

DUXBURY CEMETERIES

RULES AND REGULATIONS

Adopted: 7/26/2005

Revised: 12/20/2006

Revised: 11/23/2009

- Changed the word “altered” to “revised” under heading “Rules and Regulations for Changes”.

Revised: 8/26/2010

- Added on page 1 the words “One is owned by St. Andrews Catholic Parish in Waterbury: Holy Cross Cemetery – Route 100 adjoining Duxbury Corner Cemetery” as the 10th cemetery in Duxbury.

Revised: 10/28/2010

- Added on page 1 the words “CLOSED to sales, memorials, planting, burials etc.” for Landon/Hayden, Sprague and Crossett Hill cemeteries.

Revised: 12/18/2011

- Under “Rules and Regulations for Internments “, added cremation rules and regulations.

Revised: 12/2/2015

- Changed the wording on page 1 for the closed town-owned cemeteries from “CLOSED to sales, memorials, planting, burials etc.” to “CLOSED to sales, memorials, plantings adjacent to stones inside burial areas, burials etc. Any changes or improvements must be approved in advance by the DCC.”
- Revised Maintenance section on page 5 to reflect the new RFP/contract process

DUXBURY VERMONT
Incorporated 1763

RULES AND REGULATIONS

by
Duxbury Cemetery Commission

Pursuant to the Vermont Statutes Title 18 Chapter 121 sect. 5301-5537 and 5571-5579

There are ten cemeteries in the town of Duxbury.

Four are owned by the Town:

- Phillips (Route 100 - This is the ONLY Town-owned cemetery open for selling lots)
- Landon/Hayden (Scrabble Hill Road – CLOSED to sales, memorials, plantings *adjacent to stones inside burial areas*, burials etc. Any changes or improvements must be approved in advance by the DCC)
- Sprague (Crossett Hill Road – CLOSED to sales, memorials, plantings *adjacent to stones inside burial areas*, burials etc. Any changes or improvements must be approved in advance by the DCC)
- Crossett Hill (Devlin Road – CLOSED to sales, memorials, plantings *adjacent to stones inside burial areas*, burials etc. Any changes or improvements must be approved in advance by the DCC)

Four others are held in private association:

- South Duxbury - Route 100 (OPEN for selling lots. Contact: Eleanor Chris Pratt 802-496-3802)
- Old South Duxbury - Route 100 (CLOSED for selling lots. Contact: Eleanor Chris Pratt 802-496-3802)
- Old Duxbury Corner - Route 100 (CLOSED for selling lots. Contact: Bill Morse 802-244-8850)
- Graves – River Road (CLOSED for selling lots. Contact: Skip Flanders 802-244-5529)

One is owned by the State of Vermont:

- Monroe – Camels Hump Road (CLOSED for selling lots. Contact: Vermont State, Barre Office, 5 Perry St. Suite 20, Barre VT 05641; 802-476-0170)

One is owned by St. Andrews Catholic Parish in Waterbury:

- Holy Cross Cemetery – Route 100 adjoining Duxbury Corner Cemetery

The care, supervision and management of the Duxbury cemeteries shall be overseen by a board of no less than three commissioners, to be selected by the Town, with the authority to convey lots for burials. At present, there are three Duxbury Cemetery Commissioners elected at the annual Town Meeting – held the first Tuesday in March – on a staggered

basis with one commissioner position available each year. Basically, the membership is of chair, secretary and treasurer.

For the mutual protection and benefit of lot owners, the following Rules and Regulations have been adopted. All lots sold shall be subject to these Rules and Regulations, and subject further to such other Rules and Regulations, amendments or alterations as shall be adopted by the Duxbury Cemetery Commissioners from time to time.

After February 1, 2003, only current residents of Duxbury, natives of the town living elsewhere, or individuals whose families have historical roots in town may purchase a cemetery lot. The commission shall make the determination as to the right of an individual to purchase a lot and that decision shall be final.

