

POMFRET

CEMETERY RULES AND REGULATIONS

For the mutual protection of lot owners and the cemetery as a whole, the following rules and regulations have been adopted by the Board of Cemetery Commissioners of the Town of Pomfret, Vermont, as the rules and regulations of the Pomfret cemeteries, and all lot owners and visitors within the cemeteries and all lots sold shall be subject to these rules and regulations, and subject further to such other rules and regulations, amendments or alterations as shall be adopted by the Board from time to time. Reference to these rules and regulations in the deed or certificate of ownership to a lot shall have the same force and effect as if set forth in full therein.

SECTION 1. DEFINITIONS

1. Cemetery. The term cemetery is hereby defined to include any or all of the burial parks for earth interments in the town of Pomfret for which the commissioners have responsibility.
2. Plot. The term plot shall apply to a space of sufficient size to accommodate one adult interment, rectangular and approximately four feet by eight feet. Cremation plots may be smaller and of different shape.
3. Lot. The term lot shall apply to divisions of ownership or potential future ownership consisting of one or more plots.
4. Cremains. The term cremains shall mean the cremated remains of a human.
5. Interment. The term interment shall mean the permanent disposition in the ground of the remains or cremains of a deceased person.
6. Memorial. The term memorial shall include monument, marker, tablet, headstone, and tombstone.
7. Monument. The term monument shall include a tombstone or headstone of granite or marble or other stone which shall extend above the surface of the ground.
8. Marker. The term marker means a memorial flush with the ground.
9. Lot marker. The term lot marker refers to any means used by the cemetery to locate the corners of the lot or plot.

SECTION 2. CARE OF LOTS

1. The general care of the cemetery is assumed by the Town through the Board of Cemetery Commissioners and includes the occasional cutting of the grass , the raking and cleaning of the grounds, the pruning of shrubs and trees that may be placed by the commissioners, the removal of endangering trees and shrubs, and the general maintenance of the fences, stone walls, and grounds and facilities.

2. The general care assumed by the cemetery shall in no case mean maintenance, repair or replacement of any memorial, tombstone or marker placed or erected upon lots; nor the doing of any special or unusual work in the cemetery. It does not mean the reconstruction of any marble or granite or other stone work on any lot caused by the elements, an act of god, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided. The Town will take all reasonable precautions to protect lot owners and their property rights within the cemetery from loss or damage, but the Town disclaims all responsibility for loss or damage from the above listed causes.

3. An endowment fund is established whereby the cemetery holds and invests the principal sum deposited and uses the annual income therefrom to defray the cost of the general operation of the cemetery. Separate endowment funds for individual lots will not be administered by the Town.

4. Special care can be arranged on a pay-as-you-go or other basis with the Commissioners.

SECTION 3. LOTS AND LOT OWNERS

1. Descriptions of lots will be in accordance with the plans on file with the Town Clerk.

2. It is the duty of the lot owner to notify the Board of any change in his address.

3. The instrument of conveyance of the lot and these Rules and Regulations and any amendments thereto constitute the sole agreement between the Town and the lot owner. The statement of any employee or agent, unless confirmed in writing by the Board, shall in no way be binding .

4. No lot or plot or any part of a cemetery shall be used for any other purpose than for the burial of the human dead.

5. Before any burial is made in a plot or lot, complete payment must be made to the Town.

6. No vehicular access, grave openings, placement of memorials or other changes is permitted when snow is on the ground without special permission of the Board. Such permission, if given may require a bond to be posted to insure that damage is corrected and the grounds are completely repaired early in the spring.

7. All grave openings and monument placements are to be under the direction of the Board. All monument placements shall be at least 6 inches from the lot boundary if possible, and shall not infringe on abutting lots. Excess earth material shall be disposed of as directed by the Board.

8. The planting of trees, shrubs, flowers or plants of any kind is not permitted. The Commissioners may, however, consider suggestions for plantings that will contribute to the cemetery as a whole. The placing of boxes, shells, toys, metal or other designs, ornaments, chairs, settees, vases and any other articles upon lots or elsewhere in the cemetery will not be permitted and if so placed, the Commissioners reserve the right to remove them.

9. It is of the utmost importance that there be strict observance of the proprieties in the cemeteries. All persons within the cemetery should avoid conduct unbecoming a sacred place:

- A. No fast driving, loud mufflers, sounding of horns, or spinning of tires.
- B. No bringing intoxicants of any kind into the cemetery or consuming them on the grounds.
- C. No walking dogs on the grounds.
- D. No taking anything from or leaving anything in or around the cemetery.

SECTION 4. ADMINISTRATION

1. Plans, specifications and location of monuments and markers are subject to approval of the Commissioners. Should any monument or tombstone become unsightly, dilapidated, or a safety hazard to visitors or cemetery workers, the Commissioners shall have the right at the expense of the lot owner to correct the condition or to remove the same.

2. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Commissioners, therefore, reserve the right to make exceptions, suspensions, or modifications to any of the Rules and Regulations, without notice, when in their judgment such action appears necessary. Such action shall in no way be construed as affecting the general application of the Rules and Regulations.

3. The Commissioners may adopt additional rules and regulations and may alter or repeal any rule, regulation, article, paragraph or sentence herein at any time. They may also make temporary additional rules which may be needed from time to time to meet emergencies which are not covered by these Rules and Regulations.

4. A person who violates these Rules and Regulations shall be subject to a fine of \$500.00