

## Town of Albion Cemeteries

### Rules and Regulations

The following Rules and Regulation are hereby adopted, and approved by the Albion Town Board on \_\_\_\_\_ and put in effect for the mutual benefit and protection of each and every lot, plot, and grave owner in the above named cemeteries.

#### **Rule #1: GENERAL**

1. All affairs of the Albion Town Cemeteries are managed and governed by the Albion Town Board in furtherance of Article 17 of the Town Law for the State of New York.
2. All lots sold in accordance with the provisions of the laws of the State of New York shall not be used for any other purpose than a burial place for dead human beings.
3. The Town Board shall fix the prices of burial lots and no person shall take possession of such lot, nor make any encroachments thereon until the price of such lot has been paid for in full.
4. The Cemeteries Superintendent of Works for the Town of Albion will act as the caretaker of all Town Cemeteries.
5. The caretaker shall report to the Town Board any acts of vandalism or encroachments. The caretaker shall supervise any improvements made to any lot by lot owners that are approved by the Town Board.
6. No interment shall be allowed without a state approved burial permit.
7. No more than one (1) casket burial or two (2) cremations are allowed in a single lot. One cremation on the top of one casket burial is also permissible when previously approved by the Town Board.
8. Lot owners are prohibited from allowing interments to be made on their lots for compensation.
9. No lot owner may transfer his or her lot without permission of the Town Board.
10. No trees, hedges, shrubs or walls will be allowed. No glass of any kind allowed except religious. All others will be removed. All flowers and urns must be no more than fourteen (14) inches from monument or markers.
11. The Albion Town Board reserves the right to authorize the following:
  - a. Remove all flowers, wreaths, or other decorations from lots as soon as they become unsightly;
  - b. Remove after due notice to the lot owner any embellishment on the lot, effigy, or inscription which is unsightly or dangerous.
  - c. Move any existing tree or shrub that covers any stone marker or any upkeep growth that is not maintained.

- d. The Town shall have the authority to prune, remove, or transplant any existing tree, shrub, or planting that they deem fit.
  - e. Placing of glass blocks or vases such as receptacles for flowers, either artificial or grown on graves or plots is prohibited.
  - f. All foundations, placement of stones and grave markers and other work shall be constructed as approved and directed by the Albion Town Board.
  - g. All grave and/or plots require the purchase and installation of corner lot markers.
12. Graves will not be opened between November 15<sup>th</sup> and April 15<sup>th</sup>, unless an exception is authorized by the Albion Town Board, in which case special fees will apply.
  13. Concrete vaults or concrete grave liners will be required for all interments in graves located in Town Cemeteries.
  14. The interment of cremated remains will be permitted only in appropriate rigid receptacles such as wood, metal, plastic, or concrete.
  15. The Albion Town Board shall fix prices for grave openings along with any other charges for proper maintenance of Town Cemeteries as they deem fit.
  16. These rules and regulations may be amended and/or added to by majority vote and appropriate resolution of the Albion Town Board.
  17. Constructions of mausoleums are not allowed in Town Cemeteries.
  18. Construction of individual lot/plot fences are not allowed in Town Cemeteries.
  19. Heavy trucking or other vehicular traffic shall be refused entrance to the cemetery, when in the opinion of the designee or caretaker, will cause injury to the roads or driveways.
  20. No material shall be allowed to remain longer than is reasonably necessary for any construction work. No work shall be started on Saturday which cannot be completed on that day.

**Rule #2: OFFICIAL RECORDS**

1. The official records of all lot owners shall be maintained by the caretaker in coordination with the Town of Albion Clerk's office. Such registration shall be the final governing record in determination of lot ownership.

**Rule #3: RIGHT OF INGRESS AND EGRESS RESERVED**

1. The Town of Albion reserves to itself and to those lawfully within the cemetery a perpetual right of ingress and egress over all graves and lots for the passage to and from other graves and lots.

**Rule #4: INTERMENT & DISINTERMENT/REMOVAL REGULATIONS**

1. No interment shall be made on Sunday OR Holidays, except in cases of special necessity, religious reasons, or contagious diseases, in which case special fees can be charged.
2. The Town of Albion reserves the right to insist upon two working days notice prior to any cremations or interment.
3. No disinterment shall be made except by the Town of Albion employees or approved special contractor by a written request of the lot owner. A body or cremated remains may be removed from its original plot to a larger or more desirable plot when there has been an exchange or purchase for that purpose and when all the legal representatives of the deceased consent. The Town of Albion reserves the right to perform any removal or disinterment at its convenience or as directed by Court Order.

**Rule #5: CASKET OPENINGS**

1. Once a casket containing a body is within the confines of the cemetery, no funeral director, his assistant, employee or agent, or any member of the deceased's family shall be permitted to open the casket or touch the body without the consent of the legal representative of the deceased, or without a Court Order.

**Rule #6: CONDUCT OF PERSONS**

1. WALKS Persons within the cemetery shall use the walks and roadways, and only where absolutely necessary for ingress and egress, shall they cross other lots, plots or burial spaces.
2. TRESPASSING Lots, plots and grave spaces are considered the property of the owners of such lots, plots, and grave spaces, and only the owners, heirs and representatives of the persons interred therein shall be permitted on said lots, plots and graves spaces except where means of ingress and egress to other lots, plots, or grave spaces are necessary. Violators of this rule shall be considered as trespassers.
3. CHILDREN Children under fifteen years of age shall not be permitted within the cemetery unless accompanied by adult persons who are responsible for their care and their conduct.
4. FLOWERS All persons are prohibited from gathering flowers, either wild or cultivated, anywhere within the cemetery and from individual graves.
5. FIREARMS AND ALCOHOLIC BEVERAGES No Firearms or intoxicating beverages or liquors shall be permitted upon the lots or within the Town of Albion Cemeteries at any time, except in the case of firearms for the purpose of a military funeral under proper command.
6. DOGS Dogs shall not be permitted in the cemetery or in any cemetery buildings.
7. ADVERTISING No signs (private or political) or notices or advertisements of any kind shall be allowed in the cemetery or on premises surrounding the cemetery.

8. SOLICITING Peddling of flowers or plants, or soliciting the sale of any commodity is positively prohibited within the confines of the cemetery.
9. REFRESHMENTS Neither the bringing of, the sale of, or the use of refreshments upon the cemetery premises shall be permitted.
10. MOTOR VEHICLES No motorized vehicle shall be driven through the roadways of the cemetery at a greater speed than ten miles per hour.
11. RUBBISH The throwing or dispersment of garbage or rubbish of any kind is prohibited in Town Cemeteries.

**Rule #7: MODIFICATIONS AND AMENDMENTS TO THE RULES**

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Town of Albion reserves the right in such cases, to make exceptions, suspension, or modification. Any such temporary exception, suspension or modification shall in no way be construed as affecting the general application of the rule.

The Town of Albion may reserve the right at any time to amend, alter, or repeal any rule or regulation for Cemeteries in the Town of Albion. This right to change or amend any part or all of the above rules and regulations for Town cemeteries can be made without prior notice to the lot owners.

Questions relative to the Town of Albion's Cemeteries Rules and Regulations can be addressed to the Cemeteries Supervisor of Works and/or the Albion Town Board by writing: 15 Bridge Street, PO Box 127, Altmar, New York 13302 or by calling 315-298-5545.