

**RULES AND REGULATIONS  
FOR MIDDLEBURY CEMETERY  
AND LAKE ELISE CEMETERY**

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**Adopted April 23, 1990  
Revised October 6, 2008, October 5, 2009, and  
October 2016  
by the  
Middlebury Cemetery Association, Inc.  
Middlebury, CT**

Cemeteries, like homes and neighborhoods, can be beautiful and attractive, or cluttered and untidy. The appearance depends in part on cemetery regulations. Only by your cooperation and adherence to these rules and our strict enforcement can we attain our common goal. The following Rules and Regulations for Middlebury Cemetery and Lake Elise Cemetery, Middlebury, CT have been adopted by the Board of Directors, hereafter called the Directors, of the Middlebury Cemetery Association, Inc. hereafter called the Cemetery, after careful study, as they are deemed in the best interest of all concerned. They are subject to change by the Directors from time to time as circumstances may require.

**General**

1. Rights to the burial of the remains of human beings only are sold, including ordinary perpetual care, at such prices as may be determined by the Directors and according to the plans and maps adopted by the Directors. Owners of burial rights acquire only the right and privilege of burial of the dead. The Directors have the right at all times to plan and change the layout and landscaping of the

cemetery, which includes but is not limited to entrances, hedges, trees and ornamental plantings.

2. A Deed of rights, subject at all times to such Rules and Regulations as may be determined from time to time by the Directors, will be issued by the Sexton upon full payment of said burial rights.

3. Transfer of rights in lots or graves may be made only upon approval of the Directors, acting through its Sexton. All deeds to lots must be signed by the Secretary to the Sexton and recorded on his/her records.

4. The Directors or their representatives shall have the right at all times to enter upon any lot for the purpose of maintaining, cleaning or policing such lot or for any other reason.

5. No owner of rights shall erect or place any bench, fence, sign or any other structure of any sort on the cemetery grounds, except as provided in these rules and Regulations.

6. Official flag-staff holders will be allowed at owners risk on the graves of those who served in the Armed Forces of the United States.

7. No vault, mausoleum or columbarium will be permitted except as approved by the Directors.

8. All excavations for burial vaults, monuments and grave markers and the opening and closing of all interments shall be arranged by the cemetery management, normally the Sexton, at the expense of the owner of rights.

9. Owners of rights or visitors are prohibited from plucking or carrying away any flowers, either wild or cultivated, and shall not injure in any way any shrub, plant or tree or mar or damage any monument, marker, fence or other structure within or around the cemetery.

10. Subject to the Rules and Regulations, the Cemetery is authorized to maintain order; to expel from the ground any person who violates any rule or

regulation, or acts in an unbecoming or improper manner; and to refuse admission to any person when it is deemed such action is necessary.

11. No burial will be permitted in any lot until the full contract price has been paid.

12. All grave openings, interments, disinterments and setting of monument bases will be coordinated and controlled by the Directors, normally acting through the Sexton.

13. Burial vaults of concrete, non-corrosive metals or other durable materials of the guaranteed types are required. All vaults must be of the self sealing type. Wooden overboxes are not permitted. Vaults must withstand deterioration and must support ground and equipment pressures from above.

14. Any owners of burial rights to any plot, wishing to sell his/her rights, must sell to the Middlebury Cemetery Association, Inc., and must sell at the same price which the association originally sold them to said owners.

15. No firearms, refreshments, intoxicating liquors, drugs nor narcotics of any kind shall be brought into the cemetery; except that firearms may be used and discharged in the case of a military funeral or in connection with an approved patriotic service.

16. A single grave may not exceed 1 vault and 1 individual remains, or 2 individual remains unless approved by the Directors.

17. Single graves and plots at Middlebury Cemetery and Lake Elise Cemetery are priced as follows:

Single grave: \$800.00

Plot (2 graves): \$1,600.00

**Flowers, Plants & Winter Coverings**

18. The Cemetery does not assume responsibility for loss or damage to any flowers, vases, urns, funeral designs, plants, winter coverings, nor shrubs bordering monuments.

19. Recognizing a mutual desire to have a well maintained and attractive cemetery, any item which becomes unsightly, overgrown or which interferes with burials or other cemetery work will be removed by the Cemetery.

20. Shrubs of any approved type may be planted along side of a monument by the owners of rights, provided there is room. The Cemetery shall not be responsible for damage to or death of any tree or shrub in the cemetery, planted by the owners of rights. Trees of any type are not permitted to be planted.

21. The Cemetery will plant and maintain hedgerows and central plantings as shown on the approved plan or map.

### **Monuments & Granite Markers**

22. A monument may be installed at owner's risk on lots for which monument rights have been purchased and for which a deed has been issued.

23. All monuments must be installed on the plots in the location shown on the approved plan or map.

- a. Those on the hedgerow design shall be set next to the hedgerow;
- b. Those on the modular design shall be set next to the central planning for those plots touching the central planting area; and
- c. Those on the modular design at the corner plots, i.e. those plots that do not adjoin the central planting area, shall be set flush with the ground.

24. The foundations for all monuments will be constructed at the expense of the owner of rights, and under the control of the Directors, acting through the Sexton.

25. A flush granite marker 12 inches in width and 24 inches in length may be placed at the head of each grave. Such marker must be of granite since no other stone will withstand the rigors of our climate. Letters and designs on the marker shall be cut into the stone, not raised.

26. The setting of monuments and the transportation of all tools, material, etc. within the grounds of the cemetery, shall be under the control of the Directors, acting through the Sexton.

27. In no case will the Middlebury Cemetery Association, Inc., or any of its officers, Directors or employees be held responsible for any damage to or loss of any marker, monument tree, shrub or any other article which may be placed in the cemetery by any person.

### **Dispute Resolution Procedure**

Per Connecticut General Statute Section 19a-314a (formerly Public Act 95-184)

1. A consumer may file a verbal complaint with the cemetery sexton or the Board president. The sexton or the president will respond verbally with a proposed solution.
2. If the consumer is not satisfied they may file a written complaint with the president. The president will respond in writing with a proposed resolution.
3. If the consumer is still not satisfied then they may file a written complaint with the Cemetery's Board of Trustees. The Board of Trustees will address the issue at their next regularly scheduled meeting. The consumer has the right to attend that meeting and address the Board. The Board will issue a written response to the complaint following the meeting.
4. Prior to or after Step 3, the consumer and/or the Cemetery may elect to ask a mutually agreeable third party to meet with the parties involved in an effort to arbitrate a mutually agreeable resolution.

The consumer may contact the Connecticut Department of Public Health or local public health director if the consumer has any complaints which concern violations of Sections 7-64 to 7-72, inclusive, 19a-310 and 19a-311 of the Connecticut General Statutes.

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