



## **Section 1**

### **General Rules**

1. Hillcrest is a non-denominational park and serves all persons and faiths with equal respect and dignity.
2. Weather permitting the grounds are open for visitors from sunrise to sunset. No visits can be allowed after dark for safety reasons.
3. Our office hours are from 8:00 a.m. to 4:30 p.m. weekdays and 8:00 a.m. to 12:00 p.m. on Saturday. The office is closed on all major holidays and as may be posted from time to time.
4. All seasonal decorations are removed from the grounds and mausoleum on March 1 of each year. All Summer and holiday decorations which are placed during grass cutting season will be removed on the 15th and 30th of each month.
5. Cemetery grounds are often uneven due to settling and drainage conditions. Visitors use such grounds at their own risk and should always check their footing.
6. Funeral flowers are removed at the cemetery's discretion. No prior notice is given and people wishing to keep any flowers should remove them at the time of interment.
7. No stones, pebbles, glass beads or other small items may be left on any grave site. Such items are a safety hazard and can be propelled with force a considerable distance by a mower. No exception will be made to this rule. All items will be removed without prior notice.
8. The placing of food, beverages, boxes, shells, toys, metal designs, ornaments, chairs, vases, glass, wood or iron cases, glass and plastic blocks, artificial animals, tin cans, crockery, waste baskets, pails, cardboard cartons, etc. shall not be permitted.
9. All requests for work on a grave, crypt or niche shall be submitted to the office. Grounds keepers are not permitted to perform any work unless they have a work order generated by the office.
10. No person may cut, trim or prune any plantings within the cemetery. Unauthorized removal of items from graves, crypts or niches is theft and punishable by law.

11. Firearms, explosives and firecrackers may not be discharged in the cemetery for any reason. Military and police in uniform may discharge firearms by giving prior notice to the cemetery office.
12. Peddling or soliciting the sale of any item or commodity within the cemetery or the placing of any signs or notices or advertisement of any kind within the cemetery is forbidden.
13. It is forbidden to linger, loaf, and or panhandle on cemetery grounds. Violators will be considered trespassers and prosecuted.
14. The right to enlarge, reduce, replot or change boundaries or grading the cemetery, or section of sections from time to time, including the right to modify or change the drives or walks, or any part thereof is hereby reserved. The right to lay, maintain and operate, or alter or change pipe lines, gutters, sprinkling systems, or drainage, etc., is also expressly reserved, as well as is the right to use cemetery property not sold to individual plot owners for cemetery purposes including interment of the dead, or for anything necessary, incidental or convenient thereto. The cemetery reserves to itself and to those lawfully entitled thereto a perpetual right to ingress over plots for the purpose of passing to and from other plots.

## **Section 2**

### **Deeds**

1. Deeds are issued for graves sold in Block Sections only.
2. The deed to a lot conveys burial rights only; the title to the land itself remains with the Association. A Deed allows the interment of human remains only, and is subject to the By-Laws, Rules, and Regulations of the Association and the Laws of Ohio now or hereafter amended.
3. A deed establishes the lot owner(s). The recorded lot owner is determined by the purchaser at the time of sale.
4. All deeds are issued by the Cemetery office after a lot has been fully paid. If a lot is being purchased on a pre-need, deferred payment plan, and it becomes necessary to use a grave space on said lot, any unpaid balance of the total cost of said lot applicable to the grave used, which remains unpaid, must be paid before an interment can be made.
5. The ownership of a deed to a lot is necessary before any permanent memorial can be placed on it. Such a memorial requires the written approval of the Association on a form intended for such purpose provided by a Monument Dealer.
6. When a lot is conveyed by the Cemetery Association to two or more persons, they take title as tenants-in-common. In such case, upon the death of one his or her interest goes to his or her heirs.

7. The passing of personal property by Will and Testament does not include the burial rights on one's Cemetery Lot unless it is specifically identified therein.
8. Mere possession of a Deed Certificate does not automatically convey burial rights.
9. Unless so specified otherwise in a letter from either party in a Divorce or Separation Decree, divorced and/or separated co-owners still maintain joint ownership over a cemetery lot they originally purchased together and so recorded. It is recommended that the control of burial rights held jointly be decided at the time of divorce decree.
10. Only one deed can be issued for a lot. Duplicates, if necessary, can be issued only when a properly signed affidavit declaring the original deed's loss is filed with the Cemetery.
11. According to the Ohio Revised Code cemetery lots cannot be sold for more than was originally paid. No re-sale of any lot will be considered completed or valid until such time as the original deed has been surrendered to the cemetery with valid instructions for resale.
12. The cemetery is under no obligation to repurchase any lot for any reason.
13. Persons who wish to donate an unused lot to the cemetery may do so. All such lots will be resold to the general public or used as the Association sees fit.

