

**RULES AND REGULATIONS FOR THE
SEBAGO CEMETERY**

For the

TOWN OF SEBAGO

Adopted March 2, 1991
Amended March 5, 1993

COUNTY OF CUMBERLAND

STATE OF MAINE

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| Section | Description |
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[HISTORY: Adopted by the Town of Sebago, March 3, 1991. Amendments noted where applicable.]

§-1 Purpose and Intent.

For the mutual protection of lot owners and the cemetery as a whole, the following rules and regulations are hereby established. All lot owners and persons visiting the cemetery shall abide by such rules and regulations as herein enacted and as hereafter amended, which are intended to assist in maintaining our cemetery as a peaceful and beautiful area as well as a reverent symbol of respect for the dead.

§-2 Administration

A. The Board.

The cemetery shall be administered by an elected board, to be called the Sebago Cemetery Board of Trustees, hereafter called the Board. The Board shall be comprised of five members elected at large from the community, one elected each year for a 5 year term, beginning at Town Meeting, 1992. The Board of Selectmen who are in office at the time of formal adoption of this ordinance shall appoint the initial five member Board to terms of 5,4,3,2, and 1 year.

The Board shall be responsible for cemetery administration, sales, maintenance, and improvements, and any other functions of the Cemetery operation. The Board shall also be empowered to accept donations made to the Sebago Cemetery. The Board shall meet regularly, and will responsible for the development of an annual budget and plan for Cemetery operations during that year. The budget shall be presented for approval as an article in the official Town of Sebago Annual Town Meeting Warrant.

B. Conflict, Validity.

1. Conflict of Laws.
Except as otherwise specifically provided herein, nothing contained in this Ordinance shall be construed as repealing or invalidating any existing ordinance or regulation of the Town of Sebago, but shall operate in addition thereto.
2. Validity.
The invalidity of any section or provision of this Ordinance shall not invalidate any other section or provision thereof.

§-3 General Rules

- A. All fees or charges for services are payable at the Town Office, except that interment charges may be payable through any reputable funeral director and any foundation charges for monuments or marker emplacement may be payable through any reputable monument dealer.

§-4 Rules of Cemetery Conduct.

- A. Persons visiting the cemetery shall use only the walks and roadways provided, and no person shall walk upon or across lots or lawns unless necessary. The Town expressly disclaims responsibility for any injury sustained by any person violating this rule.

- B. No person shall destroy, mutilate, deface, injure or remove any monument, gravestone, marker, or other structure placed within the cemetery, or any fence, railing, or other work for the protection or ornamentation of any monument, gravestone, marker, or other structure aforesaid, or any cemetery lot within the cemetery.
- C. Maximum speed limit is 10 miles per hour.
- D. No vehicle may be driven or parked across or upon any grave, lot or lawn.
- E. Parking or leaving any vehicle on any road or drive in such a way as to prohibit any car or vehicle from passing is prohibited and a violation of this rule will be cause for the removal of such vehicle.
- F. No person shall be in possession of or consume any alcoholic beverage with the cemetery.
- G. No person shall sell or offer for sale, hire, lease or rent any object, merchandise, property, service or other thing in the cemetery nor shall any person engage in any commercial enterprise in the cemetery except such as is directly involved in the business of the cemetery.
- H. No person shall deposit in the cemetery any garbage, sewage, refuse, waste, vegetables, foodstuffs, boxes, tin cans, paper or other litter or waste material or obnoxious material, except in containers designed for such purposes.
- I. No person shall behave in a loud, indecent or disorderly manner in the cemetery or create any unnecessary disturbance.
- J. No person shall conduct or participate in any sport, game, or contest in the cemetery.
- K. No person shall cause or permit any animal or dog owned by him, in his custody, or under his control to go at large within the cemetery.
- L. No sign, notice or advertisement of any kind except directional, identification signs placed by cemetery personnel shall be permitted in the cemetery.
- M. The bringing of firearms into the cemetery, except by a military escort, is prohibited. The discharging of, or carrying offensive weapons of any type, or the hurling of rocks or pellets, or the discharging of fireworks therein is strictly prohibited. This is not to be construed as prohibiting ceremonial volleys with blank charges by properly supervised honor guards as a tribute to a deceased person.

