



The North and East Burial Grounds
Cemetery Commission
Bristol, Rhode Island

Rules and Regulations

For the mutual protection and benefit of lot owners, and the Cemetery, the following Rules and Regulations have been adopted as the Rules and Regulations of the Town of Bristol, North Burial Grounds. All lot owners and visitors within the Cemetery, and all lots sold, shall be subject to said Rules and Regulations, amendments or alterations as shall be adopted by the Board of Cemetery Commissioners from time to time, and the reference to these Rules and Regulations in the Deed to a lot shall have the same force and effect as if set forth in full therein.

Definition of Terms

1. The term "Commission" shall mean the Board of Cemetery Commissioners of the Town of Bristol, North Burial Grounds, and the person or persons duly appointed by them for the administration, hereafter, singly or jointly referred to as the Cemetery.
2. The terms "lot", "plot", or "burial space" shall be used interchangeably, and shall apply with like effect to one or more than one adjoining grave.
3. The term "interment" shall mean the permanent disposition of the remains of a deceased person by cremation and interment, entombment or burial.
4. The term "memorial" shall include a monument, marker, tablet, or headstone for the family or individual use.

General Supervision within the Cemetery

1. All persons, vehicles and funerals within the Cemetery are subject to the control and order of the Superintendent and his assistants.

Interments and Disinterment

1. Besides being subject to these Rules and Regulations, all interments, disinterment and removals are made subject to the orders and laws of the properly constituted authorities of the town, county and state.
2. All interments, disinterment and removals must be made at the time and in the manner and subject to such charges as fixed by the Cemetery Commission.
3. The right is reserved to insist upon at least forty-eight(48) hours notice prior to any interment and at least one week's notice prior to any disinterment or removal.
4. When instructions regarding the location of an interment space in a lot cannot be obtained, or are indefinite, or when, for any reason the interment space cannot be opened where specified, the Superintendent may, in his discretion, open it in such location in the lot as he deems best and proper, so as not to delay the funeral; and the Commission shall not be liable in damages for any error so made.
5. The Commission reserves, and shall have the right to correct any errors that may be made by it either in making interments, disinterment, or removals or in the description, transfer or conveyance of any interment property, either by canceling such conveyance and

substituting and conveying in lieu thereof, other interment property of equal value and similar location as far as possible, or as may be selected by the Commission, or, in the sole discretion of the Commission, by refunding the amount of money paid on account of such purchase. In the event such error shall involve the interment of the remains of any person in such property, the Commission reserves, and shall have, the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

6. The Commission shall not be liable for the interment permit nor for the identity of the person sought to be interred.
7. No interment shall be permitted or memorial placed in or on any property not fully paid for except by special consent of the Commission in each and every case. In the event consent is given, any and all interments or memorials placed in or on said property shall be considered as temporary. In case the purchaser of said property shall fail to meet all payments within thirty days, the Commission may reenter said property and hold the same as of its former estate. The Commission, thereupon, shall be released from all obligations hereunder, and it may retain such payments as may have been made toward the purchase of such property as liquidated damages. The Commission reserves the right and shall have the right, immediately or at any time thereafter, without notice, at its discretion, to remove to single graves, to be chosen by the Commission, each of the remains interred in said property. The Commission, further, shall have the right to remove any memorial that has been placed on said property.
8. One full casketed burial and two cremated remains, or three cremated remains are allowed in one grave; with the exception of cremation only lots.
9. No interment of any body, or the cremated remains of any body other than a human being, shall be permitted in the cemetery.
10. Artificial grass and equipment owned by the Commission may be used in making interments, disinterment and removals. Undertakers must remove their equipment immediately after interments.

Disinterment and Removals

1. Removal, by the heirs, of a body or cremated remains so that the plot may be sold for profit to themselves, or removal contrary to the express or implied wish of the original plot owner, is repugnant to the ordinary sense of decency and is absolutely forbidden.
2. A body, or cremated remains, may be removed from its original plot to a larger or better plot in the Cemetery, where there has been an exchange or purchase for that purpose.
3. The utmost care will be exercised in making a removal but the Commission, or those working on their behalf, shall assume no liability for damage to any casket, outer burial container or urn incurred in making the removal.

Service Charges and Overdue Indebtedness

1. The charges for the Cemetery services must be paid at the time of the issuance of the order of interment, disinterment or removal.
2. The Commission reserves the right to refuse to do or allow to be done work of any character, including interments in or upon any lot until arrangements have been made for payment of any and all indebtedness due the Cemetery for work performed in or upon the lot.