### **Section 3**

#### **Interment and Entombment**

These definitions are provided to help in the understanding of these rules.

**Block** – a large portion of cemetery land. Each block is divided into hundreds of sections. Hillcrest has 14 blocks.

**Section** – a division within a Block usually consisting of six graves.

**Lot** – a division within a section sufficient for the purpose of a grave.

**Vault** – an approved concrete, metal or other material structure approved by the cemetery into which a casket is placed prior to interment i.e. burial.

**Interment** – The placement of a body into the ground.

**Base** – Used to support a marker. Acceptable foundations at Hillcrest are concrete or granite.

**Marker** – a flat bronze panel used to mark a gravesite.

**Mausoleum** – A permanent building that houses crypts and niches.

Crypt – An above ground space for the entombment of human remains.

Niche – an above ground space for the entombment of cremated remains. Niches may be glass or stone faced.

Entombment – The placement of a body into a crypt.

Urn – A vessel designed to hold cremated remains.

Cremation – The reduction of the body of a deceased person to recoverable bone fragments and ash through a process, which combines intense heat and evaporation. The fragments are then collected and referred to as “cremated remains”.

1. In each lot only one interment may be made. However, one urn of cremated remains may also be interned on said lot.
2. In a lot specifically designated for cremated remains only one urn of cremated remains may be interned.
3. Each urn may only hold one individual’s cremated remains.
4. Crypts located in the mausoleum may contain the following entombments:
  - a. Westminster Crypts – two entombments
  - b. Companion Crypts – two entombments
  - c. Single Crypt – one entombment and one urn entombment
5. Garden Crypts – one entombment and one urn entombment.
6. Stone Faced Niches:
  - a. Single niche space shall contain only one cremated remains in an urn or approved container.
  - b. Double niche spaces shall contain two cremated remains in urns or approved containers.
7. Glass Front Niches:
  - a. Single spaces shall contain only one cremated remains which shall be in an urn approved by the cemetery.
  - b. Double spaces shall contain only two cremated remains in urns approved by the cemetery.

8. Payment – All lots, crypt and niche spaces must be paid in full prior to use. No interment or entombment will be allowed unless the full purchase price has been paid. In the case of pre-need payments any unpaid portion must be paid in full at the time of use.
9. All fees associated with opening and closing of any lot, crypt and/or niche must be paid in full at the time said service is required. This includes any tent rental or other services requested. These fees may change from time to time. Inquire at the office for a fee schedule.
10. The cemetery and local law requires that all internments shall be made into an approved type of vault. No interment shall be made without a vault. There will be no exceptions for any reason.
11. No interment or entombment will be permitted unless the Funeral Director or other party provides the cemetery with a Burial Permit.
12. All interments and or entombment must be done during the normal business hours of the cemetery. Notice of an interment or entombment must be given at least 24 hours in advance in order to allow the cemetery adequate time to prepare.
13. Interments or entombment may only be done by cemetery personnel.
14. The opening of a casket at the cemetery site may only be done by the Funeral Director in the presence of the family, next of kin or legal representative of the estate.
15. The cemetery will not be responsible for any order given by telephone or for any mistake occurring from the want of precise and proper instructions as to the particular space, size of grave and location in a lot where interment is desired.
16. No pets or cremated remains of any animal may be interred or entombed on any cemetery property, niche or crypt.

