

1. 10:00 A.M. Oct. 28, 2020 Cemetery Board Meeting Materials

Documents:

[2020 10 28 AGENDA CEMETERY BOARD.PDF](#)
[2020 10 28 LEGAL NOTICE CEMETERY BOARD.PDF](#)
[2020 01 22 DRAFT MINUTES CEMETERY BOARD.PDF](#)
[BROCHURE FOR RULES REGS AMENDED 5-29-18.PDF](#)



CEMETERY BOARD

AGENDA

Wednesday, October 28, 2020 at 10:00 a.m.

REMOTE GOTO MEETING IN COMPLIANCE WITH THE NM OPEN MEETINGS ACT

Call to Order

Roll Call

Changes to the Agenda

Approval of Minutes

- January 22, 2020 Regular Meeting

Public Input

Reports

A. Public Works Representative: 1) Update on the Town Manager's decision on the issue with copings in the new section and the suggested compromise with the families that were given notice to remove copings, etc., 2) Update on the budget for the Cemetery for fiscal year 2020-2021, and 3) Update on the ICIP (Infrastructure Capital Improvement Plan) for the Cemetery.

B. Chair

Unfinished Business

A. Request to change the Rules and Regulations of the Cemetery's new section by Dana Gilmore.

B. Update from Vice Chair Fell on future reports from the Town and Country Garden Club.

C. Discussion of designated area for cremains and rules that may apply.

New Business

A. Discuss the agenda items for the meeting scheduled for January 27, 2021, including the election of Chair and Vice Chair.

Adjournment

LEGAL NOTICE

The Cemetery Board of the Town of Silver City will hold a Remote Regular Meeting on Wednesday, October 28, 2020 at 10:00 a.m. The meeting will be held remotely via Go To Meeting and in compliance with the NM Open Meetings Act. Please join the meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/579112477>

You can also dial in using your phone.

United States: [+1 \(224\) 501-3412](tel:+12245013412)

Access Code: 579-112-477

The public is invited to attend. The complete agenda is available on the Town's website at www.townofsilvercity.org. You may call the Town Clerk at phone 575-534-6346 if you have any questions. If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the Town Clerk at 534-6346 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda or minutes, can be provided in various accessible formats. Please contact the Town Clerk if a summary or other type of accessible format is needed.

**TOWN OF SILVER CITY
MINUTES OF THE CEMETERY BOARD
REGULAR MEETING**

**Public Works Administration Building, 610 East 8th St., Silver City, New Mexico
January 22, 2020 - 10:00 a.m.**

Present: Linda Nunez, Chair
Jeff Fell, Vice Chair
Paul Baca
Elizabeth Miller
Twana Sparks

Also, present: Councilor Guadalupe E. Cano
Peter Pena, Public Works Director
Jesus Alvillar, Parks Supervisor
Olivia Britton, Finance Department
Ann Mackie, Town Clerk

CALL TO ORDER – Chair Nunez called the meeting to order at 10:00 a.m. The following members of the public also attended: Dana Gilmore, Don McLaughlin, Tammy Legarda, Shirley Gerber, Marcy Duitman, Lisa Lucero, and Allen Arguello.

CHANGES TO THE AGENDA – Chair Nunez asked that the agenda be changed to move Ms. Gilmore’s item up so she would be first. Ms. Sparks made a motion to move New Business B ahead of Approval of Minutes. Mr. Baca seconded. All were in favor. Motion carried.