Transfers or Assignments

1. Transfers and assignments or interests therein shall be made by original owner(s) of said lot only, and such be recorded by the Commission.

Control of Work within the Cemetery

1. All grading, landscaping, and improvements of any kind, and all care on plots, shall be done, and all trees and shrubs and herbage of any kind shall be planted, trimmed, cut or removed and all openings and closings of plots and all interments, disinterment and removals shall be made only by the Commission, and/or those working on their behalf.
2. All improvements or alterations of individual property in the Cemetery shall be under the direction of and subject to the consent, satisfaction and approval of the Superintendent; and, should they be made without his consent, he shall have the right to remove, alter or change such improvements or alterations at the expense of the plot owner, or, in any event, at any time, in his judgment, they become unsightly to the eye.
If any trees or shrubs, situated on any lot, shall, by means of their roots or branches, become detriments to the adjacent lots or avenues, or unsightly or inconvenient for visitors, the Commission shall have the right to enter said lot and remove said trees or shrubs or such parts thereof as they shall determine to be detrimental, unsightly or inconvenient.

Decoration of Plots

1. The Commission and those working on their behalf, shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind from the Cemetery, as soon as in the judgment of the Superintendent they become unsightly, dangerous, detrimental, or diseased or when they do not conform to the standards maintained. The Commission shall not be liable for floral pieces, baskets or frames in which or to which such floral pieces are attached, beyond the acceptance of such floral pieces for funeral services held in the Cemetery. The Commission shall not be liable for loss, misplaced or broken flower vases. The Commission shall not be responsible for frozen plants, or herbage of any kind, or for plantings damaged by the elements, thieves, vandals, or by other causes beyond their control. The Commission reserves the right to regulate the method of decorating plots so to maintain safety and facilitate maintenance.
2. The Commission shall have the authority to remove all floral decorations, flags, shrubs, plants or herbage of any kind, which the judgment of the Commission, have become unsightly, dangerous, diseased, or detrimental, or which do not conform to the regulations outlined.
3. The placing of boxes, shells, toys, metal designs, ornaments, chairs, settees, vases, glass, wood or iron cases and similar articles, upon lots shall be permitted for two weeks after interment. Should items not be removed by plot owners, the Commission reserves the right to remove and dispose of such items.
4. Coat hangers or other wires in the ground or attached to memorials as pot holders are not allowed.
5. All fittings, adornments, urns and arrangements shall be and are hereby declared to be, subject to the approval and control of, and acceptance or rejection by the Commission. Any urns or baskets left on graves for more than seven (7) days shall become the property of the Commission at their option.

6. Flags are restricted to one (1) American Flag per lot.
7. The lot owner agrees to not attempt to establish a shrine to his/her loved one or around a grave, inurnment, crypt or niche.

Changes in Grade and Replanting

1. The rights to enlarge, reduce, replant or change the boundaries or grading of the Cemetery or of a section or sections, from time to time, including the right to modify or change the locations of or remove or regrade roads, drives or walks or any part thereof, are hereby expressly reserved. The right to lay, maintain, and operate or alter or change pipe lines or gutters for drainage, etc., is also expressly reserves, as well as is the right to use Cemetery property, not sold to individual plot owners, for cemetery purposes including the interring and preparing for interment of dead human bodies, or for anything necessary, incidental or convenient thereto. The commission reserves to itself and to those lawfully entitled thereto, a perpetual right of ingress and egress over plots for the purpose of passage to and from other plots.
2. No easement or right of interment is granted to any plot owner in any road, drive, alley or walk within the Cemetery, but such road, drive, alley or walk may be used as a means of access to the cemetery or buildings as long as the Commission devoted it to that purpose.