§-5 **Lot Ownership**

A. Sale of Lots.

Persons desiring to purchase lots should contact the Town Office. Sale of lots will be to tax payers, past or present; residents, past or present; or family members. Rules relating to such lots will be explained a copy of these rules and regulations will be made available to prospective purchasers.

B. Purchase Price.

The purchase price must be paid in full at the time of purchase and receipt for such purchase price will be given to the purchaser at that time. The purchase price for a single lot will be \$300.00. Of that purchase price, \$150.00 will be allocated to perpetual care. Within thirty days thereafter, a deed will be sent to the purchaser by the Town of Sebago. Description of lots contained in such deeds shall be in accordance with cemetery plots which are kept on file in the Town Office. It shall be the duty of the lot owner to notify the Town Office of any change in address after purchase.

C. Easement or Right of Interment.

No easement or right of interment is granted to any lot owner in any walks or roadways within the cemetery, but such roadways or walks may be used as a means of access to the cemetery or buildings so long as it shall be devoted to such purpose.

D. The Board's Rights.

The Board reserves the right to:

1. Enlarge, reduce, replot, or change the boundaries or grading of the cemetery.
2. Modify or change the location of, or remove or regrade roadways or walks.
3. Install, maintain, and operate sprinkler and drainage systems.
4. Use unsold cemetery property for any purposes deemed necessary.
5. Have a perpetual right of ingress and egress for itself and to those lawfully entitled thereto, over lots for the purpose of passing to and from other lots.

E. Loss or Damage.

All reasonable precautions will be taken to protect lot owners within the cemetery from loss or damage, but the cemetery will not be responsible for loss or damage from causes beyond their reasonable control, and especially from damage caused by the elements, act of God, thieves or vandals.

F. The Deed

The deed and these regulations, including amendments hereto, constitute the sole agreement between the Cemetery, the Town of Sebago, and lot owners. The statement of any employee or agent, unless confirmed in writing by an authorized representative of the Cemetery or the Town of Sebago.

G. Purchase or Exchange of Lots.

The Town of Sebago shall have the authority to purchase outright, or by exchange for other lots, on behalf of the Town of Sebago, any unoccupied lot or lots, at such price or prices as may be agreed upon by the owner or owners and the Town of Sebago.

H. Transfer of Lots.

Transfer of lots will not be recognized without the consent of the Town of Sebago. Transfer deeds may be obtained at the Town Office.

§-6 Care of Lots

A. Perpetual Care

Perpetual care includes keeping the turf even and in good condition, the grass property cut, and shrubs trimmed.

B. General Care

The general care of the cemetery is the responsibility of the Town of Sebago by and through its Board. This includes reasonable and practical care of the unsold areas of the cemetery; park and lawn areas, roadways, walls, fences, shrubs or trees which have been established by the cemetery. In no case shall it mean the maintenance, repair, or replacement of any memorial, plaque, or monument erected or placed upon a lot, not the performing of any special or unusual work in the cemetery.

C. Grave Definition

No lot or grave shall be defined by a fence, rail, curb, hedge, trees or shrubs for the purpose of describing its corners or boundaries.

§-7 Interments

A. Cemetery Hours

The cemetery will be open daily for interments from 8:00 a.m. to 4:30 p.m. Monday through Sunday.

B. Funeral Director

All funerals entering the cemetery shall be under the direction of the funeral director, or other person(s) deemed responsible by the Board, who shall abide by the rules and regulations of the Cemetery. Necessary burial permits must be obtained from the Town of Sebago.

C. Caskets

Once a casket containing a body is within the confines of the Cemetery, it shall not be opened except by a funeral director or his assistants, or on an order signed by a court of competent jurisdiction.

D. Order of Interments

All orders for interments in lots must be signed by the owner of the lot, or his authorized representative. When this is impossible because of absence from town, telegraphic or electronic permission will be accepted in lieu of signed authorization.

E. Number of Interments

No interment of more than 1 body shall be made in one grave, except in the case of mother and child, or two infants buried in one casket. Up to three cremations and their markers, at ground level, may be placed in any one grave. Further variation may be made in the case of cremations within family lots subject to the placing of markers, and upon prior approval of the Town of Sebago through the Board.

