

Revised 10/22/12

**RULES AND REGULATIONS  
OF THE  
MILLINOCKET MUNICIPAL CEMETERY  
MILLINOCKET, MAINE**

Adopted by the Millinocket Cemetery Commission \_\_\_\_\_

Approved by the Millinocket Town Council \_\_\_\_\_

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## **Foreword**

It is the desire of the Town to make the Millinocket Municipal Cemetery a quiet, beautiful resting place for the dead, and where a sense of repose will be obtained by dignified landscape effects on a well-maintained lawn. To secure these effects, the Town has spent and will continue to expend considerable sum of money. To secure these effects will require the co-operation of every lot owner. Anything which would mar the general beauty and harmony of the cemetery must be avoided. Peace and good order must prevail and the sacredness of the place maintained at all times. It is to this end that these rules and regulations have been made effective and the suggestions as contained herein are offered.

## **PURCHASE OF LOTS**

Persons desiring to purchase a lot in the cemetery are referred to the Cemetery Superintendent or designee. The Superintendent or designee will have available suitable plots showing size and price of lots, and such other information as may be required, and will be pleased to render assistance to those desiring to make a lot purchase. Upon having made a lot selection, the Superintendent or designee will issue a lot order to the prospective purchaser and present such order at the office of Town Manager in the Town Hall, where the lot sale will be made and deed issued.

## **OWNERSHIP AND TITLE OF LOTS**

The terms “Lot Owner” or “Ownership” shall be construed to mean the rights to use a lot or part of a lot as purchased from the Town for a consideration for burial purposes only, and under the rules and regulations as prescribed by the Town for such use. Upon full payment of the purchase price of a lot the Town will issue a Cemetery deed under its seal and the deed will be recorded in the records of the Town as evidence of ownership of the lot. All burial rights in cemetery lots purchased from the Town occupy the same position as real estate at the death of the owner. Only such persons as name appear on the Cemetery records of the Town will be recognized as owners or part owners of lots. The title to a cemetery lots invests in the owner right to use such lot for

burial purposes only, for themselves, their heirs, or for any such persons as they chose to admit, provided such admission is free of charge and without compensation and in accordance with the Cemetery Rules and Regulations.

No owner or proprietor of any lot or lots located in the Millinocket Cemetery or the representative of such an owner or proprietor as defined under the provisions of this section, shall sell, transfer and/or convey any interest in such lot or lots for any consideration without first, offering in writing to convey the same to the Town of Millinocket for the amount which records of the Town of Millinocket shall disclose as the total consideration which the Town of Millinocket received for said lot or lots. If upon the expiration of sixty days from the receipt of said offer, then in that event, such sale, transfer, or conveyance of said lot or lots may be made to any third party provided always that the new owner shall remain expressly subject to the Rules and Regulations of the Town of Millinocket now or hereafter in force and to the provisions of the Statutes of Maine now hereafter in force.

## **CARE OF LOTS**

All cemetery lots in the Millinocket Municipal Cemetery will be provided with annual care by the Town of Millinocket. "Annual Care" includes the regular mowing of the lot, trimming around monuments and markers, fertilizing and seeding when necessary.

## Privileges AND RESTRICTIONS

No mounds shall be raised upon any grave above the general level of the lot. Mounds are difficult to maintain as the sod grows in an unnatural position and is easily injured by heat, drought, and frost. The Town reserves the right at any time to remove unsightly mounds and to re-sod the grave at the general level of the lot. No hedges, trees, fences, rocks, or closures of any kind will be permitted on or around lots. Window boxes, urns, artificial decorations, or other similar containers will be allowed. The following evergreens and shrubs that are growing and relatively short may be planted near the cemetery monuments under direction of the Superintendent of the Cemetery.

Dwarf Mugho Pine – *Pinus mugo mugo*

Dense Japanese Yew – *Taxus cuspidate* (Densa)

Little Gem Arborvitae – *Thuja occidentalis* (Little Gem)

Bush Cinguefoil – *Ptenetilla fruitcose* (Gold Drop)

Compact European Cranberry Push – *Viburum opulus*  
(Compactum)

Annabelle Hydrangea – *Hydrangea arborescens* (Annabelle)

All general maintenance, and all work on lots will be done by the Town, but it is desired that each lot owner feel free to consult with the Superintendent or designee of the Cemeteries at all times. His advice and assistance will be cheerfully given (without charge) and may be of much value to those contemplating the purchase of monumental work or of making lot improvements. The Town reserves the right for its workman and those persons necessary to the performance of normal cemetery operation to enter upon or cross over any lot in the

Cemetery in the performance of such duties. The Town or its employees assume no liability for damage or actual or mental anguish, in the performance of normal operations, or loss by vandalism or other acts beyond reasonable control.

