

# 2024 Riga Cemetery Association Rules and Regulations

## **NYS Division of Cemeteries Approved in their letter dated 8/7/2024**

This document includes all Rules and Regulations, including adding Modified Green burials, approved at the 5/7/2024, Riga Cemetery Board meeting. In addition to this document a subset of these rules can also be found on our public Shed Sign and inside our Cemetery Brochure.

- A. From Riga Cemetery Shed Sign – Grounds Keeping Rules around Gravesites:
  - 1. Place decorations close to and secure to headstones
  - 2. All objects that can or do blow away will be removed
  - 3. NO glass containers, lights, balloons, or windmills around monuments or graves
  
- B. From the Riga Cemetery Brochure:
  - 1. When you purchase a cemetery lot for yourself or your family you will receive a deed showing that you have:
    - a. The right to burial
    - b. The right to memorialize
    - c. The right to vote in annual lot owners' meetings
    - d. In addition, your lot and the cemetery grounds are mowed and trimmed regularly
  - 2. Items on grave sites are removed by cemetery volunteers when they become unsightly, withered, if they can or do blow away, or if they fail to comply with size and/or material limitations. Families of the lot owners are expected to maintain their own grave sites.
  - 3. The following grave decorations are NOT allowed and will be removed.
    - a. Glass containers of any description
    - b. Urns made of concrete, granite, plastic or iron
    - c. In-ground plantings
    - d. Small stones or chips around memorials
    - e. Enclosures around graves
    - f. Vigil lights, balloons or windmills
    - g. Wreaths on tripods during grass cutting season
    - h. Temporary markers
    - i. Plastic/wire signs (i.e. Mom, Dad, Flags, Crosses, etc.)
  
- C. From New York State and formal Riga Cemetery Burial and Lot Ownership Rules:
  - 1. All lots in the Riga Cemetery are sold in accordance with the provisions of the laws of the State of New York and shall not be used for any other purposes than as a burial place for human remains and, optionally, with up to 2 cremated pets, with each pet in their own urn.
  - 2. No human interment shall be allowed without permission being first obtained from the Riga Cemetery Association. At the time of applying for permission, the following information must be provided:

- a. Name of deceased.
  - b. Age of deceased, including date of birth and date of death.
  - c. Place of birth and death of deceased, if known.
  - d. Time and date of interment.
  - e. Type of interment: casket, Modified Green, or urn burial
  - f. Agreement from all lot owners to inter the deceased in the requested lot
  - g. If not an adult, the names of parent(s) or legal guardian(s) of deceased.
  - h. A Burial Transit Permit for bodies or a Cremation Certificate for ashes.
3. Cremated pet remains may only be buried in the deceased human's burial lot with approval by the Riga Cemetery President (see the Riga Cemetery Approval for Pet Burial form). See the additional rules for pet burials below:
- a. Pet cremated remains are "ashes and/or other residue recovered after the completion of cremation of any domestic animal that has been adopted or tamed to live in intimate association with people where such cremation has occurred at a pet crematorium as defined in section seven hundred fifty-A of the NYS general business law and licensed by the NY Department of State Division of Licensing Services." The Riga Cemetery requires a document (pet disposal form or receipt) from the lot owner issued by a NY licensed "pet crematorium" for the pet to be inurned.
  - b. The interment of pet cremated remains "shall be available to a Riga Cemetery lot owner only where the interment of the pet is incidental to the burial of human remains." This means the primary purpose for every grave lot is for the interment of human remains; the interment of pet cremated remains is only secondary to that purpose. In addition, there cannot be any pet notation on a lot headstone or monument at the Riga Cemetery.
  - c. The scattering of pet cremated remains is not allowed at the Riga Cemetery,
  - d. The pet cremated remains must be in their own sealed urn and shall not be commingled with human remains. The pet urn may either be placed in the casket containing the human remains or outside the casket in the same grave lot.
  - e. The entire pet interment charge will go into the Riga Cemetery's permanent maintenance fund.
  - f. After the Cemetery President approves the burial of the pet, a written statement (see the Riga Cemetery Approval for Pet Burial form) will be signed by the Riga President and the lot owner and will be retained by the Riga Cemetery. In addition, the following information will be recorded for the pet to be buried:
    - i. Name of the pet and type of animal
    - ii. Date of interment of the pet
    - iii. Location of the pet interment
    - iv. Whether the container for the pet's cremated remains was placed in the casket or buried separately.
  - g. All existing and future owned burial lots are allowed to have pets buried in the same lot with their owners. The current Riga Cemetery deed template shows that both human and pet remains may be buried in a grave lot.

