

SEC. 194 CEMETERY RULES & REGULATIONS

Be it ordained by the Board of Selectmen of the Town of Winchester:

1. Hours of Operation:

- a. The Town Cemeteries shall be open to the public throughout the year (weather permitting) from 8:00 AM to sunset. No pedestrians or vehicles may enter the cemeteries at any time other than during the established hours of operation.
- b. In winter months only minimal snow plowing of internal access roads will be conducted to accommodate funeral services.
- c. Loitering, idling or congregating in the cemeteries is prohibited.

2. General Rules:

- a. Visitors shall respect the solemnity of the cemeteries and observe these rules which have been established for the purpose of securing quiet and good order at all time within the grounds.
- b. No person shall remove any plants or flowers, whether wild or cultivated, disturb birds or their eggs, harm any tree or shrub or deface any memorial property in any way.
- c. Reasonable efforts are made to protect flowers, shrubs and other property from vandalism and/or theft, but no responsibility for their protection is assumed or implied.
- d. No unlicensed operator of a motor vehicle is allowed to operate a vehicle in the cemeteries.
- e. Driving or parking on lawn areas is prohibited.
- f. No camping of any type is allowed on Cemetery grounds.
- g. No firearms are allowed on the grounds except those used in Military Honor Ceremonies.
- h. Dogs must be kept on a leash and restrained by the owner at all times. Owners are responsible to pickup and properly dispose of any messes made.
- i. All rubbish collected from the lots must be removed and deposited in receptacles which are provided for that purpose.
- j. No money shall be paid or gratuity given to any person in the employ of the Town in reward for any personal attention.
- k. No person may drive or park a motor vehicle in any Cemetery unless in attendance at burial services or otherwise engaged in activities consistent with the use of the Cemetery.
- l. All work and traffic must stop when a burial service is being conducted.
- m. The posting of any bills, posters, placards, pictures, or any other form of political or commercial advertising is prohibited on Cemetery grounds.
- n. The soliciting for sale of any goods or service is prohibited from Cemetery property.

3. Plots:

- a. All lots are numbered and the boundary is designated by tile markers set flush with the ground at each corner. No other boundary marking will be permitted by tree, shrub or corner post, except that corner posts of granite or marble may be used if set flush with the ground.
- b. No fence, hedge or railing will be allowed to enclose any lot or portion of lot.
- c. Plots shall not be used for any other purpose than as a burial place for human remains.
- d. The deed of a lot shall grant to the purchaser only the right of increment upon his or her lot for himself and family, his heirs and devisees. Friends may be buried therein without any profit, gain or emolument whatsoever to the purchaser or proprietor, and such interment will be subject to all the by-laws, rules and regulations.
- e. The perpetual care of plots is basic in nature, and includes mowing of the grass and trimming around monuments.
- f. The raising of lots or mounds over graves is prohibited.

- g. Each burial plot shall be limited to one of the following:
 - 1. The interment of one human body;
 - 2. The interment of one human body and two cremation urns; or
 - 3. The interment of no more than two cremation urns.
- h. The scattering of cremated remains is prohibited on Cemetery property.
- i. No grave may be opened and no burial may take place in a Town-owned Cemetery except by a licensed Funeral Director or his employees under the supervision of the Sexton or Cemetery Attendant.
- j. Inasmuch as the deed to a lot only conveys the right of burial therein, it shall be the duty of the Sexton to enter upon any lot and prohibit, modify or remove any object of adornment or work done contrary to the rules which may be considered objectionable or injurious to the lot or to an adjoining lot.
- k. When a lot is sold to two or more persons they take title as tenants-in-common.

4. Interments:

- a. Only human remains may be interred in Town cemeteries.
- b. All caskets must be enclosed in a permanent outer burial vault suitable for earth burial.
- c. A 48 hour minimum notice is required to open a grave prior to the time of interment.
- d. After entering the Cemetery, funeral processions are under the control of the Sexton or Cemetery Attendant.
- e. All burials from the vault must take place before Memorial Day. If desired by the family, final burials from the vault may take place without minister or family. In this case, the burial will be performed at the convenience of the Cemetery.
- f. No burials will be scheduled on Town specified holidays.
- g. The Sexton has full control over scheduling burials during the winter months (December 1st to April 15th). Every effort will be made to accomplish the burial when requested. However, weather conditions, location and terrain of the plot, ability to locate plot corners, safety of Town employees, safety of the family and guests attending the service, and highway department snow removal obligations will all be considered in the decision as to if and when the service could be provided.
- h. A request for disinterment should be made in writing. A permit issued by the Registrar of Vital Statistics must be presented to the Cemetery before disinterment may take place.
- i. The Cemetery will use reasonable care in making all removals, but will not be liable for any damage to a burial vault or casket.

