

# MONUMENTAL AND GENERAL RULES AND REGULATIONS *of* Wellwood Cemetery Association, Inc.

1. The interpretation of the meaning or intention of these Rules and Regulations by the cemetery authorities shall be final and binding. These Rules supersede all previous rules and regulations affecting monumental work, and the monumental trade will be governed thereby.

2. All foundation work including excavations shall be done by the cemetery under the supervision of the superintendent.

3. No work shall be performed on Saturday, Sunday or any Jewish or legal holiday, nor during cold or inclement weather. The cemetery gates will be open for the inspection and erection of monumental work from 8:00AM to 11:45AM and from 1:00PM to 3:30PM. All work must stop at 3:30PM. Monument setting will be permitted on Friday from 8:00AM to 11:45AM during the period from April 1 through October 31 provided nonveiling will occur the following Sunday.

4. All workmen employed in the construction of any work will be subject to the supervision of the cemetery authorities, and anyone failing to conform to these Rules and Regulations will not be permitted to do any work at the cemetery. Any disorderly person will be ejected from the cemetery grounds.

5. All work must cease during funeral services in the vicinity.

6. Soliciting business or advertising of any kind will not be allowed.

7. All applications for foundations must be filed with the cemetery on forms provided by the cemetery, with drawings showing dimensions, kind of material to be used, quality, trade name if any, and finish thereof. After this meets with the approval of the cemetery, a bill for the foundation will be sent. The cemetery will reject any work that does not meet with its Rules and Regulations, or differs from the dimensions and description given in the sketch.

8. Producers of memorials must sell only first grade clean stone for monumental purposes and must guarantee that such stone is free from sap or 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 date of setting, that the memorial will be replaced without any charge to either the lot or grave owner or the cemetery regardless of the manner of manufacture, treatment, setting or handling. All work shall be produced in a first class workman-like manner and must be free from drill or tool marks.

9. All stone work must have the surface next to the foundation bedded off sufficiently true and even to allow all parts to be in contact with the foundation. All foundations must be ordered the full size of the monument. Any monument, the material and dimensions of which are different from that shown on sketch, will be rejected.

10. In every case where the family monument is more than one piece, the same kind of material must be used.

11. Foundation work will be finished true and level by the cemetery, two inches below grade at the lowest point. Notice will be mailed when the foundation is finished.

12. Monumental work shall be of granite from approved quarries. Marble, limestone, cement or artificial stone, urns, balls or arches will not be permitted. Second hand materials will be rejected.

13. Copings or the enclosure of any plot will not be permitted. The enclosure of any grave or graves is not allowed.

14. All refuse, boxes, rubbish and surplus material must be removed immediately.

15. Trucks loading or unloading are prohibited from leaving the roads.

16. Facial etchings and pictures of the deceased will be allowed on monuments, pending approval of the image by the Cemetery.

17. Where heavy material is to be moved, planks must be laid on the paths or grass affected to protect the same from damage.

18. Permits signed by the proper owners must be furnished to the cemetery for any work to be done in or on the plots.

19. All cement used for pointing joints shall be of a non-staining kind.

20. Where sandblasting is to be done on monuments already set, suitable shields or covering shall be used to prevent any material from either flying or falling on surrounding plots or walks, or cause injury to persons in the vicinity.

22. The cemetery may, from time to time, revise these Rules and Regulations and make reasonable amendments and additions thereto as may be necessary for the proper administration and conduct of the cemetery.

#### **PRIVATE PLOTS**

Private plots or Family Circle Section Plots shall have one family monument, placed in the rear center of the plot, bearing the family name. The lot owner may have a footstone erected at each grave, set on a proper foundation. Where a plot extends from walk to walk, the monument shall be set in the center of the plot, facing both walks.

All monuments shall be of granite of a quality equal to the grade known as "Select Barre". Stones of natural colors such as rose, pink, blue white, gray, etc., may be used but no stones may be artificially colored or pigmented with stains, dyes, paints or the like. Back of bases must be smooth.

