery.

DECORATION OF GRAVES

A. Flowers and Floral Pieces

- All cut flowers and plants are to be removed when they become unsightly.
- No artificial flowers may be placed into the ground; artificial flowers are only permitted in permanent vases or as a saddle piece. Artificial flowers contain wires which can become a hazard to groundskeepers and visitors.
- Artificial flowers are to be removed when they become unsightly. This includes arrangements which are faded, tattered or scattered.
- Owners or heirs desiring to retain funeral floral pieces following a burial must remove them within five days after the interment.
- Planting of new flowers, shrubs, trees or other ground plants is not permitted.

- Arrangements that fasten to the top of the headstone (saddle floral pieces) are recommended as to facilitate mowing and trimming.
- Flowers and floral pieces deemed objectionable or unsightly will be removed at the discretion of the cemetery.

B. Grave Decorations

- Decorations are limited to two per grave, placed as closely as possible to the front of the headstone, to facilitate mowing and trimming. Please note the following exceptions: Military decorations and Decoration Day (includes Memorial Day and Fourth of July). Permanent military decorations are permitted year-round. Temporary military and veteran decorations, such as small flags, may remain at gravesites from Memorial Day through Labor Day.
- Shepherd hooks are acceptable if placed directly against the footer.
- Glass is not permitted, with the exception of memorial cemetery lights/vigil lights on ground stakes. Any other glass decoration is subject to immediate removal.
- Vigil lights must be non-burning (no live flame), powered by batteries or solar cells. The chamber containing the battery or solar cell must be waterproof to prevent leakage of any toxic materials.
- Mulching, fencing, bordering or enclosing a grave site is prohibited.
- Marble chips, stones, wood chips, bricks or any other landscaping materials are prohibited on grave sites.
- Decorations deemed objectionable will be removed at the discretion of the cemetery. Any prohibited structures or objects will be removed without prior notice.
- MPHM Cemetery cannot assume any liability for decorations placed on burial sites.
- Grave blankets are to be removed by January 31st of each year, to prevent harming the grass underneath.
- All other winter decorations are to be removed from graves by April 1st of each year.
- All summer decorations are to be removed from graves by October 15th of each year.
- Groundskeepers or maintenance staff will remove decorations after scheduled clean-up dates if the Certificate Owner or their heirs do not.
- Erecting a flagpole is not permitted.

MONUMENTS AND MARKERS

A. Ownership and Responsibility

- Monuments and markers are personal property. All monuments within the cemetery are the property of grave Owners, their heirs, or the responsible party that ordered and placed them. Maintenance of the monuments is the responsibility of the owner.
- Monuments and markers are subject to temperature extremes, snow, ice, wind, rain, etc. MPHM Cemetery will not be responsible for inadvertent scratches, chips, cracks and movement that occur from routine maintenance, weather conditions or vandalism. Such happenings are a condition that may go with the privilege of placing the monument in the cemetery.
- No permanent marker of any kind shall be erected on any grave until the purchase price of the grave has been paid in full.
- A headstone or other appropriate permanent marker is required on all graves and should be installed as soon after burial as possible.

- Only the Owner of a Certificate of Burial Rights or their heirs have authority to place a grave marker. In the event of the Certificate Owner authorizes the interment of a deceased person in that place of interment, the immediate family of the deceased person shall have the right to place a memorial on that place of interment.

B. Permissible Monuments and Markers

- Only one marker is allowed per grave space unless two infants, two cremations or a combination of a burial and a cremation are buried in the same space. A second marker can be installed but must be flat to the ground. Footstones are not permitted.
- It is recommended that upright markers have rough nosed bases or edges rather than a polished smooth surface.
- When it becomes necessary to remove a monument for a burial, the owner will be responsible to make the proper arrangements. If a monument company has been contacted to remove a monument for a burial, the monument company will also be responsible for returning the monument to its original location.
- Deadlines to order grave monument footers are April 15th and September 15th each year. Footers may be ordered through a monument sales representative.
- Footers are required to have a two inch perimeter border extension flush with the ground.

C. Vases

- All permanent vases must be attached to the monument base.

GENERAL MAINTENANCE

A. Boundaries, Roads and Waterlines

- The right to resurvey, enlarge, reduce, re-plot, or change the boundaries of the cemetery, or a section or sections thereof, including the right to modify or change the locations of drives, is expressly reserved by MPH M Cemetery. The right to lay, maintain and operate pipelines for water supply or drainage is also expressly reserved.

B. Grave Maintenance following a burial

- Depending on the season of interment and weather conditions, it can take up to a year for the ground on a grave to settle. Oakland Cemetery sextons are solely responsible for soil and seeding maintenance following a burial.

