

# **NEW GLOUCESTER CEMETERY ASSOCIATION**

## **RULES, REGULATIONS AND GUIDELINES**

**(Amended Regular Meeting 3/12/2024)**

### **TABLE OF CONTENTS**

#### **General Information**

<b>Cemetery Hours</b>	<b>1</b>
<b>Visitors</b>	<b>1</b>
<b>Vehicles</b>	<b>1</b>
<b>Firearms/Fireworks</b>	<b>1</b>
<b>Loss or Damage</b>	<b>2</b>

#### **Rights of Interment/Inurnments**

<b>Reservations of Graves/Lots</b>	<b>2</b>
<b>Burial Rights</b>	<b>2</b>
<b>Unpaid Bills</b>	<b>2</b>
<b>Interment/Inurnment Rules</b>	<b>2</b>
<b>Removal of Bodies</b>	<b>3</b>

#### **Care/Maintenance of Graves/Lots and Decorations of Graves/Lots**

<b>Care/Maintenance</b>	<b>3</b>
<b>Decorations – Acceptable</b>	<b>3</b>
<b>Decorations – Unacceptable</b>	<b>4</b>

#### **Memorial/Monument/Headstone/Markers**

<b>Purpose</b>	<b>4</b>
<b>Individual and Family Monument rules and size</b>	<b>5</b>
<b>Size limits</b>	<b>5</b>

<b>Definitions</b>	<b>8</b>
--------------------	----------

# NEW GLOUCESTER CEMETERY ASSOCIATION

The New Gloucester Cemetery Association (*Association*) is in charge of the care and maintenance of the Town of New Gloucester Cemeteries.

- Lower Gloucester Cemeteries
- Hill Cemetery
- Pineland Cemetery
- Pond Cemetery
- Staples/Dawes Cemetery (inactive)
- Upper Gloucester Cemeteries
- Webber Cemetery
- Witham Cemetery (inactive)

The Association also manages the perpetual care funds established for the benefit of the cemeteries.

From the Preamble of the New Gloucester Cemetery Association, the Association will work carefully preserving the last resting place of all who are or shall be, hereafter, buried in the public cemeteries of the town of New Gloucester.

The following Rules and Regulations are used to help protect the purchasers and owners of rights of interment or inurnment; family, friends and acquaintances of the deceased buried in New Gloucester Cemeteries.

## RULES, REGULATIONS AND GUIDELINES

### GENERAL INFORMATION

#### CEMETERY HOURS

- Cemeteries will be open from Sunrise to Sunset.
- Cemeteries will be open in the spring and closed in the fall at the discretion of the Association.

#### VISITORS

- Visitors **must** not drive or park on the grass unless directed by an usher at a funeral.
- Children under the age of 15 will not be admitted unless accompanied by an adult. Children **must** not play on graves nor climb on headstones, monuments or other memorials.

#### VEHICLES

- Motorbikes, snowmobiles and all other off the road vehicles are prohibited. **(Per State of Maine Law)**
- Bicycles *and horses* must stay on the gravel driveways.

#### FIREARMS

- The discharge of firearms or fireworks in any New Gloucester Cemetery is prohibited. This is not to be construed as prohibiting ceremonial honor guards at

**NEW GLOUCESTER CEMETERY ASSOCIATION**  
Military Funerals or by Law Enforcement Officers consistent with their policies and procedures.

## **RESPONSIBILITY FOR LOSS OR DAMAGE**

- The Association disclaims all responsibility for loss or damage from causes beyond its reasonable control; especially from damage caused by the elements, an act of God, vandals and thieves.

## **RIGHTS OF INTERMENT/INURNMENTS**

### **PURCHASE OF BURIAL RIGHTS**

- To purchase a grave at the resident fee, the purchaser must live in New Gloucester. *(If there is a question of residency, does the purchaser vote in New Gloucester or can they show a utility bill?)* The New Gloucester Cemetery Association Sexton will make the final decision.
- The Association requires payment in full at time of purchase. We cannot and will not take partial payments. An *APPLICATION FOR PURCHASE* must be signed stating that the Association will hold the grave/lot for sixty (60) days.
- If not paid in full on or before the sixty (60) days the grave will revert back into the cemetery inventory of graves/lots that can be sold.

### **ASSIGNMENT OF BURIAL RIGHTS**

- A *BURIAL RIGHTS ASSIGNMENT FORM* must be completed at time of purchase to show who will have burial rights on the grave/graves.
- All interments/inurnments in graves shall be restricted to “Next of Kin”. A grave owner must request permission in writing to bury a person other than a “Next of Kin”. Per State of Maine Title 22, Chapter 707, §2843-A Definitions, 1. D.
- **BURIAL RIGHT ON GRAVE ALREADY OCCUPIED:** For an additional fee the Association will allow up to 2 additional cremations on 1 grave. (Only allowed on a grave that is already occupied with cremation burials.) *Note: Cannot apply to a grave that has a full body burial with a vault.*  
***See page 6 for rules and size of monuments allowed.***

### **UNPAID BILLS**

- No work will be done, or interments made, on any grave/lot with an outstanding balance due including the lack of perpetual care paid on the grave/lot.

