

Cemetery Rates

The administrative fee for any burial in the Cemetery: \$175

For a full burial, digging the grave is performed by an independent contractor. The Superintendent will help coordinate.

To open and close the ground for a cremation: \$60

Burial Plots

In the Cremation Garden: One 3' x 3' space suitable for one or two cremations and one flat stone: \$250 (\$175 for the space and \$75 for perpetual care*)

Plots in the rest of the cemetery:

One 3.5' x 9' space \$450 (\$315 for the space and \$135 for perpetual care*) For capacity see Section 5 g) of Cemetery Rules and Regulations.

Two spaces, 7' x 9' \$900 (\$630 for the spaces and \$270 for perpetual care*)

There are some areas with 3 or 4 contiguous spaces available for family purchases. The rest are single spaces.

Stones are set with Superintendent approval, by an independent contractor who charges the owner directly.

*Perpetual care is 30% of the total sale price of plots (see Chebeague Cemetery Ordinance Section 105.1)

There is a \$25 fee for deed transfers.

Cemetery Regulation Highlights

The full regulations are spelled out in The Rules and Regulations for the Chebeague Cemetery also on this website.

- A single grave in most of the Cemetery may not contain more than one body, except
 - A mother and one child may be buried together.
 - Two children may be buried together.
 - One full burial and two cremations may go in one space.
 - Three cremations may go in one space.
 - In the Cremation Garden two people may be buried in one space.
- All full burials must be in a permanent vault to prevent sinking of the grave.
- Cremains may be buried in a container.
- The Cemetery will be closed to internments when the ground freezes, and will be reopened at the end of spring thaw.
- No single grave shall have more than one above-ground memorial and/or two flush memorials.
- Only flush monuments are allowed in the Cremation Garden.
- The base of any monument shall be no wider than 32 inches.
- No lot or space shall be defined by a fence, rail, hedge, crypt or enclosure.
- There shall be no open flame on any space.
- Shrubs may only be planted with permission of the Cemetery Superintendent.
- Planting of trees is prohibited
- The general care of the Cemetery is assumed by the Cemetery Committee and includes the cutting of grass, raking and cleaning of the grounds. Monuments must be maintained in a safe condition by the owner of the lot or space.

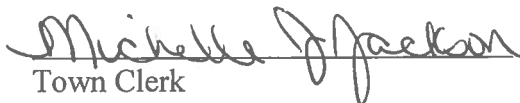


CEMETERY ORDINANCE

of the Town of Chebeague Island
MAINE

Adopted by the Town Meeting:
Effective: June 9, 2013

Attest:


Town Clerk

Seal:

Town of Chebeague Island Code of Ordinances
Chapter 11 – Administration
Article VIII – Cemetery

Section 116. TITLE

This Ordinance shall be known as and may be cited as the “Cemetery Ordinance for the Town of Chebeague Island, Maine,” and shall be referred to herein as “this Ordinance”.

SECTION 102. PURPOSE AND AUTHORITY

The purpose of this Ordinance is to establish a Cemetery Committee under Title 13, M.R.S.A. §1301, and to create a framework for regulating and managing the use and operation of the Chebeague Cemetery. This Ordinance is adopted pursuant to 30-A M.R.S.A. §3001.

SECTION 103. DEFINITIONS

“Burial” refers to the remains of a single person, whether in a casket or in cremated form.

A “grave” or “gravesite” is a parcel of cemetery land suitable for the burial of a single full casket. Some gravesites are specifically for cremations, and are smaller.

A cemetery “lot” is a parcel of cemetery land that may contain a block of graves, sometimes, but not always, owned by a single family.

SECTION 104. THE CEMETERY COMMITTEE

1. Appointment, qualifications, tenure, and vacancies on the Cemetery Committee
 - A. The Cemetery Committee will have between five (5) and seven (7) members appointed by the Board of Selectmen. They shall serve without compensation.
 - B. The Superintendent of the Cemetery will serve as a non-voting, ex-officio member of the Committee. The Board of Selectmen may also appoint other staff of the Town, such as the staff member who maintains the Cemetery accounts, as non-voting ex-officio members of the Committee.
 - C. Members shall be legal residents or property owners of the Town of Chebeague Island. Property ownership in this case includes ownership of a cemetery grave or lot.
 - D. The term of office of each regular member shall be three years. The terms of office shall be staggered, with the terms of 2 (3, if the Committee has 7 members) members expiring in one year; the term of one (2, if the Committee has 7 members) member expiring in the next year; and the terms of two members expiring in the third year.
 - E. The Committee may create subcommittees to work on particular issues. These subcommittees may include members who are not members of the Cemetery Committee.

