

Rules and Regulations

for Barre City Cemeteries

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Revised and adopted by the
Barre Cemetery Committee
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The Cemeteries of Barre, Vt.

Each year visitors from all parts of the world tour the cemeteries of Barre, Vermont, to see some of the finest examples of memorial design and stone craftsmanship ever produced. There is no doubt that Barre's cemeteries, situated in a commemorative art center of the nation, contain a chronological progression of art in stone, one of the oldest expressions of American culture. For these reasons, Hope, Elmwood, and St. Monica's cemeteries exert a profound influence on the cemeteries and memorial art of the rest of the country.

Barre has been a center of granite production since the Civil War, and has long been recognized as "the granite center of the world." A majority of its residents are still associated in some way with the granite industry, and therefore the community takes great civic pride its cemeteries and in memorial art. In addition, Barre's cemeteries are surrounded by natural scenic splendor.

Originally an agricultural community, Barre gained in the worldwide fame in stone production less than a century after its establishment in 1788. During the Civil War period, granite was rapidly replacing marble as a material for memorials. The singular beauty of Barre granite, together with its particular resistance to the elements and to discoloration, created an immediate market. Thus, Barre became a center of memorial design and production in America.

Twenty-eight years after Barre was settled, a cemetery was established on what was known as the "Gospel Village Common," a cemetery appropriately named Elmwood because of the stately trees, which stood on the four-acre tract of land. The first interments were removed from an old burying ground dating back to the year 1796. The subsequent expansion of Elmwood demonstrates the industrial development of Barre. In 1854 and again in 1920, the cemetery commissioners were compelled to acquire additional land, bringing the total area of the cemetery to approximately twenty-one acres.

The 53-acre Hope Cemetery was established in 1895 to serve the consistently increasing population. Additional acquisitions have been added over the years, bringing it to its present 85 acres. With foresight and civic pride, the commissioners retained Edward P. Adams, a noted Boston landscape architect, to plan the grounds, an important project because Hope would be the setting for memorials which would influence memorial design throughout the nation. Authorities generally regard the cemetery as a "model of the most progressive principles in cemetery development."

In addition to Elmwood, with its historic interest, and Hope, with its primarily artistic merit, Barre has also maintained a small religious cemetery, St. Monica's, since 1970.

Cemetery rules and regulations play an important part in the beautification and preservation of the grounds. The "model rules" enforced in Barre cemeteries have been a potent factor in giving Barre a unique reputation for the beauty and permanent maintenance of the City's cemeteries. These rules have been adopted or adapted for use by cemeteries throughout the United States.

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Rules and Regulations

For the mutual protection and benefit of lot owners, and each cemetery as a unit, the following Rules and Regulations have been adopted for Hope, Elmwood, and St. Monica's Cemeteries. All lot owners and visitors within the cemeteries and all lots sold shall be subject to said Rules and Regulations, and subject, further, to such other rules and regulations, amendments or alterations as shall be adopted by the City Council.

Definitions

1. Committee: The term Committee shall mean the Cemetery Committee of the City of Barre, Vermont, and the person or persons duly appointed by the City Council for the role of advising the Cemetery Director of the Cemetery and Parks Department.
2. Cemetery Director: The term Cemetery Director is a person or person appointed by the City Council and charged with management and maintenance of the city's cemeteries. This work includes maintaining roads and pathways in the cemetery, cleaning monuments, and planting and maintaining vegetation. The responsibilities and powers of this position may also be transferred to a designee approved by Cemetery Director or City Council.
3. City Council: The term City Council shall mean the governing body of the city of Barre, Vt. that has been lawfully elected by residents of the city in accordance with the city's Charter.
4. Cemetery and Parks Department: Shall mean the city department charged with managing and maintaining the cemeteries and parks in the city of Barre, Vt.
5. Cemetery: The term Cemetery is hereby defined to include a burial park for earth interments, a community mausoleum for vault or crypt interments, a crematory or crematorium and columbarium for cinerary interments, or a combination of one or more than one thereof.
6. Grave: The term grave shall apply to a space of sufficient size to accommodate one adult interment approximately three by ten feet.
7. Lot: The term lot shall apply to numbered divisions as shown on the record plot to which consists two or more graves.
8. Internment: The term interment shall mean the permanent disposition of the remains of a deceased person by entombment, burial, or inurnment of cremated remains.
9. Memorial: The term memorial shall include a monument, marker, tablet, headstone, private mausoleum, and tomb for family or individual use, tombstone, urn and crypt and niche place.
10. Monument: The term monument shall include a tombstone or memorial of granite, which shall extend above the surface of the ground.
11. Marker: The term marker means a memorial flush with the ground.
12. Lot marker: The term lot marker refers to any means used by the cemetery to locate corners of the lot.
13. Lot Deed or License: The term deed or license is an instrument giving the lot purchaser the right of internment only.

