

MARLBOROUGH CEMETERY RULES AND REGULATIONS

The cemeteries in Marlborough, CT are under the control of the Cemetery Committee appointed by the Board of Selectman of the Town of Marlborough (hereafter "Town"). The committee's purpose is to establish rules and regulation for the cemeteries, which also include establishing burial fees and directing the Sexton in the course of his or her duties.

Locations

Marlborough has four (4) cemeteries:

- 1) Marlboro Cemetery – located between East Hampton Road (Rte. 66) and School Drive
- 2) Century Cemetery – located on the corner of South Main Street and School Drive
- 3) Jones Hollow Cemetery – located on West Road opposite South Buckboard Lane
- 4) Fawn Brook Cemetery – located at the corner of South Main Street and Kellogg Road

Cemetery Hours

Cemeteries open at sunrise and close at sunset daily.

Sale of Lots

1. Marlborough cemeteries are owned by the Town. By making a purchase of a lot (or lots), one becomes the owner in interment/disinterment rights only in their lot.
To clarify: the purchase of a cemetery lot in Marlborough does not entitle the owner to any land rights, and is not the purchase of the land itself. The purchase of a lot entitles the owner to bury a loved one in the purchased lot only, and subjects the owner to comply with any and all current or future rules and regulations of the Cemetery Committee.
2. By acceptance of a lot ownership certificate, the owner/owners thereof agree(s) for himself/herself/themselves and for his/her/their respective heirs, executors, administrators and assigns that the therein granted rights of interment are and shall be subject to the current and future rules and regulations.
3. Burial plots are currently available in the Jones Hollow Cemetery, the Marlboro Cemetery and Century Cemetery. Fawn Brook Cemetery no longer has available plots. (For clarification: A plot can have one or more lots.)
4. All lots shall be sold with perpetual care which includes standard maintenance provided by the Town which includes regular mowing and trimming of the grass, as well as weed control for overgrown areas.
5. A purchaser of a lot acquires only the right to inter therein a deceased human. No other additional interest in land is acquired.

6. The sale of cemetery lots are restricted to the following:
 - a. Residents or former residents of Marlborough.
 - b. Relatives of Marlborough residents: (relatives are limited to spouse, mother, father, brother, sister, grandparents, uncle, aunt and 1st cousin)
7. A cemetery lot can only be sold by the Sexton. A lot cannot be resold for more than the original price and can only be sold back to the Town. A transfer of lot ownership must be approved by the Sexton who will issue a new certificate of ownership. The Board of Selectmen shall impose a lot-resale fee for affecting any proper transfer of a lot.
8. No markers or memorials of any kind shall be placed on a lot until the lot has been paid in full.

Listing of Fees

Service	Cost
Standard Lot (4' x 10')	\$500.00
Cremation Lot (3' x 10')	\$300.00
Interment	\$800.00
Cremation Interment	\$300.00
Disinterment	\$800.00
Cremation Disinterment	\$300.00
Holiday, Saturday and Sunday Interments Additional charge to the above	\$100.00
Frost charges, additional charge	\$100.00
Lot-resale fee	\$50.00
Vault Interment (temporary)	No charge

Memorials

1. Memorials and foundations for all memorials shall be located by the Sexton. Only one upright memorial shall be permitted for any plot or group of lots, if in single ownership. Footstones or headstones, flush with the ground, shall be permitted for each grave.
2. The Cemetery Committee highly suggests that upright memorial monuments have a base in addition to its foundation. Doing so provides additional protection for the monument.