#### **Section 4**

#### **Disinterment**

1. All actions pertaining to the defined procedures for disinterment must be done in compliance with Ohio Revised Code. “Disinterment” means the recovery of human remains by exhumation, dis-entombment, or disinurnment. “Dis-interment” does not include the raising and lowering of remains to accommodate two interments within a single grave and does not include the repositioning of an outside burial container that encroaches an adjoining burial space.
2. The Cemetery reserves, and shall have the right to correct any errors that may be made by it either in making interments, dis-interments or removals, or in the inscriptions, transfer, or conveyance and substituting and conveying in lieu thereof other interment rights of equal value and similar location as far as possible, or as may be selected by Cemetery or, in the sole discretion of the Cemetery, by refunding the amount of money paid on account of said

purchase. In the event such error shall involve the interment of the remains of any person in such property, the Cemetery reserves and shall have the right to remove and transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof, Cemetery shall also have the right to correct any errors made by placing an improper description, including an incorrect name or date either on the memorial or on the container for cremated remains. Prior notice of any correction will be furnished to the next of kin or legal representative of the estate when feasible.

3. If the next-of-kin denies the right to correct the burial error, the Cemetery can petition Probate Court for a ruling.

4. If a Funeral Director needs to open a grave to retrieve anything from a casket, he must have the written authorization from the spouse, the appropriate next-of-kin, or a legal representative of the estate in the absence of a spouse.

5. Any person with valid Power of Attorney for a surviving spouse may exercise his or her right on behalf of an incompetent spouse to affect a disinterment application. If representing a third party, however, he or she must follow the Probate Court procedures to obtain a disinterment ruling. The cemetery reserves the right to not accept a Power of Attorney at its sole discretion.

6. Dis-interments will be performed only by Cemetery personnel, or with the assistance of a qualified Vault company, at the request of Cemetery Management.

7. Condition of Outer Burial Container: All interments are completed in a manner which facilitates the permanent disposition of the remains of the deceased person. When a family requests a disinterment or a raise and lower, it is a complicated project because of the inherent permanence of all outer burial container regardless of the care used in the process. The Association is not responsible for any damage to the outer burial container or the casket which may occur during a disinterment or a raise and lower. Owner agrees to bear the full cost of replacing a damaged outer burial container and casket. No damaged vault may be re-interred in the cemetery.

8. Due to the fact that the disinterment/re-interment process can result in a renewal of the grieving process, the Association makes every effort to provide caring, sensitive assistance to each applicant. The outer burial container in which the remains have been placed may be in a deteriorated condition caused by the natural conditions of below ground interment. The Association cannot ensure the condition of the outer burial container and therefore recommends that the family not attend the disinterment or re-interment. The cemetery is not responsible to any family member for any physiological, psychological or physical injury resulting from attendance at the disinterment of the decedent.

## **Section 5**

### **Mausoleum and William M. Gall Memorial Hall Rules**

In order to provide for the safe and respectful use of the mausoleum the following rules will apply and must be obeyed.

1. The mausoleum may only be entered during the hours it is open:
  - a. Weekday hours are 8:00 a.m. – 4:30 p.m.
  - b. Saturday hours are 9:00 a.m. – 3:30 p.m.
  - c. Sunday hours are 11:00 a.m. – 3:30 p.m.
  - d. Holidays except Thanksgiving and Christmas hours are 9:00 a.m. – 3:30 p.m.
  - e. The cemetery reserves the right to close the mausoleum from time to time for cleaning and repair and at other times by posting advance notice in the mausoleum of closing dates. It will be closed Thanksgiving, the Friday after Thanksgiving, Christmas Eve and Christmas.
2. Persons using the mausoleum may not place any human remains or other items of any type or sort in any niche or crypt without the permission of the cemetery.
3. No person may open a niche or crypt for any reason or purpose. All openings must be done by cemetery personnel according to the rules herein set forth.
4. Any unauthorized placements made in any niche or crypt will be moved and disposed of without prior notice.
5. The cemetery shall make a price list covering services offered in the mausoleum. This is located in the cemetery office and may be updated from time to time.
6. No live or cut flowers, plants or foodstuff may be brought into or left in the mausoleum. All such items will be removed and disposed of without prior notice.
7. No liquids and/or alcoholic beverages of any type may be brought in or left in the mausoleum. All such items will be removed and disposed of without prior notice.
8. No drugs or prescription medication may be brought into or left in the mausoleum. All such items will be removed and destroyed without prior notice.
9. No firearms, ammunition, explosive devices, inflammable liquids, paints and/or corrosive chemicals may be brought into or left in the mausoleum. All such items will be removed and destroyed without prior notice.
10. Due to fire hazard no paper or printed materials may be brought into or left in the mausoleum. All such items will be removed and disposed of.

