FOREWORD

It is the desire of the Town to make the Cemeteries in Holden quiet, beautiful resting places for the deceased. Anything which would mar the general beauty and harmony of the cemeteries must be avoided. Peace and good order must prevail, and the sacredness of the place be maintained at all times. It is to this end that these Rules and Regulations have been adopted by the Board of Cemetery Trustees and the Holden Town Council.

RULES AND REGULATIONS
OF THE
MUNICIPAL CEMETERIES
HOLDEN, MAINE

These Rules and Regulations are hereby adopted by the Board of Cemetery Trustees and approved by the Holden Town Council. All owners of interment rights, visitors, and contractors performing work within the cemeteries shall be subject to said Rules and Regulations and amendments as shall be adopted by the Board of Cemetery Trustees.

ARTICLE 1: DEFINITIONS:

101. The term "Cemetery" shall mean any of the following cemeteries in the Town of Holden: Clewleyville Cemetery, Harts Corner Cemetery, Hill Rest Cemetery, Rowe Cemetery, Tomb Cemetery, Waining Cemetery, and any other cemeteries that may come under the direction of the Town of Holden.

102. The term "Cemetery Officer" shall mean any member of the Board of Cemetery Trustees.

103. The term "Board of Cemetery Trustees" shall mean the appointed group of individuals who oversee the operation and maintenance of the Holden Cemeteries and will be comprised of the following:

103.1 A Sexton appointed each year who also serves as an ex-officio member of the Board.

103.2. Five (5) members (Holden Residents) appointed by the Town Council, for a three (3) year term.

104. The term "Owner" shall mean the owner of rights of interment.

105. The term "Interment" shall mean cremation with inurnment, entombment, or burial of the remains of a deceased person.

106. The term "Memorial" shall mean any marker or structure upon or in any lot or niche, placed thereupon or therein or partially therein for the purpose of identification or in memory of the interred.

107. The term "Contractor" shall mean any person, firm, corporation or any one engaged in placing, erecting or repairing any memorial, or performing any work in the cemetery grounds, other than a cemetery employee.

108. The term "Perpetual Care" shall mean the obligation of the Town to maintain and care for all the Town of Holden cemetery sites from the net annual income of the

Cemetery Trust Fund and other funds as designated and approved during the annual budget process.

ARTICLE 2: ASSIGNMENT OF INTERMENT RIGHTS:

201. Persons desiring to obtain interment rights in the Holden cemeteries are referred to the Holden Town Clerk who will arrange for the Sexton to assist the person by showing the plans and available lots of the cemeteries. Upon having made a lot selection and full payment of fees and charges the clerk will issue interment rights which will give title to the cemetery lot. The clerk will then record the title in the Town Clerk Records.

202. Assignment of Interment Rights shall be made to residents of the Town of Holden at rates adopted by the Trustees. Interment rights may be assigned to non-residents at the discretion of the Trustees, who will also determine the fee for same.

203. Non-resident Interment rights can be assigned in a cemetery only with the written approval of the Trustees, and subject to the Rules and Regulations of said cemetery now or hereafter adopted for the government of said cemeteries, and for the purpose of interment only.

204. No interment rights or contracts for the assignment of interment rights can be sold, assigned, transferred, pledged or hypothecated without the written approval of the Trustees.

205. The reassignment of any interment right by any Owner or assignee must be made in writing to the Holden Town Clerk. The interment right must be re-conveyed to the Trustees. The Trustees shall reassign interment right to the new owner. This procedure is required in order that the Trustees may at all times have a complete and accurate record of all owners. The Trustees may refuse to consent to a transfer or to an assignment as long as there is indebtedness due the Town of Holden from the Owner so recorded in the records of the cemetery at the Holden Town Office.

206. The Owner of interment rights may dispose of same by will, subject to foregoing conditions as stated in Article 2: Section 205. If the owner dies intestate the interment rights will descend to his or her heirs according to the laws of descent.