### **INTERMENT/INURNMENT RULES**

- No interments permitted after the first snow fall or frost, until the following spring thaw is complete.
- NO spring “FULL” interments 8 days prior to Memorial Day, and no other activity, including CREMATION inurnments, 3 days prior to Memorial Day.
- No interments on Sundays or federal or state holidays.
- There is an additional charge for a Saturday interment after Memorial Day.
- If a Monday burial is requested the Association must be notified before noon on the prior Friday or an additional charge will be required.

## NEW GLOUCESTER CEMETERY ASSOCIATION

- Unless the New Gloucester Cemetery Association has agreed to other arrangements, all Interments (the full burial of human remains) must be transported to the cemetery by a funeral establishment and a funeral director or an authorized person shall attend the service at the New Gloucester Cemetery.
- In order to maintain a high standard of care and to eliminate sunken graves, the New Gloucester Cemetery Association does NOT allow GREEN BURIALS, all burials must use outside containers, known as vaults made of natural stone, reinforced concrete or a cement liner.
- Cremated remains must be interred in a permanent container approved by the Association. The scattering of ashes within the boundaries of the Cemetery is prohibited.
- **Removal** of bodies from graves in the cemeteries will only be made in accordance with the requirements of the Maine State Statutes. Title 22: HEALTH AND WELFARE, Chapter 707: Deaths and Burials §2843 PERMITS FOR FINAL DISPOSITION OF DEAD HUMAN BODIES 2. Permit for disinterment or removal. The Association and its personnel SHALL assume no liability if any casket, burial case or urn is damaged. Disinterment fees are double the regular interment fees.

### CARE/MAINTENANCE OF GRAVES AND DECORATION OF GRAVES

#### CARE/MAINTENANCE

- The Association is responsible for the general care of the cemeteries including cutting of grass, raking and removing the leaves, the trimming around monuments, trimming bushes and trees and the maintenance of the driveways.
- The Association does not assume the responsibility for care or planting flowers, or repairing or replacing monuments or markers.
- The Association reserves the right to remove any plantings, etc., that become unsightly, are planted incorrectly, or infringing on an adjoining grave or obstructing operations of the cemetery.
- The Association will not be held responsible for anything left on graves including but not limited to, floral pieces, potted plants or urns and their contents.
- Winter wreaths or baskets (no trees) will be allowed after December 1, and removed by May 1, to allow for spring cleanup. All graves will be cleared by November 1, to allow for fall cleanup.
- 

#### DECORATIONS

##### ACCEPTABLE

- Annuals or artificial flowers (either planted or potted) are allowed from May 15 through November 1.
- Planted flowers – Shall be planted within 12” in the *front only* of a monument or marker, *no plants allowed in walkways*. Potted flowers will be placed as close to the monument as possible. On graves not having a monument or marker, flowers will be set in line with those of adjoining graves, to facilitate mowing and maintenance.
- Flower containers will not exceed 12” in diameter or 12” in width; and length not to exceed size of marker/monument.
- Only ONE (1) Eternal Solar Light Allowed. **NO lights that change color or lights that blink.**

# NEW GLOUCESTER CEMETERY ASSOCIATION

## UNACCEPTABLE

- No trees, shrubs, perennials, fruits or vegetables allowed on graves/lots.
- No *lawn ornaments, toys, statues, whirly gigs, windmills, chimes, rocks, balloons, mail boxes, bird houses, birdfeeders, letters, glass containers, fences, alcoholic beverages or so-called ornaments* that are considered injurious to the beauty and dignity of the cemetery.
- No eternal flames or any open flames.
- **Removal** - The Cemetery Superintendent, or his designee has the right to remove all floral designs, vases, urns, decorations, flowers, shrubs, wreaths, plants, and other materials placed in the Cemetery that the rules do not allow or in their opinion, become unsightly, dangerous, detrimental, diseased, or that *interfere with normal maintenance* of the Cemetery.

## MEMORIAL/MONUMENT/HEADSTONES/MARKERS

**For the mutual protection of grave owners and the cemeteries as a whole the following rules and regulations have been established in all New Gloucester Cemeteries.**

### INDIVIDUAL AND FAMILY MONUMENT/MEMORIAL (*MONUMENT*) RULES AND SIZE

The owner(s) of graves shall have the right to erect thereon a **proper** stone or monument subject to the *rules* of the New Gloucester Cemetery Association for the cemetery and the grave/lot location in that cemetery. Designs, location and materials for all monuments and markers **must** be submitted to the Sexton for approval, this should be done prior to contracts being signed or orders given. The Association shall reserve the right to reject any plan or design for any monument which by reason of size, design, inscription, finish or quality of stone is, in the opinion of the Association unsuitable.

