



## **RULES & REGULATIONS GOVERNING TOWN OF DAY CEMETERIES**

1. **Ownership and Operation.** The Town of Day cemeteries will be owned and operated by the Town of Day. All affairs and business of the Town of Day Cemeteries shall be managed and governed by the Town of Day Town Board. All lots shall be used in accordance with the laws of the State of New York, and shall not be used for any other purpose than as a burial place for deceased human beings.

2. **Cemetery Board.** The Town Board may appoint a Cemetery Board of not less than three members to oversee administrative record keeping and to interact with funeral directors. Each member of the Cemetery Board shall be trained in all aspects of record keeping. Compensation for members of the Cemetery Board may be fixed from time to time by the Town Board. Members of the Cemetery Board serve at the pleasure of the Town Board and not for any term. The Cemetery Board will furnish any interested funeral directors with a copy of cemetery map (for Day Meadows Cemetery only) and update such copy annually.

3. **Maintenance.** The Town of Day cemeteries will be maintained by the Town of Day, at the Town's expense, including mowing of grass, maintenance of roadways, fences, etc.

4. **Purchase of Certificates For Lots.** Certificates for Burial Lots and Certificates for Cremation Remains Lots shall be available for purchase. The purchaser may be an individual or a family. It is recommended that, when a Certificate is purchased, the owner provide a family tree to the Cemetery Board, to assist in making determinations as to who may be entitled to burial in the lot if the owner dies and is not buried there. No person, individually or as representative of a family, may purchase certificates for more than eight lots, unless such purchase is approved by the Town Board. The purchaser of a certificate shall not be the owner of the land but shall be the owner of the right to bury a person, or cremation remains, on the lot designated in the certificate. The price for purchase of certificates shall be set from time to time by the Town Board. The initial price for primary residents shall be \$200.00; for non-primary and non-residents \$500.00 per lot for burial sites. A site consists of 4'x10', room for one interment or two cremations. Cost for a 2 ½' x 5' cremation site is \$50.00 per lot. Certificates for lots shall be issued promptly after the lot is purchased and the price paid in full. No person shall take possession of such lot or dig a grave or have any interment until a certificate is issued.

5. **Transfer of Certificates.** No certificate owner may transfer his or her certificate without permission of the Cemetery Board. A transfer fee of \$15.00 must be paid before a Transfer of Ownership Certificate is issued and before a person other than the original owner is buried in a lot. No person may charge a transferee any price in excess of the original purchase price. There is no transfer fee if lot is transferred back to the Town of Day.



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**6. Grave Liners & Opening of Grave.** Concrete grave liners (or equivalent) will be required for all interments including cremation remains. The price for a cemetery plot does not include grave liners and digging of grave.

**7. Vases, Decorations, Shrubs, and Trees.** Glass vases and the planting of shrubs or trees are prohibited. The Town may remove any decoration which has deteriorated due to exposure to the weather or is otherwise unsightly. The Town shall not be responsible for flowers which may be cut during lawn mowing.

**8. Mausoleums.** No mausoleums shall be permitted.

**9. Monuments, Stones and Markers.** One monument may be placed on each lot, which shall be no greater than 36 inches in height. Additional monuments on a lot shall not exceed 12 inches in height. No monuments shall be placed within six inches of the side lines of any lot, except that a monument which pertains to several lots (such as a monument commemorating a husband and wife or other family group) may straddle lot lines so long as the six-inch setback is observed at the side of line of the group of lots covered by the monument. The term "monument," as used in these rules and regulations, includes head stones, foot stones, or any other marker placed on a lot.

**10. Lot Corner Markers.** In Day Meadows Cemetery, the Town Board shall cause survey stakes to be placed at the corners of all lots. Any replacement of corner stakes with cement corner markers shall be subject to Cemetery Board approval and shall be at the expense of the certificate owner.

**11. Burial to be Seasonal.** Graves will not be opened between December 1 and April 1 of each year unless an exception is authorized by the Town Board or the Cemetery Board.

**12. Burial Permits.** No interment shall be permitted until approved by the Cemetery Board or the Town Board.

**13. Amendments.** These Rules and Regulations may be changed from time to time by resolution of the Town Board.

**Amendment #1** - as per Resolution #2003-06 dated February 10, 2003

**Fee for Cemetery Plots** will be raised from \$50.00 to \$100.00 each effective May 1<sup>st</sup>., 2003 (revised to \$250.00 on June 10, 2018, see revised amendment #3).



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**Amendment #2** - as per Resolution #2003-17 dated July 14, 2003

**Qualifications for Grave Diggers**

- \$ Million Liability Insurance naming the Town of Day as Beneficiary
- Sign an application for the Cemetery Committee
- Provide necessary equipment, timber, support, and temporary cover
- Provide recovery of grave to grade and replace sod.
- Approval can be revoked for cause by Cemetery Committee

**Amendment #3** - dated June 10, 2018

**Fee for Cemetery Plots** will be raised from \$100.00 to \$250.00 each effective June 10, 2018 (see revised amendment #4)

**Amendment #4** - dated September 12, 2022

**Fee for Cemetery Plots** will be raised from \$250.00 for an 8x10' lot (4 burials) to \$500 per plot one 4'x10' lot for one interment or two cremations, effective September 12, 2022. Fee for cremation site raised from \$20.00 to \$50.00.

**Amendment #5** - dated September 12, 2022

**Transfer of Certificates** No fee if transferred back to Town of Day.