C. Location of Documents

- All original maps, records and documents pertaining to MPH M Cemetery are located at MPH M Parish Center, 29 West Street, Shelby, Ohio.

REGULATIONS GOVERNING ACCESS AND CONDUCT

A. Entrance Regulations

- Access to MPH M Cemetery is restricted to daylight hours only. Entrance after dark will be considered trespassing.
- Visitors assume all risks when driving or walking the cemetery grounds.
- Children under sixteen years of age are not permitted within the cemetery unless accompanied by an adult.

- Only vehicles used by individuals visiting a place of interment or having other business with the cemetery are permitted on cemetery property. All other vehicles will be deemed unauthorized and their occupants will be deemed trespassing. Unauthorized vehicles will be subject to towing at the owner's expense.

B. Improper Conduct

- MPHM Cemetery maintains a dignified and appropriate final resting place for our departed loved ones. Any behavior or conduct not keeping with this purpose is expressly forbidden.
- Interfering with an interment is prohibited.
- No littering on the cemetery grounds.
- No placing of unauthorized signs, notices or advertisements.
- No alcoholic beverages or illegal substances are permitted within the cemetery.
- No person shall injure, deface, take, or carry away any monument, marker, tree, shrub, flower, ground or any other property or ornament in MPHM Cemetery.

C. Drives

- The speed limit within MPHM Cemetery is 10 miles per hour.
- Vehicles must stay on driveways. Driving or parking on the grass is not permitted.
- No unlicensed drivers may operate a vehicle within the cemetery.

D. Animals

- Pets are permitted on the cemetery grounds if they are leashed and under supervision at all times. Pet owners must clean up after their animals.

E. Motorcycles, Bicycles and All-Terrain Vehicles (ATVs)

- All-terrain vehicles (ATVs) are not permitted in the cemetery. Motorcycles and bicycles are permitted, but are subject to the same policies and procedures as motorized vehicles. Cutting corners and driving on lawns are prohibited.

MISCELLANEOUS

A. Office Records

- The official cemetery records are kept at MPHM Parish Center. All business pertaining to the cemetery should be transacted through MPHM Cemetery Administration.
- The location of all graves is recorded on an official map.
- All holders of a Certificate of Right of Burial are required to notify MPHM Cemetery Administration of any change of address.

B. Prices and Charges

- MPHM Cemetery is financially independent of MPHM Parish's general operations. Income for the cemetery consists of grave sales and donations designated for the cemetery. All cemetery income is used exclusively for cemetery operations.
- It is expensive to provide the perpetual care necessary to maintain beautiful and dignified cemetery property. There is grass to mow, debris to remove, driveways to maintain, snow to remove, and landscaping requiring special attention. The cost of graves does not come close to covering these ongoing expenses. Donations are needed to defray these expenses. MPHM Parish holds an annual cemetery collection the first Sunday of May and donations are accepted year round. We ask for your prayerful consideration to help us maintain our cemetery property.
- MPHM Cemetery Administration may establish or amend the fees for Rights of Burial.

- Fees incurred for grave opening and closing are set by and payable to Oakland Cemetery.

C. Disinterments

- A disinterment must be arranged through a licensed funeral director.

D. Liability of Cemetery

- MPH M Cemetery shall not be liable for any damage or loss.
- Visitors assume all risks when driving or walking the cemetery grounds.

E. Loss of Rights due to Unlawfully Taking of a Human Life

- In the event of the person contracting as the purchaser of the Right of Burial is named or to be named as responsible for taking the life of the deceased in an unlawful manner, the Owner waives their right to the ownership of the Right of Burial. The Cemetery Committee shall hold the Certificate of Right of Burial until such time as a court of competent jurisdiction issues an order designating another individual as the Certificate Owner. With the Right of Burial belonging to the Cemetery Committee for the benefit of the deceased, the Cemetery Committee retains sole discretion to determine who shall have the rights of the heirs as established by these policies unless otherwise ordered by a court of competent jurisdiction.

F. Alteration and Repeal of Policies and Procedures

- MPH M Cemetery Administration reserves the right to make amends and repeal the policies and procedures of the cemetery and to make exceptions thereto.

RESOURCES

Oakland Cemetery Office
116 ½ South Gamble Street
Shelby, OH 44875
419-347-1935

Turner Funeral Home
168 West Main Street
Shelby, OH 44875
419-342-2551

Barkdull Funeral Home and Crematory
33 North Gamble Street
Shelby, OH 44875
419-342-6356

Shelby Monuments
69 W. Main Street
Shelby, OH 44875
419-347-1165

Ashland Monument Company
34 East 2nd Street
Ashland, OH 44805
419-281-2688

Longstreth Memorial
1263 State Route 598
Galion, OH 44833
419-468-3477