F. Vacancies may occur by reason of resignation, death, or removal from the Town. The Board of Selectmen will fill vacancies for the unexpired term.

2. Organization and Rules of the Committee

A. The Committee shall annually elect a Chairperson and a Secretary. Each of these officers shall serve a one-year term and shall be eligible for reelection. The Chair will call the meetings and the Secretary will take minutes.

B. A majority of the members shall constitute a quorum.

C. All meetings shall be held pursuant to public notice and be held in a public building.

D. All records of meetings and actions of the Committee shall be public records except for deliberations and decisions relating to personnel or cases involving individual burials.

E. The Committee may adopt additional rules, not inconsistent with this Ordinance, for its operation, as necessary.

3. Duties of the Cemetery Committee

A. The Committee is advisory to the Board of Selectmen. The committee shall make recommendations to the Selectmen concerning:

i. Regulations for the Cemetery.

ii. Policy for the operation, care and maintenance of the Cemetery, including recommendations for capital expenditures.

iii. Investment of perpetual care funds.

iv. Changes in fees to be charged for Cemetery services.

v. Expansion of the Cemetery.

vi. Removal of the Superintendent of the Cemetery for cause and the hiring of any new Superintendent.

4. The Cemetery Committee will provide an annual report to the Board of Selectmen on the operation and financing of the Cemetery.

SECTION 105. CEMETERY FINANCES

Town of Chebeague Island Code of Ordinances
Chapter 11 – Administration
Article VIII – Cemetery

1. **The Perpetual Care Fund**

This fund is created under 13 MRSA 1306 that requires that at least 30 percent of the proceeds from the sale of lots and individual gravesites in the Cemetery be deposited in an endowment fund for the Cemetery. This fund is held at the Town's bank. The Cemetery Committee will make recommendations to the Selectmen on the proportion of monies from the sale of lots to be invested in the Perpetual Care Fund.

2. **The Cemetery Reserve**

The Cemetery Reserve is funded by several revenue streams and is used for Cemetery capital expenditures such as repair and maintenance of gravestones, purchase of equipment, and repair of buildings. This account will also be held at the Town's bank. Its revenues are:

- A. **Interest from the Perpetual Care Fund.** Under state law, this interest must be devoted to maintenance of the Cemetery or for the purchase of additional Cemetery land.
- B. **Money from the sale of cemetery lots that does not go into the Perpetual Care Fund principal.**
- C. **Money from burial administrative fees.**

3. **The Town Appropriation**

The Town will annually budget for the operation of the Cemetery including compensation for employees and regular annual expenses.

4. The Cemetery Committee and the Town Administrator shall develop the annual budget for the Cemetery. This budget will recommend operating expenses from the Town appropriation, and capital expenditures from the Cemetery Reserve.

SECTION 106. OPERATION OF THE CEMETERY

1. **A Superintendent will be appointed annually by the Board of Selectmen and will report to the Town Administrator.** The Superintendent will be responsible for:

- A. Maintaining a map and record in the Town Office of the layout of the Cemetery and the ownership of lots and/or individual graves.
- B. Selling lots through Town Office with the assistance of Town staff responsible for the Cemetery.
- C. Arranging for opening and closing of graves and setting of gravestones.

Town of Chebeague Island Code of Ordinances

Chapter 11 – Administration

Article VIII – Cemetery

D. Determining the dates of the winter closing and spring opening of the Cemetery for burials.

E. Maintaining the grounds, buildings, and equipment of the Cemetery.

F. Make day-to-day administrative and operational decisions related to the Cemetery.

3. In the performance of these responsibilities the Superintendent may arrange for work to be performed by Town employees or other contractors. Such work and any outside contracts are subject to the approval of the Town Administrator and the Selectmen.

