

**Rules and Regulations**  
**Town of Plattsburgh Community Mausoleum**  
Tom Miller Road  
Plattsburgh, New York  
Adopted by the Plattsburgh Town Board: August 15, 2016  
**Revised February 24, 2022**

**TOWN OF PLATTSBURGH COMMUNITY MAUSOLEUM** (“Cemetery”) is operated by the Town of Plattsburgh {“Town”}

Please take note that pursuant to §1502(d) of the New York State Not-for-Profit Corporation Law, a public mausoleum, crematory or columbarium is included within the term “cemetery”.

These Rules and regulations have been adopted to secure the peace and good order of the mausoleum and cemetery grounds, to preserve the beauty of the grounds, and to protect the interest of the lot and grave owners as well as the taxpayers of the Town of Plattsburgh. All persons are required to observe these Rules and Regulations and are urged to report any infraction.

A full copy of the Rules and Regulations is available in the office of the Town Clerk, posted at the Mausoleum and on the Town’s website.

**MODIFICATIONS AND AMENDMENTS**

The Town of Plattsburgh may, and it hereby expressly reserves the right, at any time or times, to adopt new rules and regulations, or to amend, alter or repeal any rule, regulations and/or article, section or paragraph and/or sentence in these Rules and Regulations with the approval by resolution of the Town Board.

The Cemetery is not responsible for any items or personal effects left on the grounds and any personal effects left inside vehicles.

All lots were to be used solely for the purpose of burial of the human dead only.

If trees or shrubs located in a lot shall become detrimental for any reason to adjacent lots or pathways, dangerous or inconvenient to pedestrians, or in any way mar the effect or beauty of the Cemetery, the Town has the right to correct the difficulty according to its judgment after due notice to the lot owner and at the expense of the lot owner.

No enclosure of lots or crypts will be allowed.

All work pertaining to the improvement of the grounds shall be under the supervision and direction of the agent designated by the Town. No construction, installations, or inscription of any kind may be made on a lot or crypt until it is paid for in full.

The Town may, from time to time, authorize the development of new sections and alter existing sections, paths, or avenues, as it may deem proper.

The owners of lots and their families shall be allowed access to the grounds and they must observe these rules and regulations. The grounds will be open for visitors from **8:00 AM until 8:00 PM** daily. Anyone on the property after closing will be considered a trespasser.

No dumping is permitted on Cemetery grounds.

No pets are allowed on Cemetery property at any time.

The Cemetery speed limit is 10 mph. No driving lessons or practice driving of unlicensed operators is allowed.

**If a grave, niche, or crypt owner moves, the Town should be notified immediately of the new address.** Notices to grave, niche or crypt owners will be mailed to the last address on file.

All work done on the premises will be performed by Town employees, agents or their subcontractors.

## **LOTS**

At the Town of Plattsburgh Community Mausoleum, a purchaser has acquired the perpetual right of interment. Each interment space was sold with the understanding that only one person will be interred, entombed or inurned in each space. **Additional rights of interment in an occupied space unless specifically included in the original contract is prohibited. No new purchases of lots, crypts, or niches will be allowed.**

No private sale, transfer, or assignment of any empty lot, crypt, or niche, or a part thereof, will be valid without the consent, in writing, of the Town Clerk. The record of each sale or transfer will be made on the books of the Cemetery held by the Town Clerk. No person will be recognized as the owner or part owner of a lot unless his or her name so appears in the original purchase contract or deed of burial lot which is in the records of the Cemetery in the custody of the Town Clerk.

## **INTERMENTS**

All persons to be entombed in a community mausoleum crypt must be properly embalmed. Caskets must be properly sealed, not be greater than 31 inches wide, 25 inches high, and 7 feet 3 inches long.

No entombment or interment will be permitted unless the space to be used has been paid for in full under the original contract. Any remaining balance that is owed must be paid for in full prior to interment.

Graves, crypts and niches will be opened and sealed only by the employees or agents of the Town. All entombments will be done privately, except with the approval of the Town.

