

RULES AND REGULATIONS
TOWN OWNED CEMETERIES
EAST HADDAM, CONNECTICUT
(Adopted April 20, 2023)

The following named and existing cemeteries shall be deemed to have been established as municipal cemeteries:

Ackley Cemetery
Bashan Cemetery
Foxtown Cemetery
Millington Cemetery
Mount Parnassus Cemetery
Parker Cemetery (aka Chesteryard)
Second Yard
Tater Hill Cemetery
Town Farm Cemetery
Warner Cemetery

The following should be documented as closed.

Bashan Cemetery
Parker Cemetery (aka Chesteryard)
Second Yard
Town Farm Cemetery
Warner Cemetery

RULES AND REGULATIONS OF THE TOWN OWNED CEMETERIES OF EAST HADDAM

1. For the mutual protection and benefit of lot owners, and each cemetery as a unit, the following Rules and Regulations have been adopted as the Rules and Regulations of East Haddam Town owned Cemeteries. All owners and visitors within the cemeteries, and all such lots sold, shall be subject to said Rules and Regulations, and subject, further, to such other Rules and Regulations, amendments or alterations as shall be adopted by the Cemetery Committee from time to time; and reference to these Rules and Regulations in the Deed to a lot shall have the same force and effect as if set forth in full therein.
2. The Cemetery Committee may, and hereby expressly reserves the right, at any time, or times to adopt new rules and regulations, or to amend, alter or repeal any rules, regulation, section, paragraph or sentence in these Rules and Regulations by a majority vote of the members of the Cemetery Committee. All rules formerly adopted which are contrary to

these Rules and Regulations are hereby repealed and declared to be no longer effective.

3. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Cemetery Committee, therefore, reserves the right, without notice, to make exceptions, suspensions or modifications to these Rules and Regulations, when, in its judgment, the same appears advisable; and such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of such rule.
4. The Cemetery Committee shall take responsible precautions to protect the owners of plots within the cemetery from loss or damage but it distinctly disclaims all responsibility from loss or damage caused beyond its reasonable control and especially from damage caused by the elements, an act of God, thieves, vandals, malicious mischief makers, unavoidable accidents, and order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.

CEMETERY MAINTENANCE

1. The general maintenance of the cemeteries, designed to improve and maintain their appearance and condition, shall be the responsibility of the Facilities Manager. It shall include such items as the upkeep of the drives, buildings, fences, stone walls, spring and fall clean-up, raking of leaves, and the general periodic mowing of grass and a report of such activity shall be conveyed to the Cemetery Committee annually.
2. The municipality may raise and appropriate sufficient funds, by taxation or otherwise, to provide for the suitable care and maintenance of the municipal public cemeteries within its boundaries which are not otherwise provided for, and to provide and maintain around all such cemeteries a good and sufficient stone wall or fence, and to supply necessary gates.

CEMETERY COMMITTEE POWERS AND DUTIES

The Cemetery Committee shall have all the powers and duties conferred upon it in the Town of East Haddam Code of Ordinances Article X § 12-37 and the Connecticut General Statutes.

PURCHASE AND CARE OF LOTS

1. The sale of lots in the municipal cemeteries shall be governed by the procedures defined in Connecticut General Statutes §19a-307.
2. If available, lots purchased in the laid out sections of cemeteries of the Town shall be conveyed by deed for burial purposes only, and shall be subject at all times to the provisions of the cemetery by-laws and rules and regulations of East Haddam and applicable State Laws. Any Cemetery Deed purchased shall not be provided to the owner until it has been recorded on the Land Records of the Town of East Haddam. Recording fees shall be paid by

the grantee. Cemetery lots sold to Town residents shall be at the purchase price indicated below. Cemetery lots sold to individuals not residing in East Haddam shall have a \$300 surcharge attached to the price.

