

TOWN OF NORRIDGEWOCK CEMETERY ORDINANCE

I. DEFINITIONS

Board of Selectmen: The elected Officers of the Town of Norridgewock.

Burial or Interment: The deposit of the remains and cremains of a human being into the ground.

Cemetery Committee: A committee of five (5) residents of Norridgewock appointed by the Board of Selectmen for three (3) year staggered terms. The Cemetery Committee is directly responsible to the Cemetery Superintendent.

Cemetery Sexton: The Town employee hired by the Town Manager and approved by the Board of Selectmen to oversee the operations of all Town owned cemeteries.

Cemetery Superintendent: The appointed official responsible for overseeing all aspects of cemetery management within the Town of Norridgewock. If the Cemetery Superintendent is the Town Manager, the Cemetery Superintendent shall be directly responsible to the Board of Selectmen. If the Cemetery Superintendent is other than the Town Manager, the Cemetery Superintendent shall be responsible to the Town Manager.

Flower Display: Any flower that is artificial whether in a container, bouquet or spray.

Flower Plants: Any of a variety of natural flowers with roots.

Half Lot: 10' X 10' Plot designed to hold the casketed remains of not more than three (3) adults.

Liner: Approved concrete slabs so constructed and assembled as to prevent sags or hollows in the gravesite. Must meet all laws, rules and regulations.

Lot: 10' X 20' Plot designed to hold the casketed remains of not more than six (6) adults.

Monument: Usually a block of granite or other stone, to commemorate a person, event, etc., and often bearing written tribute to the person, especially after their death. Monument and headstone are considered to be the same thing.

Non-resident: A non-resident is defined to be a person not residing within the Town of Norridgewock at the time of purchase of a cemetery lot.

Owner: Shall refer to burial rights and title to land.

Resident: A resident is defined to be a person residing within the Town of Norridgewock at the time of the purchase of a cemetery lot.

Single Grave: Plot designed to contain the casketed remains of one (1) adult human being; or the casketed remains of two (2) children at the discretion of the Sexton; or the cremated remains of six (6) human beings, provided such remains are members of the same family or anyone approved for interment within said lot by the owner of said lot.

Town: Shall mean the Town of Norridgewock or its duly elected officers or appointed officials including the Cemetery Committee.

Town Manager: The official hired by the Board of Selectmen to manage the business of the Town.

Vault: Concrete box large enough to contain the casketed remains of the deceased.

II. GENERAL

1. No vehicle shall be operated in areas other than roadways provided, unless authorized by the Town. Vehicles may not travel at more than five (5) miles per hour nor in such a manner as to leave ruts.
2. No vehicle known as a motorcycle, snowmobile, motorbike, all-terrain vehicle, dune buggy or any registered or unregistered off-highway motor vehicle shall be operated within the cemetery at any time, except as authorized by the Town.
3. Vehicles must not stop so as to block or hinder the passage of other vehicles, except that no auto may pass a grave when a burial ceremony is in progress.
4. The use or possession of firearms, except as part of a military burial, is prohibited.
5. Consumption of beer, wine, spirits, or other intoxicating beverages is prohibited. Use of illegal drugs is also prohibited.
6. All Town cemeteries are smoke free.
7. Only leashed pets are allowed in Town cemeteries. Pet owners are responsible for cleaning up all pet waste.
8. No shrubs or trees may be planted within the cemetery except by the Town.
9. The deposit of any refuse, unsightly flower displays, wreaths, or other grave decorations must be made in receptacles provided for such purpose; otherwise such deposits will be considered an act of littering, punishable per State of Maine statutes.
10. The owner of any lot is responsible for the removal of any unsightly flowers, wreaths, decorations, etc. from any gravesite. If the owner fails to execute such removal, the Town may do so.

11. No one shall damage, injure, remove or harm any flowers, monument, marker, etc., except at the direction of the Town.
12. All monuments must be placed on the westernmost portion of a lot. Any variation in placement must be approved by the Cemetery Superintendent.
13. Mausoleums, columbarium, niche or other edifice intended for above-ground burials are prohibited.
14. Repairs to headstones will be at the expense of the owner of the lot unless otherwise arranged.
15. The Town will not be responsible for malicious or vexatious damage to a memorial, monument, decorations, etc., or the theft thereof. The Town shall report such damage or theft to the proper law enforcement authority and to the owner of such property or their survivors, if known.
16. Cemeteries close one half hour after sunset and open one half hour prior to sunrise. A person is guilty of criminal trespass if he/she enters or remains in a cemetery when the cemetery is closed. (M.R.S.A., Title 17, Part 2, Chapter 17, Section 402)
17. All conduct in cemeteries owned and/or maintained by the Town of Norridgewock shall be in compliance with all Federal, State and local law, rules, and regulations
18. A copy of this Ordinance shall be issued with each deed.

