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CODIFIED ORDINANCES
OF THE
CITY OF CLEVELAND,

INCLUDING ALL
GENERAL ORDINANCES IN FORCE MARCH 1, 1877.

TOGETHER WITH ALL
SPECIAL ORDINANCES OF PUBLIC INTEREST.

REVISED AND ARRANGED
BY
WILLIAM HEISLEY, CITY SOLICITOR.

PASSED MARCH 12TH, 1877.

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CHAPTER X.

CEMETERIES.

SECTION.

1. Cemetery Trustees to appoint Superintendents.
2. Board may appoint one to sell lots; money to be deposited; to be drawn on order.
3. Trustees appointed to give bond.
4. Management and control of cemeteries; rules and regulations; beautifying and adorning.
5. Moneys expended to be drawn from fund arising from sale of lots; expenditures not to exceed, at any time, amount in fund.
6. Trustees' semi-annual report.
7. Graves to be dug by Sexton; depth; service at interment and compensation.
8. Moneys received from sale of lots and services of Sexton to constitute cemetery fund.

SECTION.

9. Height of head-stones in Woodland; foundation of monuments; wooden fences around lots prohibited.
10. Lot owners may erect head-stones and adorn lot under direction of the Board.
11. Gates to be open on week days from 6 o'clock A. M. to 7 o'clock P. M.; proviso; to be closed on Sundays, except to persons on foot and vehicles attending funerals; proviso.
12. Fast driving; smoking, obscene language, etc., prohibited; wantonly injuring trees, flowers, etc.; leaving horse without driver; intoxicated person not permitted to remain; defacing monuments, etc.; fire arms; children; killing birds; dogs. Sitting or walking on private lots prohibited.
13. Penalty; fine and imprisonment.

SECTION 1. The Board of Cemetery Trustees shall appoint subject to the approval of the Council, at their first regular meeting in April of each year, as they may deem necessary, one superintendent for Monroe street cemetery, one superintendent for Erie street cemetery, and one superintendent for Woodland cemetery.

Appoint-
ment of
Superin-
tendents.

SEC. 2. Said Board of Cemetery Trustees may appoint one of their number to sell lots, receive payment therefor, direct the improvements and make the necessary expenditures, under such rules and orders as said trustees shall prescribe, and notice of such appointment shall be communicated to the Council; and all moneys coming into the hands of said trustees officially, shall be immediately deposited with the City Treasurer, and be drawn out only on the order of said trustees, as they may want to use the same.

Trustees to
sell lots.

Moneys de-
posited and
drawn.

SEC. 3. Said trustee, so appointed, shall enter into bonds conditioned according to law, in the penal sum of ten thousand dollars, with sureties to be approved by the Council, for the faithful performance of his duty as such trustee, and to pay over all money by him received, which said bond shall be filed with the City Clerk.

Bonds.

Manage-
ment and
control.

Regulations
Adornm't.

Moneys ex-
pended.

Fund.

Limit of
expenses.

Trustees'
report.

Graves.

Sexton.

Compensa-
tion.

Moneys re-
ceived to
constitute
cemetery
fund.

Head-
stones in
Woodland.

Monuments

Fence.

Owner of
lot may
beautify.

SEC. 4. The trustees of cemeteries shall have the entire management and control of the several cemeteries in the city, and shall have power to make all needful rules and regulations concerning the management of the same; and also to improve, adorn and beautify the same, in such manner as a majority of said trustees may in their discretion deem fit and proper.

SEC. 5. All moneys expended by said trustees about and for the improvement of said cemeteries, shall be drawn by them from the fund arising from the sale of lots in the several cemeteries; but no expenditure shall be made by said trustees for such improvement, which shall exceed the amount of money at the time in such fund.

SEC. 6. It shall be the duty of the trustees of cemeteries to lay before the City Council, at their first meeting in April and October of each year, a statement of the lots sold, moneys placed in and drawn from the treasury, and improvements made under the authority of this chapter.

SEC. 7. All graves therein shall be dug by the City Sexton, and those of persons under five years of age shall be four feet deep, and for those over that age shall be five feet deep. For this service, and for discharging the appropriate duties of his office at the ceremony of the interment of deceased persons, he shall receive two dollars and fifty cents for a person less than five years of age, and in all other cases four dollars for such service.

SEC. 8. All moneys received for the sale of lots in the several cemeteries, and for the services of the Sexton, of whatsoever kind, shall be paid into the city treasury, and to constitute the cemetery fund, to be expended under the direction of the City Council.

SEC. 9. No head-stone shall be placed in Woodland Cemetery over thirty inches in height, nor shall any monument be erected unless upon a foundation of brick or stone at least five feet in depth below the surface of the ground; nor shall any wooden fence be hereafter placed around any grave in either cemetery.

SEC. 10. Every owner of a lot may erect head-stones and monuments, and beautify his or her lot under the direction of the Board of Cemetery Trustees.

SEC. 11. During week days all the gates of the cemeteries shall be open from six o'clock A. M. to seven o'clock P. M.; *Provided*, That from November 1 to April 1, the gates shall be open at seven o'clock A. M. and closed at five o'clock P. M. of each day, and no longer, except for burial purposes. On Sundays the gates shall be closed, except to persons on foot and vehicles actually in attendance at funerals; *Provided*, The Superintendent may grant permission to vehicles containing aged, invalid, or crippled persons, to enter the gates at any time.

Opening
and closing
gates.

Sundays.

Proviso.

SEC. 12. No person shall violate any of the following provisions:

1. No vehicles shall be driven faster than a walk within the gates of the cemeteries.

Fast
driving.

2. No smoking, no obscene language, no loud or profane conversation, shall be allowed within the cemeteries.

Smoking,
etc.

3. No person or persons shall wantonly or wilfully remove, cut, break, or in any manner injure or destroy any tree, shrub or plant, or pick, crush or gather, or in any manner injure or destroy any flower, either wild or cultivated, or any herbage, or the fruit or produce of any such tree, shrub or plant, within either of the cemeteries aforesaid.

Injury to
trees and
flowers.

4. No horse shall be left without a driver while within the gates; nor shall any person, while in a state of intoxication be permitted within the gates; nor shall any person be permitted to remain in the cemeteries after having been ordered by the Superintendent to leave, such persons being in a state of intoxication.

Horse with-
out driver.

Intoxicat'd
persons.

5. No person shall write upon, cut, bruise, break, discolor, or otherwise deface or injure any stone, monument, fence, or other structure within the cemeteries.

Defacing
monum'nts,
etc.

6. No person shall discharge any fire arms within the cemeteries, except at military funerals.

Fire arms.

7. Children will not be permitted within the cemeteries, unless accompanied by parents, guardians, or friends.

Children.

8. No person shall catch, wound, or kill, or attempt to injure any bird, nor remove or disturb any bird's nest or eggs therein, in either of the cemeteries aforesaid.

Killing
birds.