

**THE PLAINVILLE CEMETERY ASSOCIATION, INCORPORATED
PLAINVILLE, CT 06062**

RULES AND REGULATIONS

Rule 1: Burial lots may be purchased in the Plainville West Cemetery by any resident of Plainville, or by non residents persons who, by reason of former residence, or whose ancestors or descendants may own burial lots, or who may have been buried in any of the public cemeteries within said Town, and have thereby a community interest in the Town of Plainville.

No lots may be purchased in the Plainville public cemeteries by nonresidents of Plainville other than as hereinbefore set forth.

Burials lots of two (2) or more graves may be purchased on a deferred-payment plan. The purchaser shall make payment to the Association an amount equal to one-fourth ($\frac{1}{4}$) of the purchase price of the lot, but not less than the payment for one (1) grave or the number of burials, at the time of purchase and will agree to pay the balance within one (1) year. The Association will insure that the terms of the agreement are followed. No lot or grave shall lie reserved for more than thirty (30) days unless payment is made in advance in accordance with the foregoing.

When the purchase price of any lot has been paid in full, a deed will then be executed by the Town of Plainville and the deed recorded by the Town Clerk and thereupon delivered to the purchaser.

The purchase of burial lots as described under this rule may be authorized by the Superintendent or other staff member so designated by the superintendent or an officer of the Association may authorized the purchase of a burial lot and grave(s) as described under this rule, in absence of the superintendent.

Rule 2: No burial will be permitted in any lot until at least the portion of the purchase price agreed upon shall have been fully paid, as covered by the number of burials. No monument shall be set until the lot is paid in full, but individual markers may be set at time of burial.

The Association shall have the right to remove a body or bodies to a different location if payment in full for any lot has not been made, after a period of one year from the date of burial: whereupon all rights in and to the lot shall revert to the Association and any monies paid by the purchaser shall be retained by the Association.

Rule 3: All lots shall be held by the purchaser pursuant to the General Statutes, State of Connecticut and pursuant to the By-Laws, Rules and Regulations of the Association.

Rule 4: Lots of varying sizes may be purchased, priced upon a per grave basis, which will include perpetual care, and no lot shall be used for any purpose other than the burial of human bodies. The price on a per grave basis means that each lot sold shall be charged at the per grave price currently in effect, as established by the Board of Trustees, multiplied by the total number of grave spaces provided for within the lot sold.

Rule 5: All lots are designated by section and serial numbers, as shown on the maps on file in the office of the superintendent at the West Cemetery and in the municipal offices of the Town.

Rule 6: The Association shall take all reasonable precaution to protect the property rights of Lot owners from loss or damage to monuments and markers or other objects, which lot owners have caused to be erected or located upon their lots, but the Association shall not be responsible for any loss or damage caused by the elements, thieves or vandals.

Rule 7: The perpetual care of lots includes cutting the grass at suitable intervals, raking and cleaning, and the pruning of trees or shrubs, which may be planted by the Association or under its direction. The term perpetual care does not include maintenance, repairs or replacement of any monuments or other memorial placed or erected upon lots; nor the planting of flowers or plants; nor watering the lots; nor the doing of any unusual or special work within the Plainville public cemeteries; nor does it include work caused by impoverishment of the soil; or refilling of sunken graves; nor does it mean the repair or improvement of any marble, granite, bronze or concrete work on any lot.

Rule 8: Where lots were sold prior to the plan for perpetual care, owners of such lots may have them placed under perpetual care by payment of five hundred dollars (\$500.00) per grave site.

Rule 9: The owner of each lot shall have the right to erect thereon any proper monument or sepulchral structure excepting, however, walls, curbs, fences, footstones, so-called, or corner posts or markers, all which are strictly prohibited except they be set flush with the ground. Any lot owner shall have the right to cultivate shrubs or plants on the lot, but then only under the direction and general supervision of the Superintendent. No tree or shrub growing within any lot or upon the borders thereof shall be cut down or destroyed without the consent of the Superintendent.