5. Plantings:

- a. On lots that contain a memorial, one flower pot may be placed on each side of or in front of the headstone.
- b. On lots that have a central memorial, one flower bed, if desired, may be installed adjacent to either side of the memorial.
- c. The planting of new trees or shrubbery will not be allowed on any lot.
- d. Existing shrubbery which becomes overgrown or unsightly will be removed by Cemetery personnel.
- e. All floral decorations must be in flower boxes, flower pots or containers, and are limited to one container per grave.
- f. The Town reserves the right to restrict the placing and type of container and to remove any which do not conform to the Cemetery's standards of beauty and safety.

- g. Turf shall not be removed or damaged in any way to facilitate the placing of decorations on the lot.
- h. The placing of bricks or any other objects beneath containers is prohibited.
- i. Artificial decorations are not permitted in the growing season between April 1st & November 1st.
- j. The placing of any types of balloons, pinwheels, bird feeders or Sheppard's hooks is strictly prohibited.
- k. No shrubs, flower boxes or plants embedded in the ground are allowed in the "Veteran Section". Flower pots may be placed near the headstone on Holiday weekends.

6. Memorials:

- a. All memorial work must be certified material acceptable to the Cemetery. It must be guaranteed against chipping, cracking or disintegration from natural causes. Artificial coloring of any type is prohibited.
- b. All workmen employed in the erection of memorials or work of any kind must be subject to the control of the Sexton or Cemetery Attendant. No work vehicles or equipment are allowed on lawn areas without the prior approval of Cemetery personnel.
- c. Water provided at the cemeteries is not for commercial use.
- d. Foundations for monuments or headstones shall be of concrete and shall be four feet deep, or as deep as the adjoining grave. Foundations for markers shall be three feet deep.
- e. All foundations shall be built in conformance with standard details provided by the Cemetery. Contractors building foundations and installing monuments shall coordinate all work with the Cemetery Attendant.
- f. The Cemetery Attendant must inspect and approve in-place foundation formwork prior to the casting of concrete. A (48) hour minimum notice is required to schedule inspections. An inspection fee will be charged in accordance with the Town Cemetery Fee Schedule.
- g. Any dealer or contractor that violates the rules of the Cemetery may be denied the privilege of installing memorials in the Cemetery.
- h. Markers must have a stub of no less than six inches and be set on a concrete foundation and cemented to it.
- i. No memorial shall be erected upon any lot until the lot has been paid for in full.
- j. Memorials erected in the single grave section of cemeteries shall not exceed three feet in height.
- k. Pictures, photographs or any other material attached to a memorial in any way is not permitted.
- l. The Town does not assume responsibility for the care of monuments or markers or for any damage to them, accidentally or by willful action.
- m. If any monument or marker in the Town's cemeteries becomes unsafe, unsightly, or in need of repair or resetting, the Cemetery Attendant will attempt to notify the owner of the lot of such condition and shall request that repairs be made under the Attendant's supervision. The Town is not obligated to place, replace, or repair any monument or marker though case by case repair may be considered.

7. Receiving Vault:

Any person desiring a burial in a Town Cemetery may have use of the vault.

8. **Fees:**

Fees charged for all services shall be in accordance with the current published Cemetery Fee Schedule, which may be amended from time to time by action of the Board of Selectmen.

9. **Violations:**

Violations of any provision of the ordinance may result in a fine of \$100.00 to be issued by the Town of Winchester Police Department. Each action of violation and each day a violation occurs or continues constitute a separate offense.

ADOPTED BY THE BOARD OF SELECTMEN ON AUGUST 20, 2012, PUBLISHED IN THE REGISTER CITIZEN AUGUST 25, 2012; TO BE EFFECTIVE SEPTEMBER 17, 2012.