

BUCKLAND UNION CEMETERY ASSOCIATION

RULES AND REGULATIONS

PURPOSE: The Buckland Union Cemetery Association (the Association) has been established for the purpose of maintaining and preserving the following cemeteries in Buckland, Franklin County, Massachusetts: Trow Cemetery and Taylor Cemetery on Charlemont Road; Center Cemetery on Upper Street; and Upper City Cemetery on Cemetery Road.

The general care of the BUCA cemeteries is the responsibility of the association and includes cutting the grass at reasonable intervals and raking and cleaning the grounds.

This general care does not include repair or replacement of any memorial placed or erected on cemetery lots, as this remains the responsibility of the owner of the lot in perpetuity.

The Association is to carry out responsibility as follows:

AUTHORITY:

The responsibility of care and maintenance of cemeteries owned by the Association falls under the direct control of the elected Officers and Trustees and/or their designate.

MEETINGS:

The Association will meet publicly and regularly as established by its bylaws, at times of posted notice, and upon call of an emergency matter. Regular meetings are typically held semi-annually in the spring and fall. A change of the date and time of any posted meeting may be revised or canceled due to holidays, inclement weather, sickness or other factor beyond the control of the Association.

OFFICERS:

As directed by the Association's Bylaws, a president, a clerk, a treasurer and directors will be named and placed on record for the ensuing year. This will be done at a semi-annual meeting, usually held in the autumn of every calendar year.

The following rules and regulations issued by the Association are intended to be specific and helpful to its officers, directors, their designee(s) and lot/grave owners.

REGULATORY PROVISIONS:

I. Terms of Lot Sales and Ownership

- a. All lots are sold and transferred by a deed issued by the Treasurer of the Association. The buyer may record the deed at the Franklin County Registry of Deeds at his/her own expense.
- b. No lot(s)/grave(s) shall be sold to any organization, group or association.
- c. The right granted to any lot or grave within the limits of the cemeteries is a sole and exclusive right of burial of the deceased and the erection of a memorial monument or marker. The Association has specifications, standards and restrictions governing the erection of monuments and markers.
- d. A lot consists of six graves.

- e. Purchase of a lot(s) or grave(s) must be made by contacting one of the Officers of the Association, preferably the treasurer, or his/her designee.
- f. Current costs are available from the Association's Treasurer or President. Costs may be reviewed annually and may be revised by a vote of the directors at an appropriately posted meeting.
- g. Payments for the purchase of lot(s)/grave(s) shall be made to the Buckland Union Cemetery Association prior to interment.
- h. The cost of lot(s)/grave(s) includes perpetual care of land. Care does not include repair or replacement of any memorials, headstones, or footstones placed or erected on cemetery lot(s)/graves(s), as this remains the responsibility of the owner of the lot in perpetuity.
- i. Each grave may consist of space for one to three burials, as follows:
 - One casket with vault (full-body burial) plus one cremation, or
 - three cremations.
- j. Ownership of lot(s)/grave(s) may pass to an heir/family member of a deceased lot owner. Owners may deed unused lot(s)/grave(s) back to the Association for no consideration, or the Association may purchase unused lot(s)/grave(s) from the owner at the original purchase price. No lot/grave owner may sell, transfer, or convey ownership title to a person outside the family without approval from the officers of the Association. No lot/grave owner may sell, transfer, or convey ownership title to another person for more than the original purchase price.
- k. A copy of these regulations will be a part of all deeds issued by the Association by vote of the Board on October 19, 2019.
- l. No signs, notices or advertisements of any kind shall be allowed in the Cemetery unless approved by the Association.

II. Interments and Disinterment

- a. All burials shall be under the supervision of the Association or the Association's designee.
- b. All interments and dis-interments are made subject to the orders and laws of the properly constituted authorities of the town, county and state.
- c. No interments will be made between November 1st – April 1st.
- d. No interments will be made until the Association or their designee has been furnished with a burial permit as required by law.
- e. All fees provided for in the then-current rate schedule adopted by the Association, including but not limited to special service charges, shall be paid within 30 days of interment unless other arrangements have been made.
- f. All non-green burials shall be made in a concrete box (vault), together with a one- or two-piece cover of sufficient strength to permanently support the weight above it.
- g. All non-green burials shall be at a depth of approximately six feet, unless otherwise approved by Association or their designee.