4. Under 30-A MRSA 2901 Municipalities are responsible for decorating graves of veterans of the Armed Forces of the United States of America with an American flag in an appropriate flag holder on Memorial Day (observed). They are also required to request that the Church bell be rung at 11:00 on Veterans Day.

SECTION 107. ENFORCEMENT AND PENALTIES

This Ordinance shall be enforced by the Selectmen and the Town Administrator. Each violation of this Ordinance shall be punishable by a fine of at least \$50 but no more than \$200.

SECTION 108. AMENDMENTS

This Ordinance may be amended by Town Meeting at any properly noticed meeting.

SECTION 109. SEVERABILITY

In the event that any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect.

RETURN ON THE WARRANT

Chebeague Island, Maine

June 1, 2013

Pursuant to the within warrant to me directed, I have notified and warned the inhabitants of said Town, qualified as herein expressed, to meet at said time and place, and for the purposes therein named, by posting an attested copy of said warrant at: Chebeague Island Town Office, Chebeague Island Hall Community Center, Chebeague Island Library, Chebeague Island Recreation Center, Island Market, Chandlers Cove Landing, Chebeague Transportation Companies vessel "Islander" and the said Town, being public and conspicuous places in said Town, on the first day of June, 2013, being at least seven days before the meeting.

Resident of Chebeague Island

Cemetery Rules &
Regulations

Town of Chebeague Island Cemetery Rules and Regulations¹

The Chebeague Island Cemetery is owned and administered by the Town of Chebeague Island. It is the place where the community's dead are buried and where family and community members can visit, decorate and maintain the graves of family and friends, and generally show respect for the dead. Ownership of a burial plot frequently extends for many generations, and is often a place where family members not only from Chebeague, but also from many parts of the U.S. and the world are buried by their families who gather for such rituals.

The Cemetery is also a wonderful place to learn about Chebeague's history and people. Walking tours discussing the Island's history and genealogy are encouraged. The Town, the Historical Society and the Library can provide guidance on the island's history and genealogy to give context to the silent testimony provided by the headstones.

The Cemetery should be a peaceful place, quiet and verdant in the summer as well as shrouded in snow during the winter. It is maintained by the joint work of owners of family plots and individual graves, and by the Town, in part from the proceeds of the Cemetery's Perpetual Care Fund.

These rules are intended to guide the behavior of people using and visiting the Chebeague Cemetery.

1. Respect for the Dead

The Cemetery is primarily a place for funerals and memorial services, and for honoring the dead who are buried there.

- a) The Town is responsible for decorating graves of veterans of the Armed Forces of the United States of America with an American flag in an appropriate flag holder on Memorial Day observed. They are also required to request that the Church bell be rung at 11:00 on Veterans Day [Title 30 MRSA part 2 subpart 3, chapter 131 sec 2901.1]. These duties are part of the normal operating responsibilities of the Cemetery Committee.
- b) Buffering from surrounding land uses will be provided by the Town with plantings. The Transfer Station will be closed 15 minutes before any funeral and reopened 15 minutes afterward.
- c) Vehicles, other than authorized cemetery vehicles, shall only enter the Cemetery through established entrances and shall only use the authorized roads.
- d) Snowmobiles are prohibited within the Cemetery [Title 12 MSRA Sec 13106-A.27.A(1)]

1 Definitions: Under these rules

- a. Burial: The remains of a single person, whether in a casket or in cremated form.
- b. Grave: A portion of a cemetery plot suitable for one burial in a casket. A single grave may contain several burials.
- c. Plot: a defined block of graves, usually 6 or 8 graves. In some cases all the graves in a plot are owned by a single family but some plots are owned by two or more families.

- e) The Town of Chebeague Island has a leash law which applies everywhere on the island. Dogs in the Cemetery must be on leash or in voice control of their owner. Persons walking their dogs must collect any droppings that their dogs leave, and dispose of them off the Cemetery property.
- f) Violation of the rules or conduct that is disrespectful of the dead may result in a request to leave the Cemetery. No person shall destroy, mutilate, deface, injure or remove any monument, gravestone, marker or cemetery property within the cemetery. These actions violate State law [Title 17 MSRA part 2 chapter 21 sec. 507A] and may be prosecuted.