Interments

1. Interments are permitted in the Marlboro Cemetery, Century Cemetery and the Jones Hollow Cemetery in accordance with the restrictions listed herein. Only human remains are permitted in any cemetery. No remains may be placed in the Fawn Brook Cemetery.
2. All remains to be interred must be placed in a casket that must be enclosed in a concrete or metal container (vault) for earth burial. The MAXIMUM size of a vault is 39" X 90". Cremains shall be placed in a cremation urn that shall be interred in an interment space. Interment of cremains must be approved by the Sexton.
3. Two (2) cremation urns may be interred along with a regular burial or three (3) cremations may be interred in one regular space (4' X 10'). Smaller spaces (3' X 10') are available for one (1) or (2) cremations.
4. When a grave is to be opened, a burial permit issued by the Registrar of Vital Statistics or a transfer permit issued in conformity to the laws of the State of Connecticut shall be furnished to the Sexton by the funeral director who will then issue an order to open the grave. Permits for burial shall accompany the remains at the time of burial. No burial shall be permitted unless all arrears for purchase or work performed have been paid in full.
5. The right is reserved by the Sexton to insist on at least 3 working days' notice prior to any interment.
6. Interments will be made upon written order only by the Sexton or designee acting as Sexton.
7. A funeral procession, after entering the cemetery, shall be under supervision of the Sexton.
8. When funerals arrive too late to complete the interment before 3:00 PM, an additional fee of \$100.00 will be required to complete the interment the same day. Otherwise, or at the discretion of the Sexton, the remains will be placed in the vault for an interment at a future date agreed upon between the Sexton and the funeral director.
9. In the case of a plot (which means multiple lots in a plot), when an interment is to be made, the location of such interment shall be designated by the plot owner, his or her legal representative or the funeral director. The Sexton may rely on the choice of any of the foregoing persons. Should the plot owner, his or her representative or the funeral director fail or neglect to make such designation, the Sexton reserves the right to use his or her judgment. When instructions regarding the location of any interment space in a plot cannot be determined, or are indefinite, or when for any reason the interment space cannot be opened where specified, the Sexton may, at his or her discretion, open it in such location in the plot he or she deems best and proper, so as not to delay the funeral. The Sexton and/or the Town shall not be liable in damages for any changes made.

10. The Sexton or the Town will not be responsible for any order given that is not in written or electronic format.
11. The Sexton or the Town shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made, or where these rules and regulations have not been met.
12. All charges for interment should be made payable to the Town of Marlborough and given to the Sexton prior to or at the time of the interment.
13. The use of a tent at an interment shall be denied when, in the judgment of the Sexton, to erect one might present a hazard.
14. The Sexton reserves the right to refuse interment in any lot without the expressed written permission to do so of the lot owner, or his or her successor or successors.
15. If difficulties arise in excavating a grave, such as rock formations, ground conditions, or equipment breakdown, that will prevent burial at the proper time, the funeral service may be held. The body, at the discretion of the Sexton, may be held and placed in the vault until the excavation is completed.
16. The Sexton reserves the right to delay or postpone any interment when hazardous weather conditions are anticipated.

Disinterments

1. When a disinterment is requested, written permission to do so must be signed by the owner of the lot, or his or her successor or successors, and the next of kin of the decedent from which removal is to be made. When such permission is given to the Sexton, and the fees for disinterment are paid, arrangements will begin for the removal.
2. When a body is to be removed from a cemetery, a disinterment permit shall be secured by the funeral director from the town registrar of vital statistics or the state health department as required by law before such a removal.
3. When a request for a disinterment is filed with the Sexton as above, no disinterment will be made for any purpose, unless the Sexton is authorized by a disinterment permit issued by the registrar or is directed to do so by a Court order all pursuant to applicable Connecticut Law. (§ 7-67)
4. The Sexton will exercise care in making a removal for disinterment, but the Sexton or the Town assumes no liability for damage to any casket or vault in making the removal.

5. When in the opinion of the Sexton, a new container, or portion thereof is needed for the removal for disinterment, it must be provided by the person arranging the removal for disinterment.
6. The Sexton may require at least seven (7) days' notice for any disinterment.
7. The Sexton reserves the right to delay or postpone any disinterment when hazardous weather conditions are anticipated.

Vehicular Traffic

1. Automobiles are allowed upon the cemetery roads in the Marlboro Cemetery only as a privilege, not an inherent right to owners of lots. Such privilege will be restricted to those people who obey the rules.
2. Cemetery roads are not to be used as an access for other town roads, except for emergency purposes.
3. Only licensed drivers will be permitted to drive in the cemetery.
4. Speed limit on roads with the cemetery is ten (10) miles per hour.
5. Vehicles must be driven and parked only on cemetery roads.
6. Vehicles may not turn around on the roads, but must continue around the sections to exit the cemetery.
7. Any person whose vehicle causes damage to any property is liable for such damage.
8. Vehicles left unattended on cemetery property may, at the discretion of the Sexton, be towed at owner's expense.
9. Unregistered motor vehicles or any motor vehicles without a license plate are not allowed in the cemetery.
10. Roller blades and skateboards are not allowed.

