

HUNTINGTON RURAL CEMETERY RULES & REGULATIONS

AMENDED AS OF NOVEMBER 18, 2019

Sale and Transfer of Lots

1. All lots shall be held in pursuance of an act entitled "An Act Relating to Membership Corporations", constituting Chapter 35 of Consolidated Laws, which became a law February 17, 1909, and the acts amendatory thereof and supplementary thereto, and shall not be used for any other purpose than as a place for the burial of dead human beings.
2. Except as provided for in Section 1513(c) of the Not-For-Profit Corporation Law, no lot owner may transfer his or her lot.
3. No change in the established grade of lots will be allowed without the consent and approval of the Board of Trustees.
4. Lot owners shall not allow interments to be made in their lots for remuneration.
5. No burial or work of any kind will be allowed on any lot on which there are unpaid charges.
6. If no burial shall have been made in an inalienable lot, or if all the bodies shall have been lawfully removed therefrom, the lot owners, with the consent of the Cemetery Association, may convey such lot as provided above.
7. After the death of a lot owner an affidavit of one of the heirs showing the facts of heirship or devise by will, must be filed in the office of the Cemetery. Such affidavit must include the list of names of all the heirs and a majority must authorize one of their number to sign orders for interment and give other needful directions regarding the lot. Blank forms of such affirmative can be obtained and sworn to at the office.

Monument Work

1. All workers employed in the construction of tombs, erection of monuments, etc. must be subject to the control and direction of the Association and any worker failing to conform to this regulation will not be permitted to work on the grounds.
2. The first preliminary of any improvement should be a careful study of the lot and surroundings. The design, which must be approved by the Cemetery Board of Trustees, should be made in harmony with the scenic character of the cemetery. To avoid making unnecessary plans the Board should be consulted in advance so that the designer may learn what improvement will be allowed upon any particular lot. The Trustees reserve the right to reject any monument design that is inappropriate or too large. Inappropriate designs include the use of vulgar language; trademarked images; moving images such as video

displays, holograms or the like; or are otherwise not in keeping with the character of the cemetery. Photographs permanently adhered to the monument shall not exceed 4 inches by 5 inches in size.

3. No monuments or markers shall be permitted which utilize colors other than those of natural stone.
4. The area covered by the base of a monument may not exceed 20 per cent of the area of the lot. The width of the base may not exceed three fourths of the width of the lot. The depth of the base shall not exceed the depth of the monument space available on the lot. Markers set with the upper surface flush with the grade may not exceed 20 per cent of the area of the lot; the cross lot dimension may not exceed three fourths of the width of the lot. The surface area of the face of the monument shall not exceed 40 per cent of the surface area of the lot, and **in no event shall be more than four feet high (including the base) or five feet in width.** Lot owners seeking a variance from these restriction must submit a written request to the Board of Trustees setting forth the reasons for such request accompanied by a plan for the proposed monument.
5. Attention is particularly called to the danger of overcrowding monumental work, which not only seriously mars the beauty and effectiveness of the design for the individual lot, but also causes a similar injury to the improvements upon all lots in the vicinity.
6. All monumental work must be of bronze or stone of approved quality. The most suitable and acceptable material is granite.
7. All persons desiring to do monumental work, or to make any improvement or change whatever upon lots must file at the Cemetery the design and plan of the work (showing sizes, kind of materials, inscriptions and location of the proposed memorial on the lot), and a written order signed by the owner or owners of the lot or grave as authority for the same. The approval of the Cemetery must be obtained and a permit secured before commencing the work or bringing any material on to the grounds. Such permit shall be shown whenever demanded by any employee of the Cemetery.
8. Stone cutters, and other will not be allowed to work on the Cemetery grounds, either before or after working hours, without a special permit from the superintendent.
9. No work shall be commenced on Saturday which cannot be finished and the debris entirely removed before the hour of quitting work on that day. Monumental material or apparatus must not obstruct avenues or pathways and will not be permitted to enter the Cemetery until required for immediate use. Boxing

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and waste material will not be allowed to accumulate. They must be removed immediately.

