

# TOWN OF GARLAND

# MUNICIPAL CEMETERIES RULES AND REGULATIONS

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Revised: May 25, 2022  
DATE

EFFECTIVE: 5/25/2022  
DATE

Approved: Regina M. Fick  
Regina Fick, Select Board Chair

John P. Sears  
John Sears, Selectman

Randy Webber  
Randy Webber, Selectman

CERTIFIED BY: [Signature]

CERTIFIED BY: Lestey Maynard  
PRINT NAME

AFFIX SEAL

## **Contents**

Declaration of Policy .....	3
Application of the Rules and Regulations .....	3
General Regulation.....	3
Traffic Regulations.....	4
Establishment of Cemeteries .....	4
Assignment/Reservation of Lots .....	5
Cemetery Maintenance.....	6
Burials.....	7
Care of Lots.....	7

## Declaration of Policy

The Town of Garland, Selectmen, Cemetery Committee and Cemetery Superintendent/Sexton hereby ordain that the following rules and regulations are hereby established to constitute a policy for the proper operation and use of municipal cemeteries in the Town of Garland. The Town of Garland, Selectmen, Cemetery Committee and Cemetery Superintendent/Sexton recognize that the municipal cemeteries are sacred ground reserved as a final resting place. They desire to have the cemeteries maintained in the best possible manner and firmly believe that these rules and regulations are necessary for the protections of lot and grave owners, and for the proper conduct and good order of the cemeteries.

## Application of the Rules and Regulations

- a. The rules and regulations herein contained shall apply to any person, firm, corporation, association, club, partnership, society, or any other form of association or organization.
- b. The Cemetery Committee, Town of Garland, upon recommendation of the Town, Selectmen, Cemetery Superintendent/Sexton, etc... for good cause shown, may modify, suspend, repeal or amend the provisions of the policy in whole or in part thereof. It is the intent of the Cemetery Committee that if any section or part of a section of this policy is held to be invalid or unconstitutional, such invalidity shall not affect the validity of the remaining sections or parts thereof.

## General Regulation

- a. Conduct in Cemeteries: No person Shall:
  1. Deposit rubbish or debris on cemetery grounds, except in receptacles provided. (This includes the discarding of flowers.)
  2. Pick or mutilate any flowers, either wild or domestic, or disturb any tree, shrub, or other plant material.
  3. Use the cemeteries to consume alcoholic beverages, or any illegal substances in a cemetery
  4. Use any form of advertising on cemetery premises, except for those on monuments.
  5. Discharge firearms in or within 100 yards from any cemetery. This prohibition shall not apply to authorized volleys at burial services conducted by recognized military organizations or associations of the United States.
  6. In anyway injure or deface any monument, stone, fence, or other structures, or property within any cemetery.
  7. Allow any dog or other domestic animal to run at large within any cemetery.
  8. Horseback ride within or through cemeteries.
  9. Operate any R.V.'s within or through cemeteries.
  10. Operate snowmobiles or ATV's within or through cemeteries, which is also prohibited by Maine State Law.
  11. Park any vehicle at night in any cemetery.

## Traffic Regulations

- a. No person shall operate or cause to operate any vehicle within a cemetery on roads designed for that purpose and no vehicle shall be driven at a speed in excess of five (5) miles per hour upon any roads within municipal cemeteries.
- b. No person shall enter any cemetery with a loaded truck, except the town maintenance crews, unless permission has been received from the superintendant of cemeteries.
- c. No person shall unload any stone, dirt, or other material from any vehicle in any cemetery, except the town maintenance crew in the normal discharge of their work, or encumber walks, avenues, or places with such material, without express permission and consent of the superintendant of cemeteries.
- d. Any person operating a vehicle within any cemetery shall be subject to all the traffic laws of the Town of Garland applicable to motor vehicles.

## Establishment of Cemeteries

- a. The Town's people of the Town of Garland shall have the final authority for the establishment of cemeteries within the town limits of the Town of Garland, and shall, as the need arises, set aside new ground areas for this purpose as recommended by the Town's Selectmen and/or Cemetery Committee, Cemetery Superintendent/Sexton.
- b. Existing Cemeteries: The following named existing cemeteries shall be deemed to have been established as municipal Cemeteries:
  1. Burnham Cemetery
  2. Maplewood Cemetery
  3. Evergreen Cemetery
  4. Greeley Cemetery
  5. Hathaway Cemetery
  6. West Garland Cemetery
- c. Plotting of Cemeteries: Before any new land is opened for cemetery use and the sale of lots, the Cemetery Committee, Cemetery Superintendent/Sexton shall have such land area laid out showing the system of streets and avenues, and a numbered system of lots.
- d. Cemetery Committee to Review: The preliminary plan and layout of new cemetery land areas shall be submitted by the Cemetery Superintendent/Sexton of Cemeteries to the Committee of the Cemeteries who will approve and forward to the Board of Selectmen for review and approval.
- e. Lot Size Establishment: Lot sizes for municipal cemeteries are hereby established as follows:
  1. 6 plot lot, 24' x 10'
  2. 4 plot lot, 16' x 10'
  3. 2 plot lot, 8' x 10'
  4. 1 plot lot, 4' x 10'
  5. Cremation – 4' x 5'

(As of 4/27/1995, the standard lot size in the town of Garland is a 6-plot lot)