Conduct of Persons within the Cemetery

1. Persons when within the Cemetery grounds shall use only the roads and walks and any person injured while walking on the grass except that be the only way to reach his plot, or while on any portion of the Cemetery other than walks and roads, shall in no way hold the Commission liable for any injuries sustained.
2. All persons are prohibited from gathering flowers, either wild or cultivated, breaking or cutting trees, shrubbery or plants, defacing or otherwise damaging monuments or structures.
3. Receptacles for waste materials are located at convenient places. The throwing of rubbish on the drives and paths or on any part of the grounds or buildings is prohibited.
4. Automobiles shall not be driven through the grounds at a greater speed than 15 miles per hour, and must be kept to the right side of the Cemetery roadway, unless otherwise directed by the Superintendent or his assistants. Automobiles are not allowed to park or to come to a full stop in front of an open grave unless in attendance at the funeral.
5. Automobiles must be kept under complete control at all times. When meeting a funeral procession, they must stop until the procession passes. Vehicles must not be left running during the funeral.
6. No vehicle shall be driven across any grave, lot or lawn nor parked or left thereon. It is prohibited to park or leave any vehicle on any road within the Cemetery at such a location or position as to prevent any other vehicle from passing the same. If so parked the vehicle will be removed.
7. Peddling of flowers or plants, or soliciting the sale of any commodity, other than by employees of the Commission, is prohibited within the confines of the Cemetery.
8. No firearms shall be permitted within the Cemetery except at military funerals or on special written permit of the Superintendent.
9. It is important that there is strict observance of all the proprieties of the Cemetery; the Superintendent shall have the power to prevent improper assemblages or actions.

10. The Superintendent is empowered to enforce all Rules and Regulations, and to exclude from the property of the Commission any person violating the same. The Superintendent shall have charge of the grounds and buildings and shall have supervision and control of all persons within the Cemetery, including the conduct of funerals, traffic and employees. To protect and promote the best interest of the Cemetery, he is authorized to make temporary additional rules which may be needed, from time to time, to meet emergencies which are not covered by these Rules and Regulations.

Protection from Loss or Damage

1. The Commission shall take reasonable precautions to protect plot owners and the property rights of plot owners, within the Cemetery, from loss or damage; but it distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage caused by the elements, an act of God, common enemy, thieves vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or order of any military or civil authority, whether damage be direct or collateral, other than as provided.

The Care of Plots

1. The term "perpetual care", used in reference to plots, shall be held to mean the cutting of the grass upon said plots at reasonable intervals, the raking and cleaning of plots, the pruning of the shrubs and trees that may be placed by the Commission; meaning and intending the general preservation of the plots and the grounds, walks, roadways, boundaries, and preservation of the plots, and the grounds, walks, roadways and boundaries and structures, to the end that said grounds shall remain and be reasonably cared for as Cemetery grounds forever;
2. The term "perpetual care", unless otherwise provided in the agreement, shall in no case be construed as meaning the maintenance, repair and replacement of any memorial placed or erected upon lots; nor the planting of flowers or ornamental plants; nor watering the lots; nor the doing of special or unusual work in the Cemetery, including work caused by impoverishment of the soil; nor does it mean the reconstruction of any marble, granite, bronze or concrete work on any portion in the Cemetery, caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasion, insurrection, riots, or by the order of any military or civil authority, whether the damage be direct or collateral.
3. Perpetual care, whether applied to lots or graves or to anything within the confines of the Cemetery, shall be limited absolutely to the income received from the investment of the perpetual care fund, no part of the principal being expended, anything herein stated to the contrary notwithstanding.
4. It is understood and agreed between the purchaser and the Commission that all of said funds may be deposited with others of like character and intent, to the end that the income from such accumulated general fund shall be used in the general improvement and perpetual care as above defined; but in no case shall their deposit be construed as a contract to care for any individual property or space.
5. The income from the perpetual care fund shall be expended by the Commission in such manner as will, in its judgment, be most advantageous to the original deed holders, as a whole, and in accordance with the purposes and provisions of the laws of the state applicable to the expenditure of such funds. The Commission is given full power and

authority to determine upon what property, for what purpose and in what manner the income from said fund shall be expended. It shall expend said income in such a manner as in its sole judgment, it may deem advisable for the care reconstruction, repair and maintenance of all or any portion of the Cemetery grounds.

6. The amount of said perpetual care funds to be collected from the purchasers of cemetery ground plots shall be such sum as may be determined by the Commission for the various sections and/or size of lots.
7. The deed issued shall show the amount of perpetual care fund that has been required of the individual and set aside in each case.

Certificate and Rules are Sole Agreement

1. The deed and these Rules and Regulations and any amendments thereto shall be the sole agreement between the Commission and the plot owner. The statement of any employee or agent, unless confirmed by Superintendent or Commission, shall in no way bind the Commission.