Bases for family monuments shall not be longer than 80% of the width of the plot at the rear line nor more than 18" in depth from front to rear. Bases 3'6" to 5'0" long shall not be higher than 10". Bases longer than 5'0" shall not be higher than 12". Monoliths or monuments with a base 3'6" to 4'0" long shall not be higher than 3'6" including the height of the base. Monoliths or monuments with a base 4'0" to 5'0" long shall not be higher than 3'10", including the height of the base. Monoliths or monuments with a base 5'0" to 8'0" long shall not be higher than 4'0", including the height of the base. Monoliths or monuments with a base 8'0" to 16'0" long shall not be higher than 5'0", including the height of the base. In no event shall any monument, including base, or monoliths exceed 5'0" in height. The base shall project 3" or more beyond the sides of the die and 2" beyond the front and back of the die. The back of the die shall be finished the same as the front. Rock projection on the sides of the base and die shall not exceed 1". Where two branches of a family or friends have adjoining plots, back to back, one monument, with inscriptions on both sides, may be used for both plots; otherwise inscriptions shall be used only on the front face of the monument.

Footstones or markers set in a family plot shall be of the same kind and quality of stone as used for the monument and/or other footstones in the plot. All footstones in a plot shall be no more than 2'0" wide, 1'0" high or 1'0" deep from front to rear. Bases under footstones or markers are not permitted.

Only benches without backs are permitted. Metal or wooden benches are not permitted. In every case where the family monument is of more than one piece, the same kind of material must be used. Permits for benches must state voided grave number. Composition Benches must have a cement platform. Granite benches must have a full foundation.

#### **GABRIEL GARDENS**

##### **UNIFORM DOUBLE HEADSTONE ONLY**

Base-4'0" long, 1'0" deep front to rear, 0'10" high.

Die-3'6" wide, 2'6" high, 0'8" deep front to rear. Smooth flat top only.

#### **MAXIMUM FAMILY MONUMENT-2 GRAVES**

Base-4'0" long, 0'10" high, 1'0" deep front to rear.

Die-3'8" wide, 3'0" high, 0'8" deep front to rear. On a plot of 3 or more graves, Bases shall not be more than 80% of the width of the plot, 0'10" high, 1'0" deep front to rear. Die-3'0" high, 0'8" deep front to rear. The base shall project 3" or more beyond the sides of the Die.

##### **UNIFORM FOOTSTONE**

2'0" wide, 1'0" deep front to rear, 0'10" high rear, O'S" high front.

#### **CARMEL GARDENS**

##### **UNIFORM FOOTSTONE ONLY**

2'0" wide, 1'0" deep front to rear, 0'10" high rear, O'S" high front.

#### **COMPANION GRAVES-BLOCK 9, SEC. 1**

##### **UNIFORM FOOTSTONE ONLY**

2'0" wide, 1'0" deep front to rear, 0'10" high rear, 0'8" high front.

#### **SINGLE AND DOUBLE HEADSTONES**

Only headstones are permitted in the single grave or society section of the cemetery and are not to exceed more than 5'0" high including the height of the base.

All monuments shall be of granite of a quality equal to the grade known as "Select Barre". Stones of natural colors such as rose, pink, blue white, gray, etc., may be used but no stones may be artificially colored or pigmented with stains, dyes, paints or the like. Back of bases must be smooth.

Bases for single and double headstones shall not be more than 12" high or more than 1'4" deep from front to rear. Bases for single headstones shall not be more than 2'4" wide, including the rough; bases for double headstones shall not be more than 4'8" wide, including the rough. The base shall project at least 2" on all sides of the die. The die shall have a clean sawed or hammered back. The rock projection on the sides of the base and die shall not exceed 1". Monoliths shall be no more than 5'0" high, and hammered or polished on all sides, No closed beds allowed,

Where any part of a society ground is subdivided into private family plots, this portion of the society land shall conform to the rules and regulations as mentioned under family plots.