2. Purchase and ownership of the right to bury people in the Chebeague Cemetery

- a) No lot or grave shall be used for any other purpose than the burial of the human dead.
- b) Persons desiring to purchase a “right of interment” meaning the purchase of a family plot or a single grave should notify the Cemetery Superintendent who will then aid them in making a decision. The person who purchases the plot or grave is “the grantee”.
- c) Complete payment for the lot or grave must be made by the grantee to the Town Clerk. Payment must be made in full at the time of purchase. No partial payments will be accepted. All lots purchased shall include in the purchase price a fee for perpetual care [Title 13, MRSA sec.1306] that the Town of Chebeague Island will hold and invest. The income there from will be used to defray part of the cost of the general operation of the Cemetery.
- d) Upon full payment, the Town Clerk will register the sale of the plot or grave in the Cemetery records, and will issue a deed for the Cemetery plot or grave to the grantee. The grantee/owner will also be given a copy of these rules and will sign and return a statement acknowledging their responsibility to follow them. Whoever the grantee is at any given time must notify the Town of any change of address.
- e) The grantee or assigns may specify in his/her will who will inherit the right of interment, meaning the plot or grave. If no provision is made in the will and a lineal descendent (relative in direct descent from the original owner) or collateral descendent (relative descended from a brother or sister of the original owner) makes a request for burial, the Cemetery Superintendent may use the following process to determine the applicant’s right of internment.
 1. The Superintendent will notify the public of the request on the Town’s website (TownOfChebeagueIsland.org), in the Island Calendar, Chebeague.org, and by posting on the Town’s regular posting places around the island. Postings will take place on or before the first of the month. Interested parties will have at least 15 days to contact the Town if they have questions or concerns.
 2. If more than one person claims the lot through either lineal or collateral descent, all parties must prove their connection to the original owner of the lot by providing documentation.
 3. Claimants must reach an amicable decision regarding use of the lot and file a written and signed agreement with the Town Clerk before a burial permit will be issued.
 4. Should the parties not reach an agreement, the Town will not arbitrate, and the parties may pursue their claim through legal means.

5. A burial permit will be issued upon the receipt of a written agreement signed by all parties.

f) If not an owner/grantee or assignee, Sections 7 d) and e) regarding transfers.

3. Installation and Maintenance of Monuments

- a) Monuments (headstones, footstones and flush plaques) may be erected on a plot or grave. Monuments shall be maintained in a safe condition by the grantee or his or her heirs and assigns. The repair and replacement of a monument, after damage, shall be at the expense of the grantee. However, the Town reserves the right to clean and/or repair monuments, especially if they pose safety problems.
- b) All monuments shall be located and set by the Superintendent, or a person designated by the Superintendent, at the lot owner's expense.
- c) Because of the need to mow the grass without damaging the monuments, no single grave shall have more than one (1) headstone and/or three (3) flush memorials. Because of the multiple cremation burials that are allowed in any grave site, and because the graves in the Cremation Garden are close together, only flush monuments are allowed on them. On new family plots, a single, central, aboveground family monument, and flush monuments for individual graves are encouraged.
- d) On single graves, the base of any headstone shall be no wider than thirty-two (32) inches. The depth of the concrete foundation for the headstone shall be at least two and a half (2.5) feet. Monuments that are flat to the ground must have a base of at least 4 inches of gravel.
- e) The Town disclaims all responsibility for losses or damages to monuments from causes beyond its reasonable control as a result of the elements, acts of God, thieves or vandals.

4. Care of Lots

Graves in the Cemetery are small and close together. The largest family plot is 20' by 25' so graves are 5' by 10' at the largest. Many are smaller. Graves in the Cremation Garden are 2.5' by 2.5'. The space between lots is 3 feet except where there is a road, which is seven feet wide. As much mowing as possible is done by riding mower.

