

## Chapter 105. Cemetery

[HISTORY: Adopted by the Town Council of the Town of Rocky Hill 1-21-1980 by Ord. No. 83-80. Amendments noted where applicable.]

### § 105-1. Administration and management; Sexton.

Administration of the Center Cemetery shall be the responsibility of the Town Manager, or his designee, who shall be appointed by the Town Council and who shall be the Sexton of the cemetery. He/she shall be responsible to the Town Council for the proper administration of this chapter and for the management of the Center Cemetery. He/she will have authority to utilize whatever Town personnel or equipment he/she deems appropriate to provide for the effective and efficient operation and maintenance of the cemetery and to delegate responsibility in a manner which will assure the proper operation and maintenance of the cemetery.

### § 105-2. Fees and charges.

It is the intent of the Town Council that the cemetery shall be, to the extent possible, financially self-sustaining with respect to operation. To this end, the Town Manager shall establish and, from time to time, amend a list of fees and charges pertaining to the sale of gravesites and the performance of services by the Town pertaining to the cemetery, with the approval of the Finance Committee of the Council, provided that notification of the establishment of or amendment to said list of fees and charges shall be filed with the Town Clerk and with each member of the Town Council prior to its effective date.

[1] *Editor's Note: See Ch. A249, Fees.*

### § 105-3. Duties of Finance Committee.

The Town Council shall designate its Finance Committee to oversee all cemetery operations, including the activities of the Sexton. The Committee shall meet upon call of its Chairman or the Sexton and shall approve all cemetery expenditures over \$500. Ex officio members may be designated by the Committee to serve at their pleasure in an advisory capacity.

### § 105-4. Cemetery Fund.

A. There is hereby created a Cemetery Fund. There shall be paid into the Cemetery Fund all proceeds from the sale of gravesites and service fees and charges resulting from cemetery operations. There shall also be paid into such fund amounts which the Town Council may, from time to time, authorize to be transferred thereto from the general fund, provided that such transfers are authorized by means of annual budget appropriations or by special appropriations authorized in accordance with the Town Charter.

- B. The Finance Committee may authorize transfers from the Cemetery Fund to the general fund to defray the cost of cemetery operations and/or debt reduction costs attributable to cemetery development, provided that such cost(s) were funded by the General Fund.
- C. Upon the effective date of this chapter, all moneys presently in the hands of the Cemetery Association shall be immediately transferred into the Cemetery Fund.

## § 105-5. Hours of operation.

The cemetery shall be open each day from 8:00 a.m. until closing time. Closing time shall be 8:00 p.m. during the months of May, June, July, August and September and 5:00 p.m. in all other months. All persons shall leave the grounds of the cemetery at or before closing time. No person shall be in the cemetery between closing time and 8:00 a.m. unless expressly authorized by the Sexton. The right of admittance to the cemetery is reserved. The Sexton may temporarily close the cemetery or alter the open hours in case of an emergency or to protect the public health and safety.

## § 105-6. Rules of conduct.

The Sexton may draft rules of conduct, as well as rules for traffic and parking, in consultation with the Council Finance Committee, and said rules shall become effective after Finance Committee and Council approval and filing with the Town Clerk.

## § 105-7. Gravesites.

- A. For the purpose of this section, the word "gravesite" shall also mean lot or plot.
- B. The Sexton shall have authority to sell gravesites in accordance with a resolution adopted by the Town Council to satisfy the requirements of § **C4-16** of the Town Charter. Gravesites shall only be sold to persons having residence within the Town of Rocky Hill for a period of six months or more or to persons who formerly had residence within the Town of Rocky Hill of at least six months' duration. Full payment for the purchase of gravesites shall be rendered within 30 days of the time of sale. No credit or installments shall be allowed. Upon payment in full of the purchase price, a deed will be executed and delivered to the purchaser for each gravesite sold. Each such deed shall be subject to the terms of this chapter and such other rules and regulations as may be adopted for the management of the cemetery. A deed shall grant to the purchaser only the right to use the lot for burial purposes for himself/herself, his/her family, his/her heirs and devisees and such friends (provided that such friends have been Rocky Hill residents) as may be buried therein without profit, gain, emolument or advantage to the purchaser or owner of the lot. No sale or transfer of a gravesite by any purchaser or owner shall be allowed or be valid except upon the consent of the Sexton, in writing.
- C. All gravesites which are sold shall be furnished perpetual care by the Town of Rocky Hill, which shall include the regular mowing of grass, trimming of grass and the raising and grading of sunken graves. Prices charged for gravesites shall reflect the assumption of perpetual care expenses by the Town. Perpetual care shall not include maintenance, repair or replacement of monuments or markers.
- D. When a deed is issued for a gravesite, it shall convey only the right of burial therein, and it shall be the duty of the Sexton to enter thereon and prohibit, remove, or modify any object or adornment or work done in violation of this chapter, or rules and regulations established

pursuant thereto, which may be judged objectionable or injurious to the cemetery. The Town of Rocky Hill shall reserve the right to develop and improve the cemetery from time to time in accordance with the judgment of the Sexton after review with the Finance Committee.