4. Lot owners are prohibited from allowing interments to be made on their lots for compensation.
5. Interments in a lot are restricted to those entitled to burial therein according to the terms of Section 1512 of the Not-for-Profit Corporation Law. Permission for burial of those not entitled to burial according to the said Section, must be filed with the Riga Cemetery Association by the lot owner (s).
6. Except as provided for in Section 1513 (c) of the Not-for-Profit Corporation Law, no lot owner may transfer his or her lot.
7. The full purchase price must be paid before a deed will be given or burial allowed on the lot. We do not allow pre-payment for burials before the intended interred person is deceased.
8. The Riga Cemetery Association reserves the right to remove, after due notice to the lot owner, any embellishment on the lot, effigy or inscription which, in the opinion of the majority of the trustees or directors, is unsightly or dangerous.
9. The Riga Cemetery Association reserves the right to restrict the planting or shrubs and trees and to remove any shrub or tree deemed dangerous to the public.
10. Funerals must be at the cemetery by 4 p.m. in order that the workmen have sufficient time to properly close the grave and remove equipment before 5 p.m.
11. All funerals, processions, and vehicles will be under the control of the superintendent while in the cemetery.
12. No monuments or markers shall be permitted which utilize colors other than those of natural stone or bronze.
13. All foundations will be constructed by or under the direction of the Riga Cemetery Association.
  - a. Riga Cemetery does not require foundations for monuments placed flat and not protruding at ground level, that are less than or equal to 4 inches thick. However, foundations for these flat monuments are recommended.
  - b. Monuments or headstones must be set upon a good substantial concrete foundation that is 1 inch wider on each side than the base of the monument. The depth of the foundation for upright monuments should be at least 3 feet. The bases of all monuments shall be finished true and level so as to fit on foundations without wedging or sprawls.
  - c. Large upright or hazardous monuments require a foundation of 36" to 48" deep and at least 7 inches below the frost line.
  - d. Monuments or headstones must be constructed of granite or bronze.
  - e. No monument will be allowed to be delivered in the cemetery until the foundation is installed and ready to receive the monument.
14. All work done in the cemetery shall be done by cemetery contractors, businesses, or under the control or with the permission of the superintendent or board of directors.
15. Only one upright monument shall be allowed on a lot and it shall be set in accordance with the general plan of the cemetery and shall conform to said plan in size and material.

16. Heavy trucking or other vehicular traffic shall be refused entrance to the cemetery when, in the opinion of the superintendent, injury to roads and driveways might result.
17. Cremated remains will not be permitted to be scattered in any part of the cemetery.
18. Concrete vaults or concrete grave liners will be required for casket interments in all graves in accordance with the provisions of Cemetery Board Directive 201.6, except for Modified Green burials.
19. The interment of cremated remains (human or pet) will be permitted only in appropriate rigid receptacles such as wood, metal, ceramics, plastic or concrete.
20. Modified Green burials will require a shroud, basket, or cardboard container to contain the remains to be buried and will be allowed only in the designated Green Section of the cemetery. Bodies for green burials must be prepared by a licensed funeral director. Graves for green burials must be dug by an established cemetery service. Grave markers can be flat or no taller than 25" high on top of the foundation. Fieldstone monuments are not allowed. Modified Green burials only change what is below ground; above ground they appear the same (mowed grass, standard monument) as a casket or urn burial. No casket, urn, or pet burials are allowed in the Green Section.
21. We only allow one casket and 0 to 2 more urns or 1 to 3 urns buried in each grave lot. Note: the number of urns also applies to pets, i.e. a maximum of 3 urns total. For example, you can have one human casket and up to 2 pet urns or can have one human urn and up to 2 pet urns (with no additional human remains). No urns of any type are allowed in the Green Section.
22. Use the rules below for determining who (owner and/or spouse) can purchase lots and be buried in a lot for veterans, first responders, policemen, and firemen (abbreviated as veteran-etc). Note: these lower priced lots for community service members can be located in either a veteran or non-veteran section but only veterans and their spouses can actually be interred in the Veterans section.
  - i. Pricing rules for veterans, first responders, firemen, and policemen/spouse lots in the non-veteran or regular sections (North, South, Green, DW-N, and DW-C).
    - a) A non-veteran-etc or non-relative can purchase a lot for a veteran-etc/spouse; we will charge the veteran-etc price. However, the lot will always be Reserved for a veteran-etc/spouse.
    - b) A veterans-etc's spouse cannot purchase a lot just for the spouse at the veteran-etc price if the spouse is not a veteran-etc.
    - c) If someone purchases a lot in any non-veteran or regular section, paying the full price at the time of purchase, and they decide to bury a veteran-etc /spouse in the regular lot, we do not refund any money.
    - d) If a veteran-etc lot owner (already paid a lower price for the lot) wants to use the veteran-etc /spouse lot to bury a non-veteran, in the non-veteran or regular section, they need to pay the difference in price between the current veteran-etc/spouse lot and the regular lot price.
    - e) If a lot pricing question comes up that is not covered by the above rules, the Board will make a decision.
  - ii. Only true veterans/spouses can purchase and be buried in the Veteran's section.

- a) Only true veterans and spouses can purchase a lot in the Veteran's section or be buried in the Veteran's section. The lot owner(s) must include the name of at least one veteran.
- b) A veteran's spouse cannot purchase a lot just for the spouse if the spouse is not a veteran.
- c) A veteran and spouse can purchase 2 lots in the Veterans section for themselves.
- d) A non-veteran or non-relative can purchase a lot for a veteran in the Veterans section, with proof, but only if the veteran is deceased and the deceased veteran must be buried in that lot. The lot will be Reserved only for the deceased veteran. This is the only exception to ii.a, above.
- e) If the owner of a lot in a Veterans section decides that the veteran will not be buried in the lot, then only another veteran can be buried in that lot. But they must all be in the same family or related to the owner.
- f) If a lot pricing question comes up that is not covered by the above rules, the Board will make a decision.

23. The following schedule for grave decorations and flags will be adhered to by lot owners and the Riga Cemetery:

- a. Lot owners will pick up all grave decoration after the summer months by October 15 and after the Christmas and New Year's season by March 15.
- b. The Cemetery will pick up veterans and firefighter flags by November 15 and will deliver them to the American Legion and Churchville Fire Department.
- c. The US flag on the flagpole in the Veteran's section will be brought down by the Cemetery by November 15 and raised again by May 1.

JLoser  
5/7/2024