NEW BUSINESS –

B. Request to change the Rules and Regulations of the Cemetery’s new section by Dana Gilmore.

Ms. Gilmore said somebody was going to give a summary and they could do that first. Ms. Sparks said she was a new Cemetery Board member and asked everybody if they would mind if she gave her summary, and there was no opposition. Ms. Sparks began by saying she saw the article in the *Silver City Daily Press* newspaper so she met with all the people that were involved so she could get up to speed. She handed out a summary from her investigation on what she thought happened and what she thought were solutions (see attachment) and she showed photos. She read from her handout that included the following: how she spoke with John Snedeker, local landscaper hired by Dana Gilmore, Town Manager Alex Brown, and Ms. Gilmore; how Ms. Gilmore bought her Mother’s (Mrs. McLaughlin) plot through a funeral home and received no information about regulations regarding coping or colored rock restrictions for a cremation grave; how Mr. Snedeker denied any knowledge of uniformity regulations regarding colored rock and copings; how Mr. Chad Snedeker discovered a notice at the gravesite indicating a violation and removal requirement when only the placing of the white rock remained to be completed; and how she confirmed there was a mud problem due to the chemical kill of all the grass in the cemetery so there was no erosion control. Ms. Sparks acknowledged the Board members for spending so much time on the rules and regulations in order to make the new section of the cemetery look better than the old section of the cemetery, and said the Board only wanted sidewalks, gravel and headstones in the new section. She remarked that what Ms. Gilmore had done to her Mother’s gravesite was beautiful, but it was not supposed to be there because the Town wanted everything to be uniform, and that it appeared that nobody knew the rules about no copings. She said there were two other people that put up copings in the new section, and that Ms. Gilmore’s metal copings on her Mother’s grave actually kept it from washing away, and that the Town needed to improve the drainage.

Mr. Pena explained that the same letter of non-compliance went out to the other people, and that Mr. Snedeker wanted it to go to the Board. He said the Board would make their determination. He said one person would wait on the ruling and the other person had not contacted them yet. He said there was a person that spent \$4,000 and he removed the copings so he could follow the rules. Ms. Sparks read from her handout her opinion of what the problems were: how the regulations were not posted; how the

regulations were not transmitted by the funeral homes to the family of the deceased; how the regulations were unenforceable; how the regulations were cosmetic and functional only if the adjacent graves were encroached; and how the city had placed colored rock in the cemetery which violated their own regulations. Mr. Pena said the problem was the encroachment and he described issues with digging the adjacent grave and how the backhoe can damage graves when there are copings, and how a lot of graves were lost in the old section because copings encroached on the adjacent plots. He said it was horrible when they could not bury family members together because there was no room due to all of the encroachments. He also said copings created more difficult maintenance issues and that the Parks employees maintained the cemetery, and they also take care of 13 parks, baseball fields, and other town facilities. He said there was not a dedicated employee to take care of the cemetery. He said there was only a \$9,000 operational budget for the cemetery and the parks guys were not paid out of the cemetery budget. Ms. Sparks brought up how the Town was putting colored rock in the new section and Mr. Pena said the rules say the Town reserves the right and discretion to do all of the landscaping and planting in the cemetery. Ms. Sparks continued by asking who was responsible and stated that she thought everybody was, including Ms. Gilmore, Mr. Snedeker, the city, and the funeral homes. She provided her thoughts on what the solutions could be as follows: post regulations as of February 1, 2020 with the current structured allowed; remove all three copings and improve surveillance of gravesites to avoid future problems; fine or restrict the license of landscapers who have violated restrictions due to inattention to possible regulation changes; relocate Mrs. McLaughlin's grave at the Town's expense to the old section of the cemetery with allowed structure; and that she intended to personally request the funeral directors that arranged the plot sale to offer old versus new restricted locations. Mr. Pena said they already put up signs and Mr. Alvillar displayed a sign. Mr. Pena said they felt that people should follow the rules, and they decided to put up 20 signs about getting a permit. Ms. Sparks suggested the Parks employees drive around the cemetery when they open the cemetery each day. Mr. Pena said people put up copings in a day on a weekend so it could not be stopped. Vice Chair Fell said the Town was no longer selling plots in the old section. Ms. Sparks reviewed her solutions again.

Chair Nunez asked for the names of the persons that were attending. They included the following: Dana Gilmore, Don McLaughlin, Shirley Gerber, Tammy Legarda, Marcy Duitman, Lisa Lucero, and Allen Arguello.

