



CEMETERY REGULATIONS AND FEE SCHEDULE

Adopted March 14, 2018

Updated April 14, 2021

Town of Somerset
P.O. Box 368
8700 Haight Road
Barker, NY 14012-0368

§82-1. Rules and Regulations.

- A. All graves sold for Somerset Cemeteries shall be in accordance with the provisions of the laws of the State of New York and shall not be used for any other purpose than as a burial place for deceased human beings. The sale of graves shall be limited to past or present Town of Somerset residents and their spouses or distributees. A sworn affidavit of residence in the Town is required of all purchasers before a deed conveying a burial space will be issued. Full purchase price of graves must be paid before a deed will be issued or a burial permitted in a grave. All graves sold are under the permanent care of the cemetery.
- B. Graves shall be used only by the purchaser or the purchaser's spouse or distributees.
- C. Only the Superintendent of Grounds of the Town of Somerset is permitted to plant trees/shrubbery within Town cemeteries. The Superintendent of Grounds of the Town of Somerset has the right to order the removal of any trees and shrubs within Town cemeteries.
- D. One non-glass crock, non-glass vase of flowers, shepherd's hook or wreath per grave is allowed and it must be located immediately next to the headstone. Two eternal flames are allowed and must be located immediately next to each side of the headstone. Crocks, vases and shepherd's hooks may be placed on the graves after May 15th and shall be removed by November 1st of each year. Wreaths may be placed on the graves after November 1st and shall be removed by April 1st. Eternal flames may be left year-round. The Town of Somerset reserves the right to remove all items from graves as soon as they become unsightly or according to the schedule above.

The placing or installation of signs, boxes, shells, toys, metal designs, ornaments, chairs, settees, glass vases, glass crocks, wood or iron crosses and similar articles upon or within graves or lots is prohibited, and the Superintendent of Grounds may order the removal of any of said articles. Vigil lights are permitted, subject, however, to the owner's risk of damage or loss.

The placing of glass blocks or vases as receptacles for flowers, either artificial or grown on graves or plots is prohibited.

E. Headstones.

- (1) Only headstones of the flat, bevel, slant or monument types are allowed.
 - a. The base maximum for a single grave is 14 inches in depth, 36 inches in length and six inches in height.
 - b. The base maximum for a double and triple grave is 14 inches in depth, 54 inches in length and six inches in height.
 - c. The base maximum for a quadruple grave is 14 inches in depth, 72 inches in length and six inches in height.
- (2) The overall height for all headstone and bases combined shall not exceed 34 inches.
- (3) All foundations shall be constructed under the direction and according to specifications of the Superintendent of Grounds at a charge to the owner.

- (4) Only headstones shall be permitted on a grave. No headstone shall be placed on the grave until the foundation is installed and ready to receive the headstone. No headstone shall be placed in the center or at the foot of a grave.
- (5) Inscriptions upon monuments, headstones or other memorials must bear the family name which appears on the deed to the lot or grave on which the monument, headstone or other memorial is to be situated, except that the deed owner of such grave or lot may, upon his or her own election and upon written notice to the Town, add an additional name thereon.
- (6) Inscriptions shall be in English letters, except that foreign inscriptions may be added after approval of the Superintendent of Grounds obtained upon application containing a translation of the foreign inscription into English.

F. Concrete, steel or fiberglass vaults shall be used.

G. Burial of cremation ashes shall be done by the Town.

- (1) One regular and one cremains burial will be allowed in one grave.
- (2) Four cremains burials will be allowed in one grave.

H. No internment shall be allowed without a permit furnished by the Funeral Director, properly issued by the Registrar of Vital Statistics, on the prescribed form provided by the New York State Department of Health. Payment for burial services shall accompany the burial permit. No prepayment for burial services will be allowed.

I. Corner posts or markers of a suitable material may be installed by the Town of Somerset at the corners of lots upon written request to the Superintendent of Grounds. A lot is considered a group of four consecutive graves owned by one family. Only the Town of Somerset may install such corner markers and the expense shall be incurred by the grave owner requesting the marker.