10. Heavy trucking will not be allowed on the grounds when it may do injury.
11. When work is suspended by the above regulation or for any other means, all material pertaining thereto must be confined to the lot or removed to such place as the superintendent may direct.
12. All materials must be delivered to lots on planking. Adjacent lots must not be trespassed upon. Guy ropes must be secured only at such points and in such manner as the superintendent or his deputy may approve. In making improvements upon lots, the contractor must restore the grade and sod to the satisfaction of the superintendent.
13. To protect the grounds and especially the lots from injury, all excavation for tombs and monuments and all foundations will be made or built by the Association or under its supervision at the expense of the owner or owners thereof.
14. All foundations for monuments and headstones must be solid masonry and extend to the bottom of the grave, except by special permit. All foundations will be constructed by or under the direction of the Cemetery. Monuments must not encroach upon the space allowed for interments. Lot owners will be held responsible for damages done to adjoining lots by neglect or violation of this rule.
15. No monument will be allowed to be delivered to the cemetery until the foundation is installed and ready to receive the monument.
16. Foundations must be the full size of the superstructure, and must be finished off at such levels as will permit the cut stone work to be set at least one inch below the surface of the sod at all points.
17. All monumental work must have the surface next to the foundation dressed off sufficiently true to allow every part to be in contact with the foundation and must be set in a solid bed of cement without wedging or sprawls.
18. Lot boundaries are determined by the Cemetery. If boundary posts are desired, they must be eight inches square and set flush with the surface of the ground. No raised letter will be allowed, and cemetery markers, if any, must not be removed. The lot owner will bear the expense of installing such posts.
19. Enclosures of lots of graves will not be allowed.

20. The lot owner is responsible for all repairs to monuments.
21. Only one monument will be allowed on a lot and shall be set in line with other monuments adjacent thereto and centered within the width of the lot.
22. Foot markers must be flush with grade.

Interments

1. Interments and removals can be made only in accordance with the regulations of the Board of Health.
2. No interment shall be allowed without permission being first obtained from the Cemetery. When an interment is to be made a written order for same signed by the owner, or his authorized agent, must be filed at the office. This order shall designate
 - a. The name of the deceased
 - b. Age of the deceased—including date of birth, if known
 - c. Place of birth of the deceased, if known
 - d. Date of death
 - e. If not an adult, the names of parents(s) or legal guardian(s) of deceased
 - f. The location of the grave,
 - g. Name of undertaker,
 - h. Exact size of box,
 - i. Date of interment and time of arrival at cemetery.
3. 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 by the lot owner.
4. Notice of interment must be given at least 48 hours in advance at the cemetery office, exclusive of Sundays and holidays.
5. Funerals must be at the Cemetery by 2:00 p.m. in order that workmen will have sufficient time to properly close the grave and remove equipment before 4:30 p.m.
6. When instructions for opening a grave are indefinite, or for any reason the grave cannot be opened in the location specified, the Superintendent will order it opened at such location in the lot as may seem best, under the circumstances. Such action is necessary in order to avoid delaying funerals.
7. Lot owners and others are required to pre-pay charges for interments, work and materials.
8. No interments are allowed on Sundays or holidays,

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9. All interments must be made under the direction of the Superintendent, who will have control of the digging of graves, and all matters relating to burials. An attendant of the Cemetery is required to be present at every interment. When a Funeral enters the Cemetery grounds it is under the supervisory direction of the Cemetery Superintendent.
10. To eliminate sunken graves the Cemetery Association strongly recommends the use of outer concrete burial cases. Ask your funeral director about them. Failure to use a concrete burial case may result in additional charges to cover the cost of future remedial work.
11. No mounds will be allowed and no filling or sodding or other work on graves shall be done without a permit from the Superintendent.
12. Only one interment is allowed in a grave, unless specified otherwise, or in the case of interment of cremains.
13. The container for cremated remains to be interred shall be of a permanent, non-biodegradable material approved by the Cemetery.
14. Funeral designs, floral pieces and other decorations will be removed from the graves as they become wilted or unsightly, and in no case will employees attempt to find them after removal. Parties desiring to retain any must notify the Superintendent at the time of the interment.

Disinterments

1. Disinterments shall be allowed only upon the consent of the Cemetery and upon the written order of the owner or owners of the lot, plot, or grave and in accordance with all the provisions of Section 1510 (e) of the Not-for-Profit Corporation Law. All disinterments will be under the supervision of the Cemetery and in its sole and absolute discretion.
2. Family members are strongly discouraged from being present during disinterment as the disinterment process is likely to be difficult to observe. A clergy person or funeral director may witness the disinterment on behalf of the family.