Dana Gilmore handed out a letter addressed to Mr. Brown and the Cemetery Board members that summarized the situation and listed her recommendations (see attachment). She said it started out as a personal issue for herself and that when you do something nice to honor and respect your loved ones, and all of a sudden it has to be removed, it was hurtful. She said as she was working through it, it turned into a bigger cause for her because she knew quickly that she was not the only one going through it because the landscaper noticed other plots had notices and perhaps they had not received the rules either. She said she and her father, Don McLaughlin, did not receive the rules from the funeral home, and that Getz Funeral Home in Las Cruces signed the agreement on their behalf, and it did say the rules and regulations had to be followed. She said Getz Funeral Home requested the rules but had not received them. She said she would not have proceeded if she had known the regulations; that she did not know there was a difference between the old and new sections. She said she hired Snedeker Landscaping and she thought he would have received the permits, but he did not know there was a difference between the old and new sections. She said there was some ignorance on their part she supposed, but there was some onus on the city as well. She said they went by the cemetery the morning of January 22 and the grounds seemed to be much improved and the new section was much improved, and they appreciated that. Mr. Alvillar, Parks Supervisor, said when it was wet they could not get in to repair sunken graves because it would make more of a mess. He described how people would get mad at them for not repairing the graves and for weeding or not weeding the graves.

Ms. Gilmore said there were things they could do: 1) how she would love the Board and the city to work towards improvements in the cemetery and improve the process in which the rules are delivered to plot owners, 2) she requested that the city get the name and address of the owner and send a certified letter with the rules to those owners because the current process was not sound and was not happening, and 3) requested updating the rules and regulations to allow the gravel and copings which help with the runoff, etc. but there had to be some involvement with the city and the plot owners so the plots were mapped so the plot owners would know not to get outside the lines of the designated plot boundaries. She said if they get the rules and they know they need to have a permit, then it opened up the communication between the owners and Public Works. She said it would take manpower and since the city owned the cemetery, they should add to their budget so they have the ability to manage it better, and not just with the cemetery fund. She said the city owned some of that responsibility by either hiring more landscapers or working in conjunction with a preferred list of landscapers to do the work. She said the family members only wanted to honor and respect their loved ones, and their loved ones chose Memory Lane because they wanted to reside there.

Mr. Pena said he appreciated everything she said, but he had to go back to the rules. He said when they sell a plot and the person goes to City Hall, they get a copy of the rules, and all of the local mortuaries were sent the rules on an annual basis. Ms. Britton stated she personally mailed the rules to the mortuary in Las Cruces (that Ms. Gilmore used) because they called and asked her for them. Chair Nunez said they sent copies of the rules and regulations to all of the mortuaries, including the ones in Albuquerque, and it was way before they started using the new section. Ms. Gilmore said if the city takes the onus and ownership of making sure the plot owners get the rules, and not rely on a third party to do it, they would be more successful, and that was why she suggested sending a certified letter, etc. There was further discussion about the following: how the funeral homes purchase the plots and then sell the plots to the families and were supposed to provide the families with a copy of the rules; how the ownership of property actually has the funeral home's name on it if they are purchasing the plots for the families; how the form to purchase a plot needs to show the family's name, address and phone number; how the funeral home has to apply for a permit to disinter or move a body; how the landscapers were licensed and knew permits were required; how all cemeteries have rules and regulations; how Fort Bayard National Cemetery has a dedicated staff and the Town did not; how the McLaughlin plot's copings encroached 8 inches on one side and 2 feet six inches on the other side; how Mr. Alvillar would make sure the plot was mapped if he was notified; how the plots were 5 feet by 10 feet in size; how the permits were free and the rules say the permit must be obtained from city hall; how any work in the cemetery requires a permit from the city; and how there are three copies of the permit that go to the plot owner, Utility Billing and Public Works.

Mr. Pena said they could add verbiage to the form, and he would talk to the Town Manager about it. He said it would be up to the Board, but it was staff recommendation that they do not allow copings or enclosures in the new section. He said for erosion and beautification the Town started putting gravel down, and people could contact Public Works when graves needed to be fixed after heavy rains. Ms. Sparks said it was her recommendation that until the signs are placed that say they have to get permission, that they let the three stay, and after the signs are in place nobody else has an excuse. There was further discussion about the encroachment of the McLaughlin grave and Mr. Snedeker's responsibility to correct it. Mr. Pena recommended that they allow gravel because they wanted to continue to use gravel since it helps with the erosion. Ms. Sparks said if the Board votes to not allow the three copings that were there, then they need to find three spaces in the old section at the Town's expense because the copings meant something to those people. Mr. Pena said the final decision was the Town Manager's.

