



Division of Cemeteries

New York State
Department of State
DIVISION OF CEMETERIES
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Sample Rules and Regulations

The following are sample rules and regulations for cemetery corporations acceptable to the Division of Cemeteries as being in conformance with the requirements of the law. Please use these in revising and drafting new rules and regulations for your cemetery association.

The Grounds

All funerals, processions, and vehicles will be under the control of the superintendent while in the cemetery.

Funerals must be at the cemetery by P.M. in order that the workmen will have sufficient time to properly close the grave and remove equipment before P.M.

All work done in the cemetery shall be done by cemetery employees, or under the control and with the permission of the superintendent or the board of directors.

All persons shall be allowed access to the cemetery during daylight hours, observing the rules which are in effect and the propriety due the Cemetery.

Heavy trucking or other vehicular traffic shall be refused entrance to the cemetery when, in the opinion of the superintendent or the board of directors, injury to roads and driveways might result.

Cremated remains will not be permitted to be scattered in any part of the cemetery.

Lot Purchase and Transfer

The full purchase price must be paid before a deed will be given or burial allowed on the lot.

Except as provided for in Section 1513(c) of the Not for Profit Corporation Law, no lot owner may transfer his or her lot.

Interments

All lots in the Cemetery are sold in accordance with the provisions of the laws of the State of New York and shall not be used for any other purposes than as a burial place for dead human beings.

Only full burials and sets of cremated remains shall be permitted to be interred in each grave.

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

No interment shall be allowed without permission being first obtained by the Cemetery Association. At the time of application for permission, the following information must be furnished:

1. Name of deceased
2. Age of deceased, including date of birth, if known.
3. Place of birth of deceased, if known.
4. Date of death.
5. Time and date of interment.
6. If not an adult, the names of parent(s) or legal guardian(s).

Interments in a lot are restricted to those entitled to burial therein according to the terms of Section 1512 of the Not for Profit Corporation Law. Permission for burial of those not entitled to burial according to the said Section must be filed with the Cemetery Association by the lot owner(s).

Concrete vaults or concrete grave liners shall be required for interments for all graves purchased on or after **(today's date, or previously approved date)**, in accordance with the provisions of Cemetery Board Directive 201.6.

The interment of cremated remains shall be permitted only in appropriate rigid receptacles constructed from wood, metal, plastic, or concrete.

Interments on Sundays and holidays shall be governed by Cemetery Board Directives 201.8 and 201.12.

Sample Rules and Regulations

Interments, continued

Graves will not be opened when frost and weather conditions warrant such refusal. Bodies received for interment during this time shall be placed in the vault until conditions permit burial.

All bodies remaining in the vault after shall be removed and interred. The expense of such interment shall be borne by those who caused the body to be placed in the vault. Only such notice shall be given in this case as shall be practical under the circumstances.

Disinterments shall be allowed between and provided there is compliance with all provisions of Section 1510(e) of the Not for Profit Corporation Law.

Monuments

All monuments or markers must be constructed of granite or bronze.

No monuments or markers shall be permitted which utilize colors other than those of natural stone.

Monuments are restricted in size to dimensions which shall not cover more than percent of the surface area of the lot. Every monument shall be at least inches in thickness.

Only one monument shall be allowed on a lot and it shall be set in accordance with the general plan of the cemetery, and shall conform with said plan in size and material.

The bases of all monuments shall be finished true and level so as to fit on foundations without wedging or sprawls.

All foundations will be constructed by or under the direction of the Cemetery Association.

No monument will be allowed to be delivered in the cemetery until the foundation is installed and ready to receive the monument.

Decorations and Embellishments

The Cemetery Association reserves the right to remove all flowers, wreaths, or other decorations from lots as soon as they become unsightly.

The Cemetery Association reserves the right to remove, upon due notice to the lot owner, any embellishment on the lot or effigy which, in the opinion of the majority of trustees or directors, is unsightly or dangerous.

The Cemetery Association reserves the right to restrict the planting of shrubs and trees and to remove any shrub or tree deemed dangerous to the public, upon due notice to the lot owner.

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

Amendments

These rules and regulations may be amended by the directors of the Cemetery Association, but no such amendments shall be effective until approved by the New York State Cemetery Board.