

TOWN OF PINETOPS
CEMETERY RULES AND
REGULATIONS

PURPOSE

The purpose of these rules and regulations is to assure that Pineview Cemetery will continue to be a well-maintained property for those who are interred there and for those wishing to honor them.

DEFINITIONS

Burial, internment and inurnment to be used interchangeably and shall mean the ceremonial act of placing remains in a grave.

Cemetery plot, burial plot and gravesite are used interchangeably and shall mean a single portion of land in a Cemetery used for the internment of the human remains of one person.

Cemetery: The Pineview Cemetery.

Gravestone: A Marker or Monument placed on or near a gravesite for the purpose of identifying the person buried or inurned there. Markers and Monuments will be referred to collectively as Gravestones.

Memorial: A statue or other structure, larger than a Markers or Monument, placed near a gravesite to honor and identify a person or persons buried or inurned there.

Marker: A type of grave marker, usually of metal or stone, placed on or near a gravesite used to identify the deceased buried or inurned there. These shall include flat markers, grass markers, bevel markers, slant markers and other markers which lie flat on the ground.

Monument: A type of grave marker, usually a structure greater in size than a marker, placed on or a gravesite used to identify the deceased buried or inurned there. These shall include headstones which stand upright out of the ground.

GENERAL REGULATIONS:

1. Visitors are welcome in the cemetery to respectfully honor those who are there.
2. Properly licensed funeral homes and mortuaries may perform burials in a Cemetery with permission of the Town.
3. Town cemeteries are open to the public throughout the year from sunrise until sunset. No person may enter the cemetery at any other time without written permission from the Town.
4. All interments, exhumations, and removals must be made at the time and in the manner as prescribed by the Town of Pinetops and in accordance with the laws of

the State of North Carolina.

PURCHASE AND TRANSFERS OF BURIAL PLOTS

1. Cemetery plots may only be purchased at Town Hall. All purchasers will be given a deed that may be filed with the Edgecombe County Register of Deeds.
2. Sales of cemetery plots will be made to funeral homes only for purposes of interment of a specific individual and their spouse. Such sales are intended as a convenience to those persons and families suffering the death of a loved one and to allow funeral homes to make arrangements on their behalf. Though funeral home businesses will be responsible for making payment to the Town for the purchase of cemetery plots under this section, all cemetery plot deeds will be issued in the name of the individual, and not in the name of the funeral home.
3. Rates for the purchase of burial plots shall be set by the Town Board of Commissioners and may be increased at its discretion.
4. The Town retains control and supervision of all burial plots that are sold, with the purpose of preventing anything which is objectionable or injurious to a burial plot, adjoining lots, or the Cemetery in general.
5. The Town must approve any transfers or assignments of cemetery plots. Transfers made without written approval of the Town are void.
6. The Town reserves, and shall have, the right to correct any errors that may be made in the descriptions, transfers, or conveyance of any burial plot.
7. Individuals claiming to have inherited a burial plot(s) shall provide an executed affidavit of ownership on such form as provided by the Town as well as any other documentation necessary to verify ownership.

INTERMENT PROCEDURES AND REGULATIONS

The Cemetery is open for burial of anyone for whom a burial plot has been purchased from the Town or has a deed that has been properly issued by a previous owner of the Cemetery. **Funeral homes, monument dealers, vault dealers and similar third parties are responsible for following the regulations in this section.**

1. *Notification and Advance Maintenance.* The Town shall be notified at least one work day in advance of the time of any burial and will work with the parties involved to make adjustments in the time to assure that the services will not conflict with any others. The Town will make efforts to have the areas around the burial site attractively maintained at the time of the burial.
2. *Permissible Dates and Times.*
 - a) No interments or disinterments shall be permitted on Christmas Day.
 - b) Internments must be performed between 8:00 a.m. and 4:00 p.m. Monday through Saturday and between 1:00 p.m. and 4:00 p.m. on Sunday..