11. No children are allowed in the mausoleum unless accompanied by an adult over the age of 21 years.
12. No pets or other animals of any type are allowed in the mausoleum. This shall not apply to any properly trained and necessary service animals.
13. No personal furniture and/or art work can be brought into the mausoleum. All such items will be removed and disposed of.
14. No items of any type can be left on the floor of the mausoleum. All items so left will be removed and disposed of without prior notice.
15. No marking of any type may be made on any crypt, niche or wall within the mausoleum.
16. No item can be placed or affixed to any crypt or niche unless approved by the cemetery. All unauthorized items shall be removed and disposed of without prior notice.
17. Flowers may only be placed in approved vases and bud vases. These can be purchased at the cemetery office and must be affixed by cemetery personnel.
  - a. Only artificial flowers may be placed in a vase or bud vial.
  - b. No items may be hung or suspended from any vase or bud vase.
18. Seasonal displays will be removed and disposed of as is set forth in Section 1 Rule 4.
19. The cemetery is not responsible for any lost, stolen or removed items. All persons visiting the mausoleum should be aware that the mausoleum is open to the public without supervision by cemetery employees. Any person needing help in the mausoleum or who wishes to be accompanied in the mausoleum should ask for assistance at the cemetery office.
20. All persons on the cemetery grounds or in the mausoleum must do so in a quiet and respectful manner.
21. Hillcrest Memorial Park Cemetery Association reserves the right to change or amend these rules from time to time by a vote of its Board of Directors.
22. As used in these rules, the term mausoleum shall be interchangeable with the term William M. Gall Memorial Hall.

## **Section 6**

### **Garden Crypts and Niches**

These rules shall apply to all outdoor areas where garden crypts and niches are located.



1. Garden crypts and niches may be visited from sunrise until sunset. No visitation is allowed during darkness.
2. No person other than cemetery personnel shall open any crypt or niche. No person may remove or place anything inside a crypt or niche without the express permission of cemetery personnel.
3. Any unauthorized placements in any crypt or niche will be removed and disposed of without prior notice.
4. No foodstuff and/or alcohol beverages shall be left at or near any garden crypt or niche. All items will be removed and disposed of without prior notice.
5. No flowers, memorials or other items may be left on the ground in front of the garden crypts or niches. All such items will be removed and disposed of without prior notice.
6. Only artificial flowers may be placed in approved wall mounted vases or bud vases.
7. All items placed in approved vases and bud vases will be removed from time to time at the discretion of the cemetery when they deemed to be too weather beaten.
8. All seasonal displays will be removed 30 days after the applicable holiday is observed.
9. No markings may be made on any crypt or niche surface unless approved by the cemetery. Any unauthorized markings will be removed without prior notice.
10. No items may be hung or suspended from any vase or bud vase. All such items will be removed and disposed of without prior notice.

## **Section 7**

### **Personal Landscaping**

1. No flowers, plants, shrubs or trees may be planted without first obtaining the permission of the cemetery. People seeking permission should understand that:
  - a. Due to the very significant Canadian geese and deer populations virtually anything left or planted will be eaten by the deer or geese. The cemetery is prohibited from dealing with the deer or geese by federal, state and local laws.
  - b. The cemetery cannot be responsible for watering, fertilizing or preventing pests of planting.
  - c. No planting may be made which interferes with the mowing and edging of the cemetery and markers. All such items will be removed and disposed of without prior notice.
  - d. The cemetery is not responsible for stolen items.

2. The cemetery reserves the right to limit the quantity of such memorial tribute items per grave and lot, and will remove pieces it deems excessive, detracting from the overall appearance of the area, or inhibiting the proper maintenance of the graves themselves.
3. No glass or tin can vases are allowed. Improper containers will be removed without prior notice.
4. All plants and tributes are placed at the risk of the family and friends. Expensive or elaborate tributes are strongly discouraged; less costly items serve the same purpose, and are less likely to be stolen.
5. Any requests or orders for special services on one's lot grave, crypt or niche must originate in the office. Cemetery employees are not permitted to perform such tasks without work orders issued from the office.