Rule 10: If any tree or shrub situated in any lot shall by its roots, branches, or otherwise, become detrimental to any adjacent lot, walk or roadway, or dangerous or inconvenient to persons passing, it shall be the duty of the Superintendent who shall have the right to enter upon said lot and remove such tree or shrub or such portions thereof as are dangerous, detrimental or inconvenient.

Rule 11: If any monument, effigy, enclosure, structure, or other thing whatsoever, be located, or if any inscription be placed in or upon any lot or upon any monument standing thereon, which shall be determined by the Superintendent and approved by the President to be improper or injurious to the appearance of such lot or to the lots adjoining or to the cemetery generally, the Superintendent shall have the right and shall enter upon such lot and shall cause to be removed such offending and offensive object, inscription or thing. No inscription or lettering done in any other than the English language shall be allowed.

Rule 12: Persons not owners of lots shall be permitted burial in unmarked grave sites of the Plainville public cemeteries should occasion require it, in lots set apart for that purpose by the Board of Trustees under permit from the Superintendent.

Rule 13: All funerals, on entering the Plainville public cemeteries, shall be in the charge of the funeral director employed or his/her assistant, or under the direction of the Superintendent, should necessity require.

When an interment is to be made, the location of the grave shall be designated by the lot owner or authorized representative. In the event of failure or neglect to so designate, the Association reserves the right to make the interment in a location designated by the Superintendent; subject to the Rules and Regulations of the Association and subject to the orders and laws of the properly constituted authorities of this Town, County and State. However, the Association shall not be liable or responsible for any orders given by telephone or any mistake occurring from want of precise and proper instructions as to the particular space, size of grave or location where interment is desired.

Rule 14: The Association shall not be responsible or liable for any delay in the interment of a body where a protest to such interment has been made or where the Rules and Regulations have not been complied with; the Association reserves the right, under such circumstances, to place the body in the receiving vault until such time as the rights of all-concerned shall have been determined. Nor shall the Association be under obligation to recognize any protest of interment; unless the same be made in writing by the various parties in interest and the same filed with the President of the Association and Probate Court have jurisdiction.

Rule 15: Burial vaults of approved concrete, non-corrosive metal or other durable materials shall be required for each burial.

Rule 16: When a body is to be removed from a cemetery or transferred to a new lot, the law requires that a disinterment permit be secured from the Registrar of Vital Statistics before such removal be made. While the Association will observe the utmost care in making a removal, it shall assume no liability for damage done to any burial case or casket in connection therewith.

Rule 17: The receiving vault at the West Cemetery is for temporary use only and no rental charge for the use of it shall be made if burial follows within the West Cemetery.

Rule 18: Lot owners shall not plant trees or shrubs without permission from the Superintendent, and in all cases the Superintendent shall direct all such planting and decide upon the location of each tree and shrub to be planted. No tree or shrub growing on any lot, or near the border thereof, shall be cut or destroyed without the consent of the Superintendent. When flowers are planted on graves, or when the sod is disturbed or destroyed, such graves shall not be refilled or reseeded except at the expense of the lot owner.

Rule 19: Lot owners may cause to be erected a proper monument on their respective lots under the direction of the Superintendent. All such memorials shall be set on concrete foundations of up to thirty (30) inches in depth and of length and breadth equal to the length and breadth of the memorial.

No curbing, coping, fencing, hedges, borders or enclosures of any kind shall be allowed around any lot; and no walks of any sort or kind shall be allowed on any lot. The Board of Trustees reserves the right to remove the same if so erected, planted or placed.

Persons or firms engaged in erecting monuments or other structures are prohibited from attaching ropes to other monuments, trees or shrubs, or from blocking roads or paths. They shall remove all debris and restore the ground and sod injured or destroyed to its original condition. When heavy materials are to be moved over paths or turf; planks must be laid for protection, and no trucking shall be permitted other than on established driveways. All subject to the supervision of the Superintendent.