**All inscriptions on the faces of crypts and niches** must be done by the Cemetery and must be paid in full prior to placement. Inscriptions are limited to the person's name and years of birth and death. The number of inscriptions permitted on a crypt is limited to the number of full body internments that the crypt was originally designed to accommodate. The only allowable adhesive tape for the hanging of tributes is removable tape (such as Command™ type), because it is removable and leaves no residue. **No other type of adhesive tape is allowed.**

Nothing else can be attached, taped, or applied to the crypt fronts. Any such items will be removed without notice.

The Cemetery requires a notice of interment of at least twelve working hours. All interments must be ordered in advance by a licensed funeral director. If there is any question regarding the location of the interment it is recommended that the lot or crypt owner visit the lot or crypt together with a representative of the Cemetery.

A proper burial transit permit and all other appropriate documents must accompany the remains before an interment can be made. For interments a Certificate of Cremation is required from the crematory used, and in some cases certification of the legal right to control the disposition of the deceased can be required before an interment can take place.

No lot owner shall allow an internment to be made upon their lot except by direct arrangement with the Town or its Agent. The fee for the opening/closing of a crypt or niche along with any other required services is an additional cost. The current Schedule of Fees for services that are available is posted at the Town Clerk's office and is subject to change without notice based on current costs to perform such services. (See Addendum A for an example) The full current fee for opening/closing the crypt or niche and all other required service fees must be paid in advance of any interment.

No graves or crypts will be reopened for inspection, except for an official investigation. When an interment is ordered by funeral directors, they will be held responsible for all charges incurred when funeral processions enter the Cemetery grounds **they are under the direction of the Town representative or his/her agent.**

In accordance with NYCRR19 – 201.6., no vault or grave liner for an interment will be allowed that is not made of concrete or steel and does not meet the criteria detailed in NYCRR19 - 201.6.

The lot owner must inform the funeral director of the size of the crypt or niche before a casket or urn is ordered. The dimensions of each crypt or niche will appear on the Certificate of Ownership. This information may also be obtained from the Town Clerk.

In a single community mausoleum entombment space, either one casket, or two single cremation urns will be permitted. The number of remains per crypt space was decided at the time of original purchase, or at the time of first entombment, so arrangements may be made to have the crypt front properly inscribed.

In tandem or couch crypts, the first casket entombment shall be made at the rear of the crypt.

In glass fronted cremation niches, the number of urns permitted depends upon the dimensions of the niche, and the conditions and terms of the original contract. The size may be obtained from the Cemetery Office or Town Clerk. Only a permanent urn of durable material will be allowed, and is subject to the Town's approval as to size, type, and kind. The urn may be inscribed or a suitable name plate may be placed in the niche if space permits.

### **AVAILABILITY FOR INTERMENTS**

The Cemetery shall be available for interments at least six days per week, excluding legal holidays, however there may be times when it may not be able to perform grave openings and/or interments due to severe weather or other adverse conditions. Only upon request and as long as the staff is available may an interment service be performed on a Saturday, Sunday or a State holiday. The cost of the service on a non-business day is listed on the Schedule of Fees posted at the Town Clerk's office.

### **DISINTERMENT**

Disinterment may be made upon written request to the Town Clerk and duly consented to by all of the lot owners of the burial property: the surviving wife, husband, children of full age, and the parents of the deceased. If the consent of all of these parties cannot be obtained, application may be made to the New York State Supreme Court. The Town Clerk may require an

application to the Supreme Court for disinterment in any instance. The Town, or its agents, must make all disinterments. A Board of Health burial/transit permit is required for all disinterments leaving the Town of Plattsburgh Community Mausoleum. The services of a licensed funeral director will be required if the remains are to be transferred out of the Town of Plattsburgh Community Mausoleum.

The utmost care will be exercised in making a removal, but the Town of Plattsburgh Community Mausoleum/Town of Plattsburgh assumes no liability for any damage including damage to any casket, vault or urn included in making the removal, with all liability resting with the mortuary or funeral home contracted to perform the service.

### **FLORAL AND OTHER DECORATIONS**

All plantings must be approved in writing, by the Town.

Above ground edging or fencing on/off any area, lot, or grave, is not permitted and will be removed without notice.

Floral decorations are limited to one container on each grave, crypt, or niche. Pots or containers are to be placed close to the marker or monument in order to facilitate grass cutting and trimming. Glass containers of any kind are prohibited.