207. The subdivision of interment rights is not allowed without consent of the Trustees.

208. All interment rights are assigned subject to payment of the amount posted in the Holden Town Office. All work on lots, all opening and closing of lots, all interments and dis-interments shall be performed under the direction of the Trustees, except when permission is otherwise granted.

209. All agreements for the assignment of Cemetery interment rights must be on forms approved and signed by the Board of Cemetery Trustees. All terms and conditions for

the assignment rights must be recited in the assignment contract: verbal agreements or representations will not be recognized. All said agreements must provide for payment as posted in the Town Office.

210. The Trustees shall direct all improvements within the grounds and upon all lots and graves, before as well as after interments have been made therein.

211. If any memorial, or any structure whatsoever, or any inscription to be placed on same, shall be determined by the Trustees to be offensive, they shall have the right and it shall be their duty, to enter upon such lot and remove, change or correct the offensive or improper object or objects.

212. If any tree, shrub or plant standing upon any lot, by means of its roots, branches, or otherwise, is or becomes detrimental to adjacent lots or avenues, or if for any other reason its removal is deemed necessary, the Trustees shall have the right and it shall be their duty, to correct the existing condition.

213. No person, unless otherwise authorized herein, shall pluck or remove any plant or flower, either wild or cultivated, from any part of the Cemetery.

ARTICLE 3: FUNERAL REGULATIONS:

301. Funerals, after entering the gates, shall be subject to the direction of the appropriate personnel.

302. There shall be no burial between November 1 and April 30 when the ground is frozen or covered with snow, unless authorized by the Trustees. These dates may be extended due to unusually wet ground such as late springs etc. Exceptions may be made by the Sexton and the Board of Cemetery Trustees.

302.1 Funeral Directors must coordinate with the Sexton prior to scheduling burials to insure ground stability for grave digging.

303. Graves must be located by the family or its representative, with verification to be made by the Town Office.

304. When a removal is to be made from a single grave to another grave, the formerly occupied single grave space and all rights therein revert to the Trustees. If no steel or concrete vault has been used for this interment, one must be furnished. If there is a steel or concrete vault and same is in a removable condition, charge for removal of the vault must be paid in advance. Arrangements for the vault must be made by the party requesting the change. A removal service charge shall be based on cost of equipment, materials and labor, and payable in advance. Application for a removal permit must be signed by a next of kin and properly notarized prior to time of removal. Any removal of remains must be under the supervision of a Funeral Home Director and in accordance with the laws of the State of Maine and all costs will be at the expense of the requester.

305. One grave space may contain one full body burial with three (3) cremations when buried above the full body burial or three (3) cremations without a full body burial. Except in the case of parent and infant child or two infants buried in one casket. Exception being in the new portion of the Clewleyville Cemetery which may contain one body burial and/or four (4) cremations. Once cremains are interred, a full body burial is not permitted.

306. Concrete vaults are required for all full interments, and non-degradable containers are required for all cremations.

ARTICLE 4: REGULATIONS:

401. No dogs shall be permitted in the cemeteries.

402. No person shall be permitted in the cemeteries on a bicycle, except on designated roadways. All vehicles shall remain on said roadways and observe a maximum speed of 10 mph.

403. Alcoholic beverages in the cemeteries are strictly forbidden.

404. Only memorial insignia and living plants or flowers are permitted as grave decoration. Eternal lights (including solar lights) are only permitted on Special Occasions for three (3) days, those days being: The day before the special occasion and the day after the special occasion with the light being removed by the family after the third day.

> 404.1 The placing of boxes, shells, toys, metal designs, ornaments, chairs, settees, vases, fences, edging materials, shepherd's hooks, trellises, or other similar articles upon plot will not be permitted.
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> 404.2 No cement, plastic or wood will be allowed around any flower beds on cemetery lots. No white marble, granite chips, or other rock materials will be allowed in flower beds or on cemetery lots.