Columbarium Rules

These Columbarium Rules and Regulations are adopted for the common protection of the owners of all niches and the preservation of the natural beauty of the Huntington Rural Cemetery grounds. All owners and visitors within the Cemetery, and all lots, niches, and other interment space conveyed, shall be subject hereto and to such other rules and regulations, amendments, or alterations as shall be adopted by the Cemetery Board of Trustees from time to time; and the reference to these Rules and Regulations in the burial grants, contracts, or other instruments issued by the Huntington Rural Cemetery shall have the same force and effect, as if they were set forth in full therein.

1. Except as provided for in Section 1513(c) of the Not-For-Profit Corporation Law, no niche owner may transfer his or her niche.
2. The price for a niche is subject to change without notice upon filing with the Division of Cemeteries, except as otherwise required by law. The price for a niche space or spaces does not include etching of inscriptions and is subject to change without notice except as required by law. No inurnments shall be permitted in any niche in the columbarium until all payments due the Cemetery have been made.
3. All inurnments must be made subject to the rules and regulations of the Cemetery and all federal, state and local laws, ordinances, and regulations.
4. Only one human cremated remains per single niche and only two human cremated remains per double niche will be allowed.
5. The container for cremated remains to be inurned shall be of a permanent, non-biodegradable material approved by the Cemetery and shall be of a size suitable for the niche. (No Cardboard Boxes will be permitted) The Superintendent or his representative shall have full authority to refuse to accept for inurnment any receptacle deemed unsuitable.
SIZE: SINGLE NICHE: 12" x 12" x 12"
DOUBLE NICHE: 12" x 12" x 24"
6. No disurnment of cremains in the columbarium will be permitted except upon written order of both the recorded owner and appropriate heirs of the person whose cremains are to be moved or disintombed, or upon order of a court of competent jurisdiction and except upon full compliance with all applicable federal, state and local laws and the Rules and Regulations of the Cemetery.
7. Inurnments in a niche are restricted to those entitled to inurnment therein according to the terms of Section 1512 of the Not-for-Profit Corporation Law. Permission for inurnment of those not entitled to inurnment according to the said Section must be filed with the Cemetery by the lot owner.

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8. Inurnment will be made only by or under the supervision of Cemetery personnel during normal interment hours and conditions.
9. The Cemetery shall not be liable for the identity of remains to be inurned.
10. Inscriptions on niches shall be etched in a size and style designated by the Cemetery Board of Trustees. No titles or fraternal emblems are allowed. A drawing of the engraving must be submitted to and approved by the Cemetery prior to etching. Drilling or attachment of any kind to the niche or columbarium is not permitted.
11. All removals and disurnments shall be done by or under the supervision of the Cemetery personnel. The Cemetery will exercise reasonable care in making a removal, but it assumes no liability for damage to any urn occurring in the process of making a removal, except due to gross negligence or acts with an intent to do damage.
12. Funeral decorations will be removed in seven days after the inurnment or whenever they become unsightly or at the discretion of the Superintendent or his representative. The Cemetery will assume no responsibility for the safekeeping of any floral memorial or container.
13. No floral memorials, memorial lights, or other ornamentation will be attached to or placed near the columbarium. The Cemetery reserves the right to remove any such ornamentation or correct any such alteration at the expense of the owner without being deemed guilty of any manner of trespass and without prior notice.
14. Artificial flowers or decorations are not permitted and will be removed immediately without prior notice.
15. If an owner shall purchase an interment space of equal or greater value from the Cemetery, the original price for niche will be allowed in part payment for the said space, less the cost of replacing the etching.
16. If the niche is destroyed or damaged for any reason the Cemetery, upon due notice to the niche owner, may cause any remains inurned therein to be either promptly interred elsewhere in the cemetery or delivered on written request to the owner or representative of the niche in which they were inurned.
17. The Cemetery reserves the right, upon due notice to the niche owner, to correct any errors made by it in granting any niche either by substituting other interment property of like kind, equal value, or similar location, so far as possible, or as may be selected by the Cemetery, or by refunding the amount of money paid on account of said purchase.