- a) The general care of the Cemetery is done by the Town, and includes the cutting of grass, raking and cleaning of the grounds and pruning or removal of trees. This is the reason for including "perpetual care" in the price of a plot or grave.
- b) No plot or grave created after July 1, 2007 may be defined by a fence, railing, hedge, crypt or enclosure of any description. Fences, railings, hedges, crypts or enclosures in place on July 1, 2007 are exempt. There shall be no eternal flame or other open flame design on any lot or grave.
- c) Planting of trees on individual plots or graves is not allowed since they can take up a great deal of space and can prevent use of part of a plot for burial purposes. The Town will plant and maintain trees on land that is not sold as graves or plots.
- d) Prior approval from the Superintendent must be obtained before the planting of any shrub. The Cemetery Committee provides a list of shrubs that will not be popular with deer², or invasive and will grow only to a reasonable size for a small piece of land that will include future graves.

² Any starving animal will eat any vegetation that it can find.

- e) Shrubs or vines planted or growing beyond the owner's plot or grave may be pruned or removed at the discretion of the Superintendent.
- f) The Superintendent shall conduct a fall cleanup between October 1 and November 15, and a spring cleanup between April 1 and May 15 of every year. Family members should remove any vases, urns and other non-plant decorations that they wish to put back after the cleanup. Any items to be disposed of except for plant material should be taken to the Transfer Station. The Superintendent or his designee has the right to remove such items as urns or vases if necessary. Families are encouraged during the spring clean-up period to do maintenance on their plot or grave and to plant flowers, if they choose. They are encouraged to dispose of dead plants after frost in the fall. A compost pile is located at the Hearse House for material from plants and bushes.

5. Burials

- a) Since burials cannot be done when the ground is frozen, the cemetery shall be open for interments at the discretion of the Superintendent, based on the condition of the ground.
- b) The Superintendent must be notified in advance, in writing (letter or email) or by telephone, of both full burials with a casket and burials of cremated ashes. In the case of full burials the Superintendent must sign the death certificate. In the case of cremated remains, the grantee must provide the certificate of cremation to the Superintendent. Both kinds of burials are subject to an administrative fee paid to the Town to cover its expenses. At the time of arrangement for burial, the grantee or designee will be given a copy of the *Town of Chebeague Island Cemetery Rules and Regulations*.
- c) At least forty-eight (48) hours' notice must be given prior to any interment.
- d) When an interment is to be made on a family plot, the location of such interment shall be designated by the plot owner (the current grantee) or their designee, and clearly located by the Superintendent. Should the plot owner fail or neglect to make such designation, the Superintendent shall decide where on the plot the grave shall be.
- e) If burial instructions are not given in writing and/or are not precise as to the particular space, the size of the grave or the location on the plot, the Town will not be responsible for any errors that result from these instructions or the lack of them.
- f) In order to eliminate sunken graves, it is required that full burials be made in outside containers (called "vaults") made of natural stone, metal, reinforced concrete, fiberglass or any other material approved by the Superintendent. Cremated remains are usually interred in a container.
- g) No interment of three (3) or more bodies shall be made in one (1) grave except in the following cases: a mother and child or two (2) infants may be buried in one grave; one (1) casket and three (3) cremations may be buried in one grave; and three (3) cremations may be buried in one grave. No double depth full burials (one casket on top of another) are allowed, but a cremation grave may be placed above a full casket. All interments shall be located and made by the Superintendent.
- h) The Town shall take precautions to keep the Cemetery safe, for example, when graves are opened. If precautions have been taken, the Town is not responsible for injuries

6. Disinterments

- a. Disinterments are governed by State law [Title 22 MRSA subtitle 2, part 6 chapter 701 sec 2843.2] which requires a permit from the Town Clerk. The applicant for the disinterment/disinurnment must provide the Town Clerk with the Maine Center for Disease Control and Prevention Application for Disinterment or Removal of Human Remains form and the Town of Chebeague Island Disinterment Authorization form. The permit can only be issued upon receipt of a court order, or receipt of a notarized application signed by the next of kin of the deceased who verifies that the signer is the closest surviving known relative. If there are other relatives of similar closeness, they must agree.
- b. The Superintendent must observe the opening of the grave.
- c. The Superintendent shall decide who shall pay for the cost of the disinterment.

