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**CEDAR GROVE  
CEMETERY ASSOCIATION**

Flushing, New York

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**Cedar Grove Cemetery  
and  
Mount Hebron Cemetery**

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**General Rules & Regulations  
and  
Monument Rules & Regulations**

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Reprinted April 2012

**GENERAL RULES AND REGULATIONS OF  
CEDAR GROVE CEMETERY ASSOCIATION**

**TABLE OF CONTENTS**

**General Rules and Regulations**

Amendment and Waiver .....Back cover  
Definitions.....1  
Disinterments .....18  
General Rules .....3  
Interments.....10  
Outside Contractors .....16  
Ownership .....8  
Perpetual Care .....18  
Seasonal Care .....13

**Monument Rules and Regulations**

Amendment and Waiver .....Back cover  
Companion Plots .....27  
Double Headstones .....29  
General Monument Rules .....20  
Mausoleums .....31  
Private Plots .....25  
Single Headstones .....27  
Triple Headstones .....30

**Definitions**

As used in these Rules and Regulations, where necessary and appropriate, the singular shall be deemed to include the plural, and vice versa, and the masculine shall be deemed to include the feminine or neuter, and vice versa, as the text may require. The following terms shall have the meaning hereinafter defined, unless a contrary intention appears from the context of any particular Rule or Regulation:

a) "Association" or "Cemetery Association" shall mean Cedar Grove Cemetery Association, a cemetery association incorporated under the Laws of the State of New York and/or its officers and employees.

b) "Cemetery" shall mean Mount Hebron Cemetery, and/or Cedar Grove Cemetery, situated in Flushing, Borough and County of Queens; New York, including all lands, buildings, structures and improvements thereon, and other properties belonging to the Association.

c) "Management" shall mean the person or persons who are responsible for the operation, maintenance and control of the Cemetery, and who are regularly engaged in the administration and management of its affairs.

d) The terms "Lot" and "Plot" are used interchangeably and shall mean any area of four or more graves situated in at least two or more adjacent lines as shown on the map of the Cemetery on file in the office of the Cemetery and designated by the Cemetery as a family plot. Family plots shall have one family monument placed in the rear center of the plot bearing only the family name.

e) "Cemetery lot" shall mean an area of 320 sq. ft. as shown on the map of the Cemetery and so designated in the deed of conveyance with respect hereto, and shall apply with like effect to one or more adjoining plots held together in the same ownership and to family circles and organizations.

f) "Grave" shall mean an interment space in the earth for the remains of a human being, as shown on the maps of the Cemetery on file in the office of the Cemetery.

g) "Crypt" shall mean a space above or below the surface of the ground in a private or community mausoleum used or intended to be used for entombment or inurnment purposes.

h) "Niche" shall mean a space used or intended to be used for inurnment purposes only.

i) "Monument" or "Memorial" shall mean any grave marker, family monument, footstone, headstone, mausoleum or crypt or niche facing.

j) "Interment" or "Burial" shall mean the placing of the remains of a human being either in the earth or by entombment or inurnment.

k) "Entombment" shall mean the placing of the remains of a human being in a crypt or vault, whether above or below the surface of the ground.

l) "Inurnment" shall mean the placing of the cremated remains of a human being in a crypt, niche or vault, whether above or below the surface of the ground.

m) "Disinterment" and "Disentombment" shall mean the removal of human remains from a lot, grave, crypt, or niche.

n) "Care," "Annual Care," and "Seasonal Care" are used interchangeably and shall mean the mowing of grass on graves or lots at periodic intervals, trimming of plants, pruning of shrubs in the spring and the fall and the removal of debris. More detailed rules pertaining to the care of graves and lots are set forth in Rules 36 through 45.

o) "Endowed Care" is income derived from a trust that provides for the care of a lot or grave.

p) "Bed" shall mean an open enclosure in front of a monument consisting of one or more pieces and constructed of granite, concrete, or composition

material. Placement shall be over the perimeter of the grave(s). More details concerning beds are set forth in Rule 37 of the General Rules and Regulations of the Association and Rules 15a through 15c of the Monument Rules and Regulations.

## GENERAL RULES AND REGULATIONS

1. All lots, graves, crypts, niches and mausoleums in the Cemetery shall be owned and held subject to the Laws of the State of New York and the Rules and Regulations of the Association now in force or hereafter adopted, whether or not the same appear in the Rules and Regulations annexed to the deeds to such graves, lots, crypts, niches or mausoleums.

2. **APPLIES TO MOUNT HEBRON CEMETERY ONLY:** The Cemetery grounds will be open for visitation on weekdays and Sundays from 8:00 A.M. to 5:00 P.M. The Cemetery shall be closed on Saturdays, Jewish Legal, and Union holidays. No interment, disinterment or unveiling shall take place before 9:30 A.M. or after 3:30 P.M. In the event a funeral shall arrive after 3:30 P.M. on weekdays or 1:00 P.M. on Sundays, the approved charge for such late arrival shall be imposed.

2a. **APPLIES TO CEDAR GROVE CEMETERY ONLY:** The Cemetery gate will be open for visitations Sunday through Saturday from 8:00 A.M. to 5:00 P.M. The Cemetery shall be closed on Legal and Union holidays. No interment shall take place before 9:30 A.M. or after 3:30 P.M. In the event a funeral shall arrive after 3:30 P.M., an approved charge for such late arrival shall be imposed.

3. **APPLIES TO MOUNT HEBRON CEMETERY ONLY:** Interment, entombment and inurnment shall be limited to the remains of persons who at the time of their death were of the Jewish Faith. In the event objection to an interment is raised by a plot owner or other interested party on the grounds that the deceased was not a member of the Jewish Faith at the time of his or her death, Management shall have the right to

refuse interment, entombment, or inurnment until sufficient proof to the contrary is received.

4. All persons entering the Cemetery for whatever reason must display proper respect for the deceased and for the sacred burial grounds in which they are interred. Management and the employees of the Association may take such measures as the circumstances warrant in order to assure strict observance of this basic principle. In addition, the following must be adhered to:

(a) Persons with food, liquor or any other form of refreshment will not be permitted on the Cemetery grounds. Persons in possession of such articles must dispose of or leave same at the Cemetery Office.