<u>Lot</u>	<u>Purchase Price</u>	<u>Lot Size</u>
Single grave lot feet	\$700	4 feet by 10
Double grave lot feet	\$1200	8 feet by 10
Three grave lot feet	\$1600	12 feet by 10
Four grave lot feet	\$2000	16 feet by 10

3. Lot sizes may vary slightly in developed sections of cemeteries where space does not permit the above stated sizes.
4. Proceeds from the sale of Town owned cemetery lots shall be distributed first to reimburse the Town for any past due charges and the costs of sale. If any proceeds remain after reimbursing the Town, the remaining balance shall be placed in the Cemetery’s perpetual care fund and used in accordance with the provisions of Connecticut General Statutes § 19a-307.
5. The care and maintenance of all lots within the cemetery, whether perpetual or ordinary, shall include the mowing and trimming of grass at reasonable intervals, the raking and cleaning of lots, and the grading and seeding of lots in such a manner as to contribute to the general appearance of the grounds. Perpetual or ordinary care shall not include the maintenance or repair of any monuments, stones, OR markers or walls. When no provision or insufficient provision has been made for perpetual care, “annual care” is given at the expense of the town.
6. Perpetual care annual income, whether applied to lots, graves, or anything within the confines of the cemeteries, shall be limited absolutely to the income received from the investment of the perpetual care fund, no part of the principle is to be expended, unless stated in provisions of the fund.
7. When cemetery plots are available, space shall be designated for burial lots for town-assisted persons. Assignment will be made for the cost of a cremation burial only. The Committee will serve as agents of an established expendable fund named “burial Support Fund” to be held by the Treasurer of Trust Funds to be used for the cremation burial of town-assisted persons.

TRANSFER OF LOTS

1. Lots previously sold and no longer needed may only be sold back to the town (at the original purchase price). The town may then resell the lot following all current provisions of by-laws and rules and regulations.
2. The subdivision of lots is not allowed, and no one shall be buried in any lot not having an interest therein, except by written consent of the relative of any owner of record as provided in these rules or by the laws of the State of Connecticut.
3. Burial space that has remained unused for a period of fifty (50) years can become property of the Town following procedures established by State law at Section 19a 307.
4. Burial space that has remained unused for a period of less than 50 years can be resold and/or deeded back to the Town with written consent from the record owner if then living. If the record owner is deceased, then upon written consent of the record owner's authorized representative, heirs, designees, assigns or beneficiaries.

INTERMENTS AND DISINTERMENTS

Interments and disinterment will be conducted in accordance with the Connecticut Department of Vital Health, all permits shall be in place prior to the opening of any grave.

MONUMENTS AND MARKERS

1. All municipal cemeteries shall be permitted to have family monuments and markers of such dimensions and placement as described as below:
2. All markers shall be set flush with the lawn surface so that no part of such marker shall protrude above the surface of the ground.
3. Family_Monuments will be positioned to align with other Family monuments in row(s). Individual grave markers shall be placed at the end of the grave farthest from the base of the Family monument. In the absence of a Family monument, all markers shall be placed at the head of the grave. A minimum of eight graves must be held in order to erect a family monument.
4. Cornerstones require no foundations. They shall be six inches wide by six inches long and shall be set at the extreme corners of the lot and square with the bounds of the lot.

5. The name or inscription on each monument, or marker must correspond with the name recorded with the Cemetery Trustees and no changes shall be made thereon except upon request of the proper parties and by permission of the Cemetery Committee.
6. Persons engaged in erecting or repairing monuments and other structures, shall operate as independent contractors and do no harm to the area.
7. While the town will exercise all possible care to protect the memorial or other structure on any lot and the raised lettering, carving or ornaments on such memorial or other structures, it disclaims responsibility for any damage or injury thereto.
8. Nothing herein shall be construed to prohibit the erection of a tombstone or headstone at the grave of any soldier, sailor or marine.
9. Trained volunteers are welcome and encouraged to provide routine maintenance at any of the Town owned cemeteries under the oversight of either the facilities manager or the cemetery committee.