7. Administration

- a) The Cemetery Committee reserves the right to recommend to the Selectmen the adoption of additional rules and regulations, or the amendment or repeal of any rule or regulation at any time as shall be deemed necessary.
- b) A copy of these Rules and Regulations must be given or sent with every Cemetery deed issued by the Town with a form for "Grantee Acknowledgement" that they have received and read the rules.
- c) The Town reserves the right, in areas that have no burials in them, to revise any existing plan for the arrangement of new graves. If a decision is made to enlarge the Cemetery, the Town reserves the right to set the new boundaries and to plan the new section. It also reserves the right to lay and use water pipes to serve the Cemetery.
- d) Transfer of plots or graves: The owner of an unused grave or plot may sell the unused grave(s) or plot back to the Town for the amount the original owner paid for the grave(s) or plot. The Town may then sell the grave(s) or plot to a new owner at the current price including perpetual care. The owner of a lot or plot may sell the unused graves to another person for the amount that the original owner paid for it. If the original deed did not include perpetual care, at the time of the sale the new owner must pay the Town for perpetual care at the current price. An owner may transfer all or a portion of the lot or plot to some other person(s). The Town may also allow exchanges of graves or plots, under these same rules. In all these cases the seller or the person making the transfer must show that s/he has approval for the transfer from other family members see Section 2.
- e) No lot, grave or right of interment shall be transferred without endorsement by the Town Clerk and the Cemetery Superintendent. With a few exceptions, if a plot was bought before 1962 "perpetual care" was not included on the original deed. At the time of transfer or assignment, the person who is acquiring the lot, grave or right of interment must pay the Town for perpetual care at the current rate, even if no other money is involved. This payment must be made in full prior to the issuance of the new deed. Forms for the transfer of rights of interment may be obtained from the Cemetery Superintendent. Such a transfer will not be recognized without the consent of the Superintendent.
- f) When a gravesite or right of interment is sold back to the Town, the perpetual care portion of the sale price cannot be reimbursed. The refunded amount shall be the original purchase price less the perpetual care portion. The Town has no obligation to repurchase any plots, graves or interment rights.

- g. Reclaiming graves or plots: The Town may reclaim plots or graves that have been abandoned for interment for 75 consecutive years or more. This involves a “substantial search” by advertising for existing heirs or devisees. If no owner can be found, then the cemetery may use up to one-half of the unoccupied lots [Title 13 MSRA subchapter VI, sec.1381].³

³ Though the Statute refers to “perpetual care and maintenance”, this is not the issue here; it is abandonment. Cumberland and Chebeague have always provided care and maintenance, whether the owner of a plot has paid for perpetual care or not.

Rules and Regulations for the Town of Chebeague Island Cemetery

1. General Rules

- a. The Cemetery Committee reserves the right to recommend to the Selectmen the adoption of additional rules and regulations, or the amendment or repeal of any rule or regulation at any time as shall be deemed necessary.
- b. A copy of these Rules and Regulations must be given or sent with every cemetery deed issued by the Town. They must also be posted on the Town website.

2. Access and Use

- a. Vehicles, other than authorized cemetery vehicles shall only enter the cemetery through established entrances and shall only use the authorized roads.
- b. Snowmobiles, and unregistered vehicles such as motor scooters and all-terrain vehicles, are prohibited within the cemetery. Vehicles for the handicapped, such as motorized wheel chairs, are permitted.
- c. No person shall destroy, mutilate, deface, injure or remove any monument, gravestone, marker or cemetery property within the cemetery.
- d. There shall be no functions other than funerals or memorial services conducted within the cemetery.
- e. Unleashed dogs shall not be permitted to go at large in the cemetery. Persons walking their dogs must collect any droppings that their dogs leave and dispose of them off the cemetery property.

3. Lots and Owners

- a. Persons desiring to purchase a lot, grave or right of interment should notify the Town of Chebeague Island Clerk. The Clerk may send them to the Cemetery Superintendent who will then aid them in making a decision.
- b. No lot or grave shall be used for any other purpose than the burial of the human dead.
- c. Before any burial is permitted in the lot or grave, complete payment for the lot or grave must be made by the grantee. No partial payments will be accepted. Payment must be made in full at the time of purchase. All lots purchased shall include in the purchase price a fee for perpetual care which the Town of Chebeague Island will hold and invest. The income therefrom will be used to defray the cost of the general operation of the cemetery.
- d. The Town disclaims all responsibility for losses or damages from causes beyond its reasonable control as a result of the elements, acts of God, thieves and vandals.
- e. All monuments shall be located and set by the Superintendent, or a person designated by the Superintendent, at the lot owner's expense.
- f. Monuments may be erected on a lot or grave, and shall be maintained in a safe condition by the grantee herein or his or her heirs and assigns. Generally, the repair and replacement of a monument, after damage, shall be at the expense of the grantee.
- g. No single grave shall have more than one (1) above-ground memorial and/or two (2) flush memorials. Only flush monuments are allowed in the Cremation Garden.