- E. No fence, hedge, railing or coping not existing on the effective date of this chapter shall be allowed to enclose a lot. All boundaries between lots shall be uniform and shall be as provided by the Sexton.

## § 105-8. Interments.

- A. No body except that of a human being may be interred in the cemetery. All graves shall be opened and closed under the supervision of the Sexton. No interment or disinterment shall be allowed without the consent of the Sexton. Interments or disinterments shall be made only by a contractor authorized by the Sexton or Town personnel. All funeral processions shall be entirely under the control of the Sexton upon entering the cemetery. Notice of at least eight hours shall be given to the Sexton of any desired grave opening. No grave shall be opened or interment or disinterment made on Sunday or on the following holidays: New Year's Day, Memorial Day, Good Friday, Independence Day, Labor Day and Thanksgiving Day, unless required for public health reasons and ordered by the Sexton. Funerals and/or graveside services shall be concluded no later than 3:30 p.m. unless the Sexton expressly permits otherwise in consideration of special hardship.
- B. All interment charges shall be paid on or before the day of burial.

## § 105-9. Monuments and memorials; vaults.

- A. No monument or other memorial may be brought into the cemetery until a sketch or a blueprint showing the design, material, finish, size and inscription thereon is first submitted to the Sexton for approval.
- B. Workpersons engaged in the erection of memorials, monuments, markers and vaults of any description shall be subject to the control of the Sexton. Any workperson failing to conform to the directions of the Sexton shall not be allowed to continue his/her work.
- C. Notice of the intent to set a monument shall be given at least three days in advance of the work.
- D. The building of monument foundations shall only be in accordance with the specifications for the same as promulgated by the Sexton.
- E. The erection or installation of monuments or memorial markers shall not take place on Sundays or holidays designated in § **105-8A**.
- F. The lower base of all monuments must be dressed to a true level on the bottom so as to bear evenly at all points upon the foundation without the use of chips, sprawls or underpinnings. A bed of cement must be spread evenly over the top of a foundation and the base lowered into it.
- G. No chains or ropes may be attached to trees or other objects for the installation of monuments.
- H. All monument foundations shall be installed clear of graves and shall be constructed to a depth equaling that of a single-depth grave, except where a concrete vault is used and a marker foundation may be constructed at the end of the same. Bridging or constructing any foundation for a monument over a grave is prohibited. The provision and installation of all markers and

monuments and the bases and foundations therefor shall be at the cost and expense of the gravesite owner.

- I. No monument shall have a height at its highest point measured from the surrounding ground of more than 36 inches. However, upon the approval and recommendation of the Rocky Hill Town Manager, a majority of the members of the Rocky Hill Finance Committee may, in their sole and absolute discretion, approve an application submitted by the owner, or representative of an owner, of a grave site to erect a monument in excess of 36 inches; however, in no event shall a monument exceed 48 inches in height at its highest point measured from the surrounding ground. The application shall be submitted to the Town Manager and shall contain the applicant's name, grave site owner's name, plot number and rendering of the proposed monument showing all dimensions.  
[Amended 2-21-1996 by Ord. No. 177-96]
- J. No memorial, whether an upright monument or block marker, shall be less than four inches in thickness at its narrowest dimension.
- K. Upright monuments shall be made only of granite. Memorial flush markers shall be made only of granite or bronze. No monumental work, once installed, shall be removed from a grave unless approved by the Sexton.
- L. Only one upright monument shall be allowed on each lot.
- M. Each grave shall have a concrete vault of a type approved by the Sexton and installed in accordance with his/her direction. The provision and installation of vaults shall be at the cost of the gravesite owner.
- N. Within the availability of moneys, the Sexton will make every reasonable effort to repair any vandalized monuments.

## § 105-10. Plantings.

- A. Flowers, shrubs, plants and trees shall only be planted in accordance with the rules and regulations established for planting by the Sexton. Any planting may be removed at the discretion of the Sexton. No planting shall be done without the permission of the Sexton. The cutting of turf on any lot shall be prohibited. The placing of potted plants on lots may be permitted if done in accordance with the rules established therefor by the Sexton. Plants which have died or flowers which have ceased to bloom may be removed at the discretion of the Sexton.
- B. No person shall create any mound, depression or hole or otherwise change the grade of any lot or gravesite without the consent of the Sexton. No person shall spread fertilizer, ashes, chemicals or other material on lots to stimulate the growth of grass or to discourage weeds.
- C. Artificial decorations shall not be permitted during the growing season between April 1 and November 1. All artificial decorations placed in nonconformance with this chapter or with rules established by the Sexton pursuant thereto shall be subject to confiscation. All winter decorations shall be removed prior to March 15 of each year, or they shall be confiscated by the Sexton.
- D. Articles such as glass jars, watering cans, votive lights, palms and bric-a-brac of any description are forbidden and may be removed without notice. Potted plants shall be contained only in clay pots not exceeding 10 inches in diameter and six inches in height, and in rustic baskets not to

exceed 12 inches in diameter. Only one pot or rustic basket will be allowed to be placed on any one grave.

## § 105-11. Penalties for offenses.

[Added 1-6-1992 by Ord. No. 171-92]

Any person, firm or corporation violating any provision of this chapter shall be fined \$25 per day, each day's continued violation to constitute a separate offense.