F. Interment Location

When an interment is to be made, the location of such interment shall be designated by the lot owner, or his authorized representative. Should they fail to make such designations, the cemetery reserves the right to make the interment in a location designated by the Board. The cemetery shall not be responsible for error from information as to particular space, and location in a lot where interment is desired.

G. Disinterment

Once an interment has been made, graves will be opened only in accordance with Laws of the State of Maine. When the cemetery is directed to make a disinterment, by an order of court of competent jurisdiction, a certified copy of such order must be filed with the Board. In all cases the responsibility of the cemetery shall be limited to confirmation of lot location only, and the actual disinterment must be made by the person authorized to do so.

H. Interment Containers

In order to maintain a high standard of care and to eliminate sunken graves caused by the collapse of wooden boxes, all burials must be made in outside containers constructed of natural stone, metal, reinforced concrete, or approved synthetics. All such containers must be made and installed so as to meet the specifications established by Laws of the State of Maine.

I. Interment Notice

The right is reserved by the cemetery to insist upon at least twenty-four hours notice of any interment and at least one week's notice of any disinterment or removal. The cemetery reserves the right to postpone interment due to acts of nature, God, civil and national emergencies.

J. Ashes

Ashes shall be buried in an urn. A vault is not required, but is an option. The urns shall be buried from top to bottom being labeled as shown on drawing. This will be at a depth of 24 inches. A funeral director's presence is not necessary, but it is required to report to the Town Office before burial of ashes (*Added March 15, 1993*)

§-8 Plants, Shrubs, and Flowers

- A. The cemetery will undertake to maintain, as may be practicable, the planting of trees and shrubs to preserve its landscape features, but will not undertake to maintain individual plantings, or urns of plants.
- B. In the monumental sections of the cemetery where certain areas allow the planting of evergreens, thought must be given to selection of a hardy variety and one that will not exceed the limits of the location. All evergreens and shrubs will be limed to a height of 36 inches and must be kept trimmed to within six inches of the lot borders. The cemetery will, within its powers, trim all evergreens properly placed on lots. Any shrubs exceeding the six inch mark will be severely cut back or removed.
- C. The cemetery shall have the right to remove all floral designs, flowers, weeds shrubs, or plants of any kind from the cemetery as soon as they become unsightly, dangerous, detrimental, or diseased, or when they do not conform to the standard maintained in said cemetery.
- D. The cemetery shall not be responsible for any floral arrangements or other ornamentation.
- E. The cemetery reserves the right to remove vases or urns not properly cared for.

§-9 Monuments

- A. The owner of any lot shall have the right to erect thereon any proper stone or monument subject to the following criteria:
 - 1. For a single lot, the stone or monument shall be no more than 38 inches high, including the base, no more than 34 inches in base length, and no more than 16 inches in width.
 - 2. For a double lot, the stone or monument shall be no more than 38 inches high, including the base, no more than 4 feet in base length, and no more than 16 inches in width.

Only one monument shall be permitted on a lot. The monument must be located in the center rear, set in 8 inches from the lot boundary. One individual marker per grave is allowed in the cemetery, so long as the marker is recessed to ground level. In the case of cremation interment, one marker, at ground level, will be allowed for each cremation.

- B. No monument shall be constructed of any material other than cut marble, granite, natural stone, bronze or other material as approved by the Board.
- C. No stone or monument shall be erected until a suitable foundation is laid. All foundations for monuments shall be no less than 3 feet in depth. The cemetery reserves the right to inspect and approve all foundations for such structures.

§-10 Descent of Title

The laws of the State of Maine govern the descent of title to cemetery lots, as well as other matters relating to their ownership. It is important that, on the decease of an owner of a lot, the heirs or devisees of such person would file full proof of ownership in the Town Office for the purpose of correcting the record. Notarized statements as to relationship and certified copies of wills are normally sufficient.

§-11 Correction of Errors

The Cemetery Board reserves the right to enforce correction of any errors that may be made in making interments, disinterment, or in the description transfer, or conveyance of any lot. Errors of lot owners in failing to specify proper interment position, or of monument dealers in failing to clearly specify monument or marker foundation positions will be required to correct any such errors.

