

**Revised – April 23, 2024**

## **CEMETERY RULES**

**Blackman Cemetery   Dyer Hill Cemetery   Oak Hill Cemetery  
Resthaven Cemetery   Twenty Rod Road Cemetery  
Windsor Neck Cemetery and North Windsor Cemetery**

### **Executive Summary:**

The Town of Windsor cemetery rules are enforced by the Town Manager or appropriate Town employees. Cemeteries are open to the public from dawn to dusk year-round, via foot traffic, and open to vehicle traffic after the adjacent roads are unposted in the spring until October 31<sup>st</sup>. Carry in/carry out policy on all items brought to the cemetery.

Please review the list of adornment of gravesites section for the do's and don'ts. Trees, shrubs, and any item placed on the lot may be removed at the Town's discretion.

The Town of Windsor requires stones, other than the family stone, to be flush with the ground and arranged in a specified fashion. Selling of gravesites is restricted to the Town of Windsor only, see sale of burial lots for appropriate fees.

Approval is required prior to any earthwork or stonework and must be requested 72 hours in advance during Windsor office hours. The Town would like to thank you for your adherents, so that the cemeteries can be properly maintained.

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## 1. Title

This Article shall be known and may be cited as the "Cemetery Rules for the Town of Windsor, Maine."

## 2. Purpose

The purpose of this chapter is to set fees for cemetery burial lots; establish regulations and procedures to govern burials, placement of monuments and decorations; ensure the safety of employees; and provide a beautiful and dignified resting place for deceased loved ones.

## 3. Hours of Operation

All cemeteries operated by the Town of Windsor shall be open to the public from dawn to dusk every day. Any person found in a cemetery between dusk and dawn may be charged with trespassing. Cemeteries will close on October 31<sup>st</sup> of each year.

No vehicle traffic will be permitted in the Windsor cemeteries from November 1<sup>st</sup> until such time as all adjacent roads are unposted in the spring, or at the discretion of the Cemetery Sexton.

## 4. Restricted Activities

No dogs or other domestic animals shall be allowed in cemeteries. Picnics, horseplay, sports activities, or any gatherings not in keeping with the purpose and dignity of a cemetery are prohibited. Only human remains are to be buried in the Town cemeteries; no pets are allowed.

## 5. Sale of Burial Lots

**Resthaven Cemetery and Oak Hill Cemetery presently have Burial Lots for sale:**

All lots are now sold as single plots except in the Cremains Garden.

You must be a resident for at least two years and show proof of residency.

If you have previously purchased a lot in the Town of Windsor Cemeteries, you will not be able to purchase additional single plots without obtaining an exception from the Select Board.

The Town of Windsor **no longer** sells lots in 3 or 6 plot lots.

The cost for each single plot is \$400.00 (Revised 11-22, 2022)

Costs of Cremation lots are as follows: \$400.00 ( 1 or 2 Cremains) (Revised 04/23/2024)