- h. On single graves, the base of any monument shall be no wider than thirty-two (32) inches.
- i. No lot, grave or rights of interment shall be assigned or transferred without endorsement by the Town Clerk and the Cemetery Superintendent. If "perpetual care" was not included on the deed that is being transferred and/or assigned, the person who is acquiring the lot, grave or right of interment must pay the Town for perpetual care at the current rate. This payment must be made in full prior to the issuance of the new deed. Forms for the transfer of rights of interment may be obtained from the Cemetery Superintendent. Such a transfer will not be recognized without the consent of the Superintendent.
- j. When a lot or right of interment is sold back to the Town, the perpetual care portion of the sale price, by State law, cannot be reimbursed. The refunded amount shall be the original purchase price less the perpetual care portion. The Town has no obligation to repurchase any lots, graves or interment rights.
- k. No lot or grave may be defined by a fence, railing, hedge, crypt or enclosure of any description. Fences, railings, hedges, crypts or enclosures in place on July 1, 2007 are exempt. There shall be no eternal flame or other open flame design on any lot or grave.

4. Care of Lots

- a. The general care of the cemetery is assumed by the Town and includes the cutting of grass, raking and cleaning of the grounds.
- b. Prior approval from the Superintendent must be obtained before the planting of any shrub.
- c. Shrubs planted or growing on any lot or grave may be pruned or removed at the discretion of the Superintendent.
- d. Planting of trees on individual lots is prohibited.
- e. The Superintendent or his designee has the right to remove all floral designs, vases, urns, decorations, flowers, shrubs, wreaths and plants that become unsightly, dangerous, detrimental or diseased, or that interfere with normal maintenance.
- f. The Cemetery Committee does not provide trash receptacles in the Cemetery. Any objects such as vases, clippings or other refuse that are to be disposed of must be disposed of off the Cemetery property.
- g. The Superintendent shall conduct a fall cleanup between October 1 and November 15, and a spring cleanup between April 1 and May 15 of every year. Any item of value to the owner shall be removed by the owner prior to the cleanup periods. Any memorials, decorations and/or ornamentals deemed dangerous and/or detrimental shall be removed.

5. Interments

- a. The cemetery shall be open for interments at the discretion of the Superintendent, based on the condition of the ground.
- b. When an interment is to be made, the location of such interment shall be designated by the lot or grave owner. Should the lot/grave owner fail or neglect to make such designation, the Cemetery Committee reserves the right to make the interment in a location recommended by the Superintendent.

- c. In order to maintain a high standard of care and to eliminate sunken graves, it is required that all burials be made in outside containers made of natural stone, metal, reinforced concrete, fiberglass or any container approved by the Superintendent. Cremated remains must be interred in a permanent container.
- d. Forty-eight (48) hours notice must be given prior to all interments.
- e. The cemetery will not be responsible for any order given by telephone, or from any mistake occurring from lack of precise and proper instructions as to the particular space, size of grave or location on the lot.
- f. No interment of two (2) or more bodies shall be made in one (1) grave except in the following cases: a mother and child or two (2) infants may be buried in one grave; one (1) casket and one (1) cremation may be buried in one grave; and two (2) cremations may be buried in one grave. All interments shall be located and made by the Superintendent.

6. Disinterments

- a. Disinterments shall be governed by State law.
- b. Costs of the disinterment shall be at the discretion of the Superintendent.

7. Definitions

- a. Burial: The remains of a single person, whether in a casket or in cremated form.
- b. Grave: A portion of a cemetery lot suitable for one burial in a casket. A single grave may contain two burials as specified in Section 5.f, above.
- c. Lot: a defined block of up to 8 graves.