(b) Rapid driving or driving upon paths or borders is strictly forbidden. Drivers may not turn around or back up in the roadways, except in places provided for such purpose.

(c) Soliciting work in the Cemetery by gardeners, monument firms, outside contractors, or any other person is prohibited.

(d) All work and other activity must cease during the conducting of funeral services in the vicinity.

(e) Visitors must not throw or scatter papers or other material on the Cemetery grounds.

(f) The taking of photographs on the Cemetery grounds will not be allowed without a permit from the Cemetery office.

(g) Small children must be accompanied by an adult.

(h) Animals may not be brought into the Cemetery, except "seeing eye" dogs.

(i) All persons are prohibited from climbing, vaulting or crossing any enclosures.

(j) No signs of any kind will be permitted on graves, lots, plots or mausoleums. No advertisements in any form will be permitted on any work in the Cemetery, and the Cemetery reserves the right to remove and destroy any such signs or advertisements without notice or liability.

(k) Any person who violates the rules and regulations of the Cemetery in any respect or, being a contractor whose work or behavior, in the opinion of the Cemetery, is unsatisfactory in any respect, will be deemed an improper person and may thereafter be excluded from the cemetery.

5. The owner of each lot shall keep the improvements thereon in repair at his own expense.

(a) In the event trees or shrubs on any grave or lot shall by reason of their roots, branches or otherwise, become detrimental to adjacent lots, graves, paths, or roadways, or become overgrown or hazardous to visitors or employees of the Association; or if any embellishment or any other construction situated on a grave or lot has fallen, or is in a damaged condition, or is in such need of repair as to cause a hazard or possible injury or danger to passengers, pedestrians or employees of the Association, the Association may, upon notice as provided by statute, have the right to enter upon said grave or lot and remove, or otherwise remedy the condition.

(b) In the event a grave or lot which is not under seasonal or endowed care shall become overgrown, hazardous, or detrimental to adjacent graves, lots, roadways or paths, the Cemetery Association may at any time, upon notice as provided by statute, enter thereon in order to properly maintain or remove same without further notice or liability.

(c) In the event any walks or paths situated in a society or organizational area shall become hazardous or in need of repair, or if any improvements located in such area shall be in a state of disrepair or create a hazardous condition, or if any of the conditions set forth in Paragraphs 5(a) or 5(b) herein exist in such area, the Association may require such organization to rectify such condition following notice to it as provided by statute. In the event such organization shall fail to do so, the Cemetery Association may proceed to remedy such condition, but nothing herein shall obligate the Association to do so.

- (d) Prior to invoking the Rules set forth in Paragraphs 5(a), 5(b) and 5(c) herein, the Association shall give notice, and in the event of noncompliance with such notice, shall act in accordance with and as provided by statute.
6. All persons within the Cemetery grounds shall use only the avenues, roads, walks and paths and shall have the right of access over the paths and walks in the area in which the grave or lot they are visiting is located. The Cemetery Association shall not be liable for any injuries sustained by any persons violating this rule.
  7. The Association shall not be liable for damage or injury to any person or property in the Cemetery, except for its own willful misconduct or gross negligence. Persons entering the Cemetery grounds, or acquiring lots or graves therein, are mere licensees and assume every and all risks.
  8. The Association shall not be liable for damage to or loss of or destruction of any structure or embellishment, including but not limited to marble, granite or concrete work on any lot, grave or crypt from causes beyond its reasonable control, including but not limited to the elements, Acts of God, the common enemy, thieves, vandals, strikes, lockouts, malicious mischief, explosions, wars, riots, or by orders of any military or civil authority. In the event of any such damage or destruction, or in the event the owner fails to replace, repair, reset or reconstruct the same within the period specified by statutory notice, the Association may at any time thereafter act in accordance with and as provided by statute. However, nothing herein contained shall obligate the Association to do so.
  9. The Association shall provide labor for all interments, disinterments, entombments, disentombments, inurnments, excavations for monuments, and the construction of all foundations, walks and curbs, as well as all necessary equipment relative thereto, at the expense of the grave, lot, crypt or niche owner, who shall pay for such service in advance.
10. The Association shall make the final determination as to the grading of a grave or lot, and all construction erected thereon shall be in conformity therewith.
  11. For the purposes of performing work on any lot, grave or other part of the Cemetery, including the making of interments, entombments and inurnments, disinterments, and disentombments, excavations for any other purpose, or for repairs or improvements, the Association reserves the right to temporarily enter upon and use adjoining areas, including lots or graves, to receive such machinery and materials as may be necessary to perform all the work in connection therewith and shall restore such area to its original condition in a reasonable period of time.
  12.
    - (a) No entrance sills or enclosures of any kind including, without limitations, hedges, shrubs, posts, bars, copings, chains and rails shall be installed on private plots.
    - (b) No benches shall be set on a plot that contains less than 160 sq. ft. in area.
    - (c) The entrance to every lot must at all times remain unobstructed to provide access to the lot.
    - (d) If, in order to open a grave or to make an interment or disinterment, the Association at any time deems it necessary to remove existing hedges, shrubs, posts, bars, copings, corner markers, entrance sills, enclosures or parts of enclosures, it may, subject to the approval of the family or their agent, remove and dispose of the same without any liability and without responsibility. Once hedges, shrubs, posts, bars, corner markers, entrance sills, enclosures or parts of enclosures have been removed and disposed of, the same may not be reinstalled.
  13. In accordance with the provisions of the law in such cases made and provided, the Association reserves the right to change the boundaries or grading of the Cemetery, including the right to modify, relocate, regrade or eliminate roads, drives and/or walks. It also reserves for itself and any authorized persons or contractors, easements and right of way under, through and

over the Cemetery grounds and any and every part thereof for the purpose of setting and inscribing monuments, laying, maintaining and operating or altering or changing pipes, line conduits, gutters and/or drains for sprinkling systems, drainage, electric or communications lines, or for any other purpose.

