

Foxborough Cemetery Corporation Operating Rock Hill Cemetery

Foreword

For the mutual protection of every plot owner and purchaser in Rock Hill Cemetery, the Foxborough Cemetery Corporation hereby adopts the following rules and regulations. All property owners and persons within the cemetery, and all plots sold shall be subject to said rules and regulations, and subject further, to such other rules and regulations, amendments or alterations as shall be adopted by this Corporation from time to time.

Rules and Regulations

1. Definitions

- a. Cemetery: The burial park for earth interments.
- b. Lot: A space in the cemetery used, or intended to be used, for the interment of human remains.
- c. Grave: A place of interment.
- d. Interment: The disposition of human remains by burial.
- e. Corporation: The organization owning and controlling the management of the cemetery.

2. General Rules

- a. Admission to the cemetery:
 - i. Rock Hill Cemetery is owned and operated by a private corporation and said corporation reserves the right to compel all persons coming into the cemetery to present proper identification to the superintendent or any other qualified agent of the corporation for examination, also all automobiles or other machines may be compelled to be brought to a full stop at the entrances, and further, the corporation reserves the right to refuse admission to anyone who is not a lot owner or a relative of a person interred in the cemetery, and to refuse the use of any of the cemetery facilities at any time to any person or persons whom the management may deem objectionable to the best interest of the cemetery.
- b. Control of work
 - i. The Cemetery Management shall control all work done at the cemetery. This includes but is not limited to:
 - 1. Grading and landscape work.
 - 2. Improvements of any kind and all care of lots.
 - a. All improvements or alterations of individual property in the cemetery made without consent, approval and to the satisfaction of Cemetery Management may be removed, altered or changed at the expense of the owner.
 - 3. Openings and closings of lots, interments and disinterments.
 - 4. Planting, cutting, trimming and removal of all trees, shrubs and herbage.

- c. Enforcement of Rules and Regulations
 - i. Members of the Board of Trustees, the superintendent, and such other employees as the corporation may designate are hereby empowered to enforce all rules and regulations, and to exclude from the cemetery or any property of the corporation any person violating the same. The superintendent and his or her assistants shall have charge of the grounds and buildings and at all times shall have supervision of all persons in the cemetery, including the conduct of funerals, traffic, employees, plot owners and visitors.
 - d. Walking on the grass is prohibited except where that is the only way to reach a lot.
 - e. All persons are prohibited from gathering flowers, either wild or cultivated, breaking trees, shrubs or plants or feeding or disturbing birds, fish or other wildlife.
 - f. There shall be no alcoholic beverages allowed in the cemetery.
 - g. Automobiles shall not be driven through the grounds at a speed greater than ten miles per hour, and must always be kept on the right hand side of the cemetery roadway. No automobile shall be allowed to pass, park or come to a full stop in front of an open grave while a funeral is in session unless such automobile is in attendance at the funeral.
 - h. It is of the utmost importance that there should be strict observance of all the proprieties of the cemetery, whether embraced in these rules and regulations or not, and no improprieties shall be allowed, and the management shall have full power to prevent improper actions and assemblages.
 - i. Any arrangements for a service in the chapel must be under the supervision and control of Cemetery Management.
3. Funerals
- a. All funerals upon reaching the cemetery shall be under the supervision of cemetery management.
4. Interment and Disinterment
- a. Besides being subject to these rules and regulations, all interments and disinterments must comply with federal, state and local law.
 - b. Service Schedule
 - i. Notice: The right is reserved by the corporation to insist upon at least forty-eight hours notice before an interment and to at least one weeks notice prior to any disinterment or removal.
 - ii. No interments, disinterments, or interment services shall be permitted on Sundays or on New Years Day, Memorial Day, Independence Day (July 4th), Labor Day, Thanksgiving Day or Christmas Day.
 - iii. Any interments, disinterments or removals that necessitate work on Saturdays or on holidays not listed above, or after working hours on any day shall be subject to the payment of such charges as fixed by the cemetery management.
 - c. Identification- The corporation shall not be liable for the identity of the person thought to be interred nor for the identity of any cremated remains sought to be interred.
 - d. Permits- The Corporation shall not be liable for the interment permits.
 - e. The casket in every earth interment shall be enclosed in a concrete box or vault that is approved by the cemetery management.
 - f. Payment- No interment shall be permitted or memorial placed in or on any property not fully paid for.

- g. Delays-The corporation shall in no way be liable for any delay in the interment of a body where a protest in the interment has been made, where the rules and regulations have not been complied with or any other circumstance that may delay the interment.
 - i. The corporation reserves the right under such circumstances, to place the body in the receiving vault until the rights are determined. In cases of protest, the corporation may require any protest to be in writing and filed in the office of the corporation.
 - h. When the instructions from a plot owner or his agent regarding the location of an interment space in a plot cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened where specified, the management may, in its discretion, open it in such location in the plot as it deems best and proper, so as not to delay the funeral, and the corporation shall not be liable in damage for any error so made.
 - i. Once the funeral service is completed and the casket placed in the receiving vault or any other space, the corporation reserves the right to refuse permission to anyone to open the casket or to touch the body without the consent of the legal representative of the deceased or without a court order; provided that in the event necessity requires, the corporation may take appropriate steps to correct any obnoxious or improper condition.
- 5. Removals
 - a. Due care is exercised while making disinterments but the corporation shall assume no liability for damages to any casket, vault, urn, memorial or other related items.
 - b. Removal, by heir, or heirs, of a body or cremated remains for profit or the removal contrary to the expressed or implied wish of the original lot owner, is repugnant to the ordinary sense of decency and is absolutely prohibited.
 - c. A body or cremated remains may be removed from its original lot to a different lot in the cemetery, when there has been a purchase of a new lot for that purpose.
- 6. Lots
 - a. All lots conveyed to individuals are presumed to be the sole and separate property of the owner named in the deed.
 - b. Interments in any plot having more than one interment space shall be made as ordered by the plot owner or his or her legal heir except when such order is in violation with any order or law of the properly constituted authorities of the town, county or commonwealth.
 - c. Whenever an interment of the remains of a member or a relative of a member of the family of the record owner or the remains of the record owner is made in a plot transferred by deed to an individual owner and the owner dies without making disposition of the plot by will or a specific device, or by written declaration filed and recorded in the office of the corporation, the plot thereby becomes inalienable and shall be held as the family plot of the owner.
 - d. If no interment is made in an interment plot which has been transferred by deed to an individual owner, or if all remains previously interred are lawfully removed, upon the death of the owner, unless he has disposed of the plot either by will or by specific device or by written declaration filed and recorded in the office of the corporation, the plot descends to the heirs at law of the owner subject to the rights of interment of the decedent and his surviving spouse.