## **RULES FOR VISITORS**

The Cemetery will be open to visitors usually around May 1<sup>st</sup>. in the spring, depending on the frost still in the roads. Daily hours of 7:00 a.m. and sunset. Permission to enter the cemetery at any other time must be obtained from the Superintendent. Any persons found on the grounds after dark will be considered a trespasser. Children under fourteen years of age will be admitted only when accompanied by parents or guardians. Persons or picnic parties with refreshments will not be allowed. Dogs will be allowed in the Cemetery only at Military funerals and at official celebrations such as Memorial Day, Veterans' Day, ect. Snowmobiles, Motorbikes, bicycles, and motorcycles will not be allowed in the Cemetery. Visitors are required to use the walks and drives at the Millinocket Cemetery. The picking of any flowers (either wild or cultivated), or injury to any shrub, tree, or plant including any marring of any monument, stone, or structure in the Millinocket Cemetery is forbidden. All persons are reminded that the grounds are sacredly devoted to the burial of the dead and that the provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wanton injury, disturbance and disregard of the rules.

## **Interments**

Generally all interments in lots shall be restricted to members of the family. However, permission in writing from a lot owner must accompany all requests for permits to bury persons not members of the immediate family. Such permission shall not be for remuneration. All graves shall be opened and closed by the Town under the direction of the Superintendent. A charge for opening and closing a grave and the sodding and seeding of such grave will be made. The lot owner or funeral director shall designate the location of the grave on the lot to the Superintendent, and any change of location made after the opening of the grave has begun shall be at the expense of the lot owner. The Cemetery Superintendent shall be given twenty-four hours notice for the opening and preparation of the grave prior to interment. The interment of two bodies in one single grave space will not be allowed except in the case of mother and infant, twin children, two children buried at the same time, or four cremated remains, or one casket and two cremations. No interment of any body other than that of a human being will be permitted. In all interments the casket shall be enclosed in a permanent outside container: concrete boxes, concrete, copper, or steel burial vaults, and sectional concrete crypts. The Superintendent or his representative is expected to attend every interment and see that the rules and regulations are observed. As soon as flowers, wreathes (live or artificial), emblems, ect. Used at funerals, or placed on graves at other times, become unsightly and faded, they will be removed and no responsibility for their protection or maintenance is assumed.



## **Removals**

Removal of bodies from graves in the Cemetery will only be made by the Town in accordance with the requirements of the statutes of the State. Charges made for the Town's work preparation will be made in accordance with the fee schedule (Section 8e.) Owners or their heirs desiring graves opened shall secure the necessary disinterment permit, if remains are to be removed to another Cemetery, from the Town Clerk, (to be delivered to the receiving Superintendent). All removals (meaning to transport remains out of the Cemetery) will be made under supervision of a licensed funeral director. Any markers or monuments designating the location of an interment shall be removed at the time a disinterment is made.

## **STONE AND MONUMENTAL WORK**

All stone and monumental work shall be subject to the following regulations and requirements: All memorial foundations shall be placed on solid ground not included in actual grave space except where grave liner is of permanent type and of sufficient strength to support weight of foundation and memorial. The setting of monuments, stones, and markers, and the transportation of all tools, materials, ect. Within the Cemetery grounds shall be subject to the supervision and control of the Superintendent. Heavily loaded vehicles will not be permitted within the Cemetery when in the opinion of the Superintendent such vehicles might cause injury to the driveways. Except when special permission is obtained, all work as outlined above shall be performed during daylight hours, Monday through Friday. Stone or monumental work will not be permitted on a lot until the lot is fully paid for and the Town reserves the right to refuse permission to erect any monumental work not in the keeping with the good appearance of the grounds. No grave markers can be installed above ground-level and all existing markers will be lowered under the supervision of the Cemetery Superintendent. Care of markers will be the responsibility of the lot owner. Any leveling or raising of markers will be done by the Town upon written request of the lot owner to the Superintendent. Work will be done with due diligence and care. However, the Town assumes no liability for damage or injury to markers while being raised or leveled. Flush Markers: All markers shall be set so that the top is flush with the ground.

## **TREES SHRUBS AND FLOWERS**

All general maintenance in the Cemetery will normally be done by the Town but lot owners may feel free at any time to consult with the Superintendent regarding matters pertaining to permissible planting or the general care and upkeep of lots. No person will be permitted to trim, prune, or remove branches from any tree or ornamental shrub in the Cemetery except on his own lot. Permission to plant shrubs on lots shall in all cases be obtained from the Superintendent and the Town reserves the right to remove any tree, shrub, or vine, or any part thereof which may have become unsightly, dangerous or not in keeping with the landscape design. Many plants, especially vines, interfere with the proper care of the lots and graves and injure the grass. Such plants will be removed when found interfering with adjacent lots. Window boxes, artificial flowers, ect. Shall be removed by November 1<sup>st</sup> but winter decorations will be allowed.

## FEES, CHARGES, AND PAYMENTS

| <u>Service:</u>      | <u>Fee:</u> |
|----------------------|-------------|
| Purchase Burial Lot  | \$200.00    |
| Week Day Burial      | \$425.00    |
| Week Day Cremation   | \$200.00    |
| Week End Burial      | \$600.00    |
| Week End Cremation   | \$300.00    |
| <u>Disinterment:</u> |             |
| Full Size            | \$275.00    |
| Cremations           | \$100.00    |
| <u>Reinterment:</u>  |             |
| Full Size            | \$375.00    |
| Cremations           | \$200.00    |