14. Certificate of Ownership: The term certificate of ownership shall apply to the original conveyance given by the cemetery to the original purchaser.

Lot Owner Rights

1. The deed to a lot or other grant to internment space gives only a right or privilege of human remains, the ownership in fee to the land remaining in the cemetery. This right comes with it, however, the right to provide an approved memorial.
2. Persons desiring to purchase burial rights in a lot should visit the cemetery where the management will aid them in making a selection and will issue a memorandum describing the lot purchased.
3. The burial rights conveyed shall be presumed to be the sole and separate property of the person or persons named in the deed.
4. The husband, wife or spouse shall have a vested right to be interred in any burial lot conveyed to the other. This right shall continue as long as this person remains a spouse of the lot owner or shall be the lot owner's spouse at the time of the lot owner's death.
5. In all conveyances to two or more vested persons as joint tenants, each joint tenant shall have a vested right of interment of his or her remains in the lot so conveyed. Upon death of a joint tenant, the title to the burial lot shall immediately rest in the survivor or survivors, subject to the vested right of the interment of the remains of the deceased joint tenant owner.
6. On the decease of the proprietor of a lot when a lot is not specifically mentioned in their will, an affidavit must be filed at the office of the Cemetery and Parks Department, signed by one of the heirs at law, and in the case of minors, by their guardian. This affidavit must include a list of the names of all heirs, and a majority must also designate one of their number as a representative who shall be authorized to sign orders for internment in the lot and to give all needful directions regard the lot.

Transfer or Assignments

1. Any transfer or assignment of a lot of interest therein shall first be approved in writing by the Cemetery Director, and thereafter recorded on the books of the Cemetery and Parks Department and the City Clerk.
2. The Cemetery Director may refuse consent to transfer or to assign as long as there is any indebtedness to the cemetery from the record lot owner.
3. All transfers shall be subject to a nominal charge to be paid when the transfer is recorded.
4. The subdivision of lots is not allowed except by written consent of all parties interested in such lots. Such subdivision must have written consent by the Cemetery Director.

Setting of Memorials and Mausoleums

1. Workers engaged in placing or erecting monuments and other structures, or bringing in materials, must procure a permit from the Cemetery Director before any work is started. In order to secure such a permit it shall be necessary for the person or firm to submit satisfactory evidence in the form of insurance coverage to perform the work for which they have been engaged. In doing such work, they must comply with the reasonable directions of the cemetery authorities.
2. Persons engaged in erecting a monument to other structures are prohibited from attaching ropes and cables to monuments, trees or shrubs, or for scattering materials on adjoining lots, or from blocking roads or pathways, or for leaving their materials on the grounds longer than is absolutely necessary. They must remove all debris as soon as the setting is completed.
3. Plywood or planking is to be placed on the lots for the protection of the grass unless the Cemetery Director authorizes or grants permission otherwise.
4. Damage done to lots, walks, roadways, trees, shrubs or other property by dealers, contractors, vault companies or their agents shall be repaired by the Cemetery and Parks Department, and the cost of such repairs shall be charged to the party causing the damage or to their principal.
5. No material, machinery or other construction equipment of vaults, mausoleums, monuments, or the monuments themselves may be brought into the cemetery until required for immediate use, nor between Saturday noon and Monday morning, nor on a holiday, and no work shall be done during this time without special permission from the Cemetery Director.
6. Work shall proceed promptly until the erection of the memorial or mausoleum is completed.
7. While a funeral or interment is being conducted nearby, all work of any description shall cease.