- c) All funeral processions entering the cemetery grounds after 4:00 p.m. will be required to pay an additional charge. All additional charges are outlined in the schedule of cemetery charges.
3. *Capacity.* Not more than one uncremated body shall be interred in one burial plot or vault. The cremated remains of up to two bodies may be interred in one burial plot or vault.
 4. *Identification of Remains.* Proper identification of such interment shall be made on a suitable Marker or Monument.
 5. *Grave Markers and Monuments.* There is to be a gravestone on each grave. Monument companies and/or installers of monuments and markers shall clean the lot and surrounding area of all debris and shall be responsible for any damages done. See also "Monuments and Markers".
 6. *Open and Closing of Graves.* No grave may be opened and no burial may take place in a Cemetery except by a licensed funeral director or designated employees under the supervision of the Town. No grave shall be opened on any cemetery plot until the deed for such lot is presented to the Town or the Town is otherwise satisfied that the person requesting the opening of such grave is the owner of the burial plot on which it is opened. Whoever opens a grave shall leave enough dirt at the grave site to close the grave. Sod shall be saved and replaced level with the ground. No mound shall be left on the grave. Any excess dirt will be dumped at a location designated by the Town. If the excess dirt is dumped elsewhere, the dirt may be moved by the Town and the cost billed to the responsible party.
 7. *Damage to Property.* If while in process of opening, closing, installing stones or grave markers or monuments, any damage was sustained to Cemetery property, including tracks or ruts left by vehicles or other equipment, those damages shall be repaired immediately by the responsible party. If not repaired or corrected within three days following interment, the Town of Pinetops will make the repairs and the cost will be billed to the responsible party. The responsible party will not be permitted to make future interments at the Cemetery until all unpaid invoices for damage repair are paid in full.
 8. *Caving-in of Grave.* Graves that cave in will be the responsibility of the funeral home that performed the interment. In filling the grave, the turf shall be removed and replaced unless turf is replaced with topsoil where grass seed has been planted and watered. If grave has not been filled, in an appropriate time, the grave will be filled by the Town of Pinetops and the cost billed to the responsible party. The responsible party will not be permitted to make future interments at the Cemetery until all unpaid invoices for damage repair are paid in full.
 9. *Removal of flowers.* Burial sites will be monitored 7-10 days after the burial by the Town to determine when funeral flowers are to be removed. Funeral flowers left on the gravesite after 10 days will be removed by the Town.

GRAVE MARKERS, MONUMENTS AND MEMORIALS

There are to be markers on each grave.

1. *Application.* Before any grave Marker, Monument or Memorial may be set in any Cemetery, written application must be made to the Town and permission shall be obtained from the Town for the erection of such Marker, Monument or Memorial.
2. *Care.* All Marker, Monument or Memorial must conform to standards set by the Town. Any Marker, Monument or Memorial placed on or near a gravesite(s) shall be at the owners' care, risk and responsibility.
3. *Size.* All gravestones that protrude above the ground will require a cement/granite base with a minimum 4 inch apron on all sides. No Memorial will be permitted on a single burial plot.
4. *Foundation.* Foundations for all gravestones shall be constructed by a qualified dealers and provided at the cost of the lot owner, from materials approved by the Town of Pinetops, Monument foundations shall extend 6" outside the edges of the monument at all points and shall be flush with surrounding ground.
5. *Location.* All gravestones will be installed at ground level except where existing protruding stones exists and installation of the stone at above ground level is required to match the elevation of the existing gravestone(s).
6. *Adjustments.* Monument companies are responsible for properly adjusting the gravestones and Memorials and for any repairs or future adjustments needed, including those that result from the settling of the grave, at the cost of the owner(s).
7. *Other Memorials.* Any additions to the grave site, such as benches, fences, vases, pots, and flower containers are to be approved by the Town.

DEFACEMENT OF DESECRATION OF GRAVE SITES

1. No person shall willfully pollute a Cemetery.
2. No person without lawful authority shall remove, injure or destroy any flowers, trees or shrubs within the limits of the Cemetery.
3. No person without lawful authority shall write upon, deface or injure any Monuments, Markers, Memorials or other structures.
4. Any repairs required resulting from damage done by visitors will promptly be paid to the Town by those responsible.