## **Section 8**

### **Grave, Crypt and Niche Markers/Memorials**

1. On any interment only flat bronze markers are allowed. No exceptions will be made to said policy.
  - a. All markers must be approved for design and dimensions by the cemetery prior to manufacture or delivery to the cemetery.
  - b. No markers that are profane or otherwise inappropriate are allowed. The determination of this rule shall be at the sole discretion of the cemetery and said ruling shall be final.
2. The use of cameos, i.e. porcelain photograph items, on markers is discouraged and cemetery will not be responsible for damaged or lost markers.
3. No temporary markers are allowed beyond 30 days of interment.
4. No marker will be placed unless all fees associated with the lot, crypt or niche have been paid in full.
5. All markers must be installed on an approved base of concrete or granite.
6. Only one marker is allowed per grave site.
7. The cemetery does allow the placement of memorial benches.
  - a. All benches must be made of white granite or marble.
  - b. The person desiring a bench shall bear the cost of said bench and the installation of a suitable foundation.

- c. No bench may be installed on a grave which is occupied or may become occupied. Benches may only be installed on an unused lot or an area where no lot can be placed. The person desiring a bench must purchase the lot upon which the bench will be installed.
  - d. All bench designs must be submitted for approval to the cemetery prior to the manufacture of said bench.
  - e. There can be no lettering on the seating surface of any bench.
8. No marker or lettering may be removed from the cemetery without the express permission of the next of kin or legal representative of the estate and the cemetery.
- a. Any item to be removed must be removed by the cemetery staff.
9. Only approved bronze lettering may be placed on any crypt or niche.
- a. All lettering must be installed by cemetery personnel.
10. Pull or bronze vase should not be used between October 15 and April 15 as they may be damaged when water freezes in said vases. **THE CEMETERY IS NOT RESPONSIBLE FOR DAMAGE TO VASES CAUSED BY FREEZING.**

## **Section 9**

### **Crematory Witness Rules and Regulations**

The crematory is not open to the public and witnesses to a cremation are only allowed for religious or other similar good cause and only with the consent of the cemetery. Because witnessing a cremation is a privilege, the following rules and regulations have been adopted by cemetery for the mutual protection of its employees and of all persons who are authorized to witness a cremation service at the crematory.

- 1. No person may witness a cremation unless they are a close relative of the decedent, a close friend of the decedent, a member of the clergy who officiated at the funeral or memorial services for the decedent, and they or someone legally authorized on their behalf, executed an approved **WITNESS AUTHORIZATION** form from the cemetery. The cemetery reserves the right to prohibit any person from being a witness at the sole discretion of the cemetery.
- 2. Witnesses must comply with the instructions of crematory personnel at all times.
- 3. Witnesses must remain at the approved location for viewing the cremation services.
- 4. Upon advance notice to crematory and with its consent, one witness may be designated to start the cremation unit for the cremation. Starting can only be done per the crematory rules. This is required for safety and by government regulation.

5. No witnesses, other than the one designated to start the cremation unit, may be near the cremation unit.
6. Witnesses shall maintain the decorum required for a ceremony of this kind and may be removed by crematory personnel for any violations at the sole discretion of the crematory.
7. Children, other than members of the immediate family of the decedent, will not be allowed to witness a cremation service. No child shall be allowed to start the cremation unit under any circumstance.
8. Because of the limited facilities of the crematory for witnessing, any person who has any physical limitations must notify the crematory of those limitations and any special requirement in advance. If the crematory is not notified in advance, it reserves the right to restrict the witnessing by that person if it is unable to reasonably accommodate their special requirements at that time. No unsafe condition may be created solely to accommodate a physical limitation.
9. Witnessing a cremation can be an emotional experience. Because witnessing a cremation is a privilege, witnesses are assuming the risks psychological, physiological, stress and all other maladies involved and understand that cemetery has no responsibility or liability with respect to the process and/or the participation of the witness.

## **Section 10**

### **Traffic Regulations**

1. All traffic laws of the State of Ohio and City of Bedford Heights must be obeyed when driving in the cemetery.
2. It is not permitted to drive or park on the grass. All vehicles must stay on paved roadways.
3. Drivers who damage grass, landscaping, fences, markers and/or buildings will be required to pay for said damages.

## **Section 11**

The Trustees reserve the right to change, alter or amend these rules in order to insure the dignified and safe operation of the cemetery.

These rules were enacted by the Board of Trustees of Hillcrest Memorial Park Cemetery Association, a duly incorporated not for profit cemetery association this 1st day of February, 2012.