While the Cemetery will exercise all possible care to protect a monument on any grave, it disclaims responsibility for any damage or injury thereto. All monuments are the personal property of the owner and not the responsibility of the Association.

*Memorial/Monument Dealer:* A responsible and reputable monument/memorial dealer shall be used for the setting of monuments in New Gloucester Cemeteries and shall abide by all the rules and regulations of the Association. All work shall be cleared with the Sexton before work is performed. All dealers and their agents/sub-contractors must maintain adequate insurance for the benefit of the cemeteries. Dealers must provide the cemeteries with a current certificate of insurance before conducting any work in any of the cemeteries.

- *Foundation:* All monuments shall be on a concrete foundation; the location must be determined and marked out by the Sexton. All monument foundations shall be not less than 4 feet in depth and shall be finished to 2” below the surface of the ground at its lowest point. No foundation for a monument shall be constructed on any grave while the frost is still in the ground, per the Association. The Association reserves the right to inspect and approve all foundations.

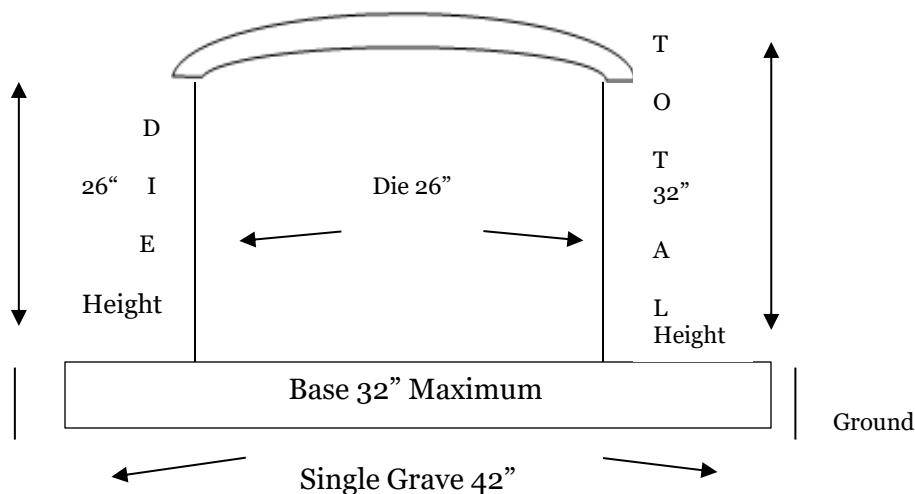
## NEW GLOUCESTER CEMETERY ASSOCIATION

- *Monuments:* All monuments and markers shall be constructed of marble, granite, natural stone or real bronze.
- *Pineland Cemetery:* All Rules and Regulations of the Association will apply to Pineland Cemetery. ONLY Flush Level Monuments will be allowed. Non-resident fee will apply plus the grave opening fee.

### INDIVIDUAL AND FAMILY MONUMENT RULES AND SIZE

		Width	Maximum Base Width	Maximum Die Width & Height	Maximum Total Height
<b>1</b>	<b>FULL GRAVE</b>	<b>40" – 42"</b>	<b>32"</b>	<b>26" x 26"</b>	<b>32"</b>
<b>2</b>	<b>FULL GRAVES</b>	<b>80" – 84"</b>	<b>48"</b>	<b>36" – 30"</b>	<b>36"</b>
<b>3</b>	<b>FULL GRAVES</b>	<b>120" – 126"</b>	<b>48"</b>	<b>36" x 30"</b>	<b>36"</b>
<b>4</b>	<b>FULL GRAVES</b>		<b>54"</b>	<b>42" – 32"</b>	<b>38"</b>
<b>6</b>	<b>FULL GRAVES</b>		<b>60"</b>	<b>48" - 34"</b>	<b>40"</b>

**Note: Lower New Yard – Block 2 only: Grave Widths are 40" – 80" – 120"**



- ◆ All monuments **must** receive approval from the Sexton or the Superintendent before it can be installed in any cemetery
- A family monument on two or more contiguous graves, in keeping with the normal tradition of identifying a family grave site, will be set at the center of the graves in conformance with adjacent monuments in the cemetery. In addition to the family monument, a “footstone” marker, which must be at the foot of the grave, is allowed on each grave. **The footstone marker must meet the specifications in the definitions.**

