

Town of Searsport
Cemetery Ordinance

Section 1. Preamble/Purpose

Since it is the desire of the Town of Searsport to make its cemeteries a quiet, beautiful resting place for the deceased where a sense of repose will be obtained by the dignified landscape effects of a well maintained lawn, the Town has spent and will continue to expend considerable amounts of money to secure these effects. It is to achieve this end that this ordinance is effected.

Section 2. Cemeteries/Definition

The term cemeteries, as used in this ordinance, shall be construed to all lands now or hereafter deeded to and accepted by the Town of Searsport for burial purposes including the following locations:

- A. Bowditch
- B. Elmwood
- C. Gordon
- D. Village
- E. Merithew
- F. Evergreen

Section 3. Definitions

- A. Grave: an area suitable for the interment of one body except in the case of parent and child or two infants buried in one casket simultaneously.
- B. Gravestone: any stone which marks a cemetery lot grave site.
- C. Lot: a plot of land approximately 4' x 11', sufficient for one traditional grave site, or 2 or more cremains. Each lot may have one upright monument/stone and flat markers as appropriate.
- D. Resident: a person who has lived in the Town of Searsport for at least two (2) years during some point in his/her life or the dependant child of any resident or a person who has lived in Searsport for at least six (6) consecutive months immediately prior to his/her death.
- E. Interment: Entombment, or burial of the remains or cremains of a deceased person.

Section 4. Ownership and Title of Lots

- A. The term "Lot Owner" or "Ownership" shall be construed to mean the rights to use a lot as purchase from the Town for a consideration for burial purposes only and under the rules and regulations as prescribed for the Town for such use.
- B. Upon full payment of the purchase price of a lot and its attendant perpetual care, the town will issue a cemetery deed under its seal, and the deed will be recorded in the records of the Town as evidence of ownership of the lot.
- C. Reassignment of lots will be made only to residents of Searsport and/or to members of their Immediate family.

- D. The title to a cemetery lot invests in the owner the right to use such lot for burial purposed only, for him/herself, his or her heirs or for any such persons as they choose to admit, provided that such admission is free of charge and without compensation and in accordance with any Rules and Regulations as may be promulgated by the municipal officers.

Section 5. Care of Cemetery

A. Perpetual care - Any person who purchases a lot is required to pay the Town Treasurer the sum established in accordance with this ordinance as a reasonable amount for the care of said lot. The care of cemeteries shall include the cutting of the grass on the lot at reasonable intervals, the raking and cleaning of the lot, and after mowing, cleaning grass and debris from monuments and especially flat stones and such other work as may be necessary to keep the Cemetery in a neat condition. The Town will perform repair to stones as necessary and as budget will allow.

Section 6. Regulations for Improving Lots

- A. Enclosures: no enclosures of any nature, such as fences, copings, hedges or ditches shall hereafter be erected on any lot.
- B. Memorabilia: at grave sites shall be limited to a number and size that does not interfere with routine maintenance.
- C. Grade: grave mounds shall not be allowed. No lots shall be raised above the established grade.
- D. Care of shrubs, etc.: Shrubs may be planted in close proximity to the stone marker, reserving the right of the Town to trim or remove if necessary to facilitate maintenance. The planting of shrubs must have prior approval by the Sexton of Cemeteries. See (Appendix C).
- E. The Town reserves the right for its workmen and those persons necessary for the performance of normal operations to enter upon or cross over any lots in the cemeteries.
- F. Upright gravestones shall have a suitable foundation depending on grave size. All flat markers shall be no more than three and one half feet by two feet and shall be flush with the surface of the ground.
- G. Caskets shall be enclosed in a permanent, outside container. Only concrete or metal vaults will be permitted to be used.

Section 7. General Regulations

- A. Cemeteries will be open between the hours of sunrise and sunset. Permission to enter the cemeteries at any other time must be obtained from the Town Manager. . Any person found on the grounds after dark will be considered to be a trespasser.
- B. The bringing of intoxicating beverages into the cemeteries is strictly forbidden.
- C. No dogs shall be permitted in the cemeteries, only on a leash. The owner/keeper must conform to the Animal Control Ordinance with respect to waste
- D. Firearms will be allowed in the cemeteries only at military funerals and at official celebrations such as Memorial Day, Veteran's Day, etc.
- E. No off-highway vehicles are allowed in the cemeteries. i.e., snowmobiles, ATV's, dirt bikes, or BMX bicycles.

- F. Speeds of more than ten (10) miles per hour are not permitted, and no person shall drive his/her vehicle upon the lawns.
- G. All persons are reminded that the grounds are sacredly devoted to the burial of the dead and that the provisions and penalties of the law, as provided by statute will be enforced all cases of wanton injury; disturbance and/or disregard of the rules.
- H. The Town reserves the right to remove all flowers, potted plants, winter and summer wreathes or baskets of flowers when they become withered or for any other reason deemed to be in the best interest of the cemeteries.
- I. The person responsible for the interment of remains or cremains shall be responsible for filing The Interment Notification Form with the Town Clerk in a within 14 days.

Section 8. Fees, Charges and Payments

- A. The Treasurer shall make the sale of lots in the public cemeteries at the price established by the Board of Selectmen (see Appendix A), and, when the lot, including perpetual care, is paid for in its entirety, shall provide the purchaser with a good and sufficient deed for the same.
- B. The Board of Selectmen is authorized to make changes to the fee schedule as it deems appropriate.

Section 9. Severability

Should any provision of this ordinance be held invalid, the application of the other provisions of this ordinance shall not be affected thereby and the validity of this ordinance in any and all other respects shall not be affected.

Section 10. Violations

Any person who violates any of the provisions of this ordinance commits a civil infraction, punishable by a fine of \$ 100 for the first offense and \$ 200 for the second and subsequent offenses.

Adopted March 14, 1995

Revised March 2006

Revised March 5, 2011

Attest: Deborah Plourde
Deborah Plourde, Town Clerk

Appendix A

Fees for lots and perpetual care in all of Searsport's public cemeteries shall be as follows:

Lot Size	Price	Perpetual Care	Total
Single	\$ 75	\$ 100	\$ 175
Double	100	200	300
Four	200	300	500

Appendix B
Town of Searsport
Interment Notification

Full Name: _____
(Include maiden name if applicable)

DOB: _____ **DOD:** _____ **Veteran:** _____
(War)

Vault: _____ **Casket:** _____ **Cremaains:** _____

Cemetery: _____ **Range:** _____ **Lot:** _____ **Grave:** _____

Person providing information: _____

Business or Relationship to Deceased: _____

Address/Phone: _____

Date: _____

Appendix C

Shrub: Plants that grow to about 2 feet in diameter and four feet tall or less. e.g. arborvitae, dwarf pine, etc.

The family of the owner of the plot is responsible to prune shrubs to within the standard. Shrubs that are grossly over the standard will be removed by the Town of Searsport.