14. No interment will be permitted in any path, walk or road, whether or not it is shown on the maps of the Association.
15. All charges of the Association must be prepaid. No interment, entombment, inurnment, or disinterment, disentombment will be permitted and no monument, memorial or embellishment may be placed upon any lot, grave, crypt or niche against which there is any charge of the Association due and unpaid.
16. All charges for regularly performed services shall be posted in the office of the Association and shall be final. The Association shall have the right to change its charges from time to time in accordance with the Laws of the State of New York.
17. In certain instances, at the discretion of Management, the Association reserves the right to hire or require the services of an outside contractor where cemetery labor is unable to adequately perform the required service.
18. Violators of the Rules and Regulations of the Association or trespassers on the Cemetery grounds may be ejected therefrom and prosecuted and held liable under the law for any damage done by them. Anyone who persistently violates said Rules and Regulations may be excluded from the Cemetery and assessed such penalties as may be prescribed by the Board of Directors of the Association in accordance with the Laws of the State of New York.

#### **OWNERSHIP**

19. No person will be recognized as the owner or co-owner of any grave, lot, crypt, or niche, or any part thereof unless his or her name is validly recorded on the records of the Association.

Following the death of a lot owner or owner of single graves, crypts or niches, or the purchaser under an agreement of purchase thereof, no interments or entombments or use of the lot or remaining graves, crypts or niches may be made until an affidavit of heirship or a probated copy of the last will and testament of the decedent, if any, are filed in the office of the Cemetery Association, and proper filing fee paid. Specimen forms of such affidavit may be obtained at the Cemetery office.

20. The Association shall be entitled to rely and act upon the truth of the statements contained in any affidavit, permit, authorization, deed assignment, reservation of interment or entombment space, or any and all other instruments affecting the ownership, possession, care, control and maintenance of any grave, lot, crypt, niche, or part thereof.
21. The Association shall be entitled to collect such fee as it may regularly charge for the filing and recordation of any instrument pertaining to a grave, lot, crypt or niche, and shall have the right to refuse to accept any such instrument for recordation until such charge has been paid.
22. The owner of any grave, lot, crypt or niche shall not permit interments to be made therein for remuneration.
23. The Association reserves the right to correct any error that it may make in the location or placing of monuments, or in a contract or deed pertaining to the sale or conveyance of interment space. In the event of any error made in the contract or deed, the Association may correct the same, or in its discretion substitute another grave, lot, crypt or niche of equal value and similar location, or cancel the same and refund any monies previously paid without any further liability to the Association.
24. No title to a lot, crypt, niche or grave, or any part thereof, shall be deemed to pass to the purchaser until the full purchase price shall have been paid. No burial shall be permitted until the entire purchase price has been paid.

25. All transfers or assignments of any lot, crypt, niche or grave, or any part thereof, shall be made in accordance with the Rules and Regulations of the Association as herein stated or as may hereafter be amended and also in accordance with the Laws of the State of New York.

#### **INTERMENTS AND ENTOMBMENTS**

26. No interment or entombment shall take place without an authorization, order or permit signed by the person or persons authorized by law and/or by the grave, lot, crypt or niche owner or owners. The same shall designate the location of the grave to be used and shall be filed in the office of the Association. The Association shall be entitled to rely on the accuracy of the information set forth in such permit, and shall not be liable for any error therein contained, or as to the identity of the person whose remains are to be interred.
27. Orders for interments or entombments may, at the option of the Association, be received by telephone. The Association shall not be responsible for any error that may be made in accepting a telephoned order.
28. Each body to be buried at any of the cemeteries operated by the Association shall be enclosed in a casket or alternate container (as defined in 19 NYCRR §203.1), unless the person with right to the possession of the body expresses an objection based upon a religious belief. In that event, the family of the decedent shall bear the body from the hearse to the gravesite and shall inter the body without the intervention of the Association personnel. All individuals who bear the body or participate in the interment must execute appropriate releases of the Association to protect the Association in the event of any injury occurring as a result of their activities. The family of the decedent shall bear any additional expense beyond that which would have been incurred if the body had been buried in a casket.
29. **APPLIES TO MOUNT HEBRON CEMETERY ONLY:** Orders for interments or entombments must be received prior to 9:00 A.M. the day the

interment is to be made, and the following information furnished: (a) name of the deceased; (b) block, section, lot, line and grave number; (c) name of owner of interment space; (d) name of funeral establishment; (e) exact size of burial container; (f) date of interment or entombment and time of arrival at Cemetery; (g) name and address of the next of kin.

- 29a. **APPLIES TO CEDAR GROVE CEMETERY ONLY:** Orders for interment must be received at least forty-eight (48) hours prior to the time of interment, and the following information furnished: (a) name of the deceased; (b) block, section, lot, line and grave number; (c) name of owner of interment space; (d) name of funeral establishment; (e) exact size of burial container; (f) date of interment and time of arrival at Cemetery; (g) name and address of the next of kin.
30. Management must receive reasonable notice prior to the arrival of a funeral cortege at the Cemetery. Such time must be sufficient to enable the Cemetery to make proper preparations therefor.
31. All funerals upon reaching the Cemetery shall be under the supervision of the Management. The Association shall have the right to refuse to proceed with the interment or entombment unless the funeral is accompanied by a duly licensed funeral director. Before the interment may proceed, such funeral director must register at the Cemetery office and deliver all necessary permits and authorization thereto.
32. Payment of the established charge for opening and closing of grave, crypts, or niches shall be made prior to the actual interment or entombment. All graves, crypts, or niches shall be opened and closed by the Cemetery. In certain instances, at the discretion of Management, the Association reserves the right to hire or require the services of an outside contractor where Cemetery labor is unable to adequately perform the required service.
33. No interment or disinterment, or inurnment, entombment or disentombment or the erection of a monument or memorial shall be permitted

in or from any lot, crypt, niche, or grave against which there are any unpaid charges due the Association or where the cost of the burial plot, crypt or niche remains unpaid.