DECORATION OF LOTS

1. No enclosure of any nature, such as fences, curbing, copings, hedges, borders, or ditches shall be allowed around any lots.
2. Flowers may be planted and must be placed against the front of the headstone and bedded the exact length of the headstone and may not come out from the headstone more than eight (8) inches. Artificial flowers and wreaths are prohibited from April 1, through October 31.
3. No trees, shrubs or rose bushes shall be planted in any lot.
4. Removal of or banishing of any undamaged United States flags and/or armed forces service markers is expressly prohibited.
5. No person shall do any grading causing the surface of the ground to be raised above the existing height of the surrounding area.
6. The Facilities Director, or his designee, may enter upon any lot and remove any shrubs, plants (including vases, urns or potted plants), or trees that are deemed detrimental to the

cemetery or adjoining lots or unsightly or inconvenient to the public. They may enter upon any lot and make any improvement deemed for the advantage of the grounds. Notice of removal of the above items is not required.

CONDUCT OF PERSONS

1. Persons within the cemetery grounds shall use only the established gates, walks, or roads.
2. No person shall deposit rubbish or debris on cemetery grounds.
3. No person shall discharge firearms or any other weapon in or adjacent to any cemetery. This prohibition shall not apply to authorized volleys at burial services conducted by recognized military organizations or associations of the United States.
4. No person shall consume drugs or alcohol on cemetery grounds. Fire arms are expressly prohibited, however, this prohibition shall not apply to authorized volleys at burial services conducted by recognized military organizations or associations of the United States.
5. No person shall in any way disturb, damage, or deface any monument, stone, fence or other structure, or property within any cemetery. Any person damaging any cemetery property shall be liable for any damages incurred to the full extent of Connecticut law.
6. No person through fault or neglect shall allow any livestock to trespass within the cemeteries.
7. All dogs shall remain leashed and harnessed at all time while on cemetery grounds and owners MUST clean up any feces deposited by the dog.
8. No person shall perform any form of metal detecting in any cemetery.
9. No person shall make gravestone rubbings.
10. No signs, notices, or advertisements of any kind shall be allowed in the cemetery unless placed by the Cemetery Committee.
11. All persons are prohibited from gathering flowers, either wild or cultivated, disturbing trees, shrubbery or plants, defacing or otherwise damaging monuments or structures.

TRAFFIC AND PARKING REGULATIONS

1. No motor vehicles shall be driven except on roads designated for that purpose and no vehicle shall be driven faster than ten (10) miles per hour upon the roads of any cemetery.

2. Motor vehicles must be kept under complete control at all times. When meeting a funeral procession, they must stop until the procession has passed. They must not pass a funeral procession going in the same direction. Motor vehicles must not be left idling and the emergency brake must be set when the driver is not in his seat. Persons in the cemetery should remain respectful.
3. No motor vehicles shall be driven across or upon any grave, lot or lawn, nor parked or left thereon. It is prohibited to park or leave any motor vehicle on any road or driveway within the cemetery at such location or in such a position as to prevent any other motor vehicle from passing the same, and if so parked or left, such motor vehicle will be removed.
4. No person shall enter any cemetery with a loaded truck unless doing authorized cemetery business.
5. Snowmobiles, ATV's, minibikes and go-carts are not allowed within the boundaries of any cemetery at any time.
6. Parking shall occur in designated areas only, or on the nearest public street.

ADDITIONAL CEMETERY LANDS

Before any new land is opened for cemetery use and the sale of lots, the Cemetery Committee shall have such land area laid out and a survey by a licensed surveyor recorded on the land records.

All cemeteries shall be laid out by a surveyor licensed in the State of Connecticut in accordance with the regulations of the State and with the approvals of the Inland Wetlands and Watercourses Commission, the Historic District Commission and the Planning and Zoning Commission.

CAPACITY AT A TOWN CEMETERY

A town cemetery may be officially closed from further burials upon written notice to the Board of Selectmen from the Cemetery Committee that the designated cemetery, to the best of their knowledge, is full and no further lots will be sold.

It is recognized that as of the writing of these rules and regulations there are no "open" cemeteries.

DISCONTINUANCE AND REMOVAL OF REMAINS

State statutes shall prevail.

ABANDONED BURIAL GROUNDS

A cemetery shall be considered abandoned when there has been no burial in the preceding forty years and in which lots have not been maintained in the preceding ten years except for maintenance by the municipality or as otherwise set forth in in Connecticut General Statutes §19a-308a.

RIGHT OF WAY TO PRIVATE BURIAL GROUND

The Cemetery Committee shall endeavor to acquire a right of way to any inaccessible burial ground.