Cemetery Maintenance and Lot Regulations

1. All mowing, grading, etc. will be done by the Marlborough Public Works Department to maintain a well-kept, clean appearance without obstructions throughout the cemeteries. Graves will not be mounded.
2. The Sexton reserves the right, upon approval of the Cemetery Committee, to change the boundaries, roads, pathways, unoccupied graves or plots/lots of the cemetery and any section therein. The cemetery reserves the right to itself and to those lawfully entitled thereto a perpetual right of passage over the plots/lots for the purpose of passing to and from other plots/lots.
3. Trees and shrubs are placed throughout the cemetery landscape by the Town for overall beauty and serenity of the grounds. Individual plots/lots are not permitted to have trees, shrubs (including rose/floral bushes) or ornamental grasses. Prior rules and regulations allowed individual lots to have trees and/or shrubs. However, due to many such plantings interfering with the footings of monuments, obstruction to neighboring monuments, lack of trimming by owner, killing the grass, unsightly appearances and detrimental to lawn maintenance, they are no longer permitted.

Trees/Shrubs planted before August 1, 2015 may remain but current owners will need to maintain them. Trees/Shrubs must be kept trimmed to not exceed the height of the monument nor encroach on adjoining plots. Owners not complying will be notified and their trees/shrubs will be removed. Owners no longer wishing to keep or maintain the trees/shrubs on their plot should contact the Cemetery Committee or Sexton for removal.

4. Since the 1992 Rules and Regulations, enclosures of any type were prohibited. Therefore any existing enclosures, post 1992, i.e., fences, granite posts, hedges, etc., shall be removed upon written notice to the owner. Upon failure to do so, the Cemetery Committee shall have the power to order its removal. Corner post marking lot boundaries must be flush with the ground and within boundaries of the grave site.
5. The spreading of fertilizer or other material on lots to stimulate the growth of grasses or applying any chemical or compounds to control the growth of undesirable grasses or other plants is strictly prohibited.
6. No dogs shall be allowed in the cemetery at any time.
7. Children under sixteen (16) years of age must be accompanied by an adult unless prior permission is obtained from the Sexton.
8. All trash and rubbish from plots/lots must be removed and taken with you.
9. Glass is prohibited at all times throughout the cemeteries.

10. The Cemetery Committee shall have the right to remove any or all objects whose appearance and condition warrant removal and/or violate the cemetery rules and regulations. The Cemetery Committee also will not be liable for any flower or decoration removed or lost by any cause.
11. The Cemetery Committee or any Town employees cannot be held responsible for theft, damage, or destruction of any kind.

Flower and Decoration Regulations

1. Sprays and wreaths made from fresh cut flowers or greens are permitted but need to be removed when they become unsightly or detrimental to maintenance.
2. Flowerbeds are permitted but must not exceed the width of the monument and may not be placed more than fifteen (15) inches out from the face of the monument. Annuals and herbaceous, non-invasive perennials whose above-ground portion of the plant dies back each winter may be planted in this area. Plantings cannot exceed the height of the monument. A list of suggested perennial plantings is available at the town clerk's office or the Senior Center. (See diagram on last page.)
3. One potted, living plant per monument is permitted at any time within the flowerbed area of upright monuments. For flush monuments the plant must be set on the monument itself. Plants will be removed without notification if they become unsightly or detrimental to maintenance.
4. Small American flags may be placed on graves. Flag heights should not exceed 24 inches. Flags are subject to removal by the Cemetery Committee if a flag becomes faded, ragged, or its pole is broken and flag is then touching the ground.
5. The cemeteries are to be a quiet, serene, attractive, undistracted place for the living and the dead. Cemetery Regulations allow only one small personal item per upright monument. This personal item must sit on the base on the monument or directly up next to the monument front. Small personal items are not allowed on flush stone monuments or plots where there is no monument as they may interfere with the regular mowing and trimming maintenance. Items not allowed to be placed on a plot/lot include, but not limited to, the following: lights of any type, shepherd's hooks, standup decorations, benches, curbing, decorative rocks, grave mounds, or borders. No decorations of any type are permitted in trees or cemetery plantings.

Where conflicting conditions exist, plot/lot owners are requested to promptly comply.

6. Artificial seasonal flowers or greens may be used from November 1 through March 1.

7. Any and all decorations, plants, and personal property that are in violation of any of the rules and regulations outlined here will be removed and discarded and not held for the owner to claim. Disposing of said property will not incur any liability to the Town and/or Cemetery Committee.