34. **APPLIES TO MOUNT HEBRON CEMETERY**

**ONLY:** The outer width of a burial container shall not exceed twenty-eight (28") inches in any grave measuring thirty (30") inches in width, and if the same is larger, two graves must be utilized. If the grave is other than thirty (30") inches in width, the burial container must be at least two (2") inches smaller than the width of the grave. In no event shall the length of a burial container exceed eighty-nine (89") inches. This rule will be strictly enforced.

**IMPORTANT:** Management shall have the right to make the final determination as to the maximum width and length of any burial container, based on the size of the grave as delineated on maps on file in the office of the Association or as determined by actual on site survey.

(a) **APPLIES TO CEDAR GROVE**

**CEMETERY ONLY:** The outer width of a burial container must be at least two (2") inches smaller than the width of the grave. In no event shall the length of a burial container exceed ninety (90") inches. This rule will be strictly enforced.

**IMPORTANT:** Management shall have the right to make the final determination as to the maximum width and length of any burial container, based on the size of the grave as delineated on maps on file in the office of the Association or as determined by actual on site survey.

(b) **APPLIES TO CEDAR GROVE**

**CEMETERY ONLY:** Where an outer container constructed of concrete, metal, fiberglass, or any other material with the exception of wood shall used for an interment, the maximum number interments in any one grave shall be two (2). When an outer container constructed of wood shall be used for an interment, the maximum number of interments in any one grave shall be three (3). There will be no exceptions to this.

(c) **APPLIES TO MOUNT HEBRON**

**CEMETERY ONLY:** Only one urn or receptacle containing cremated remains of not more than one individual shall be permitted in a grave located in a single grave section or organization grounds within the Cemetery. (Same Monument Rules will apply for cremains as for single, double, triple monuments or rules applicable for specific areas.)

(d) **APPLIES TO MOUNT HEBRON**

**CEMETERY ONLY:** No more than two urns or receptacles containing cremated remains of not more than two individuals shall be permitted in one adult grave in a family plot within the cemetery. (Refer to Rule 35, of the Monument Rules and Regulations of the Cemetery for monument restrictions concerning cremations).

(e) **APPLIES TO MOUNT HEBRON**

**CEMETERY ONLY:** Only one body shall be permitted in one grave be it society or family plot sections.

(f) **APPLIES TO MOUNT HEBRON**

**CEMETERY ONLY:** The burial of cremains and the burial of a casket will not be permitted in the same grave.

35. The Association shall not be liable for any delay in interment or entombment where its Rules and Regulations have not been complied with, or where unforeseen underground obstructions are encountered, or where a protest has been made, or where circumstances are beyond the Cemetery's control.

**SEASONAL CARE**

36. The Terms "Care," "Annual Care," and "Seasonal Care" are used interchangeably and shall mean the mowing of grass on graves or lots a minimum of four times per year at periodic intervals beginning in April and ending in October, trimming plants, pruning of shrubs in the spring and fall, and the removal of debris. Care shall not be pro-rated. This charge must be renewed and prepaid annually in accordance with the charges posted and in effect for that year. Such payment shall not include the replacement of any shrubs, flowers, plants, sodding or re-sodding of any grave or lot. The Cemetery may perform the service herein above described at any time during said period.
37. No beds of stone, concrete, metal or plastic may be used to encircle graves, except as provided by statute. No shells, stones, pebbles, etc. may be used to decorate graves or plots. Only grass or approved plants may be used. A grave or lot owner may arrange with the Cemetery office for the planting and cultivation of trees, shrubs and plants on any grave or lot.



38. No orders for the planting of trees, shrubs, plants or sod on a grave or lot will be accepted unless provision is made for care during the first year of said planting.
39. The Association shall not unreasonably refuse care and/or planting orders which Management deems to be detrimental to the interests of other plot and grave owners of the Cemetery Association.
40. The Association shall have the right to limit any type of planting if, because of grower shortage or climatic changes, that plant cannot be obtained in sufficient quantity or cannot adequately survive in the Cemetery. In making that determination, the Association shall make every effort to accommodate lot and grave owners where such plantings exist, but may prohibit new plantings where an entire gravesite or family plot is involved. The foregoing is subject to the exception set forth in Rule 44 herein.

(a) All grave plantings shall be planted at grade level. Grass or sod is not recommended on individual or reserve graves in single grave areas. Family plots will be sodded in the fall season only, except at the risk of the customer. Bark will be permitted on family plots only as a mulch for plants, shrubs or trees.

(b) All graves within a family plot and/or graves in front of a double or triple monument shall have uniform landscaping.

(c) Only bark nuggets are permitted within a bed. Other types of plants, specifically evergreens, azaleas, and junipers, do not thrive in this environment and are unacceptable for Endowed Care.

41. Seasonal care of individual graves in a private plot will not be accepted. The entire area must be maintained when placed under Seasonal care.
42. Whenever a family monument is erected over one or more lots, the entire area represented will be considered as one plot when placed under care.

43. Planted enclosures where they exist must be placed under care either (1) with the Cemetery, (2) with an outside gardener, or (3) personally by the lot owner. The enclosure must be neatly and evenly trimmed so that it does not encroach either in the walkaways or over adjacent plots or graves, and must not restrict ingress or egress to or from any adjacent area of the Cemetery. Enclosures must be trimmed to a reasonable height so that they do not obscure or restrict vision in any direction. Upon the lot owner's failure to do so, the Association will remove such enclosures at its expense after giving him twenty (20) days written notice at his last address on file with the Cemetery.
44. Lot owners may plant such shrubs and plants as the Association shall approve, after first being provided with a certificate from the grower that same are free of disease. The Association shall not be responsible for damage, replacement or survival of any nursery stock or sod which was not supplied by the Association.

(a) All shrubs must be slow growing, and must be properly maintained by the grave or lot owners at their own expense.

(b) All faded floral designs, dead flowers, broken or faded flags, candle holders, plastic containers, and any other containers shall be removed and discarded by the Association without any liability attaching thereto. However, the Association shall be under no obligation to render such services without compensation.