RULES

(def. Merriam Webster's Deluxe Dictionary Tenth Collegiate Edition 1998)

- a prescribed guide for conduct or action
- a regulation or bylaw governing procedure
- a controlling action

REGULATIONS

(def. Merriam Webster's Deluxe Dictionary Tenth Collegiate Edition 1998)

- to bring under control of law or constituted authority
- to bring order, method or uniformity to a situation

Rules and Regulations for Internments:

1. The size of a single lot shall be 3 feet 6 inches by 12 feet (3'6"x12').
2. There shall be only one casket burial per standard size burial space (3'6"x12'). There may be one casket and one cremation per standard size burial space.
3. Burial of cremations is limited to two containers per standard size burial space (3'6"x12'). All caskets and cremations must be enclosed in approved vaults.
4. The location of a grave for an interment and the depth, digging, and all other aspects of creating the grave and the restoration and maintenance of the ground over the grave shall be under the direction of the cemetery commission.
5. Interments in caskets shall be made in an outer container or receptacle made of concrete to be placed in the grave according to law.
6. Interments of urns or other containers containing the ashes of deceased persons shall be buried so that the upper surface of the urn or container shall be not less than one foot beneath the natural surface of the ground above it.
7. There shall be no interments allowed or made from the time in the fall when the ground is frozen until it has thawed and has become firm in the spring.
8. Graves shall be dug and interments made only by personnel approved by the commission.
9. Curbing of stone, concrete or similar material and fences of any type shall not be set, placed, laid or installed at any time around a lot or any part thereof.
10. At no time will the remains of animals be interned in a burial site.

Rules and Regulations for Costs:

1. The price of cemetery lots shall be set by the commission.
2. Resale of a lot can only be made to the Town of Duxbury at the current rate.
3. The owner of a lot shall purchase four corner 6x6 granite markers with the family's initials to be installed at each corner of the lot.
4. Recording fees apply and are paid to the Town of Duxbury.
5. The cost of digging a grave and burial is paid by the owner of the lot.

6. Specific costs for any of the above will be listed under a separate cover letter to each purchaser.

Rules and Regulations for **Perpetual Care:**

1. In the Town of Duxbury, a fee for perpetual care of a lot is not mandatory, however donations will be accepted and the funds will be put into the existing Perpetual Care account and be used according to State Statutes.
2. As stated in Title 18, Chapter 121, Section 5308 of the State Statutes, only the income from a Perpetual Care account shall be expended.
3. The interest income from this account may be used for cutting and trimming the grass and shall not be used for maintenance, repair, restoration, or replacement of a grave marker on a lot nor planting, pruning, or caring for flowers shrubs, trees, or plants, watering or sprinkling lots or anything on them, nor doing or providing any special work on a particular lot.

Rules and Regulations for **Grave Markers:**

1. Mausoleums, above-ground vaults or like structures shall not be created on any lot.
2. All grave markers of a permanent nature whose height is greater than eighteen inches above the natural surface of the ground shall have a solid concrete foundation whose lowest surface is below winter frost level and is so formed that the grave marker set on it will not tip or be adversely affected by water, ice, and freezing soil conditions. Grave markers shorter than 18 inches shall have such foundations and bases and separate parts as when placed together and set on the lot will not permit them to separate, tip, break, or fall.
3. All grave markers shall be so located on a lot that they, will not interfere with digging the grave or installing the vault.
4. If desired, the lot owner may place a flat marker flush with the ground.
5. The lot owner shall provide the commission with a sketch of the proposed grave marker, the name of the installer and the proposed date of installation.
6. Any flowerbed shall be directly in front of its grave marker, and its size shall be directly proportional to the size of that marker. In no case shall a flowerbed exceed the width of the marker, nor shall it extend more than eight inches in depth from the front of the marker's base. In no case shall a flowerbed exceed the boundary of that lot.
7. Seasonal ornaments may be placed in the cemetery anytime of the year. In order to preserve the proper appearance of the grounds, family members must remove all ornaments at the end of that season or they will be removed and disposed of by the maintenance contractor or a member of the cemetery commission.
8. Flowers and potted plants, either natural or artificial, may be placed next to grave markers. Inexpensive floral containers should be used and the commission shall have no liability if flowers and potted plants are damaged or destroyed during grass mowing and trimming operations. Wires, coat hangers and other metal items shall not be used to support floral displays or plants.

Secretary

Treasurer