#### **SOCIETY ENTRANCES AND ENCLOSURES**

Society entrances shall be of white or light grey granite, set back 3' or more from the front property line. The entrance post may be set on a sill which shall not be more than 10" high. Rough or rustic surfaces are permitted on the sides of the sill only; all other surfaces not polished shall be hammered to a true and even surface. Entrance posts up to 4'6" high shall be at least 12" x 12"; entrance posts from

4'6" to 5'6" high shall be at least 14" x 14". Entrance posts shall not be more than 5'6" high, measured from the top of the sill to the top of the post. Arches over entrances, or balls or urns on other ornaments on posts are not permitted,

Societies may enclose their front, side and rear lines with shrubs only. Where any part of a society grounds is subdivided into private family plots, this portion of the society land shall conform to the rules and regulations as mentioned under family plots.

#### SECTION 4

NO MONUMENT SHALL EXCEED 4'0" OVERALL INCLUDING HEIGHT OF BASES. SINGLE, DOUBLE, FAMILY OR SOCIETY ENTRANCES.

ALL BACKS OF BASES MUST BE SMOOTH.

The following are not permitted: 1) Any type of posts, offset posts, railings or chains; 2) Corner Markers 3) Ledgers; 4) Composition benches 5) Beds.

### GENERAL RULES

1. The office of the Superintendent upon the grounds of the cemetery shall be open between the hours of 8 o'clock A.M. and 4:00 P.M.

2. The cemetery gates will be open at 8 o'clock A.M. and closed at 4 :30 P.M. except for egress.

3. No dogs shall be allowed to run at large within the grounds of the cemetery, nor shall any horses be permitted to remain therein without an attendant.

4. Visitors to the cemetery will not be allowed to bring refreshments into the grounds, nor to scatter about the grounds papers or other unsightly objects.

5. Children under the age of 10 years will not be admitted within the cemetery grounds unless attended by an adult, who will be responsible for their conduct while in the cemetery.

6. All persons are prohibited from climbing trees or from crossing over enclosures of any lot or plot or of the cemetery as a whole.

7. All persons are prohibited from picking any flowers, either wild or cultivated, from breaking any tree, shrub or plant and from defacing and injuring any monument, fence or other structure in or about the cemetery, under penalty of the law.

8. No signs of any kind will be permitted on 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 any such signs or advertisements.

9. If any trees or shrubs situated in any lot shall, by means of their roots, branches or otherwise, become detrimental to adjoining lots or avenues, or inconvenient to visitors, the Directors shall have the right, and it shall be their duty, to enter the said lot and remove the said trees or shrubs, or such parts thereof as they shall determine to be detrimental or inconvenient.

10. The giving of gratuities or fees to the Superintendent or to any workman in his employ for personal services or attention, is forbidden.

11. No soliciting of alms or of the privilege of saying prayers shall be permitted within cemetery grounds at any time.

12. All soliciting of orders for work of any kind or description in or about the cemetery grounds is strictly prohibited, and any person found by the Superintendent to be violating this rule shall not be permitted to enter the cemetery or to contract for any work to be done therein thereafter.

13. Lot owners may plant in their lots such trees, shrubs and plants as the Superintendent shall approve, and same must not be cut down or removed without his consent. No artificial plants, shrubs or trees will be allowed in the cemetery,

14. Outside contractors will be permitted only when they procure a permit from the owner of the lot and file with the Cemetery a bond to indemnify it against any damage which said contractor may cause to either the property of the lot owner, the Cemetery, or any other owner.

15. All workmen employed in the construction of any work will be subject to the supervision of the Cemetery.

16. All work must cease during funeral services in the vicinity.

17. In making excavations, etc., the Cemetery reserves the right to temporarily use the adjoining lot or lots to receive such tools, derricks or materials as is necessary to perform all work.

### INTERMENTS AND DISINTERMENTS

1. No body except that of a person of the Jewish persuasion shall be interred within the grounds of the cemetery.

2. Funerals shall enter the main gate of the cemetery and the undertaker in charge thereof shall report to the Superintendent's office before proceeding to the place of the proposed interment.