Rule 20: No monuments may be erected on any lot sold having less than four (4) grave spaces, except in especially designated areas or other especially selected four (4) grave lots within Section 8 (8) as may be determined by the Superintendent. In addition to a monument, suitable markers may be set on any four (4) or more grave space lots if set according to the Rules and Regulations hereinbefore mentioned. Suitable markers may be placed on either one (1) or two (2) grave lots if set even with the ground and in accordance with the Rules and Regulations of the Association hereinbefore printed.

With respect to flags and fraternal emblems to be placed at or upon the grave, such shall be allowed at the discretion and approval of the Superintendent or the Board of Trustees. Crosses or other markers of wood, iron, cement and or other materials are prohibited except as outlined in Rule 9 hereof.

All monuments or foundations as authorized by the Association will be laid under the directions of the Superintendent and charged to the lot owner at the prices currently in effect as established by the Board of Trustees and are payable in advance.

Rule 21: Reseeding, grading and all similar work on any lot shall be charged according to the amount of labor and material required and shall be at the authorization and expense of the lot owner.

Rule 22: All graves shall be opened under direction of the Superintendent, and the charges thereof, together with the charges for lowering device and grass matting, shall be billed to the undertaker and not to the lot owner.

No burial shall be allowed on a Sunday or Holiday, except in case of death from contagious disease, when the Director of Health orders immediate burial, or by special contract.

Only one body shall be interred in an adult grave, except an adult and an infant or two children in a single casket in a vault; or, if space permits, one adult in a casket and vault, and one cremation urn; or up to four cremation urns. A maximum of two flush memorials, including Veteran's, marker is permitted in the case of multiple interments in a single adult grave. {5-21-2002}.

Rule 23: No grave shall be opened unless the Superintendent has received the power of burial and advance payment in cash for the work to be done, in accordance with the prices currently in effect as established by the Board of Trustees.

Rule 24: The Association reserves the right to correct any errors which may be made by it, in making interments or removals, or in the description, transfer or conveyance of any interment property; either by cancelling such conveyance and substituting and conveying in lieu thereof another interment property of equal value and similar location as far as possible, or as may be selected by the Association; or at the sole discretion of the Association, by refunding the amount of money paid on account for the original purchase or commitment.

Rule 25: The Superintendent shall ensure that a record of all graves sold, including the number of the section; the lot; and the grave (s); the purchase price, the name and address of the purchaser, is added to the computer database and that a deed is issued. Also, these duties include the recording of all interments and disinterments in like manner and the monthly submission of this data to the Town Clerk. The Superintendent shall promptly deposit into the Association bank account all monies received, and when requested shall provide a detailed report and account to the agent for the Treasurer of the records hereinbefore mentioned.

Rule 26: While the present By-Laws and Rules and Regulations apply to all Plainville public cemeteries, few of them will probably be applied in connection with the old "East Street Burying Ground", so called. The first burial therein was made in 1766, the last in 1895. No lots will hereafter be sold in that cemetery, nor will any burials therein be allowed, unless, perchance a descendant of some early Plainville family may request burial among his ancestors, in which case, the application to that end shall be considered by the Board of Trustees or the Executive Committee, and allowed if found to be practical and reasonable.

Rule 27: With respect to having a new grave opened and ready for burial at the time requested by the immediate family or undertaker, the Superintendent will cooperate and endeavor to meet the request, but otherwise will inform the parties concerned. Any additional or unusual costs incurred in meeting such request shall be assumed by the owner of the lot and paid for in advance.

Rule 28: The "urnterment" (burial of an urn) of the "cremains" (cremated remains) of up to two (2) persons will be permitted in each urn garden grave. The schedule of charges and fees then in effect will apply.

Rule 29: Each urn garden grave is limited to a single marker. Each marker shall required prior approval by the Superintendent and shall be set on a suitable foundation installed by cemetery staff.

A twenty-four inch (24") by twelve inch (12") "Barre" gray granite marker set flush with the turf shall be used for standard urn garden graves. A granite veteran's flush marker may be substituted on a standard urn garden grave. A twenty-four inch (24") by ten inch (10") by sixteen inch (16") slant style, "Barre" gray granite marker shall be used for some selected urn garden graves, designated by the Association.