(c) A lot owner may not plant, or order the planting of hedges, trees or any plants to form borders around a lot. Planting in a continuous row to subdivide or separate graves within a lot will not be permitted.

(d) Care of graves or lots may be accepted by the Association during the first year following any sodding or planting which is not performed by the Association provided, however, the Association shall not be responsible for damage, replacement or the survival of the same.

(e) Nothing hereinabove contained shall be deemed to prohibit care of a grave or lot by the owner or his duly authorized representatives. All rubbish made by such owners, gardeners or other representatives must be removed at their expense immediately after completion of their work and before leaving the Cemetery. In the event this Rule is not strictly complied with, the Association may act as provided by statute.

45. Management shall have the right to limit or restrict the planting of any grave or lot in any area of the Cemetery. Management may, without notice or liability, remove and dispose of any plants or shrubs which may have been planted by a lot or grave owner or his agent, in such areas where planting has been limited or restricted.

### **OUTSIDE CONTRACTORS**

46. All outside contractors performing work on the Cemetery grounds shall present and file at the Cemetery office an indemnity bond from a responsible insurance company authorized to do business in the State of New York in the amount of \$5,000 indemnifying the Association and a grave or lot owner for any damage caused to any lot or grave or crypt or to the property of the Association.
47. In addition to the foregoing, all outside contractors shall file adequate certificates issued by responsible insurance companies authorized to transact business in the State of New York, evidencing adequate coverage for public liability and property damage and Worker's Compensation Insurance.
48. All work performed by outside contractors may be supervised by the Association for which it may charge a fee. All employees of contractors must comply with the Rules and Regulations contained herein.
49. No contractor or other person will be permitted to work on Cemetery grounds on Saturday, Sunday, Legal, Union or Religious holidays, or before 9:00 A.M. on weekdays. All workmen must leave the Cemetery grounds no later than

3:45 P.M. Monument dealers and setters will not be permitted to set or do any monument work after 3:45 P.M. on Monday through Thursday, and after 3:00 P.M. on Friday.

50. Prior to commencing any work and subject to the approval of the Association, all gardeners, monument contractors, setters, etc. employed by plot owners to work upon their plots or graves in any capacity must register at the Cemetery office and state the nature of the work to be done and file with the Association a written permit signed by the plot owner for such work. No materials may be brought in or delivered into the Cemetery until a written permit is presented to the Cemetery office, and said permit is to be exhibited whenever demanded by any employee or agent of the Cemetery.
51. The Association in no event assumes any liability to anyone by reason of its granting approval to any outside contractor to perform work at the Cemetery. If, in the opinion of the Association, any work or material furnished shall be improper, it may reject the same; and if the work has already been done or the said material been delivered on the lot, the Association may enter thereon and remove the same therefrom, as provided by statute.
52. If, in the opinion of the Association, it is necessary to make a survey before a contractor performs work or furnishes material, the Association may make a survey and may fix and collect from the contractor a reasonable charge. All corner stakes must be laid out by the Association and the grade of all lots will be determined by the Association. The contractor shall be governed by them.
53. No work shall be allowed to be left in an improper and unfinished state, and should such occur, the said contractor shall be held responsible therefor.
54. If, in the course of making improvements, some degree of obstruction to roads, avenues and paths becomes necessary, prior approval by the Association must be obtained, and the obstruction must be minimized. No unnecessary delay will be permitted after work has been commenced.

55. If heavy material is to be moved, planks must be laid on the paths or grass affected to protect them from damage.

#### **DISINTERMENTS AND DISENTOMBMENTS**

56. No disinterment or disentombment will be permitted without the consent of the Association. The written consent of the owner of the lot, grave, crypt or niche, and of all the persons whose consent may be necessary under the Laws of the State of New York is also required. The Association may, in its sole and absolute discretion, require that in addition to such consents an order of the Court also be obtained.
57. All disinterments and disentombments must be made by the Association, and all charges in connection therewith, including unpaid arrears pertaining to the grave, lot, crypt, or niche, shall be paid prior to any such disinterment or disentombment.
58. The date and time of a disinterment or disentombment shall be determined solely by the Association.

#### **ENDOWED CARE**

59. Before endowed care of any grave, lot, mausoleum, crypt or niche shall be accepted by the Association, said grave, lot, mausoleum, crypt or niche shall be inspected by Management, and it will be required that each grave, lot, mausoleum, crypt or niche be in a condition acceptable to the Association. If work is required to place the grave, lot, mausoleum, crypt or niche in a condition acceptable to the Association, said work shall be done at the expense of the owner and paid for in addition to the amount required for the Endowment.
60. The Endowed care of one or more graves within a family plot will not be accepted. The entire area must be placed under Endowed Care.

61. When Endowed Care is to be provided where a double stone has been erected, both graves must be placed under Endowed Care and landscaping on both graves must be prepaid whether or not two interments have been made.
62. Where a triple stone has been erected, all three graves must be placed under Endowed Care and landscaping on the three graves must be prepaid whether or not three interments have been made.
63. No plans for the construction of a "private" mausoleum or sarcophagus will be approved until a sum sufficient to provide Endowed Care of both the building and surrounding area has been deposited in the Endowed Care Fund of the Association. The amount necessary for Endowed Care shall be determined by the size and specifications of the building and the size and type of landscaping of the surrounding area.