Modifications and Amendments

1. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Commission therefore reserves the right, without notice, to make exceptions, suspensions or modifications in any of these Rules and Regulations when, in its judgment, the same appears advisable; and such temporary exception, suspension or modification shall in no way be construed as affecting the general application of such rule.
2. The Commission may, and it reserves the right, at any time, to adopt new rules and regulations, or to amend, alter or repeal any rule, regulation, article, section, paragraph or sentence in these Rules and Regulations. All rules formerly adopted which are contrary to these Rules and Regulations are hereby repealed and declared to be no longer effective.

Regulations of Memorial Work

1. Workmen engaged in placing or erecting monuments and other structures, or bringing in materials, shall as to the Commission, operate as independent contractors.
2. Persons engaged in erecting monuments or other structures are prohibited from attaching ropes to monuments, trees and shrubs or from scattering their material over adjoining lots, or from blocking roadways and pathways, or from leaving their material on the grounds longer than absolutely necessary. They must do as little injury to the grass, trees and shrubs as possible.
3. While a funeral or interment is being conducted nearby, all work of any description must cease.
4. Approaching the bereaved and soliciting memorial business within the Cemetery is not permitted.
5. Memorial dealers shall abide by all rules of the Cemetery.

Monuments and Markers

1. Only one central or family memorial shall be allowed on a lot, size is based on the number of graves owned, and shall be placed on the space designated by the Commission.
2. No lot owner shall erect or place or cause to be erected or placed on any lot in the Cemetery, any memorial in respect of which the Commission disapproves.
3. Markers shall be flush with the ground, except where it is necessary to match those already set in a lot or section. Markers shall be placed on the grave closest the base of the monument.
4. While the Commission shall exercise all possible care to protect the memorial or other structure, on any lot, and the raised lettering, carving, or ornaments on such memorial, or other structure, it disclaims responsibility for any damage or injury thereto.
5. No coping, curbing, fencing, hedging, grave mounds, borders or enclosures of any kind shall be allowed around any lot and/or memorial; and no walks of brick, cinders, tile, stone, marble, terra-cotta, sand, cement, gravel, or wood shall be allowed on any lot. The Commission reserves the right to remove the same if so erected, planted or placed.

Plan Design and Finish

1. Cemetery officials shall have authority to reject any plan or design for any memorial which, in the opinion of the Commission, on account of size, design, inscription, kind or quality of stone is unsuited to the lot on which it is to be placed, or is not in conformity with the Rules and Regulations.
2. The Commission reserves the right to stop all work of any nature whenever, in its opinion, proper preparations have not been made, or when tools and machinery are insufficient or defective, or when work is being executed in such a manner as to threaten life or property; or when the monument dealer has been guilty of misrepresentation; or when a reasonable request on part of the Commission has been disregarded.
3. The completed work is subject to the approval of the Commission, and if unsatisfactory, it may be removed by the Superintendent.

Foundations and Setting

1. As a guarantee of good work and as a protection to all lot owners, the Commission reserves the right to excavate for and build all foundations, set all markers and posts and to regulate all work done in the Cemetery. A reasonable charge will be made for such work and the Commission shall assume responsibility for the proper construction of the foundation.
2. Foundations will be made at least as large as the bottom base or first masonry course above ground. The Commission reserves the right to require a larger foundation when, in its opinion, the weight of the structure requires it. Foundation orders must specify the exact size of such bottom base.
3. Foundation and setting charges shall be payable in advance.

Miscellaneous

1. Should any memorial become unsightly, dilapidated, or a menace to visitors, the Commission shall have the right to either correct the condition or remove the same, at the expense of the lot owner.
2. No monument or marker shall be removed from the Cemetery except by the Commissions, unless the written order of the lot owner is presented at a Commission meeting.

3. No advertising of any description, except that placed by the Commission, shall be permitted in the Cemetery.

Addendum to North and East Burial Grounds Rules and Regulations

Cremation Garden Regulations

- 1: Fresh cut flowers may be used at any time and remain until, in the judgment of the Commission or their designee, they become wilted or unsightly.
- 2: No items, floral arrangements, vases of any type or planting of any type are permitted in the Cremation Garden, except by the Commission or their designee.
- 3: All engraving for Cremation Garden section will be done by Commission approved contractor. All font, text and content are to be approved by the Commission to maintain a consistent appearance. No additional monumentation of any type is permitted. All memorialization is to be engraved on memorials supplied with purchase of rights of inurnment in Cremation Garden section. Additional memorial space may be added as Commission deems necessary.

Revision: October 20, 2008