

RULES AND REGULATIONS ADOPTED BY THE TOWN OF CONCORD BOARD ON JANUARY 9, 2025

The following sets forth the Rules and Regulations for the Town of Concord Cemeteries, to wit: Evergreen Cemetery (a/k/a East Concord Cemetery); Morton's Corners Cemetery and Spaulding Road Cemetery (hereinafter collectively referred to as "Cemetery" or Cemeteries")

The Grounds

1. All funerals, processions, and vehicles will be under the control of the Town of Concord while in the Cemetery.
2. Funerals must be at the Cemetery by 2:00 P.M. in order that the workers will have sufficient time to properly close the grave and remove equipment before 5:00 P.M.
3. All funerals, processions and vehicles will be under the control of designated persons by the Town of Concord while in the Cemetery. Said authority and control in no way assumes any liability normally assigned to those persons performing services under the direction of the Town of Concord personnel or officers.
4. All work done in the Cemetery shall be done by Town of Concord employees, volunteers, or under the control and with the permission of the Board of Trustees.
5. All persons shall be allowed access to the Cemetery during daylight hours, observing the rules, which are in effect at the Cemetery.
6. Cremated remains are not permitted to be scattered in any part of the Cemetery.

Lot Purchase and Transfer

1. No interment shall be permitted, nor shall a Deed be issued, until the lot is fully paid for.
2. Except as provided for in Section 1513(c) of the New York State Not-for-Profit Law, no lot owner shall release, transfer, assign or sell their lot for valuable consideration without the approval of the Town of Concord.

Interment and Disinterment

1. All lots in the Cemeteries are sold in accordance with the provisions of the laws of the State of New York and shall not be used for any other purposes than as a burial place for dead human beings and pet cremated remains as described in New York Cemetery Board Directive §1502(q).
2. Only one full burial and one cremated remain or two full cremains shall be permitted to be buried in each lot.
3. Lot owners are prohibited from allowing interments to be made on their lots for compensation.
4. No interment will be allowed without permission being first obtained by the Town of Concord. At the time of application for permission, the following information must be furnished:
 - a. Name of deceased;
 - b. Age of deceased, including date of birth, if known;
 - c. Place of birth of deceased, if known;
 - d. Date of death;
 - e. Time and date of interment; and
 - f. If not an adult, the names of parent(s) or legal guardian(s).
5. Interments in a lot are restricted to those entitled to burial therein according to the terms of §1512 of the New York State Not-for-Profit Law. Permission for burial of those not entitled to burial according to the said Section, must be filed with the Town of Concord by the lot owner(s).
6. Concrete vaults or concrete grave liners shall be required for interments for all graves purchased on or after October 1, 1992, in accordance with the provisions of Cemetery Board Directive 201.6.
7. The Cemetery requires that in every in-ground cremated body interment an urn or other receptable containing the cremated remains shall be placed into an urn vault constructed from ABS plastic, wood, metal, porcelain or concrete approved by the Cemetery.
8. Interments on holidays shall be governed by New York Cemetery Board Directive 201.8 and 201.12.

9. Graves will not be opened during severe weather conditions or similar conditions, pursuant to Section 1510-b of the NYS Not-for-Profit Law. Bodies received at this time will be put in a receiving vault. However, such opening of a grave may occur during inclement weather, if conditions allow, and additional charges will be incurred.

10. Disinterments shall be allowed between May and October, provided there is compliance with all provisions of Section 1510(e) of the New York State Not-for-Profit Corporation Law.

Monuments

1. All monuments or markers must be constructed of granite, marble, or bronze.
2. Monuments are restricted in size to the dimensions of 3 feet x 1 ½ feet for single lots, and 6 feet by 1 ½ feet for double lots.
3. One monument shall be allowed on each lot, with the exception of military plaques, and shall be set in accordance with the general plan of the Cemetery and shall conform to said plan in size and material.
4. The bases of all monuments shall be finished true and level so as to fit on foundations without wedging or sprawls.
5. All foundations will be constructed by or under the direction of the Town of Concord.
6. No monument will be allowed to be delivered to the Cemetery until the foundation is installed and ready to receive the monument.

Decorations and Embellishments

1. All decorations and flowers left at a gravesite are placed there at the lot owner's or visitor's sole risk. The Cemetery is not responsible for items left at a gravesite.
2. Flowers and plants may be placed on either side or in front of the monument.
3. Flowers and plants should be placed in proper planters or receptacles, made of metal, plastic, clay, bronze, concrete, granite, or similar materials. The use of glass or other breakable flower or plant containers is prohibited.
4. Throughout the year, any items left on a gravesite, at the Cemetery's sole discretion may remove items not permitted pursuant to the Cemetery's Rules and all flowers, plastic flowerpots, wreaths, or other decorations from lots as soon as they become broken, damaged, unsightly, or hazardous without notice to lot owner.
5. Funeral flowers, wreaths, baskets, floral designs, and similar funeral decorations left at the gravesite following a funeral will be removed and discarded one week after burial.
6. No inground planting of any kind is permitted and will be removed.
7. No fencing or lot bordering is permitted.
8. The placing of shepherd-crooks, hanging flowers pieces, boxes, metal designs, or tributes having a similarity thereto shall not be permitted and will be removed by the Cemetery without notice to lot owner.
9. The Cemetery shall not be liable for damage to or loss of floral pieces, baskets or frames, flower vases or receptacles or any other tributes, which may have been placed on lots, damaged by the elements, thieves, vandals or from other causes beyond its control.
10. Lot owners and visitors may place a holiday wreath from December 1st to March 15th using a wire wreath easel at the head of the monument.

Cemetery Cleanup

The Town will perform a comprehensive cleanup of the Cemeteries twice each year, provided that weather and other circumstances permit: during the last two weeks of April and the last two weeks of October or as soon thereabouts as possible.

1. It is the lot owner or visitor's responsibility to check the gravesite and make sure that any items they consider to be valuable are removed prior to the cleanup dates.
2. On the cleanup dates, and for two weeks following the cleanup dates, all decorations, whether they are approved or not approved, including but not limited to wreath easels, ornaments, solar lamps, statues, flower posts, decorative stones and similar items, will be removed without notice to lot owner.
3. All items removed from a gravesite on cleanup dates by the Cemetery and not disposed of immediately will be placed on the Cemetery grounds, or other clearly designated area, where they will be held for pickup until the April cleanup and October 31st for the autumn cleanup, or until such other dates thereafter as weather and other

circumstances permit. No notification or removal of an item will be provided. It is the lot owner or visitor's responsibility to check designated areas for any items that have been removed from a gravesite. The lot owner may retrieve items that have been taken to the Service Building until the final discard date.

Miscellaneous

1. No alcoholic beverages or illegal substances are allowed on Cemetery property.
2. No recreational vehicles are allowed on Cemetery property.

Amendments

These rules and regulations may be amended by the Town Board of the Town of Concord.

Explanations and/or interpretations of these and other regulations, including current rates for services may be obtained by contacting:

Town of Concord
Office of the Supervisor
86 Frankling Street, P.O. Box 368
Springville, New York 14141
Email: concordtownsupervisor@gmail.com