Regulations Concerning Plantings and Decorations

1. The planting of trees, shrubs, rose bushes, and vines, regardless of size, is prohibited. The Cemetery reserves the right to remove any trees, shrubs, rose bushes and vines, without prior notice. Flowers may be planted or arranged at the base of monuments only, in an area not to extend beyond the width of the monument or more than eighteen inches in front of the monument.
2. No open flames or artificial lights will be allowed.
3. In order to maintain the dignity and allow for proper maintenance of the grounds, and to avoid infringing on other graves or creating a safety hazard, excessive decorations by the use of artificial flowers, stuffed animals, bows, ribbons, pinwheels, balloons, wind chimes, toys, photographs, and the like are not permitted and will be removed without prior notice.
4. Placing of glass blocks or vases as receptacles for flowers, either artificial or grown, on graves or plots is prohibited.
5. All walks must be of sod. No gravel or small rock borders permitted around graves, monuments or headstones.
6. No enclosures of lots or graves are allowed.
7. No stepping stones to lots will be allowed.

General Rules

1. All persons are requested not to throw refuse matter on the Cemetery grounds. Receptacles for that purpose are provided at convenient distances.
2. No person will be allowed to remove any tree, shrubbery, or flower from any lot unless a permit is first obtained from the Superintendent.
3. The grounds of the Association shall not be used for a public thoroughfare.
4. Hunting and the discharge of firearms, except at military funerals or memorial services, is strictly prohibited within the Cemetery enclosure.
5. Dogs are not permitted on the Cemetery grounds.
6. The Trustees reserve to themselves the right of preventing the erection or removal of any structure of enclosure which they shall consider injurious to the immediate locality or prejudicial to the general good appearance of the cemetery and of preventing any planting which they may deem injurious; also of

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removing or pruning any trees or shrubbery which may obstruct or mar the effect and beauty of the scenery, or may otherwise prove injurious or unsightly.

7. If any trees or shrubs, situated in any lot, shall by means of their roots, branches, or otherwise, become detrimental to the adjacent lots or avenues, or dangerous or inconvenient for visitors, the Cemetery shall have the right to enter said lot, and remove said trees or shrubs, or such part thereof as are detrimental.
8. Where lots in the opinion of the Cemetery officials have a neglected appearance, caused by sinking of the graves or ground, monuments or headstones leaning or falling, or from other causes, the Superintendent shall after having notified the owner of the lot, have the necessary work done to put the lot in proper condition, charging the cost for doing the same to the owners.
9. No person shall detach any faucet, pipe or part of the water supply system, or tamper with it in any way, and no attachments or extensions shall be made thereto without permission of the Trustees.
10. No title to a lot shall be valid until the amount of the purchase money shall have been paid, and the Trustees reserve the right to remove all bodies which may have been interred in such lots, and place the same in public ground.
11. Joint deeds to lots, other than husband and wife, are discouraged as a practice that often gives rise to disputes and disagreements.
12. The Trustees may from time to time lay out or alter the avenues or walks or makes rules and regulations for the government of the grounds as they may deem requisite and proper to secure and promote the general objects of the Cemetery.
13. Lot owners and their families will be allowed access to their lots subject to such rules and regulations as may be adopted by the cemetery.
14. These By-Laws and the Rules and Regulations may be amended at a meeting of the Trustees upon the vote of two-thirds of all Trustees.

Rules Concerning Visitors

1. Visitors are reminded that these grounds are sacredly devoted to the interment of the deceased, and that a strict observance of the decorum which should characterize such a place will be required of all.
2. Any person disturbing the quiet and good order of the place, by noise or other improper conduct, or who shall

violate any of the foregoing rules, will be asked to leave the grounds.

3. Cemetery grounds are open to visitors during daylight hours only.
4. The Huntington Rural Cemetery Association is not a stock company and was organized March 10, 1851, under the "Act Authorizing the Incorporation of Rural Cemetery Associations" passed April 27, 1847, and the several Amendments thereto. The statues contain every desirable provision for the safety, permanence and government of the Cemetery.
5. The act also provides for the punishment of any person who shall deface, mutilate or otherwise injure any monument, enclosure or shrubbery in the grounds and for the payment of damages which may in consequence be sustained.

Under the Cemetery Laws of the State of New York the following annotation clearly states the nature of lot owner's rights. "A lot holder in a rural cemetery association incorporated under L. 1847, Ch. 133, acquires only the right to use the same for the purpose of interments. No such authority is granted as makes him an owner in such sense as to exclude the general proprietorship of the association. The association remains the owner in general and holds that relation to the public and to the Government, while subject to this, the individual has a right of exclusive of any other person to bury upon the sub-divided plot assigned to him."

Issues with respect to maintenance of the grounds or enforcement of these rules and regulations should be reported to the cemetery office at (631) 427-1272.