Ms. Gilmore discussed the benefits of gravel and said if they allowed the gravel, but had to remove the copings, she requested they allow the copings until all of the runoff and drainage issues were contained and the additional work of the gravel was there so their gravel would not be washed away. Mr. Pena discussed issues with copings and how difficult it was to dig graves adjacent to graves that had copings, and how that was why the rules were in place. He said they were trying to make the new section better, and that he had been the Public Works Director for 22 years. He said the only question he had was how to get the rules out better to people, and the rules were in place for a long time. He said he may put all of the rules on a giant sign at the front of the cemetery, but it was up to the Board to decide if they go against the rules or follow them. Ms. Gilmore said she needed to have Mr. Snedeker move things so it did not encroach. Don McLaughlin commented that a staff person was in their truck observing when the hole was being dug in the wrong spot, and the headstone was being placed in the wrong spot, etc. Mr. Pena said they put corner markings in before the casket is laid, and there was further discussion about signs and permits. Mr. Pena said he made his recommendation and it was up to the Board to decide what to do. Mr. McLaughlin thanked them for allowing them to voice their opinion, and he thought it was enlightening to all of them, but it would take more on the part of the Town to enlighten the families.

Vice Chair Fell asked the families if they would be willing to remove their copings if the city assured them they would provide gravel for runoff and erosion control measures. Tammy Legarda said yes. Mr. Pena discussed the improvements they had made over the past 15 years in the cemetery, including asphalt, curb and gutter, and sidewalks, and how the city made a lot of efforts toward improving the cemetery and worked hard to obtain funding to make those improvements. Mr. Alvillar said they were doing what they could with only \$9,000 in the budget, and how nice the sidewalks were in the new section. Vice Chair Fell said maybe they should approach the Town Manager and still maintain the rules by graveling those sections. Ms. Gilmore said the rules should be adjusted to allow decorative gravel and to her the compromise was to remove the copings, but not until the water runoff was contained and there would be gravel there to contain it. She said then she would remove their copings so they did not encroach, but they would leave their gravel. Councilor Cano said she was Ex Officio and did not have a vote, but the cemetery clearly needed an increase in their budget, and that she was very much opposed to leaving the three plots with the copings because it would lead to the abuse of the employees. Ms. Gilmore said decorative gravel was easier to deal with than the copings. Ms. Britton said they could always call her at City Hall if there were issues at the cemetery, and she would notify Mr. Alvillar. She said if there were problems with headstones, she contacts the funeral home because most of the time the headstones came from the funeral home. There was further discussion.

Chair Nunez asked for a motion. Vice Chair Fell moved to postpone action until the next meeting so they could discuss the issues with the Town Manager to see if they could buy and place gravel as part of a compromise with the three families. Ms. Sparks seconded the motion. Mr. Pena and Mr. Alvillar said, if approved, they could do gravel work in March or April. Vice Chair Fell said the Board had quarterly meetings, but they could call a special meeting, and perhaps they could set the gravel before the next meeting in April. Mr. McLaughlin said he agreed with the discussion, but they had to make sure his wife's plot was moved and centered in the right place. Ms. Gilmore wanted the record to include their compromise about not taking the copings out until the Town laid gravel to help with the runoff. Ms. Gilmore said she would let Mr. Snedeker know what work needed to be done to make the adjustments. Chair Nunez asked for a vote and all board members were in favor of the motion. Motion carried. Mr. Pena said the rules already said the Town could do landscaping, but the rules may be changed so families would need to talk to the Town to discuss colored rock.

Most of the members of the public left the Board meeting at this time, with the exception of Shirley Gerber who attended the entire meeting.

APPROVAL OF MINUTES – October 23, 2019 Regular Meeting – Chair Nunez asked for a motion to approve the minutes. Vice Chair Fell moved to approve the October 23, 2019 minutes, and Ms. Sparks seconded. All were in favor, motion carried.

PUBLIC INPUT – Public Input was received during New Business B.

REPORTS –

A. Public Works Representative – None.

B. Chair – Chair Nunez – None.

UNFINISHED BUSINESS – None.

NEW BUSINESS –

A. Election of Chair and Vice Chair. Chair Nunez nominated Twana Sparks to be Chair and Paul Baca as Vice Chair. Vice Chair Fell seconded the nominations. Both nominees accepted. All were in favor. Nominations carried.