**\$600.00 (3 Cremains)**

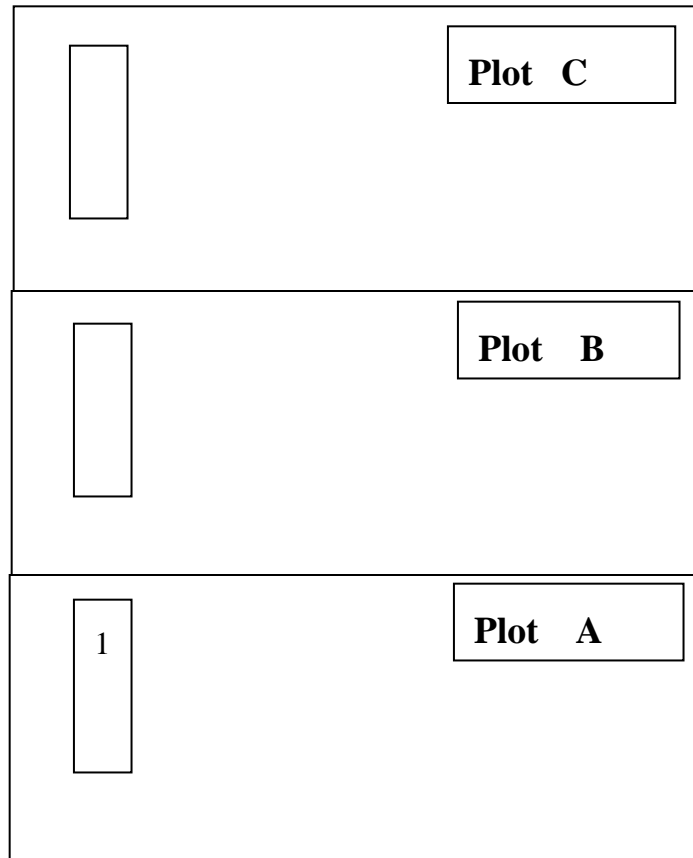
**\$800.00 (4 Cremains)**

All Deeds are recorded by the Town at the Kennebec Registry of Deeds in order to be valid. There is an additional fee of \$25.00 on each deed processed, which includes the recording to be posted in the Town Office account for this purpose. The Town will take responsibility for recording deeds and the mailing of fees.

**- NO LONGER SELL IN THIS FORMAT – FOR HISTORY PURPOSE ONLY**

**Three Burial Lots**

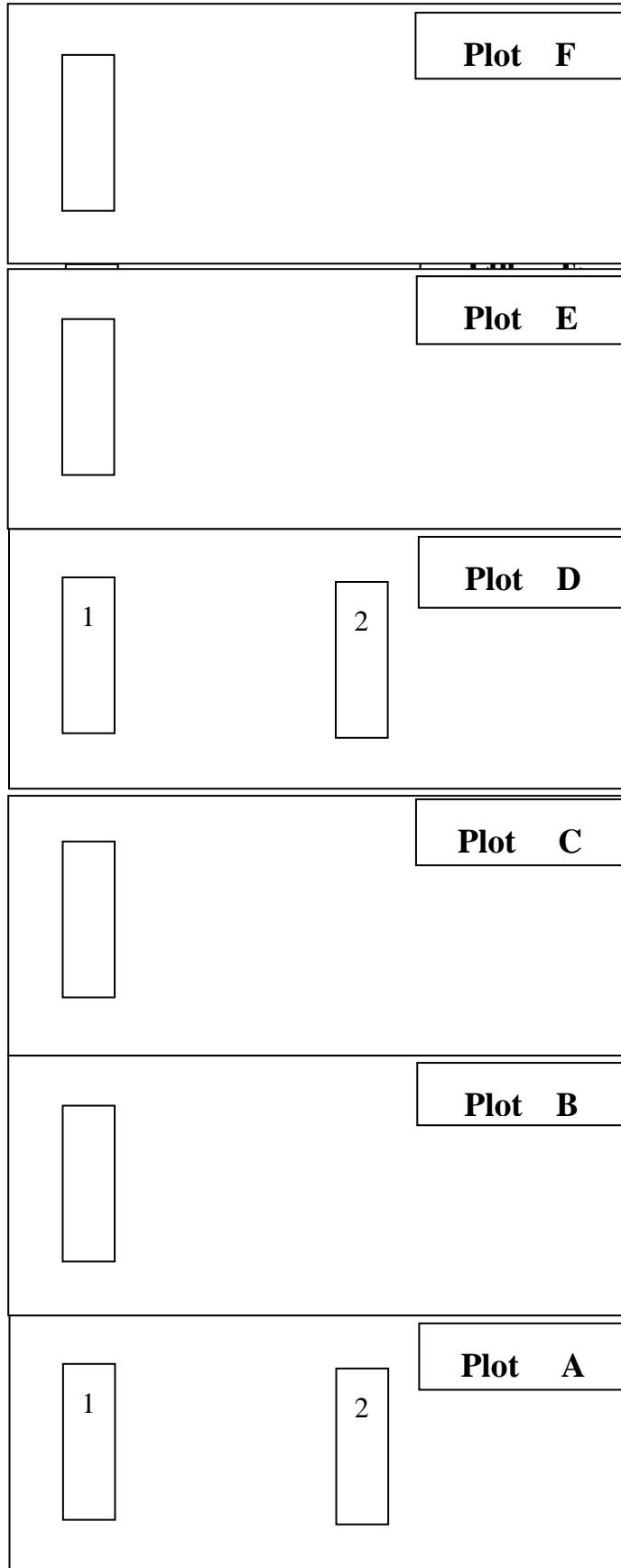
Three Burial lots can have one plot subdivided to accommodate two cremains.



**- NO LONGER SELL IN THIS FORMAT – FOR HISTORY PURPOSE ONLY**

**Six Burial Lots**

Six Burial lots can have two plots subdivided to accommodate four cremains.