§-12 Enforcement

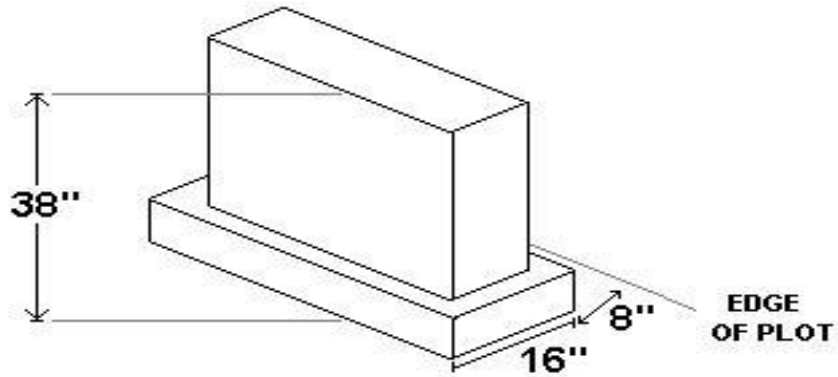
A. The Town of Sebago and the Board

The Town of Sebago and its Board are hereby empowered to enforce the foregoing rules and regulations and to exclude from the cemetery any person deliberately violation such rules and regulations. The Town of Sebago and its Board shall have charge of the grounds and buildings within the cemetery and shall have supervision and control of employees and all persons visiting the cemetery, whether lot owners or otherwise.

B. Violations

Any person willfully violating any of these rules and regulations shall be subject to a fine of not more than one hundred dollars (\$100.00). Any violations resulting in damage to cemetery property, appurtenances, fixtures, or other installations therein, such person shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00)