- h. Green burials shall be allowed provided that:
 - 1. The body of the deceased is to be prepared in an environmentally friendly way; embalming is not permitted. Any casket, clothing or shroud used to cover the body is to be readily biodegradable. Non-degradable products or objects shall be limited to token items only.
 - 2. The body may be brought to the cemetery by an undertaker, or by family and friends of the deceased. A board and straps may be used to lower the body into the grave.
 - 3. The deceased's family and friends may participate in the burial of the body to the extent they desire, subject to approval by the Association or its designee.
 - 4. Burial in a casket is not required. However, if one is used, it must be made of biodegradable material such as pine or cardboard.
 - 5. Burial depth will be four feet if a casket is used, three feet if burial is directly in the ground.
- i. All cremation burials shall be under supervision of the Association or its designate. The location of each burial and/or cremation will be documented by Association's Treasurer or designee.
- j. The Association shall make available single graves in the cemetery, which shall be used as burial sites for a pauper or body that is found unclaimed or where the Association finds that, due to financial hardship, the family cannot afford to bury a loved one. These sites shall be free of charge.
- k. Neither the Association nor its designee, shall be held responsible for any instruction given or mistakes made due to the lack of precise, proper facts or instructions as to a particular lot/grave size where an interment is desired.
- l. The Association or its designee reserves the right to correct any such error that may occur in making an interment or disinterment. The Association shall not be held liable for the failure of any device or equipment to operate in normal manner. This shall include any conditions beyond its immediate control.

III. Monuments, Markers, etc.

- a. Any monuments or markers shall be constructed of material that will not rot or rust.
- b. All monuments shall be constructed on a cement foundation of approximate depth of eighteen inches and a width and length at least 4 inches longer and wider than the monument supports, with the exception of stones large enough to stand on their own without a foundation.
- c. Violations of erection specifications may result in the removal of the monument/memorial at the lot/grave owner's expense.
- d. No monument inscriptions deemed in the opinion of the officers of the Association as profane, indecent, objectionable or unfitting to public acceptance will be allowed.
- e. Neither the Association nor its designee shall be held responsible for damages to any monument or marker that is the result of vandalism by unknown person or persons; nor for any damages caused by natural heaving of the ground, a natural disaster such as those encountered during severe wind, snow or electrical storms.

IV. Decorations & Plantings

- a. American flag holders may be placed on graves of any war veteran, or on the grave of a deceased Police or Fire Department member. These holders shall be placed close enough to monument bases so as not to interfere with mowing operations.
- b. Frames, containers, baskets, decorations etc. are the responsibility of the family/donor who placed them. It is the responsibility of the family/donor to remove these items when they become unsightly. The Association Officers and Directors or their designee have the right to remove any frames, containers, baskets, decorations, etc. of any type at any time at their discretion.
- c. Installing fencing, trees or shrubs on lots is prohibited. If a pre-existing planted tree or shrub encroaches on another lot, or on any walkway or road, it may be pruned or removed without notice at any time at the discretion of the officers of the Association. The Association may, from time to time, replace trees that have been removed but only on Association-owned land.
- d. Flowerbeds are allowed provided that they not exceed the length of the monument nor be more than one foot in width and must be located toward the front (graveside) of the monument only. Flowerbeds shall be maintained in a weed-free condition. Any flowers or flowerbeds that are not planted or maintained according to these conditions may be removed without notice at any time at the discretion of the officers of Association. Vines and large perennials (e.g. phlox) are prohibited.
- e. The Association shall not be responsible for any kind of plantings, decorations, or memorials damaged by the elements, vandals, thieves or other causes beyond its control. Further, the Association has the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants, herbage or decorations from the cemetery as soon as they become unsightly, dangerous, detrimental or diseased, or do not conform to the standards described above. The Association shall not be responsible for any damages which may occur during normal maintenance or mowing.
- f. Glass containers, vases, metal urns or holders may not be used as they pose a probable hazard or injury to other persons or equipment.

V. Variance and Hearings

- a. The Association reserves the right to change, add, and/or delete these rules and regulations at any time, as long as the changes are deemed necessary and appropriate by a majority of the directors of the association.
- b. The association suggests interested parties and lot owners contact the President or Treasurer prior to all matters concerning burials, monuments, and the purchase or sale of lots/graves, to receive updated information, specifications and current costs.

VI. Enforcement

The established rules and regulations of Association will be enforced by its officers or their designee. If appropriate the Association will call upon the Buckland Police Department and/or the Massachusetts State Police or any other organization/person authorized to enforce civil and/or criminal laws.

Approved by unanimous vote of the Board of Directors on October 19, 2019: Laurie Benoit, President