## NEW GLOUCESTER CEMETERY ASSOCIATION

- *Additional cremations on a single grave:* One monument can be placed at the head of the grave. Any additional markers (monuments) shall be flush/flat marker, per the definition, and shall be placed at the foot of the grave only. **The size must be approved by Sexton.**
- ◆ *Removal of monument/headstone/marker:* No monument/memorial shall be removed from the Cemetery unless the written order or permission of the right of interment owner(s) is presented to the Association.
- ◆ *A Fraternal Group or Organization* requesting to place a monument/memorial in a New Gloucester Cemetery must be incorporated and/or registered with the Secretary of State or approved by the Town of New Gloucester. The placement of the monument will depend on the cemetery and the location within the cemetery. The design, size and graphics must be approved by the New Gloucester Cemetery Association. The value of the grave shall be based on the Association Fees. A perpetual care fund, which is a percentage of the grave/lot, will be required for the care and maintenance of the grave/lot.
- ◆ Benches: Benches with **NO BACKS** are allowed in New Gloucester Cemeteries. *(Effective 3/21/23)*

**PAGE LEFT BLANK**



# NEW GLOUCESTER CEMETERY ASSOCIATION

## DEFINITIONS

- ◆ *Additional Burial Rights on Grave Space Already Occupied:* In New Gloucester Cemeteries a full burial grave site will allow 2 additional cremation burials with an additional fee of one half (1/2) the current resident/nonresident fee. (Cannot apply to grave that has a full body burial with a vault.)
- ◆ *Bench:* Bench Type Monument permitted shall follow all the rules and regulations applicable to the size of monuments on a grave. **NO** benches with backs are permitted on graves/lot.
- ◆ *Borders:* Curbing, fencing, hedging, raised lots, or enclosures of any kind around any grave or lot. **All prohibited in New Gloucester Cemeteries.**
- ◆ *Cenotaph:* A monument erected in honor of a dead person whose remains lie elsewhere. Must be approved by the Cemetery Superintendent.
- ◆ *Family Lot:* Two or more contiguous graves and will be restricted to “Next of Kin”. Per State of Maine Title 22, Chapter 707, §2843-A Definitions, 1. D.
- ◆ *Family Monument:* Marks the family’s lot, may have the names and dates of the individual family members.
- ◆ *Flush/Flat markers:* **Are flat and flush and are level with the ground and shall not exceed 26” x 14”.**
- ◆ *Footstone:* **Is a marker at the foot of the grave. Shall not exceed 26” x 14”.**
- ◆ *Foundation:* Is the in-ground concrete base. Is required for all monuments and stones.
- ◆ *Fraternal Group or Organization:* Any group or organization requesting to put up a large group *monument* must be incorporated or at least registered with the Secretary of State or approved by the Town of New Gloucester.
- ◆ *Green (or natural) Burial:* Emphasizes simplicity and environmental sustainability. The body is neither cremated nor prepared with chemicals such as embalming fluids. It is simply placed in a biodegradable coffin or shroud and interred without a concrete burial vault.
- ◆ *Headstone:* A monument stone at the head of a grave.
- ◆ *Lot:* One grave or a number of contiguous graves such as a Family Lot.
- ◆ *Marker:* A small individual monument placed at the head or the foot of a grave.

## NEW GLOUCESTER CEMETERY ASSOCIATION

- ◆ *Mausoleums/crypt/columbarium/Tombs*: Not allowed in the New Gloucester Cemeteries at this time.
- ◆ *Memorial*: Is a structure built to remember a person who has died. Memorial shall include a grave marker or **headstone** identifying a grave or graves with inscription. Memorial/Monument/Headstone sizes are dependent on the number of graves purchased.
- ◆ *Monument*: Is a structure built to honor someone notable or a special event. The size, material characteristics and design of a monument must be submitted for prior approval and are subject to regulations.
- ◆ *Niche*: Bench Type Monument with above ground niche for urn enclosed by sealed panels.
- ◆ *Owner(s)*: is the person or persons to whom the New Gloucester Cemetery Association has conveyed a burial right or rights, or a person or persons who hold such burial right or rights by inheritance.
- ◆ *Single Grave*: One full burial right plus one cremation or two (2) cremations.
- ◆ *Statues*: No statues, sculptures or figurines can be placed on a cemetery grave without approval of the Superintendent. Photographs or drawings of such structures must be submitted for approval. Any statue, sculpture, or figurine must be tasteful and suitable for display in a public cemetery in the judgment of the New Gloucester Cemetery Association. The Association will ensure that such structures DO NOT depreciate the surrounding cemetery graves.
- ◆ *Superintendent*: Under the general supervision of the Association. Helps with grave site preparation and all maintenance activities including the building of concrete foundations for headstones, digging graves for burials, sodding and grading of burial graves and the general maintenance of the cemeteries. Inspects work for conformance to the rules and regulations.