MONUMENT SPECIFICATIONS

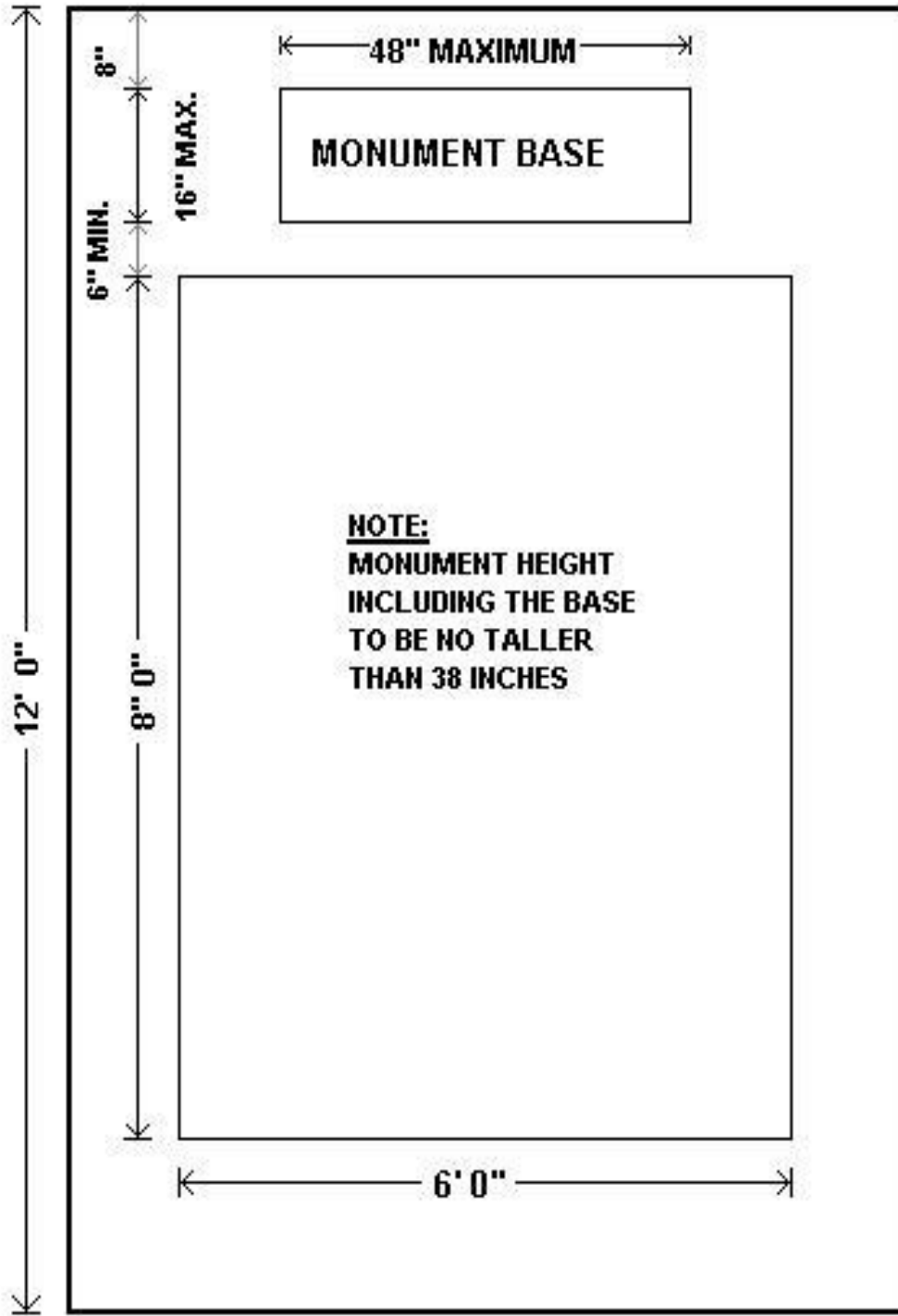


**MAXIMUM HEIGHT OF THE BASE
AND THE MONUMENT TOGETHER
IS: 38 INCHES**

**THE MAXIMUM DEPTH OF THE BASE
IS: 16 INCHES**

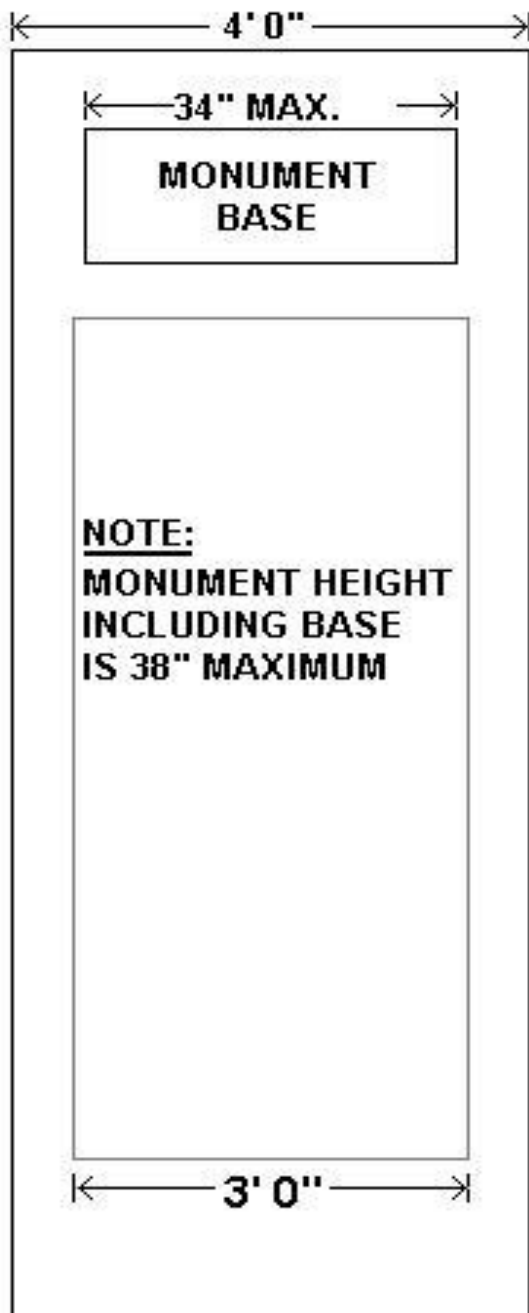
**THE BACK OF THE BASE MUST BE:
8 INCHES FROM THE EDGE OF THE PLOT**

DOUBLE PLOT SPECIFICATIONS



CEMETERY SPECIFICATIONS

SINGLE PLOT



CREMATION PLOT