# RESTHAVEN SOUTH – CREMAINS GARDEN

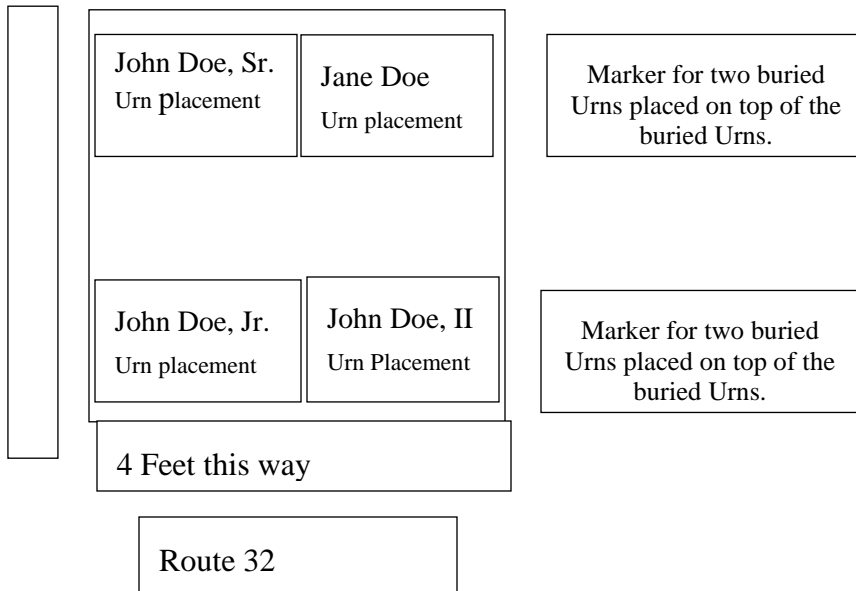
#125, #126, or #127-

## Example #1 – with 4 cremains

Only two memorial stones allowed on each Lot.

If a Vault is used with an Urn, you will only be able to have a two plot Lot.

Markers will be placed over the buried Urns in line with other burials.

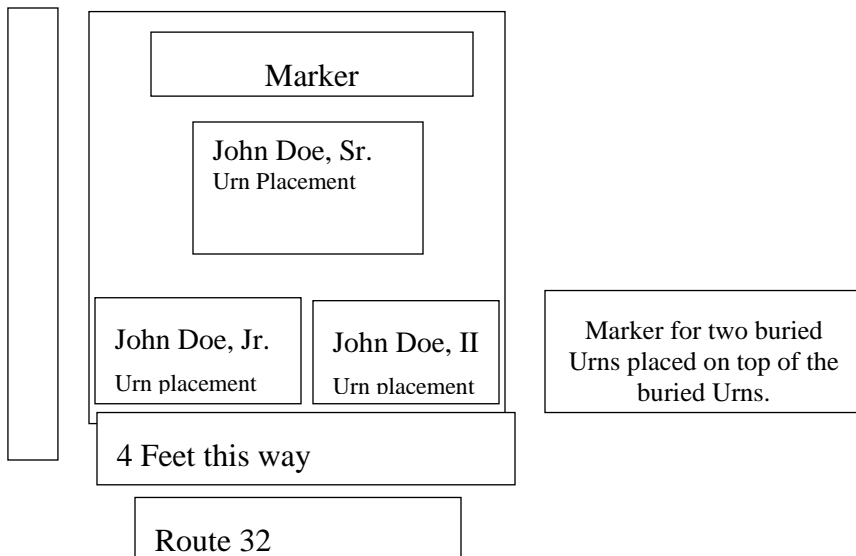


## Example #2 – with 3 cremains

Only two memorial stones allowed on each Lot.

If a Vault is used with an Urn, you will only be able to have a two plot Lot.

Markers will be placed over the buried Urns in line with other burials.

