

Rules and Regulations of the City of Sunbury Cemetery
Revised: July 3, 2024 – Weekend/Holiday Burials

The Sunbury City Cemetery aka Sunbury Memorial Park is owned by The City of Sunbury. The Cemetery is operated under the control of the City Council and the Mayor of Sunbury. Problems and concerns should be brought to the attention of the Cemetery Caretaker. The Cemetery Caretaker and the Cemetery Clerk shall be appointed by the mayor. The Cemetery Caretaker may be the same person as the Cemetery Clerk. If the Cemetery Caretaker cannot resolve the problem, he will bring the matter to attention of the mayor. Sunbury City Council shall retain the right to amend these rules and regulations as appropriate.

The Sunbury City Cemetery is not operated for profit. All receipts are expended upon the upkeep and improvement of its property.

Purchase of Spaces (Lots)

Persons desiring to purchase a family lot or burial space are invited to visit the office of the Clerk of Cemetery, where they will be informed of available spaces and the cost of the spaces. Prospective buyers may meet with the Clerk or the designated Caretaker of the Cemetery 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 Cemetery Clerk at the Municipal Offices. After payment is made, you shall receive your deed to the space(s) within ten (10) working days. No space(s) is considered sold until it is paid in full and no burial shall take place until the burial space is purchased. No partial payment for burial spaces shall be accepted by the Cemetery Clerk or Cemetery Caretaker.

All sections of the Cemetery have been platted into lots with single burial spaces available or entire lots (5 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 City for the purchase price of the lot or space subject to the approval of the mayor.

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 City by the lot owner prior to burial. (Revised April 20, 2011).

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

Persons who own property within the City but reside outside the City are considered non-residents of the City and are required to purchase lots or services at non-resident prices. To be eligible for purchase of lots at residence rates, purchaser must be a City resident at the time of purchase except for residents who are required to leave the City 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 mayor.

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

Property 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, the husband or wife 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 husband or wife of the space owner, or shall be his or her wife or husband at the time of such space owner's demise.

The surviving husband or wife 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 grand children 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 brothers and sisters of the original or their lineal descendants.
5. To the grandparents of the original owners.

Funeral 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 from 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, or the remains of an infant may be buried over the remains of its parent or related party in such a manner as not to disturb the remains of the parent or related party conditions permitting upon the approval of the cemetery caretaker.
2. 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.

3. Two cremations will be allowed to be interred in one grave space. In the case of infants, two infants will be allowed to be interred in one (1) space.

Cremation burials must be in permanent container.

Monuments, Markets & Foundations

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

Foundations can only be poured six months after burial to allow for ground to settle. Cremations 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). The design of a proposed memorial should be selected to harmonize with the surroundings. Care should be taken so as to avoid duplication of monuments, or even to follow so closely as to cause a tiresome monotony.

Niche markers need to be consistent with existing markers in style and design. Person engaged in erecting monuments of other structures must provide suitable planking to prevent injury to sod, grass, trees or other planting or stonework.

The cemetery workmen will exercise all possible care to protect raised lettering, carving or ornaments on all spaces, but disclaims responsibility for any damage or injury thereto.

Benches shall be permitted only in place of a headstone on a burial space and shall require a foundation. Any existing benches may remain so long as they are maintained to be level and in general good condition. The City reserves the right to remove any bench for which is not maintained.

The cremated remains section shall allow uniform ground level markers only with the only exception being as necessary for military markers.

Decoration of Plots

Flowers are permitted to be planted on gravesites but must be planted no more than twelve inches from the headstone and not to exceed the width of the plot. Plantings may include the front of the headstone and either side, but no planting is permitted at the back of the stone. Planting of trees and shrubbery is not permitted unless approved by the Cemetery Caretaker. Any planting may be removed if considered unsightly, a nuisance, a hazard, or if plantings are infringing upon other grave spaces. The Cemetery Caretaker reserves the right to remove any planting at any time it deems 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 flower pots or vases are not allowed in the Cemetery.

No permanent flower vases shall be mounted above ground in the 1971(D) North and all future platted sections of the park.

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

The City 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 Cemetery Caretaker. The Cemetery 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 City of Sunbury Cemetery Caretaker will clean all grave spaces starting April 15th of each year. This is done to ensure that the Cemetery will look its best on Memorial Day.

Miscellaneous Rules

All persons are prohibited from picking either wild flowers, shrubs, or other plantings.

Dogs are not allowed on the Cemetery grounds.

Firearms shall not be discharged within 100 yards of the Cemetery, as provided by state law. (Exceptions being a military funeral or memorial service).

Automobiles and bicycles shall not be driven over lawns or gutters, or on walks. If damages result 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.

The following fees will apply in the Sunbury City Cemetery:

Burial Space/Niche/Cremations Section

	<u>Sunbury Resident</u>	<u>Delaware County</u>	<u>All Others</u>
Burial Space	\$200.00	\$600.00	\$1200.00
Niche (Prices based on row selected)	\$600-700	\$1,000 - \$1,200	\$1,500 - \$1,600
Cremation Section Space	\$150.00	\$550.00	\$1150.00

Opening & Closing Cost

Weekend-Holiday Burials. Weekend and holiday burials may not always be available. The family and/or funeral home must receive prior authorization from the Cemetery Clerk before scheduling a weekend or holiday burial.

Grave side services for all weekend or holiday burials must conclude by 11 am.

	<u>Weekday</u>	<u>Weekend-Holiday</u>
Regular-Weekday Burial	\$500.00	\$800.00
Cremation Burial	\$200.00	\$300.00

Foundation Fees

To be determined administratively per market rates (currently \$0.85 per sq. inch)

Minimum Foundation Fee - \$350.00

Maximum size of a single foundation 44"x16"

Maximum size of a double foundation 90"x16"

Cost of Foundation: equals size of monument plus 2 inches on width and length (1" extra for each side). *Example: monument is 12"x16" than the foundation calculation would be 14"x18"x0.85.*