## MONUMENT RULES AND REGULATIONS OF CEDAR GROVE CEMETERY ASSOCIATION

1. The Monument Rules and Regulations pertaining to all types of monuments and/or memorialization shall be deemed a part of the General Rules and Regulations of the Association. All grave and lot owners, stone masons, monument dealers, sand blasters, setters, etc., are urged to refer to the General Rules and Regulations prior to entering into any contract or agreement relative thereto. All work must be completed in strict conformity with said Rules and Regulations.
2. No orders will be accepted for the construction of foundations in any grave or plot against which there shall be any unpaid charges due to the Association. All work ordered to be done by the Association for which it may impose a charge must be paid for in advance.
3. Before commencing any work, the monument contractor shall first submit to the Cemetery, on forms provided by the Cemetery, a written order for its approval, containing but not limited to the following information:
  - (a) Type of work to be done.
  - (b) Sketch of monument to be erected and complete inscription thereon. **NOTE:** A written translation of any inscription not in the English language must be furnished as part of the foundation order.
  - (c) Width, thickness and height of base.
  - (d) Width, thickness and height of die.
  - (e) Type, finish and color of base and die.
  - (f) Name and address of purchaser.
4. The cemetery must have a permit signed by the individual who had possession of the body at the time of the interment. If the owner is a society, lodge or congregation, the permit must be signed by the authorized officers thereof and bear the seal of the organization unless instructions to the contrary have been submitted to the Cemetery. The Association shall have the right to rely and act upon the truth of all statements therein, and upon the genuineness of all signatures thereon and upon the authority of the persons signing the same to bind all interested parties. The aforesaid permit must specify the name of the deceased, the date of death, and complete location. If the permit is for a double stone or triple stone, the reserve grave number(s) must be indicated thereon. If the permit is for a family stone, a description of the lot must accompany the order.
5. The Cemetery will process a foundation order only after full payment has been received. The Association will reject any work that does not meet with its Rules and Regulations or differs from the dimensions and descriptions given in the foundation order.
6. No setting of monuments will be permitted during inclement weather, the same to be determined in the sole and absolute discretion of the Cemetery Superintendent or his assistant or designee.
7. All foundation work, including excavations, shall be done by the Association under the supervision of the Management.
8. The Association reserves the right to prevent the erection of or to remove, according to statute any monument or structure which has not received approval of the Association prior to the erection thereof, and which is not in accordance with the Rules and Regulations of the Cemetery, or which may be considered detrimental to the Cemetery, its employees, visitors, or lot owners.
9. Monument dealers must sell only first grade clean stone for monument purposes and must guarantee that such stone is free from anything that will cause rust stains, that it will not crack or pit, stain or discolor, and must agree that should any such fault develop within five years from the date of setting, that the memorial will be replaced without charge to either the lot or grave owner or the Association, regardless of

the manner of manufacture, treatment, setting or handling.

10. All work shall be produced in a first-class workmanlike manner. All stone work must have the surface next to the foundation beaded off sufficiently true and even to allow all parts to be in contact with the foundation.
11. All foundations must be ordered to the full size of the monument. Any monument, the material, inscription, or dimensions of which are different from that shown on the foundation order, will be rejected.
12. Monuments in the shape of tree stumps or other shapes detrimental to the appearance of the cemetery are forbidden.
13. Pictures, photographs, statuary or bronze plaques of any description are forbidden, and monuments having holes for pictures will be rejected.
14. No dyes, stains, paints, lacquer or coloring will be permitted on the surface of any monument. Neither blackening compound nor gold leaf will be permitted in sandblasted or incised lettering.
15. Concrete or cement beds will be permitted only in accordance with the terms of the prevailing statute. Beds must be of one piece full open-type construction and must be no wider than the width of the base of the monument in front of which it is set.

(a) Where beds are permitted, they must be restricted to the confines of the grave. No bed shall be installed where it invades the pathway which allows access to all graves in that line. Where a bed is installed abutting a roadway, 12" must be allowed at the foot of the bed.

(b) In instances where a single bed has been installed at a double monument, after the second interment has taken place, this bed may be removed and replaced with a double open bed, or at the option of the family, the single bed may be removed without charge. Two single beds will not be permitted in front of a double headstone.

(c) The Cemetery reserves the right to remove and dispose of any bed which has broken or fallen into disrepair, provided that statutory notice has been given to the owner. The Cemetery may remove any bed without charge upon the written permission of the family.

16. Duplicates of monuments which no longer conform to the Rules and Regulations of the Cemetery will be permitted only in the case of laterally adjacent graves of members of the same family.
17. In every case, where the monument is more than one piece, all pieces must be of the same origin, quality and color.
18. Foundation work will be finished true and level by the Association 2" below grade at the lowest point. Notice will be mailed when the foundation is completed.
19. All monuments and footstones shall be of granite from approved quarries. Limestone, cement, epoxy, marble or artificial stone, urns, balls or arches will not be permitted.
20. All refuse, boxes, rubbish or surplus material must be immediately removed from the Cemetery grounds.
21. All cement used for pointing joints shall be of a nonstaining kind.
22. No inscriptions or names will be permitted on the back of monuments unless the inscription is in a language other than English. Only then shall the name of the deceased be permitted to be inscribed in the English language on the back of the monument. **NOTE:** See "Private Plot" section of these rules. No epitaphs will be permitted on family monuments or single, double, or triple headstones on which only the family name has been inscribed. Graves marked with single, double or triple headstones and footstones may have an epitaph only on the footstone. Epitaphs on footstones shall be on any front facing surface.