B. See New Business B. above before the Approval of Minutes.

C. Update from Vice Chair Fell on future reports from the Town and Country Garden Club. Vice Chair Fell said he contacted the Garden Club and they were not sure who would attend future meetings, but they were interested. He said he would continue to reach out to them.

D. Update from Ms. Sparks on Fort Bayard National Cemetery’s Rules for cremains and the size of cremains plots. Ms. Sparks said the cremains plots at Fort Bayard measured 36 inches by 36 inches and she could not find their rules. She also said the cremains had a flat headstone that was sunken.

E. Discuss adding a designated area in the new section for cremains and rules that may apply. The Board discussed what section would be best for cremains. Vice Chair Fell made a motion that Section I, Block 15, spaces 1 through 40 be designated as cremains plots, allowing eight 2 ½ feet by 2 ½ feet plots per grave space. Ms. Sparks seconded. All were in favor. Motion carried. The discussion continued about the rules and costs of each cremains plot. Chair Nunez moved to sell the cremains plots at \$150 per plot, \$50 for the opening and closing of a cremains plot, and \$75 for the opening and closing of cremains plots on the weekend. Mr. Baca seconded. All were in favor. Motion carried. Chair Nunez said they could revisit the rates after doing more research, and there was further discussion.

F. Discuss the agenda items for the meeting scheduled for April 22, 2020. The Board discussed the following agenda items for the April 22, 2020 agenda: 1) how Jaime Embick, Community Development Director, should be invited in order to discuss the updating of the Work Plan and to request projects for the ICIP; and 2) to get an update from Mr. Pena on the Town Manager’s decision on the issue with copings in the new section and the suggested compromise with the families that were given notice to remove copings, etc.

ADJOURNMENT – Chair Nunez asked for a motion to adjourn. Ms. Sparks moved to adjourn at 12.22 p.m. Vice Chair Fell seconded. All were in favor, motion carried.

Twana Sparks, Chair

Attest:

Ann L. Mackie, Town Clerk

DRAFT

Rules and Regulations Governing Burials in the Memory Lane Cemetery



Town of Silver City
P.O. Box 1188
101 W. Broadway St.
Silver City, NM 88062
(575) 538-3731

PART VI – PLANTS, VASES, ETC.

1. The planting of vines, borders of plants, roses, shrubs, trees or any type of permanent plant is strictly prohibited in the New Section.
2. Small removable vases and containers of flowers may be placed on graves for suitable occasions. The Town may remove them if necessary, and no responsibility will be assured for their safekeeping.
3. Persons desiring to retain floral arrangements or other material used at burials, including flags, should remove them within 48 hours after burial.
4. All flags placed at gravesites for National holidays should be removed within 48 hours after observance of the holiday.
5. The Town reserves the right to remove all material not considered suitable or desirable in the Cemetery.

PART VII – ABOVE GROUND BURIAL VAULTS

1. No above ground burial vaults will be permitted in either section of the Cemetery.



The Rules and Regulations Governing Burials in the Memory Lane Cemetery, adopted by the Silver City Cemetery Board and the Town Council, are subject to revision.(Ordinance No. 1147 adopted July 22, 2008) This brochure duplicates the Ordinance revised May 29, 2018.

PART I – USE OF CEMETERY

Memory Lane Cemetery is a municipal cemetery available for use by the general public. All business matters relating to the cemetery shall be transacted at City Hall, 101 W. Broadway, Silver City, New Mexico. Hours of operation at City Hall are Monday through Friday, 8:00 a.m. to 5:00 p.m., except on designated holidays.

A. RULES

1. Persons within the Cemetery grounds, New Section only, shall use only the avenues, walks, and roads. Regardless of the Section, no one shall ride a motorcycle, motorbike, bicycle, skateboard or roller skates except on designated roadways or walkways.
2. The Cemetery is intended to be sacred; it is not a park intended for recreation.
3. The Town's leash law for animals shall be adhered to at all times and all animal waste shall be immediately removed and properly disposed of by the pet owner.
4. No use of alcoholic beverages, in accordance with the Town Ordinance.
5. No person shall pluck or remove any plant or flower, either wild or cultivated, from any part of the Cemetery. Plot owners may place or remove plants and flowers from their individually owned plots.
6. No unauthorized person(s) shall be permitted to bring or carry firearms within the Cemetery.
7. No hunting is allowed within the Cemetery boundaries.
8. All persons are strictly forbidden to break or injure any tree or shrub; mar any landmark, marker, or memorial; or in any way deface the grounds of the Cemetery.
9. No excavations, construction, planting of trees or shrubs are permitted without Town approval.
10. Motor vehicle parking in the New Section shall be limited to the designated parking areas.