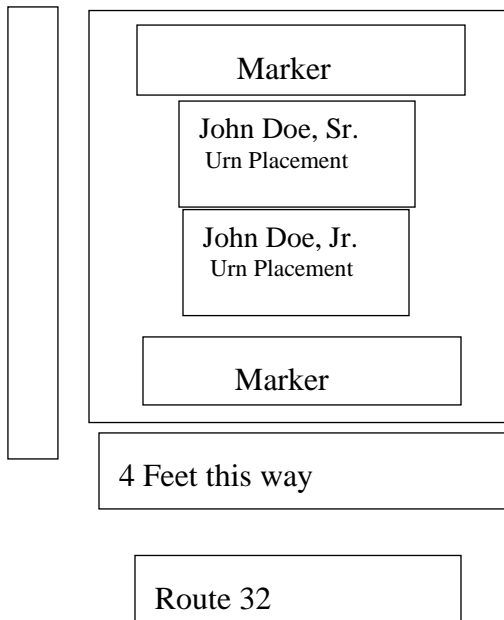


**Example #3** – with 2 cremains

Only two memorial stones allowed on each Lot.

If a Vault is used with an Urn, you will only be able to have a two plot Lot.

Markers will be placed over the buried Urns in line with other burials.



## 6. Resale of lots

Sale of lots to anyone other than the Town is prohibited. The Town shall purchase at the same cost as at the time of sale any unused lots.

## 7. Documents

The following documentation shall be provided from the family before interment of cremains:

- a. Certificate of Cremation.
- b. Copy of Deed for lot. If you do not have one, you will need to go before the Board of Selectmen and present your case.
- c. Copy of Disposition Permit; and
- d. Copy of Obituary.

## 8. Opening and Closing of Graves

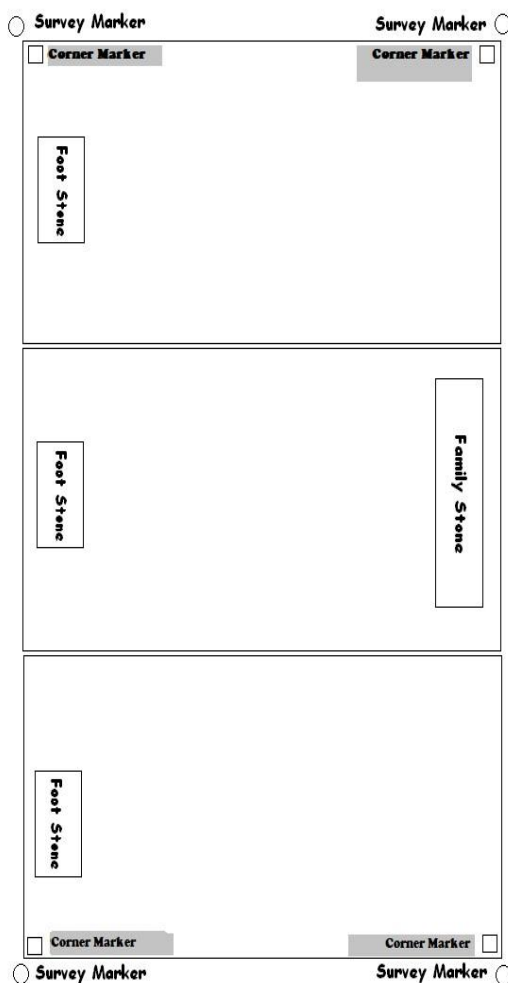
- Funeral directors must contact the Town of Windsor Cemetery Contact Person at 445-2998, during regular Town Office business hours at least 72 hours prior to any grave opening, interment, or disinterment to locate and mark the correct burial plot. Funeral directors need to provide family contact information when contacting the Town of Windsor Cemetery Contact Person.
- The Town of Windsor does not provide excavation services for opening or closing graves and will not bear any associated costs. All excavations shall be done by a Town approved Excavator. No 3<sup>rd</sup> Party earthwork will be done without approval of the Town's Cemetery Sexton, or designated party.
- A charge for opening and closing a grave and the sodding and seeding of the grave will be made as provided herein. Graveside burials provided by the family will pay the Excavator the day of the interment. Graveside or Memorials provided by a Funeral Home or Funeral Director will be collected the day of the interment.
- The fee for opening and closing a grave is set by the Excavator. You can reach the Excavator by contacting the Cemetery Sexton at the Windsor Town Office.
- One Urn may be interred on top of a Full Burial if the vault is low enough to accommodate a 2-foot depth. The plot would need to be examined to determine if it is acceptable. (Revised 11/22/2022)
- Two people can be placed in one Urn. However, an Urn cannot be disinterred to bury another. The Urn will be placed either at the header or the footer of the plot, the marker should be a flat stone that contains both of their names.
- For recording purposes, the Select Board has determined that if a Plot is being used in a subdivision, by having two people in one Urn, then that burial will count as one and therefore another cremation burial can go in that same plot.