- (a) Epitaphs on single, double, or triple headstones will be permitted only when such epitaph constitutes an integral part of the design of the monument. All epitaphs must be sand blast incised. Anything to the contrary notwithstanding, the use of any and all epitaphs shall be subject to the approval of Cemetery management.
23. Monument setters, prior to setting a monument, must first stop at the Cemetery office and notify the office of the monument or monuments to be set. No monument may be set until it has been inspected by a Cemetery foreman and such foreman has designated the specific grave or plot where it is to be set.
24. Sandblasting contractors entering upon the Cemetery grounds shall extend their compressor hose to the gravesite without placing the hose or portable unit on graves or monuments. The hose shall be placed in an orderly manner either on the sidewalk or in the pathways. Before the monument is lettered, the area must be adequately protected from any material used or caused by sandblasting. Upon completion, the area must be restored to its prior condition. The Cemetery reserves the right to charge any sandblaster for the cost of restoring damage to plants, shrubs, or sod which occurred during sandblasting operations.
25. Government markers, supplied by the Federal Government for veterans, will be permitted to be sent directly to the Cemetery for setting and must meet the following standards in addition to all other applicable Rules and Regulations contained herein:
- (a) order for foundation must be processed through the Cemetery.
- (b) size of the marker must be 2'0" wide, 1'0" thick and 4" high.
26. No ledgers or grave covers will be permitted.
27. **IMPORTANT:** The Cemetery reserves the right to limit the size and type of any monument or footstone in certain sections of the Cemetery in order to produce uniformity within that section.
- Special Monument Rules and Regulations, for these sections, when determined, shall be deemed to be a part of the Rules and Regulations contained herein.
28. Private plots shall have one family monument placed in the rear of the plot bearing only the family name. In all cases, the family monument must face the entrance of the plot. The lot owner may have a footstone erected at each grave only after an interment has taken place. Said footstone to be set on a proper foundation. Single headstones are not permitted.
29. Where a plot extends from walk to walk, the monument shall be set in the center of the plots facing both walks, and only in such a case may the inscription appear on both the front and rear of the monument.
30. Where two branches of a family have adjoining plots back to back, of equal size, one monument may be used for both plots, with names of family facing each plot. Such monument must be centered between the two plots.
31. Bases for family monuments shall be 12" in height, not more than 18" and no less than 12" in depth from the rear, nor longer than 80 percent of the width of the plot. The front or face area of the entire monument shall not exceed 15 percent of the area of the entire plot. The minimum width of die shall be 3'0", minimum thickness of die shall be 8", minimum height of die shall be 2'6".
32. There shall be at least 3" finished wash on each end of the die, and at least 2" finished wash front and back. No monument will be permitted to be set with a flush back except wing and contour face monuments. The width of the die must be at least 1" greater than the height. The die shall have a clean sawed or hammered back. There may be a rock projection of not more than 1" on any side.
33. **APPLIES TO MOUNT HEBRON CEMETERY ONLY:** In no event shall a family monument be higher than 5'0" overall. Monoliths are to be a minimum of 6' in width and 1' in thickness, a

minimum of 3'6" in height, a maximum of 4'0" in height.

(a) **APPLIES TO CEDAR GROVE CEMETERY ONLY:** In no event shall a family monument be higher than 4'6" overall. Monoliths are to be a minimum of 6' in width and 1' in thickness, a minimum of 3'6" in height, a maximum of 4'0" in height.

34. Footstones or markers set in a family plot shall be of the same kind and quality of stone as used for the family monument and/or other footstones in the plot. They must not be more than 2'0" in width, 1'2" in thickness and not more than 12" in height, and must duplicate existing footstones. Bases under footstones or markers are not permitted. Double footstones are not permitted unless both interments have taken place.

35. Where two cremains are interred within 1 adult grave, the marker for cremains in the upper half of the grave must meet the following standards:

(a) order for foundation must be processed through the Cemetery. See Rule 3 of these Rules and Regulations.

(b) size of marker must be 2'0" wide, 1'0" thick and 4" high, set flush with ground. All lettering must be sandblast incised. Color and finish must match family monument or be consistent with other footstones in plot.

36. **APPLIES TO MOUNT HEBRON CEMETERY ONLY:** Footstones shall contain only one inscription. The use of two or more names is strictly forbidden.

37. Footstones in memoriam shall only be erected if the owner gives written consent that the grave will not be used for interment.

38. Corner markers may be set without lettering or if lettered, the initials must be incised. Only one marker is permitted in each corner, and it must be set within the inside boundary line of the plot.

39. Only granite or concrete benches, without backs, are permitted. Metal or wooden benches are not permitted. If a granite bench is erected, a foundation under the legs must be ordered. Written consent of the lot owner must be filed with the Association waiving any interment privileges in the graves over which the bench is placed. No benches will be permitted in any family plot containing less than 160 sq. ft.

#### COMPANION PLOTS

40. One family monument and two footstones must be used. Each companion plot must be used separately and cannot be joined with another.

41. In addition to all other Monument Rules and Regulations, Special Monument Rules and Regulations apply to specific Companion Plot areas in both Cedar Grove and Mount Hebron Cemeteries. These Special Monument Rules and Regulations shall be deemed to be a part of the Rules and Regulations contained in this booklet and will be furnished to the purchaser of plot(s) in such specific area, or to any other interested party upon request.

#### SINGLE HEADSTONES

42. Single headstones are permitted only in the single grave or society areas of the Cemetery and may be erected only after the interment has taken place. Single headstones will not be permitted in any family plot area.

43. Bases for single headstones must be 12" in height and no less than 1'0" in depth nor more than 1'4" in depth. No base shall be more than 2'4" in width. All bases must have close-pointed or smooth ends, except as specified in Rule 49 of these Rules and Regulations.

44. There shall be at least 2" finished wash on all sides of the die. No single headstone will be permitted to be set with a flush back except as specified in Rule 49 of these Rules and Regulations.

45. **APPLIES TO MOUNT HEBRON CEMETERY ONLY:** The maximum width of the die shall not exceed 2'0". The minimum height of the die must be 2'0" and the maximum height shall not exceed 4'6". The minimum thickness of the die shall be 8" and the maximum thickness shall not exceed 12". No single headstone shall exceed 5'6" in height overall.
- (a) Footstones measuring not more than 2'0" by 1'0" may be used as a headstone provided that they are set on a base in accordance with Rules 43 and 44 of these Rules and Regulations.
46. **APPLIES TO CEDAR GROVE CEMETERY ONLY:** The maximum width of the die shall not exceed 2'0". The maximum height of the die shall not exceed 3'0". The minimum thickness of the die must be 8" and the maximum thickness shall not exceed 10". No single headstone shall exceed 3'6" in height overall. The die shall have a clean sawed or hammered back; the rock projection shall be no more than 1" on any side.
47. **APPLIES TO MOUNT HEBRON CEMETERY ONLY:** Only one inscription will be permitted on a single headstone.
48. Where footstones or foot markers are to be erected with a single stone, they must be of the same kind and quality of stone as used for the single stone. All lettering must be sandblast incised.
49. In addition to all other Monument Rules and Regulations, Special Monument Rules and Regulations apply to Single Monuments in specific areas of both Cedar Grove and Mount Hebron Cemeteries. These Special Monument Rules and Regulations shall be deemed to be a part of the Rules and Regulations contained in this booklet and will be furnished to the purchaser of grave(s) in such specific area, or to any other interested party upon request.