Cemetery Cleanup

1. Cleanup of the grounds will be scheduled twice a year by the Cemetery Committee. Weather dependent, spring cleanup begins April 1 and Fall cleanup begins October 15. In order for a family to save any item placed on a grave, such as a plant container, it must be removed **prior** to these dates. Seasonal flowers may be placed beginning May 1 and November 15 respectively.
2. The Cemetery Committee will place signs at the cemetery main entrances advertising this schedule.

Waiver and Severability

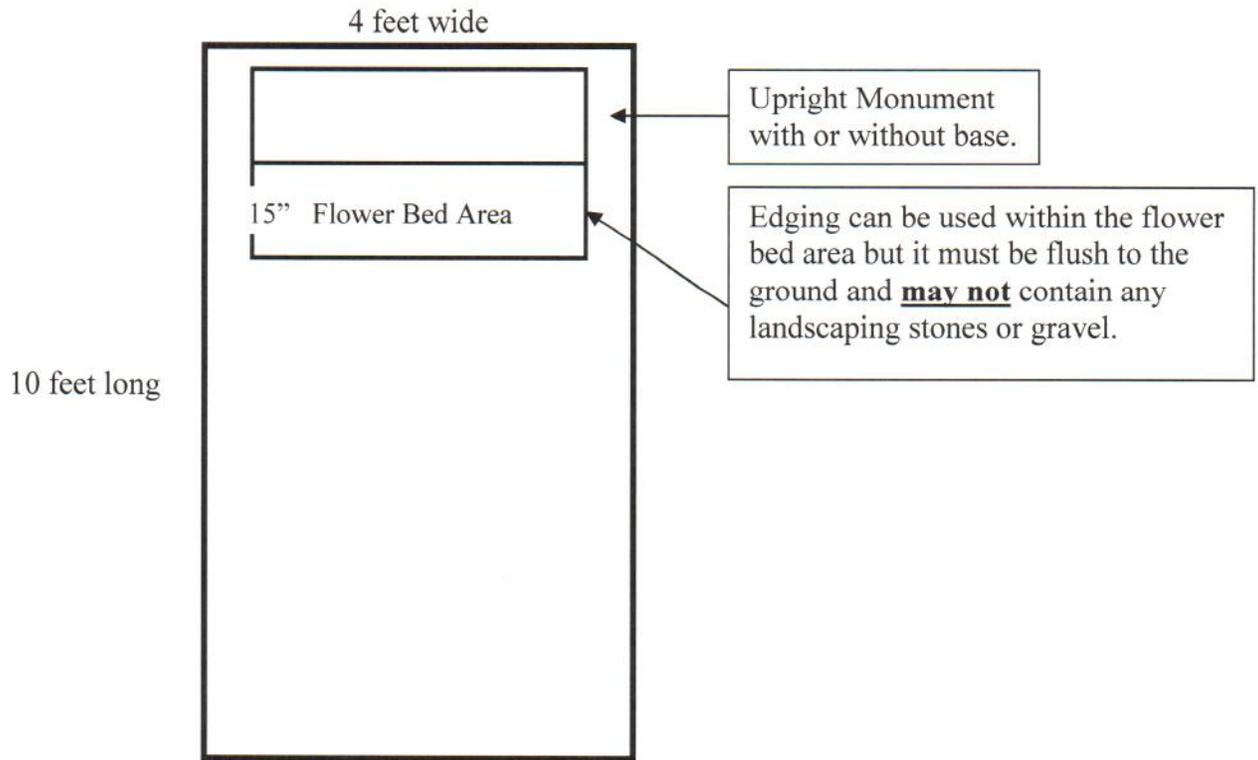
If any of these Rules and Regulations is held unlawful or otherwise ineffective by any court of competent jurisdiction, the remainder of these Rules and Regulations will remain in full effect.

Cemetery Committee
Barbara G. Montstream, Chairman
Carl Carlson, Vice Chairman
Carol Whitmer, Secretary
Joan Christmas

Board of Selectman approval date: Gay Leveson 12/22/15

Diagram of a Typical Flower Bed Area

(not drawn to scale and shows an example of a one lot plot*)



* Same standards apply to flower bed areas in multiple lot plots that have an upright monument.