- e. No transfer or assignment of any plot, or any interest therein, shall be valid until the consent of the corporation has been endorsed thereon and the same has been recorded in the records of the corporation.
 - f. No easement or right of interment is granted to any plot owner in any road, drive, alley or walk within the cemetery, but such road, drive, alley or walk may be used as a means of access to the cemetery or buildings as long as the corporation devotes it to that purpose.
 - g. Lot allowances-One lot may contain the following.
 - i. One burial
 - ii. One burial and one cremation
 - iii. Two cremations
 - iv. Two burials, providing the following terms are met
 - 1. The lot must be adequate for a double depth burial.
 - 2. The cemetery is notified that a double depth burial is desired before the first burial.
 - 3. The first burial has been done at double depth.
 - h. Unwanted, vacant lots.
 - i. The cemetery will not buy back lots.
 - ii. Lots may be donated to the cemetery or elsewhere.
 - iii. Lots may be sold by the owner at equal to or less than the original purchase price.
 - i. Lots may be decorated in accordance with the following
 - i. Lots may be decorated with live plants or flowers.
 - ii. Plants or flowers must be in front of the monument and within 12" of the face of the monument.
 - iii. Receptacles for live plants or flowers may be placed on or in the ground within the above-defined space.
 - iv. At the discretion of cemetery management, distasteful, "out of season", dead, inappropriate or other non-complying decorations may be removed at the owner's expense.
7. Endowment Care
- a. Endowment care is that care and maintenance necessitated by natural growth and ordinary wear which can be provided at reasonable intervals with the income from the endowment care fund, and may include but not be limited to the following; cutting, watering and care of lawns, trees, and shrubs, the cleaning and upkeep of buildings, and the maintenance of utilities, walls, roadways and walks. The corporation may also use a portion of the income from such funds for such general care as maintenance, repairs and any embellishments that in its sound discretion is deemed to be in the best interest of the cemetery to the end that the cemetery be kept in the best condition possible within the limits of such income.
8. Monuments and Markers
- a. No lot owner shall erect or place, or cause to be erected or placed on any lot in the cemetery, any memorial, monument or marker until the management has first approved the same. Management shall base said approval on size, shape, material and appropriateness.
 - b. All stone memorials, monuments and markers shall be constructed of natural stone. No artificial stone or cement or similar materials shall be permitted. All bronze, copper or any other metal markers must be approved by the management.

- c. Should any memorial, marker or monument become unsightly, dilapidated, or a menace to any person or persons, the corporation shall have the right either to correct the condition or to remove the same, at the expense of the plot owner.
- d. Memorial dealers shall be required to furnish the management for approval a blueprint or sketch of the proposed memorial, marker, or monument.
- e. No enclosures or walks of any kind shall be permitted around any lot. The corporation reserves the right to remove, at the owner's expense, the same if so erected, planted or placed.
- f. While the corporation will exercise all possible care to protect lettering, carvings or ornaments on any memorial, or other structure, on any lot, it hereby disclaims any responsibility for any damage or injury thereto.
- g. The cemetery management subject to such specifications provided by the memorial, marker or monument dealer shall install all foundations for such.

9. Deeds

- a. The deed to any plot and these rules and regulations and any amendments thereto shall be the sole agreement between the corporation and the plot owner. The statement of any employee of the corporation shall in no way bind the corporation.
- b. The deed to a plot must be presented to cemetery management prior to any engagement of work; including but not limited to such items as foundation(s), monument setting and interment.

10. Modifications, Suspensions and Exceptions

- a. Special cases may arise in which the literal enforcement of rules may impose unnecessary hardship. The corporation, therefore, reserves the right, without notice, to make exceptions, suspensions or modifications in any of these rules and regulations when, in its judgment, the same appears advisable; and such temporary exceptions, suspensions or modifications shall in no way be construed as effecting the general application of such rules and regulations.

11. Amendments

- a. The corporation may, and it hereby expressly reserves the right, at time or times, to adopt new rules and regulations, or to amend, alter or appeal any regulations.

12. Errors

- a. The corporation reserves, and shall have, the right to correct any errors that may be made by it, either in making interments, disinterments or removals or in the description, transfer or conveyance of any interment property, either by canceling such conveyance and substituting in lieu thereof other interment property of equal value and similar location as far as possible, or as may be selected by the corporation, or, in the sole discretion of the corporation, by refunding the amount of money paid on account of said purchase. In the event the error shall involve the interment of the remains of any person in such property, the corporation reserves, and shall have, the right to remove and re-inter the remains in such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.