3. At least six hours' notice of a proposed interment shall be given to the Superintendent

4. At least twelve hours' notice of any proposed disinterment shall be given to the Superintendent after all proper affidavits, etc., are processed. Disinterments will not be allowed during the months of June, July & August.

5. No interment or disinterment shall be permitted to be made simply upon the production of a deed to the plot, unless such deed shall appear upon its face to have been duly registered in the office of the cemetery and shall be accompanied by a permit from the registered owner, unless the interment be that of the registered owner or their spouse. If title be in an association or corporation, the permit must be signed by a titled officer.

6. All orders for interments or disinterments must be accompanied by the required permits of the Department of Health, and before any grave is opened all fees therefore must be paid.

7. No interment will be allowed to be made in any lot or plot without a written or printed permit by the owner or owners thereof, or by his, her or their legal representatives, containing the name, date of death, age and last residence of the person to be interred.

8. Interments are not permitted on Saturday or any Jewish Holiday.

9. Burial of pet remains is strictly prohibited.

10. Only one body or remains shall be permitted to be interred in a grave.

11. The scattering of cremains is prohibited.

12. The burial of cremains and the burial of a casket or coffin will not be permitted in the same grave.

#### TITLE TO LOTS

1. No interments shall hereafter be permitted be made in any lot until the complete title and ownership of that lot shall have been properly registered in the office of the cemetery unless otherwise provided in the contract of sale.

2. All instruments conveying title to any plot or portion thereof within the cemetery grounds from a lot owner shall be recorded in the office of the cemetery before any interment is made therein, and a fee the sum of \$55.00 dollars for making such record shall be paid to the cemetery, before an interment may be made upon the grantees permit.

3. Upon the death of the registered owner of any lot without leaving a will, or leaving a will which makes no reference to the cemetery plot, there shall be filed with the cemetery an affidavit duly verified by the nearest relative of the descendant readily available and cognizant of the facts, setting forth the names and addresses of the heirs of the decedent. The cemetery shall collect as a fee for filing said affidavit the sum of \$55.00 dollars and the cemetery may acquire other evidence which its counsel may advise essential to prove the devolution of ownership, or interest, in said burial lot.

4. Upon the death of the registered owner of a lot leaving a will which specifically devises a cemetery plot within the grounds of the cemetery, no interment shall be made in said

ground until a certified copy of said will is filed with the Treasurer or other designated officer of the cemetery, who shall charge for the filing of said certified copy the sum of \$55.00 dollars.

5. Whenever the title to any lot in the cemetery shall be vested in or shall have passed to more than one owner thereof, the joint-Owners shall designate in writing one of their number who shall have control of said lot and of all interments and disinterments therein, and shall file such designation with the Secretary of the cemetery. The charge for filing such certificate shall be the sum of \$55.00 dollars.

6. In all cases where there shall be a change of officers of a society owning a lot within the cemetery, a certificate under the hand of the secretary of said society, and the seal of the society, if it has a seal, setting forth such change of officers and the names and addresses of the new officers authorized to act on behalf of the society shall be filed with the cemetery.

7. All associations or persons selling or granting permits to bury in the plot registered in their name by reference to a plan or map shall file a copy of said map in the office of the cemetery.

#### PERPETUAL CARE

1. The Secretary, will, upon application, furnish an estimate of the amount required for the perpetual care of any plot within the grounds of the cemetery, due regard being had to the size of the plot and the number and character of the monuments therein or reasonably expected to be erected therein, and the cemetery will accept such funds and agrees to devote the income on same for the perpetual care of said plot and give its usual trust receipt therefore. These funds shall be kept separate and apart from the general funds of the cemetery.

2. All perpetual care funds accepted by the cemetery shall be invested in such manner as may be determined by the Board of Directors from time to time, with due regard to the statutes of the State of New York in such cases made and provided.

3. All ledgers or beds must have Perpetual Care paid in advance.

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ALL WORK WILL RECEIVE CLOSE SCRUTINY WITH RESPECT TO  
PROPER DIMENSIONS, QUALITY OF MATERIAL AND FINISH.