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Galena Cemetery Rules and Regulations

September 2016

The Galena Cemetery is open sunrise to sunset and is available to all persons of all faiths. The cemetery is owned and operated by The Village of Galena as of September 2016. The cemetery is operated under the control of the Village Council and the Mayor. Problems and concerns should be brought to the attention of the cemetery caretaker. The cemetery caretaker and the cemetery clerk shall be appointed by Council. The cemetery caretaker may be the same person as the cemetery clerk. If the cemetery caretaker cannot resolve a problem, the caretaker will bring the matter to attention of the Village administrator. Galena Village Council shall retain the right to amend these rules and regulations as appropriate.

The Galena Village Cemetery is not operated for profit. All receipts are expended upon the upkeep and improvement of its property. As a service to Village residents who pay taxes toward the cemetery operation, resident lots cost less than non-resident lots.

Purchase of Grave Spaces

Persons desiring to purchase a family lot or burial space are invited to visit the office of the cemetery clerk, where they will be informed of available spaces and the cost of the spaces. Prospective buyers may meet with the cemetery clerk or caretaker at the cemetery, and physically view the spaces they wish to purchase. After viewing the spaces, if they wish to purchase a space or spaces, payment is to be made to the Village of Galena at the municipal offices. After payment is made, you will receive your deed to the space(s) within ten (10) working days. No space(s) is considered sold and no burial shall take place until the space is paid in full. No partial payment for burial spaces will be accepted by the Village.

All sections of the cemetery have been platted into lots with single burial spaces available or entire lots (4 spaces) with the exception of the cremated remains section. Each space size varies in dimension, according to the section that the space is located in. No space will be sold on unplatted ground.

Lots once sold may not be resold. The owners of a lot or space, on which there are no interments, may surrender the same back to the Village for the purchase price of the lot or space subject to the approval of the Village administrator.

Lot owners may give permission for burial in their spaces of the remains of other persons not designated on the deed, but not for financial gain. In this case, the difference between the purchase price of the lot, based upon the residential status of the lot owner designated on the deed, and the current cost of the lot based upon the residential status of the person to be interred (with permission) shall be paid in full to the Village by the lot owner prior to burial.

Lots purchased by residents for non-residents (people not living in the Village of Galena) will be purchased at non-resident prices as either (county or non-county resident) and deeded in the non-resident's name.

Persons who own property within the Village but reside outside the Village are considered non-residents of the Village and are required to purchase lots or services at non-resident prices. To be eligible for purchase of lots at residence rates, the purchaser must be a Village resident at the time of purchase. However, residents who are required to leave the Village because of healthcare or nursing needs may purchase lots and services at resident prices. Special cases or circumstances will be reviewed by the cemetery clerk and/or the Village administrator.

A minimum charge of \$25.00 shall apply for all deed transfers.

Rights of Owners

All lots and burial spaces shall be presumed to be the sole and separate property of the person or named as the guarantee on the conveyed deed. However, a spouse shall have a vested right of interment of his or her body in any burial space conveyed to the other. This right shall continue as long as he or she shall remain the spouse of the space owner, or shall be his or her spouse at the time of such space owner's demise.

The surviving spouse of the original owner of a plot has a right to one (1) of the burial spaces of the predeceased spouse. This right may be voluntarily forfeited at anytime. It will terminate upon burial of said spouse. The burial rights in the remainder of the spaces descend pursuant to a specific bequest/devise in the Last Will and Testament of the deceased owner. The burial rights of a testate owner with no specific bequest/devise or an intestate owner shall descend in the following order:

1. Children of the owner.
2. If no children of the owner exist, then grandchildren of the original owner.
3. If no children or grandchildren of the original owner, then father or mother or both, of original owner.
4. If no one in the above classifications is living, then living siblings of the original owner or their lineal descendants.
5. To the grandparents of the original owners.

If the owner or heirs cannot be located, the Village will follow Ohio Revised Code procedures to repossess abandoned lots.