## Assignment/Reservation of Lots

- a. Conditions of Lot Assignment/Reservations: Lots assigned/reserved in the laid-out sections of cemeteries of the Town of Garland shall be conveyed by a certificate for burial purposes only and shall be subject at all times to the provisions of the Town Charter, Town Policies, and applicable State Laws.
- b. Purchase Procedure: Lots in the laid-out cemeteries of the Town of Garland may be selected and purchased from the Cemetery Superintendent/Sexton of Cemeteries, and payment for lots purchased shall be made to the Town Office before any burial is performed. Such purchases shall be evidenced by a certificate prepared by the Cemetery Superintendent/Sexton of Cemeteries and signed by the collector of cemetery funds. Such certificate shall state the name of the purchaser, purchase price and amount paid, name of the cemetery, number of the lot, and section in which located. (This certificate is not a deed.) **Certificates will not be given, and lots will not be reserved until full payment has been received.**
- c. Records of Cemeteries and Purchase of Lots: The keeping of records of the cemeteries of the Town of Garland shall be the responsibility of the Cemetery Superintendent/Sexton. All maps showing laid out sections of each cemetery, records of lot ownership and burials shall be kept by the Cemetery Superintendent/Sexton at the Town Office. Copies of the certificates conveyed for lot purchases shall be recorded in a book provided for cemetery records by the Town Office.
- d. Transfer of Lots: No transfer or assignment of a lot shall be made by any owner without the express approval of the Cemetery Committee and Cemetery Superintendent/Sexton, and all transfers shall be made upon approved forms through the Town Office and recorded in the cemetery records. A \$25.00 fee will be charged to cover this transfer.
- e. Charge for Plots: \$110.00 per plot (Standard/ Family size—6 plots per lot) for residents, (a resident is anyone who lives in Garland; maintains a voting residence in Garland; or is not living in the town when they acquire the plot due to conditions beyond their control, i.e., medical, military, or penal). **Special circumstances will be brought to the Cemetery Committee and Cemetery Superintendent/Sexton for a decision with the selectmen.** The price of \$300.00 per plot will be charged for non-residents. The price of \$200.00 per plot will be charged for non-resident landowners Resident/Former Resident Veterans will not be charged for their own base plot. The prices for Cremations will be \$55.00 for residents, \$100.00 for non-resident landowners and \$150.00 for non-residents. Fees subject to change by recommendation of Cemetery Committee, Cemetery Superintendent/Sexton, and approval by selectmen.

Qty.	4' x 10' plot	Total Cost	Qty.	4' x 5' plot – Cremation Lots Only	Total Cost
	Resident (includes Perpetual Care Fee) \$110 / plot			Resident (includes Perpetual Care Fee) \$55 / plot	
	Non - Resident Landowner (includes Perpetual Care Fee) \$200 / plot			Non - Resident Landowner (includes Perpetual Care Fee) \$100 / plot	
	Non - Resident (includes Perpetual Care Fee) \$300 / plot			Non - Resident (includes Perpetual Care Fee) \$150 / plot	

## Cemetery Maintenance

- a. Responsibility of the Town: The general maintenance of the cemeteries, designed to improve and maintain their appearance and condition, shall be the responsibility of the Town. It shall include such items as the upkeep of drives, buildings, fences, Spring and Fall clean-up, raking of leaves, and the general periodic mowing of grass.
- ~~b.~~ Planting Trees or Shrubs Prohibited: No trees or shrubs shall be planted in any lot in any municipal cemetery by any person or persons without consent of the Cemetery Superintendent/Sexton. The cemetery will be totally cleaned and all plastic flowers, etc. will be removed by **the first Sunday after Indigenous People's Day.**
- c. Alterations to Ground Prohibited: No ground in any municipal cemetery shall be seeded, fertilized, or otherwise altered by any person or persons other than the Cemetery Superintendent/Sexton.
- d. Grading of Lots: All grading of lots shall be done by the cemetery department upon request of the owner, and no person shall do any grading causing the surface of the ground to be raised above the existing height of the surrounding area without the approval of the Cemetery Superintendent/Sexton.
- e. Curbs and Fencing: No curbs or fences shall be permitted around any one individual lot or group of lots.
- f. Monuments and Markers: All municipal cemeteries shall be permitted to have monuments, markers and cornerstones of such dimension, material, and location as shall be approved by Cemetery Superintendent/Sexton of Cemeteries.

## Burials

- a. Condition for Burial: No burial shall take place without first having obtained a burial permit and proof of lot purchase evidenced by afore mentioned lot certificate.
- b. Preparation of Graves: The preparation of graves shall be the responsibility of the Cemetery Department of the Town of Garland.
- c. Burial Rates: (Opening & Closing) Full grave: \$400.00 Weekdays/\$450.00 Weekends. (With unusual circumstances... i.e.: ledge, Cemetery Superintendent/Sexton will advise funeral director of options.)
- d. Cremation grave: \$60.00 Weekdays. \$80.00 Weekends.
- e. Errors in Location: The Town of Garland shall not be responsible for errors in location of graves within a family lot. Orders from funeral directors shall be construed as orders from lot owners.
- f. Grave markers required to be placed within 6 months of burial (within 1 month of ground thaw if timing falls within winter months).
- g. Vaults are not required

## Care of Lots

- a. **Perpetual Care services are included in the fee.**
- b. Definition of Care and Maintenance: The care and maintenance of lots shall include the mowing and trimming of grass at reasonable intervals, the raking and cleaning of lots, and the initial grading and seeding of lots. Perpetual care service shall include a Spring and Fall visual check of established perpetual care lots. These lots shall be graded, filled, or seeded as need warrants. Perpetual care shall **not** include the cleaning or repair of any monuments, stones, markers, or walls, nor the planting or care of flowers or shrubs.