III. LOT PURCHASE AND OWNERSHIP

1. Residents of the Town of Norridgewock are eligible to purchase lots in Norridgewock cemeteries.
2. A non-resident may be eligible to purchase a lot in a Norridgewock cemetery by satisfying one (1) of the following three (3) requirements:
 - A person born of parents who resided in the Town of Norridgewock.
 - A person with blood relatives who are either residing in the Town of Norridgewock or who were buried in a Town of Norridgewock cemetery.
 - A person who owns and pays property taxes on real property in the Town of Norridgewock at the time of the purchase of the cemetery lot.Evidence of compliance must be submitted to the Town of Norridgewock. Substantive exceptions may be considered by the Cemetery Superintendent.
3. Cemetery lots will be sold in consecutive order.
4. Within 30 days of the date of receipt of payment for a Lot or ½ Lot, the Town will issue a *Quit Claim* deed to the Owner. The *Quit Claim* deed will be recorded by the Town at the Somerset County Registry of Deeds.

5. Grave lots may not be sold or bartered but may be willed as part of an estate. Any change of ownership must be reported to the Town.

IV. BURIAL OR INTERMENT

1. All burials or interments will be made only on human remains. Animal burials are not permitted.
2. No above-ground interments/burials shall be permitted.
3. Interments shall be on the eastern side of monument.
4. All burials or interments shall be made in a steel or concrete liner or urn.
5. **Only the Town's Cemetery Sexton may open and close graves for burials, interments and disinterments.** (For someone seeking an alternative to the Town's Cemetery Sexton for opening and closing graves, application may be made to the Town Manager. Should the Town Manager grant an exception to the use of the Town's Cemetery Sexton, proper notification and documentation will be required to be submitted to the Town in a timely manner.)
6. Undertakers and/or Funeral Directors shall be responsible to the Town for the payment of all burial charges, fees, and burial permits.

V. DUTIES AND RESPONSIBILITIES

Board of Selectmen

The Board of Selectmen shall appoint a Cemetery Superintendent for a one year term.

The Board of Selectmen shall appoint a Cemetery Committee consisting of five (5) voting members and all voting members must be residents of Norridgewock. All members to be appointed by the Board of Selectmen for three (3) year staggered terms. Three members will make a quorum. The Town Sexton is automatically a non-voting member of the Cemetery Committee.

The Board of Selectmen, considering the recommendations of the Cemetery Committee, shall establish and publish all cemetery fees.

Cemetery Committee

The purpose of the Cemetery Committee is to oversee capital maintenance and special projects of Town owned cemeteries and to annually review and make necessary recommendations to the Board of Selectmen concerning the Cemetery Ordinance, Cemetery Fees, Cemetery Budget and Cemetery Operations.

The Cemetery Committee shall annually make recommendations in writing to the Town Manager for inclusion in the Town Meeting Warrant. The Cemetery Committee shall submit an annual report for inclusion in the Annual Town Report.

Committee to meet at least two (2) times each year or as needed.

Cemetery Sexton

In coordination with the Town Clerk, the Sexton shall prepare and keep updated plot maps of each cemetery and assist with the maintenance of accurate records at the Town Office; supervise all interments, including opening and closing of each grave site; supervise removal of bodies from graves; prepare an accounting of all cemetery activities for inclusion in the annual Town report; and complete any other relevant tasks assigned by the Cemetery Superintendent.

The Sexton shall be contracted by the Town of Norridgewock to complete any relevant work, described herein. The contract shall stipulate conditions of compensation, duties, expectations/performance, liability and any other mutually agreed upon terms.

Cemetery Superintendent

The Cemetery Superintendent shall appoint a Cemetery Sexton, subject to Board of Selectmen approval, and shall be responsible for overseeing all aspects of cemetery management within the Town of Norridgewock.

VI. FEES

With consideration of the recommendations of the Cemetery Committee, all fees for acquiring grave lots, for the opening and closing of graves, and for the perpetual care of lots shall be established by the Board of Selectmen.

The charge for perpetual care is a deposit in trust to be invested by the Inhabitants of the Town of Norridgewock in accordance with law, the interest thereon only, received by the Inhabitants will be expended annually for mowing and otherwise caring for the cemetery lot. All lots will be sold with perpetual care.

- Fees are available at the Town Office and on the Town website.
- All fees will be paid directly to the Town of Norridgewock
- Fees are subject to change.

VII. ADOPTION AND AMENDMENTS

1. This Ordinance shall become effective on passage at a regular Town Meeting.
2. This Ordinance may be amended in accordance with the general Provisions of the Town governing all ordinances.

3. Passage of this Ordinance shall supersede any and all other rules and regulations governing cemeteries in the Town of Norridgewock.
4. The invalidity of any portion of this ordinance shall not invalidate any other part.

VIII. PENALTIES FOR VIOLATION

Any person who violates any provision of this ordinance commits a civil violation and may be subject to punitive damages. In addition to punitive damages, any person who violates any provision of this ordinance may also be liable for the Town's costs of restoration or repair of any property damage caused by the violation as well as for all of the Town's reasonable attorney fees and costs.

A True Attest Copy:

Sharon Dodge, Town Clerk

Date