Funerals and Interments

Arrangements for interments must be made at least forty-eight hours in advance of the time set for the funeral. There should be no holiday or Sunday burials except with the prior approval by the cemetery caretaker.

For an interment, directions must be given and charges prepaid at the cemetery clerk's office. Charges can also be included with the funeral home payments, and the funeral home will transfer payment at the time of interment.

No body, except that of a human being may be interred in the cemetery. Only one (1) interment may be made in a single grave space, except:

1. An infant may be buried with its mother in the same casket.
2. In the case of infants, two infants will be allowed to be interred in one (1) space end to end.
3. One cremated remains of a related person may be permitted to be interred over a regular burial, conditions permitting, upon the approval of the lot owner and the cemetery caretaker.
4. Two cremations will be allowed to be interred in one grave space end to end.

Cremation burials must be in a permanent, non-biodegradable container.

Monuments, Markers, & Foundations

No monument or marker of any kind can be erected upon any space before the lot has been paid in full.

Foundations can only be poured six months after burial to allow for the ground to settle. Cremation foundations can be poured at any time. All fixtures on burial spaces shall be on a foundation. Foundations for any memorial work shall not be made until the space has been paid for at the cemetery clerk's office. All foundations will be constructed by the cemetery crew. The cost shall be at the current construction cost (pre-set per square inch price).

Persons engaged in erecting monuments or other structures must provide suitable planking to prevent injury to sod, grass, trees or other planting or stonework. If any damage occurs, the person or company causing the damage will be required to repair the damage to the cemetery caretaker's satisfaction.

Cemetery workers will exercise all possible care to protect headstones, plantings, and decorations on all spaces. These items can be fragile and the Village disclaims responsibility or liability for any accidents or damages which may occur.

Benches shall be permitted only in place of a headstone on a burial space and shall require a foundation. Bench foundations shall be 2" wider than the widest part of the bench. Any existing benches may remain so long as they are maintained to be level and in general good condition. The Village reserves the right to remove any bench which is not maintained.

Decoration of Grave Spaces

Flowers are permitted to be planted on gravesites but must be planted no more than twelve inches from the headstone and not to exceed its width. Plantings may include the grave side of the headstone but no planting is permitted at the side or non-grave side of the stone. Planting of trees, shrubs, yucca, rose bushes, or similar plants is not permitted unless approved by the cemetery caretaker. Maintaining plantings is the responsibility of the grave owner or family. Any planting may be removed if considered unsightly, a nuisance, a hazard, or if plantings are infringing upon other grave spaces. The caretaker reserves the right to remove any planting at any time as deemed necessary without explanations.

Lot enclosures of bricks, timbers, rocks or any other material are not permitted. Mulch may be used around plantings, but stones and other bedding are not permitted.

Glass containers, metal stakes, and fences are not allowed in the cemetery and will be removed. No permanent flower vases shall be mounted above ground.

Grave blankets are permitted from December 1st through March 15th.

The Village shall not be liable for lost, misplaced, or broken flower vases or decorations, nor for plantings, grave markers or other property damaged by the elements, thieves, vandals, or other causes beyond its control. Excessive decoration of spaces is prohibited and shall be monitored by the caretaker. The caretaker shall have the right to remove any decoration determined to be unsightly, inconvenient or dangerous.

All spaces shall be seeded with grass seed by the cemetery crew. All spaces shall be seeded level with surrounding grade, eliminating mounds.

The caretaker will remove artificial flowers and clean grave spaces on April 1st and November 1st of each year or any time that they become damaged or unsightly or a danger when mowing or trimming.

Miscellaneous Rules

All persons are prohibited from picking either wild flowers, shrubs, or other plantings. Dogs are not allowed on the cemetery grounds.

Automobiles and bicycles shall not be driven over lawns. If damages results from such practice, the driver of such vehicle shall be held liable for the cost of repair of said damages. Visitors on foot have the right of way at all times.