B. BURIALS

1. All burials, including cremains, must be under the direct supervision of licensed funeral personnel.
2. All casketed gravesites in the Cemetery shall be five (5) feet in width by ten (10) feet in length,

by six (6) feet in depth, with the lengths running east and west. (Also, refer to Part III - Opening and Closing, Item 6).

3. In the event that an error is made in the interment or disinterment of any remains in the Cemetery, the Town reserves the right to remove and transfer the remains to another space of the same value. Reasonable efforts will be made to contact and advise the next of kin prior to taking any action to remove or transfer any remains.
4. Neither interments nor disinterment will be allowed in any space where the ownership, in the opinion of the Town, remains undetermined. In such cases, an order from a Court of competent jurisdiction will be required.
5. The disinterment from a burial space within the Cemetery shall be permitted only after approval of the Town, and in compliance with the laws of the State of New Mexico, and then will be done at the earliest convenience of the Town. All requests for disinterment will be presented to the Town Manager in writing with reason for disinterment stated on the request.
6. If for some reason the gravesite is not ready, such as rock, acts of nature, or any other valid reason, the burial will be postponed until the gravesite is ready, or alternative arrangements will be provided.

C. CREMAINS (Human Ashes)

1. Gravesites for cremated remains shall be covered by no less than 12" of soil. A second set of individual cremains may be placed in the same plot at different time intervals with Town approval.
2. Arrangements for placement of cremains in the Rose Garden may be made through any of the local funeral homes or by contacting the Town and Country Garden Club at P.O. Box 2164, Silver City, NM 88062.

D. SPECIAL AREAS

BABYLAND

1. In the Old Section, a half burial plot five (5) feet long by three (3) feet wide may be purchased in the area designated as the baby section or

“Babyland”, Section A, Lots 14 through 22, Lots 35 through 37, and Lots 42 and 43.

2. In the New Section, lots in Babyland are to be taken in order: starting with the designated Row #1, Space #1, then Row #1, Space #2, etc.
3. Only infants and small children under the age of two (2) shall be buried in Babyland.

ROSE GARDEN

1. Arrangements for placement of cremains in the Rose Garden may be made through any of the local funeral homes or by contacting the Town and Country Garden Club at P.O. Box 2164, Silver City, NM 88062.

PART II – PURCHASE OF BURIAL SPACES

1. Individual plots up to four (4) may be purchased from the Town at City Hall. The Town Manager, at his discretion, can authorize the purchase of additional gravesites.
2. Purchase arrangements can be made either at City Hall or through a funeral home of your choice at the time of need or in advance.
3. Selection of the burial space at the time of purchase will be made by the purchaser with assistance from the funeral home or the Town, as appropriate.
4. The purchaser will be required to sign that they understand and will adhere to the rules of the Cemetery (separate document), and they shall receive a copy of the “Memory Lane Cemetery Rules and Regulations Governing Burials”.
5. Indigent burials will be at the discretion of the Town.
6. In the New Section, lots are to be taken in order: starting with the designated Row #1, Space #1, then Row #1, Space #2, etc.

PART III – OPENING AND CLOSING

1. The Town performs all openings and closings. When necessary, the Town may need to place equipment on gravesites and has the right to move headstones or other items on adjacent cemetery plots to avoid damaging them.
2. The cost of the opening and closing is not included in the purchase price of the plot. Additionally, any extra cost for interment or disinterment that may be incurred by the Town

will be charged to the purchaser of the plot, and be payable within ten (10) days of receiving the Town’s invoice. This may include: rockbreaker or excavator equipment; blasting materials, other materials, or special equipment.