DISRUPTIVE ACTIVITY

1. Trespassing, theft, noisy, boisterous or other improper conduct, or other violations of rules may result in the arrest of the violators.
2. No person shall use the drives or walks of the Cemeteries as a public thoroughfare. There shall be no driving over lots or lawns except by Town of Pinetops employees where necessary in the discharge of their duties. A maintenance fee will be assessed

against any individual who damages a gravesite or the Cemetery property.

3. No person shall willfully permit any animal to run at large and wander into the Cemeteries.
4. It shall be unlawful for any person under the age of sixteen (16) years to be on any Cemetery property unless accompanied by a parent, grandparent, or other guardian over the age of eighteen (18).

MAINTENANCE OF CEMETERY (TREES, PLANTINGS, LANDSCAPING AND FLOWER REMOVAL)

1. No trees, shrubs, plants or flowers can be planted on any lot without the approval of the Town.
2. The Town will provide perpetual care to the Cemetery. Perpetual care provided by the Town shall mean only the maintenance of roadways and walks, the cutting of grass upon said lots at reasonable intervals, and the pruning of shrubs and trees planted by the Town. If found economically necessary at any time, the Town may limit perpetual care to that amount that can be done with the income received from the sale of cemetery plots and any investment of other funds.
3. Notwithstanding the provisions contained within the DECORATIONS section below, The Town has authority to remove all floral designs, flowers, trees, shrubs, plants, or herbage of any kind from the cemetery as soon, as in the judgment of the Town, they become unsightly, dangerous, diseased or when they do not conform to the standards maintained by the Town.

DECORATIONS

1. *Internment.* Gravesites will be monitored 7-10 days after the burial by the Town to determine when funeral flowers are to be removed. Funeral flowers, frames, designs, baskets, or other items remaining on the lot ten (10) days after internment may be removed and discarded by the Town without liability to any third-party. Flags and Military Memorabilia. Metal emblems, flags, and guidons are allowed on lots or gravesites only in the week immediately preceding and the week immediately proceeding Memorial Day.
2. *Flowers and Containers.* Artificial flowers and plants will be allowed for seasonal holidays or ceremonies. After they become faded or unattractive, they will be removed immediately by the Town. Cut flowers will be allowed for a period of seven days, after which they will be removed by the Town. No vases, clay pots, or flower containers will be allowed to remain unused on any gravesite; these articles will be removed as necessary by the Town.
3. *Christmas.* All flower arrangements (including Christmas arrangements), designs or baskets will be removed from the Cemetery on or after the first day of February of each year.
4. *Cleanup.* The Town will conduct cleanup of all decorations in the Cemetery at least

two (2) times per year. At such times decorative items will be removed and discarded, including:

- a) Damaged decorations (e.g. silk flowers that are coming apart; broken vases or frames.)
- b) Any decorations that have blown away and are no longer attached to a gravesite.
- c) Any decorations placed on the ground, including artificial flowers, plastic flower vases or wreaths.
- d) All flower arrangements and holiday decorations, designs, or baskets.
- e) Burial sites for interments that have taken place less than ten (10) days from the date of the cleanup shall be excluded.

LIABILITY

1. The Town of Pinetops shall not be liable for loss or damage from causes beyond its reasonable control, including damage caused by the third-parties, elements, and act of God, common enemy, thieves, vandals, malicious mischief markers, explosions, unavoidable accidents invasions, insurrections, riots or order of any military or civil authority, whether damage be direct or collateral.

GENERAL/MISC

1. The Town reserves the right to enlarge, reduce, replace or change, the boundaries or grading of the Cemetery, or of sections of them, from time to time as it deems advisable or necessary.
2. Temporary exceptions, suspensions, or modifications in these rules to avoid imposing unnecessary hardships may be made by the Town Administrator and shall in no way be construed as affecting the general application of these rules.
3. No coping, curbing, fencing, hedging, grave mounds, borders, shrubbery, tress or enclosures of any kind be allowed around any lot; and no walks, of bricks, cinders, tile, stone, marble, terra-cotta, sand, cement, gravel or wood shall be allowed on any burial plot.
4. All regulations may be changed at the discretion of the Pinetops Board of Commissioners.