- For recording purpose for the State of Maine. The form Authorization for the Burial or Removal of Cremated Remains – VS 50 Form will need to be filled out for each deceased, signed by next of kin and the Cemetery Sexton will fax to the State of Maine within 7 business days of the date buried.
- No sites shall be mounded, except where consistent with existing practice. Excavators shall remove all excess material from the site, repair damage to any other lots, and shall repair any settling of the site for one year following any excavation, grave opening or closing.
- All full-service burials will be required to have a burial vault or grave liner.
- Burials will take place from May when the Cemeteries reopen and go through October 31<sup>st</sup>.

### 9. Placement of Headstones, Lot Markers and Corner Markers

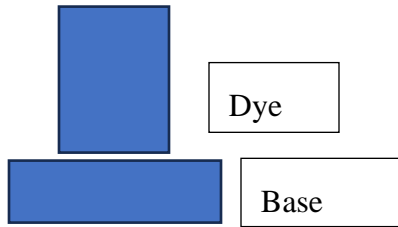
Headstones require an adequate foundation. Aluminum survey markers WILL NOT be removed from the Lots. The round Aluminum Corner markers are Town property and are NOT to be removed. These are surveyed markers. See Fig. 1. – Revised 10/24/2023



No benches or benches used as headstones or Niches are authorized in the Windsor Cemeteries.

## Sizes of Memorial Stones allowed at Resthaven Cemetery

Revised – 10/24/2023



### Single Plots size only.

**Dye** - 20 x 24 x 6

**Base** – 24 x 12 x 6 - leaves 7 ½ inches on both sides

### Double Plots

**Dye** – 30 x 6 x 24  
30 x 8 x 24

**Base** – 36 x 12 x 6  
36 x 12 x 8

### Or 3 graves or more

**Dye** - 36 x 6 x 24  
36 x 8 x 24

**Base** – 44 x 12 x 6  
44 x 14 x 8

### Slants -

**Slants without a Base** –

No wider than 24”

**Slants with a Base** – Can only be used with 2 plot graves.

24 “ Slant with 30 x 14 x 6 base

30 “ Slant with 36 x 14 x 6 base

**Family stones are usually larger than Headstones.**

**Sizes allowed for lots:**

**Family Stones** – 36 inches in length  
**2 or more plots** 18 inches in width  
20 or 30 inches in height

**Headstones** – 24 inches in length  
**Single plots** 12 inches in width  
18 inches in height

Foot Stones - 24 inches in length, 12 inches in height and 4 inches thick

Corner Markers are usually 4 to 6 inches square; 6 to 8 inches in height. These stones must be set flush with the ground. The family or the Monument Company can set the Corner Markers.

Families will need to contact their company of choice to provide stonework for lots. Families will also need to contact the Town's Cemetery Contact Person 72 hours prior to placement to approve the location and installation of headstones, grave markers and corner markers.

No stonework to the lots shall be done until the Cemetery Sexton or a designated person has met with the family and the Monument Company has spoken with the Cemetery Sexton, or a designated person, to set a date and time that the work will be performed.

**10. Cremains Garden Memorials**

Plot size is 4' X 5'. Only flush ground level memorials are permitted in the Cemetery Cremains Garden.

Markers must be installed flush to the ground and shall be no larger than 12" x 24." No more than two markers and two containers of cremains shall be placed on a single Cremain lot. No corner markers shall be used, and no shrubs or trees shall be planted on Cremain lots.

**11. Adornment of Gravesites**

**ANY THING THAT IS REMOVED FROM CEMETERY LOTS WILL NOT BE SAVED – PLEASE REVIEW THE RULES AND KNOW THE DO'S AND DON'TS.**

To ensure the safety of the Town's grounds crew, and visiting families, all flowers (Plastic or real) must be placed in an 8" minimum diameter container.

- Glass containers or anything glass is prohibited and will be removed.
- Artificial flowers will be removed when they start to fade.
- Styrofoam displays with wire stakes or wire supports are not allowed.
- Real plants that are dead from lack of care will be removed.