3. Overtime Assessment Charge: the Town will be assessing an overtime charge of \$25.00 per hour for each individual for any time worked after the employee's regular scheduled time for the closing of graves. During the months of April through September the regular hours start at 6:00 am and end at 2:30 pm. Regular hours for October through March start at 7:00 am and end at 3:30 pm (Sunday through Saturday).
4. Any damage that is done to the Cemetery by any private contractor is the liability of the purchaser of the plot for whom the contractor was working.
5. During the months of April through September, internments can take place beginning at 8:00 am with services and tear down concluded at 5:00 pm. During the months of October through March, internments can take place beginning at 8:00 am with services and tear down concluded at 3:00 pm. (Monday through Saturday). Special arrangements can be made for Sundays or holidays by contacting the Town Manager.
6. All graves shall be six (6) feet in depth. However, should hard rock be encountered, a lesser depth may be allowed provided the depth is not less than four (4) feet. Graves shall be filled level with ground surface.
7. A forty-eight (48) hour notice must be given to City Hall prior to interment. The notice will be provided to a representative of the funeral home and the Cemetery Supervisor.

PART IV – GRAVES AND MARKERS

Disinterments must be approved by the Town Manager and by the State Health Department in cases where death was caused by a contagious disease. The cost of disinterment will be determined by actual audit cost; such cost will be at the expense of the party requesting the disinterment. Any disinterment requested by a non-family member shall require a Court order.

SECTION ONE (Old Section)

1. A permit must be obtained at City Hall prior to construction of monument foundations or copings.
2. Monument foundations and copings shall be of half inch rod reinforced concrete construction, sufficiently wide to span the grave, and shall have a minimum thickness of eight (8) inches.
3. The placement of the monument foundations and copings must be determined by the Town at the time permission is granted.
4. Prohibited items on graves or lots are: anything that would encroach on any surrounding plot or property, i.e., shrubs, trees, bushes, fence, chair, etc.
5. Family lots may have corner markers of granite, marble or bronze, but not larger than eight (8) inches square and the top must be flush with the ground surface.
6. The Town will have the authority to enter upon any lot and remove any objectionable or prohibited items, such as copings that may have been placed there contrary to the regulations.
7. The Town reserves the right to do the landscaping and planting in the Cemetery, excluding individually owned gravesites, and is responsible for filling sunken graves.

SECTION TWO (New Section)

1. A permit must be obtained at City Hall for each base/headstone.
2. All markers/headstones shall be made of granite, marble or bronze.
3. All single plot headstones shall be no taller than 42”, no wider than 18” and no longer than 36”.
4. All double plot headstones shall be no taller than 42”, no wider than 18” and no longer than 48”.
5. Prohibited items on graves or lots in the New Section are: gravel; decorative rocks; plants; trellises, metal fixtures; frames or boxes; and chairs and settees.
6. No enclosure of any kind, such as a fence, coping, hedge or ditch shall be permitted around any grave or lot.
7. Monument base for a single plot shall be no more than four (4) feet long by twenty-four (24) inches wide by six (6) inches thick, made of

concrete with at least four (4) inches above the finished grade or ground.

8. Monument base for a double plot (side by side graves) shall be placed at the head of the grave and shall be no more than eight (8) feet long by twenty-four (24) inches wide by six (6) inches thick; made of concrete with at least four (4) inches above the finished grade or ground.
9. The Town has the authority to enter upon any lot and remove any objectionable or prohibited items, including but not limited to, copings that may have been placed there contrary to the regulations.
10. The Town has the right to realign headstones in the New Section to maintain uniform placement of all markers.
11. The Town reserves the right and discretion to do all of the landscaping and planting in the Cemetery and is responsible for filling sunken graves.
12. For Babyland see Part I, Section D. Special Areas.
13. Headstones shall be required. A deposit shall be taken at the time of purchase of a plot(s). The deposit will be refunded or applied toward the purchase of a headstone within one (1) year of the burial.

PART V – MAINTENANCE

1. The Cemetery is maintained by the Town.
2. Maintenance consists of: keeping the weeds and other vegetation in open areas under control; the upkeep of roads and drainage systems; and general maintenance as determined by the Town.
3. The Cemetery plot is maintained by the owner.
4. Installation and/or care of individual coping areas and other enclosures (vaults) are the responsibility of the family (Section One).
5. The Town reserves the right to trim or remove any growth that is not permitted or undesirable within such enclosures and to remove damaged copings or enclosures as necessary.
6. Any damage caused by Town crews in the opening, closing or maintenance work shall be repaired at the Town’s expense, subject to negotiations with the Town Manager.