## DOUBLE HEADSTONES

50. Double headstones will be permitted only over two (2) graves in a line and only after the first interment has taken place. Two (2) single dies on a double base shall be considered a double headstone and the appropriate Rules and Regulations relative thereto shall apply.
51. Bases for double headstones must be 12" in height and no less than 1'0" in depth nor more than 1'4" in depth. No base shall be more than 4'4" in width. All bases must have close-pointed or smooth ends, except as specified in Rule 57 of these Rules and Regulations.
52. There shall be at least 2" finished wash on all sides of the die. No double headstone will be permitted to be set with a flush back except as specified in Rule 57 of these Rules and Regulations.
53. **APPLIES TO MOUNT HEBRON CEMETERY ONLY:** The minimum width of the die must be 2'10" and the maximum width shall not exceed 4'0". The minimum height of the die shall be 2'0" and the maximum height shall not exceed 4'6". The minimum thickness of the die shall be 8" and the maximum thickness shall not exceed 12". No stone shall exceed 5'6" in height overall.
54. **APPLIES TO CEDAR GROVE CEMETERY ONLY:** The maximum width of the die shall not exceed 3'6". The width of the die must be greater than the height by a minimum of 1". The maximum height of the die shall not exceed 3'0". The minimum thickness of the die shall be 8" and the maximum thickness shall not exceed 10". No stone shall exceed 3'6" in height overall.
55. The die shall have a clean sawed or hammered back; the rock projection shall be no more than 1" on any side.
56. Where footstones or foot markers are to be erected with a double stone, they must be of the same kind and quality of stone as used for the double stone. All lettering must be sandblast incised.



57. In addition to all other Monument Rules and Regulations, Special Monument Rules and Regulations apply to Double Monuments in specific areas of both Cedar Grove and Mount Hebron Cemeteries. These Special Monument Rules and Regulations shall be deemed to be a part of the Rules and Regulations contained in this booklet and will be furnished to the purchaser of graves in such specific area, or to any other interested party upon request.

### **TRIPLE HEADSTONES**

58. Triple headstones will only be permitted over three successive graves in the same line.
59. The minimum width of the base must be 5'0" and the maximum width of the base shall be 6'0". All bases must be 12" high. The minimum thickness of the base must be 1'2" and the maximum thickness shall be 1'4".
60. The minimum thickness of the die must be 10" and the maximum thickness of the die shall be 12". The minimum height of the die must be 2'6" and the maximum height of the die shall be 3'6".
61. There shall be at least a 2" finished wash on all sides of the die. No triple headstone will be permitted to be set with a flush back.
62. Where footstones or foot markers are to be erected with a triple headstone, they must be of the same kind and quality of stone as used for the triple stone. All lettering must be sandblast incised.

### **MAUSOLEUMS**

63. No mausoleum shall be erected on a plot containing less than 320 sq. ft., nor shall any mausoleum be wider than 75 percent of the width of the plot, nor shall a mausoleum be built less than three feet from the rear line of the plot, except where a plot extends from one walk to another, in which event the mausoleum shall be set at least five feet from the rear line.
64. The Cemetery reserves the right to restrict or determine the location of a mausoleum on any plot. Mausoleums must, as to dimensions, location on the plot, character of materials, nature of workmanship inclusive of finish, bases and foundations, comply with the Rules and Regulations pertaining to the construction of mausoleums, which will be furnished on request.
65. Private mausoleums shall be designed to provide for only one entombment in any catacomb. The construction of catacombs for the entombment of more than one body behind one catacomb front or tablet will not be permitted.
66. Mausoleums shall face the front of the lot and shall not be erected with the side to the road.
67. No plans for the construction of a mausoleum or sarcophagus will be approved until a sum sufficient to provide Endowed Care of both the building and surrounding plot has been deposited in the Care Fund of the Association. It shall be understood that the amount necessary for Endowed Care shall be determined by the size and specifications of the building and the size and type of landscaping of the surrounding plot.
68. Where no provision has been made with the Association for the Endowed Care of a mausoleum or sarcophagus, and no other kind of care is being given and where, in the opinion of the Management of the Association, the mausoleum or sarcophagus is in need of essential repairs, and where repairs or necessary reconstruction has not been made after due notice to the last known address of the owner of record, the Association may, at its option, after

the expiration of sixty (60) days from the sending of such notice, at the expense of the owner of the said plot, remove all bodies from such mausoleum or sarcophagus, demolish the same, and remove such mausoleum or sarcophagus and the foundation thereof, grade and surface the plot with grass, and reinter the bodies in said plot. Where the foregoing is not feasible in the opinion of the Board of Directors or Management, the Association may permanently seal up the entrance to said mausoleum or sarcophagus with suitable materials after giving the same notice as previously stated.

69. Immediately upon completion of any mausoleum, one key to the door lock must be deposited in the office of the Cemetery, to remain in the permanent custody of the Cemetery.

(a) Only those accompanied by an owner will be permitted to enter a family mausoleum.

70. Once a mausoleum or sarcophagus has been erected, no interments shall thereafter be permitted in the plot outside of the mausoleum or sarcophagus walls.

## **AMENDMENT AND WAIVER OF RULES AND REGULATIONS**

The Rules and Regulations of the Association may at any time be revised, amended, modified, supplemented or repealed in whole or in part by the Board of Directors of the Association, subject to approval of the Cemetery Board of the State of New York. Management or the Board of Directors of the Association shall have the right to waive all or any part of its Rules and Regulations in specific instances without affecting their validity or enforceability in other or future instances. The interpretation of these Rules and Regulations by Management shall be final and not subject to dispute.

The Rules and Regulations contained in the booklet have been adopted by the Board of Directors of the Cedar Grove Cemetery Association and the Cemetery Board of the State of New York.