J. The Town Board reserves the right to remove any article found within the grounds of the Town of Somerset cemeteries not permitted in accordance with the rules and regulations set forth herein. In addition, agents and employees of the Town Board shall have the right to enter upon or use any adjoining grave or lot to carry out its responsibilities as to internment or maintenance of the cemetery.

K. The Town of Somerset assumes no responsibility for monuments, memorials or markers or any other articles of any nature removed from any plot or grave, or for damage or destruction of any such articles.

L. Schedule of Internments.

- (1) Hours of burials and disinterment's shall be as follows:
 - a. Weekdays, Monday through Friday, beginning at 9:00 a.m. to be completed by 2:00 p.m.
- (2) No holiday or weekend burials will be conducted; however, and only in the event that an extremely exigent circumstance exists, the Town will consider such request(s) and weigh the matter accordingly.

- a. Such request for holiday or weekend burial should be made to the Town and include the facts and circumstances surrounding the exigent need.
- b. The Parks and Recreation Committee shall make a determination to approve or deny a holiday or weekend burial.
- c. Any approved weekend or holiday burial shall occur between the hours of 9:00 a.m. and 2:00 p.m. Any holiday or weekend burial shall be completed by 2:00 p.m.

(3) Weekend or holiday burials are subject to additional fees as periodically set by the Town Board by resolution.

M. All Town cemeteries will be open from dawn to dusk.

N. The following are strictly prohibited within cemetery grounds:

- (1) Dogs.
- (2) Placing of watering cans, fertilizer, and decorative stones and/or rocks.
- (3) Children under 12 years of age unless accompanied by parents or adult guardians.
- (4) Conduct which would result in damage to cemetery property.
- (5) Picking flowers or breaking or damaging trees, shrubs, or plants.
- (6) Soliciting business of any kind or soliciting contracts or orders for monuments, headstones or any other work.
- (7) Signs, notices or advertisements of contractors, stonecutters, undertakers or others.
- (8) Selling refreshments of any kind.
- (9) Discarding of wastepaper, flowers, plants or any other waste articles except by depositing the same in receptacles situated within the cemetery for that purpose.

O. Lot owners are prohibited from allowing internments to be made on their lots for compensation.

P. No lot owner may transfer his or her lot without the permission of the Superintendent of Grounds. Said transfer request shall be made in writing to the Town Clerk. Commencing on January 1, 2019, any lot transfer approved by the Superintendent of Grounds shall be subject to a lot transfer fee, periodically set by resolution by the Town Board of the Town of Somerset.

Q. All sales of graves and internments are final and cannot be re-conveyed or sold back to the Town.

§82-2. Fee Schedule.

The fees for cemetery services for the sale of graves and interments shall be established periodically by the Town Board by resolution, which fees shall be incorporated herein and made part of. A copy of the current fees may be obtained from the Town Clerk.

§82-3. Collection of Fees.

The Town Clerk shall be responsible for collecting and turning over to the Town all internment fees and consideration received for the sale of graves.

§82-4. Penalties for Offenses.

Any person or persons, association or corporation committing an offense against any provision of §82-1 of this Chapter or any subsection thereof shall be guilty of a violation of this chapter punishable by a fine not exceeding \$25.00 for each such violation.

Cemetery Rate Schedule

Grave:	\$500.00
Grave Opening:	<u>Summer Rate (April 1 – November 30)</u> \$600.00 – weekday \$700.00 – weekend/holiday <u>Winter Rate (December 1 – March 31)</u> \$700.00 – weekday \$800.00 – weekend/holiday
Cremation Ashes:	\$350.00 per grave
Headstone Foundation:	\$60.00 per running ½ foot with a minimum of \$250.00
Disinterment Fee:	\$1,000.00 per disinterment \$350.00 per cremains disinterment
Lot Transfer Fee:	\$150.00 per lot transfer