405. All work and all planting of any kind on all lots and graves is prohibited, with the exception of the planting of flowers, which may be done close to monument stones and must be maintained by the owners or family. The Trustees have the right to direct the removal of any inappropriate or unauthorized decorations, flowers, potted plants, and wreaths when they become withered. Trees and shrubs which have died or become unsightly shall be removed by the Sexton or his designated representative. The Sexton is ordered to make such removals when in his judgment it is in the best interest of the cemetery.

406. Urns or flower boxes (no more than three (3) feet in length) may be placed close to the monument stones, but must not be placed on other parts of the lot.

407. The Trustees are not responsible for theft or damage to anything placed on graves or lots.

408. All graves must be marked to identify who is interred and so that vacant or occupied spaces are clear. Prior to placing a marker or monument, permission must be obtained from the Sexton. Markers and monuments must be of traditional stone or metal composition and shall not exceed three feet in height. All monuments must be placed with an appropriate footing at the head of lots. All work shall be under the supervision of the Sexton.

> 408.1 Cremations buried in lots designated as single cremation lots must be and may only be indicated by flush stone markers no larger than 12" by 24".

409. Any person found on the grounds after dark will be considered a trespasser.

410. All persons are reminded that the grounds are sacredly devoted to the burial of the deceased, 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.

411. No person or persons other than employees of the Town of Holden shall be permitted to bring or carry fire-arms within the Cemetery except a military guard of honor during a Military Service.

412. Planting, maintenance of lots, and placing of monuments contrary to the Cemetery Rules and Regulations will be corrected at the direction of the Trustees at the Owner's expense.

413. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Trustees therefore reserve the right, without notice, to make exceptions, suspensions or modifications in any of the Rules and Regulations when, in its judgment, the same appear advisable. Temporary exceptions, suspension or modification shall in no way be construed as affecting the general application of such rules and regulations.

414. Future grave lots are to be laid out in such locations and sizes as the Trustees shall designate.

ARTICLE 5: FEES, CHARGES AND PAYMENTS:

501. Prior to 1972, Holden residents were given cemetery lots free of charge. In 1972, the Cemetery Board established a policy requiring payment for cemetery lots. Please be aware that even if a lot was reserved prior to 1972, it must now be paid for before it can be used.

502. The following schedule of fees and charges is in effect and applicable to all of the Holden Town Cemeteries. The payment of all fees and charges shall be made at the

Holden Town Office where receipts and proper title will be issued for all amounts paid. Effective June 1, 2007, all lots must be paid for in full at time of reservation.

503. Cost Schedule (includes perpetual care)

Lot Size	Lot Price		Interment Charge
	Resident	Non-Resident	
Single interment lot	$300.00	$450.00	$500.00 (Mon – Thurs) $750.00 (Fri-Sun & Holidays)
Single cremation lot	$100.00	$150.00	$100.00 (Mon – Thurs) $200.00 (Fri-Sun & Holidays)

ARTICLE 6: RULES and REGULATIONS:

601. The Trustees reserve the right to amend without notice these Rules and Regulations.

602. Copies of these Rules and Regulations shall be distributed to Owners of lots at time of purchase, to persons making general inquiries or interment arrangements, and to local funeral homes and monument companies.

Acceptance of a complete revision of these Rules and Regulations was approved by the Board of Cemetery Trustees, on February 1, 2016:

Bonnie Clark
Bonnie Clark, Chairperson

Ellen R. Campbell
Ellen Campbell, Trustee

Joyce E. Pinkham
Joyce Pinkham, Trustee

Jane C. Black
Jane Black, Trustee

Gary Thomas
Gary Thomas, Trustee

Approved by the Holden Town Council on: February 16, 2016

Attested By: Wanda Libbey
Wanda Libbey
Holden Town Clerk

This document, originating in 1972, has been amended on the following dates:

February 4, 1976
February 23, 1981
May 10, 1988
November 6, 1989
December 4, 1989
March 8, 1990
August 16, 1999
June 13, 2005
May 15, 2007
December 10, 2007
August 15, 2011
February 16, 2016