## 11. Adornment of Gravesites – Con't

- No cement, plastic, wood, and rubber edging will be allowed around any flowerbeds on cemetery lots.
- No white marble, granite chips or other rock materials will be allowed in flowerbeds. Only bark mulch or wood chips will be allowed.
- All plants and adornments must be inside the lots.
- No more than 1 arrangement per individual plot.
- Pinwheels should not be stuck in the ground – they should be anchored and placed in a pot only. They will be removed if stuck in the ground and not anchored to stay in place.
- No more than one shepherd hook or trellis per lot.
- No more than one solar light, or other similar articles will be permitted per plot. Any additional items will be removed.
- No alcohol beverages are permitted in the Town of Windsor Cemeteries and no empty cans, bottles, or glass containers shall be left for adornment purposes. Any such adornment will be removed.
- No hedges, fencing, walls, curbing, railings, or similar structures or enclosures shall be erected around lots following adoption of this Rule. The two metal existing structures or enclosures may be maintained, but not expanded. Benches are not to be left in the Cemetery.

**Families are responsible for display maintenance:** Families are responsible for removing real/artificial; dead or faded flowers or displays from their family's plots.

1. Summer seasonal displays shall be removed by September 30th.
2. Fall seasonal displays removed by November 1<sup>st</sup>.
3. Displays need to be removed by April 15<sup>th</sup>. All decorations in place as of April 15<sup>th</sup> will be disposed of as part of the spring clean-up of the Town Cemeteries. No responsibility for the protection or maintenance of decorations left in the cemetery is assumed by the Town, the Cemetery Sexton or the workers maintaining the cemeteries.
4. All Lots should be kept presentable by families for all seasons.
5. Families are responsible for existing trees and shrubs. Shrubs should be trimmed and are not to exceed 6 feet in height. Shrubs and trees shall not encroach upon other Lots or conceal or obscure stones.
6. The Town reserves the right to remove trees or shrubs planted on a lot which become dangerous, or detrimental to the adjacent grounds because of encroachment of roots or branches.

## **Families are responsible for display maintenance – con't**

7. From this, revised May 1, 2016, Rule forward, No Shrubs or Trees shall be planted in any of the Town Cemeteries.
8. Upon the discretion of the Cemetery Sexton or maintenance personnel; faded and dead displays, will be removed accordingly.

## **12. Authority for Removal of Items Placed on Lots.**

The Town reserves the right to trim or remove any items which are contrary to these Rules, or which have become unsightly and no longer contribute to the beauty and dignity of the cemetery. The Town is not responsible for any items removed. Height of adornments may not exceed 6 feet.

## **13. Family/Private Burial Grounds**

Land shall be designed using the rules provided by the Maine Revised Statutes Title 13: Corporations; Chapter 83: Cemetery Corporations.

In addition to the Maine Statues the Town of Windsor requests that the plotted section of land designated by families be fenced and a copy of the registered document that is filed with the Kennebec County Registry are provided to the Cemetery Sexton.

It is also request that the Cemetery Sexton be notified when there is to be a burial and that a copy of an obituary, cremation certificate (if applicable) and death certificate be given to the Sexton for completion of files and history purposes.

## **14. Administration, Enforcement and Appeal.**

These Rules shall be administered and enforced by the Town Manager or his/her designee.

Appeal of decisions made by the Town Manager's designee under the authority granted by these Rules may be made in writing to the Town Manager. Appeal of decisions made by the Town Manager under the authority granted by these Rules may be made in writing to the Board of Selectmen. The Town Selectmen or Town Manager (whichever is appropriate) shall schedule a hearing as soon as possible and render a written decision on the appeal within fifteen (15) days.

## **15. Effective Date.**

The provisions of these Rules shall take effect as of **October 24, 2023.**

Rules will be reviewed as needed.

**CEMETERY RULES**

**2023 to Present**

**16. Acknowledgement**

I/We the undersigned, my/our signature (s) do agree with the Cemetery Rules of Windsor.

Buyer \_\_\_\_\_

Witness \_\_\_\_\_

Date \_\_\_\_\_

Cemetery Name: \_\_\_\_\_

Map & Lot Number \_\_\_\_\_

Attested Town Clerk \_\_\_\_\_ Date: \_\_\_\_\_

Distribution:

1 copy to Buyer      1 copy for Town records

**Original Rule: 2002;**  
Rev. 2003; Rev. 2004; Rev. 2006;  
Rev. 2009; Rev. 2010; Rev. 2016;  
Rev. 2017; Rev Sept 5, 2017;  
Rev. Sept 28, 2021; Rev: Sept 27, 2022  
Rev. Nov 22, 2022; Amended Oct 24, 2023  
Amended April 23, 2024