

## 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.

**CEMETERY RULES AND REGULATIONS  
TOWN OF HOLDEN**

These Rules and Regulations are hereby adopted by the Board of Cemetery Trustees (“Board”) 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 "Board of Cemetery Trustees" or “Board” shall mean the appointed group of individuals who oversee the operation and maintenance of the Holden Cemeteries as established by the Town of Holden Cemeteries Ordinance
103. The term "Owner" shall mean the owner of rights of interment.
104. The term "Interment" shall mean cremation with inurnment, entombment, or burial of the remains of a deceased person.
105. 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 interned.
106. 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.
107. The term “Sexton” shall mean a person responsible for the general care and supervision of all Town cemeteries.

**ARTICLE 2: ASSIGNMENT AND TRANSFER OF INTERMENT RIGHTS:**

201. Persons desiring to obtain internment rights in the Holden cemeteries are referred to the Holden Town Clerk who will provide map of available lots. Upon applicant having made a lot selection and made full payment of fees and charges, the Town Clerk will issue a Municipal Quitclaim Deed and will then record the deed in the Town Clerk Records.
202. Assignment of Internment Rights shall be made to residents and non-residents at rates adopted by the Town Council.
203. An application to return a cemetery lot must be submitted to the Town Office. The application shall be notarized and shall be approved by the Town Council.
204. An application for change in ownership of a lot must be submitted to the Town Office. The

application shall be notarized and shall be approved by the Town Clerk.

**ARTICLE 3: FUNERAL PROCESSIONS:**

301. After entering the gates, funeral processions 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 Sexton. These dates may be extended due to weather or climate conditions such as unusually wet ground or late springs. Exceptions may be made by the Sexton.

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 Sexton.

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 Town. 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 is in a removable condition, charge for removal of the vault must be paid in advance. All 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. 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 Town shall have the right and it shall be their duty, to correct the existing condition.

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

403. No pet, with the exception of service animals, shall be permitted in the cemeteries.

404. 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 miles per hour.

405. Alcoholic beverages in the cemeteries are strictly forbidden.

406. In-ground seasonal flowers and other appropriate decorations may be planted close to any grave marker in the cemeteries. The Town reserves the right to disturb/remove said flowers as necessary for burials and for cemetery maintenance. The Town also reserves the right to remove any plants, trees, and shrubs which have not survived or are unsightly.

407. 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 day of and the day after the special occasion with the light being removed by the family after the third day.

407.1 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.

407.2 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.

408. All work and planting of any kind on 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 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 or her designated representative. The Sexton is ordered to make such removals when in his judgment it is in the best interest of the cemetery.

409. 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.

410. The Town is not responsible for theft or damage to anything placed on graves or lots.

411. All graves must be marked to identify who is interred 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 (3) 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.

411.1 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".

412. Unauthorized presence of any persons or vehicles within any cemetery between sunset and sunrise shall not be allowed. In accordance with 17-A M.R.S. § 402(1)(E), a person commits criminal trespass (a Class E crime) if that person enters or remains in a cemetery between one half-hour after sunset and one half-hour before sunrise, unless authorized by the Town.

413. 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 these Rules and Regulations.

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

415. Planting, maintenance of lots, and placing of monuments contrary to the Cemetery Rules and Regulations will be collected at the direction of the Town at the owner's expense.

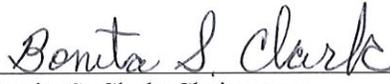
416. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Town therefore reserve the right to make exceptions, suspensions or modifications in any of the Rules and Regulations when, in their judgment, the same appear advisable. Temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of such rules and regulations.

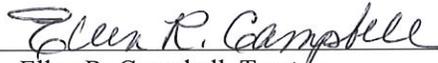
**ARTICLE 5: ADMINISTRATION OF THE RULES AND REGULATIONS:**

501. The Board reserves the right to amend, with Council approval, without notice these Rules and Regulations.

502. 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 upon request.

Acceptance of a complete revision of these Rules and Regulations was approved by the Board of Cemetery Trustees, on October 17, 2016.

  
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Bonita S. Clark, Chairperson

  
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Ellen R. Campbell, Trustee

  
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Joyce Pankham, Trustee

  
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Jane C. Black, Trustee

  
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Gary Thomas, Trustee

Cemetery Rules and Regulations approved by the Holden Town Council on: October 17, 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  
October 17, 2016