In order to facilitate maintenance of the grounds and areas around monuments and markers and mausoleum walkways, no candles, statues, shepherd's hooks, stuffed animals, solar lights, balloons, or other remembrances items are permitted. The Town also recommends not leaving anything of monetary or sentimental value at a grave or crypt, and the Town will not accept any responsibility for loss of such items. The Town reserves the right to remove any item without notice.

In winter months, wreaths on standards are allowed as close to the crypt or monument as possible. The Town or its agents will do everything possible to protect floral decorations, but cannot accept responsibility for them.

Cut flowers are always permitted but will be removed upon becoming wilted or unsightly with an odor from stagnant water.

One decoration per crypt or niche is permitted and shall be placed in the area designated in the central garden or on the table closest to the crypt or niche. Potted plants are permitted up to eight inches in diameter. All floral tributes will be removed as soon as they are deemed unsightly by the Town or its agents.

Any flower arrangement shall be made in such manner as to minimize the obstruction of the lowest level crypt. The Town reserves the right to move, relocate, or remove any flower arrangements which do not comply with the terms of this section. The Town is not responsible for any flowers or plants.

No device for decoration that requires drilling or permanent defacing of a crypt or niche is allowed. The only allowable adhesive tape for the hanging of tributes is removable tape (such as Command™ type), because it is removable and leaves no residue. **No other type of adhesive tape is allowed.**

### **CLEANING THE GROUNDS**

All wreaths and other winter decorations are to be removed before April 1<sup>st</sup>. All flowers, pots, and other summer decorations are to be removed by October 15<sup>th</sup>. After those dates, the Town or its agents will remove all remaining decorations.

### **MONUMENTS AND MEMORIALS**

Monuments and markers may only be placed on a lot or single grave of the original contractual owners. Should any memorial or crypt become unsightly, dilapidated, or dangerous to visitors, the Town reserves the right to correct the condition or remove it at the expense of the lot owner.

No advertising of any kind will be permitted on Cemetery property.

No future markers or monuments will be allowed on the cemetery grounds outside of the building.

### **REPURCHASE OF BURIAL SPACE OR CRYPTS**

It is the policy of the Town of Plattsburgh that the Town or its agents will not buy back previously sold burial or crypt spaces. However, you may consider donating your burial rights, crypt, or niche back to the Town of Plattsburgh Community Mausoleum.

Should you choose to decline to donate your burial rights back to the Town of Plattsburgh Community Mausoleum, your options would be to continue to own the burial rights with no intention to utilize this property, utilize the property for your or your family, or sell the burial rights to another subject to the restrictions in state law.

Please note that no sale, transfer, or assignment of a lot, crypt, or niche, or a part thereof, will be valid without the consent, in writing, of the Town clerk. The record of such sale or transfer

will be made on the books of the Cemetery held by the Town Clerk. **No person will be recognized as the owner or part owner of a lot, unless his or her name so appears in the records of the Cemetery in the custody of the Town Clerk.**

### **FRIENDS OF THE PLATTSBURGH MAUSOLEUM GROUP**

The Town of Plattsburgh has created an informal volunteer-based group called “Friends of the Plattsburgh Community Mausoleum” (FPCM) which is a group of individuals who have similar community-oriented interests in the Plattsburgh Community Mausoleum. This group is comprised of anyone who has an interest, who owns a crypt or niche, or has family or friends interred at the Mausoleum. Anyone is welcome to join the volunteer group. Membership is free, and voluntary and organized by the Town Clerk of the Town of Plattsburgh. To become a member, simply contact the Town Clerk’s office at 518-562-6830.

ADDENDUM A

PLATTSBURGH COMMUNITY MAUSOLEUM  
SCHEDULE OF FEES  
(Effective 2/24/2022)

Opening/Closing Crypt or Niche: \$ 500.00  
Non-Business day (if available): \$ 800.00

Casket Tray (required for all caskets): \$ 50.00

**Bronze**

Family Name Plate (installed) \$1,030.00  
First Name (installed) \$ 390.00  
Final Date (installed) \$ 200.00  
Niche name plate (installed) \$ 390.00

**Engraving**

Final Date \$ 150.00  
First name and date of birth \$ 200.00  
Full Crypt Front \$ 300.00  
Full Niche \$ 250.00