Interments and Disinterments

1. All interments, disinterments, and removals are subject to the rules and regulation of the Cemetery as well as subject to the orders and laws of the properly constituted authorities of the city, country and state.
2. Once a casket containing a body is within the confines of the cemetery, no funeral director or their embalmer, assistant, employee or agent shall be permitted to open the casket or touch the body without the consent of the legal representatives of the deceased or without a court order.
3. All interments, disinterments and removals must be made at the time, in the manner, and subject to such charges as fixed by the City Council.
4. Every earth-interment shall be made enclosed in an outer container or receptacle of concrete. The structural design and installation shall meet the specifications of the Cemetery Director.

5. Interments, disinterments and removals on Saturdays, Sundays and holidays, when necessary, are subject to special additional charges. An additional charge is also made when the time of arrival of a funeral necessitates payment for overtime labors.
6. The right is reserved to insist upon at least 24 hours notice prior to any interment and at least one week's notice prior to any disinterment or removal.
7. The Cemetery Director reserves the right to refuse interment in any plot and to refuse to open any burial space for any purpose, except on written application by the lot owners of record.
8. The Cemetery Director reserves the right to make an interment of any member of the immediate family of any of several lot owners upon their written authorization. No other person may be interred in any lot without the consent of all owners on the deed or written consent on the deed.
9. When instructions regarding the location of an interment space in any lot cannot be obtained, or are indefinite, or when, for any reason, the interment space cannot be opened where specified, the Cemetery Director may, at their discretion, open it in such location in the lot as he deems best and proper, so as not to delay the funeral; and the City shall not be liable for damages for any error so made.
10. Detailed written instructions are desired by the Cemetery and Parks Department, and the Cemetery and Parks Department shall not be responsible for any order given verbally or by telephone, or for any mistake occurring from the want of precise and proper instructions as to the particular space, size and location in a lot when interment, disinterment or removal is desired.
11. The Cemetery Director reserves, and shall have, the right to correct any errors that may be made, either in making interments, disinterments 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, as may be selected by the Cemetery Director.
12. The City shall in no way be liable for any delay in the interment of a body where a protest to the interment has been made, or when the Rules and Regulations have not been complied with; and, further, said Cemetery Director reserves the right, under such circumstances, to place the body in the receiving vault until the full rights have been determined. The Cemetery Director shall be under no duty to recognize any protests of interment unless they are in writing and filed in the office of the Cemetery and Parks Department.
13. No interment shall be permitted or memorial placed in or on the property not fully paid for except by special consent of the City Council in each and every case.
14. Not more than one body, or the remains of more than one body, two cremations, or one cremation and full interment, shall be interred in one grave, vault, crypt or niche, except by written consent of the Cemetery Director, and provided proper identification is made of such interment or interments in one regulation crypt, niche, memorial or marker.
15. No interment of any body, or the cremated remains of any body, other than that of a human being, shall be permitted in the cemeteries.

16. The utmost care will be exercised in making a disinterment or removal, but the Cemetery Director shall assume no liability or damage to any casket, burial case or urn incurred in making the removal.
17. The burial rights in a lot can only be sold back to the cemetery at the original purchase price, and only if a new buyer is available.

Endowment Care

1. The term endowment care used in reference to lots shall be held to mean the cutting of the grass upon said lots at reasonable intervals, the raking and cleaning of the lots, and the pruning of the shrubs and trees that may be placed by the Cemetery Director; meaning and intending the general preservation of the lots, and the grounds, walks, roadways, boundaries and structures, to that end the said grounds shall remain and be reasonably cared for as cemetery grounds.
2. The term endowment care, unless otherwise provided in the agreement, shall in no case be construed as meaning the maintenance, repair or placement of any memorial, tomb or mausoleum placed or erected upon lots, nor the planting of flowers or ornamental plants; nor watering or sprinkling the lots; nor the doing of any 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 lot or any portion or portions thereof in the Cemetery, caused by the elements, an act of God, common enemy, thieves, vandals, strikers, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.
3. The money received for endowment care shall be held in trust and invested as provided by law.
4. Endowment care, whether applied to lots, graves, mausoleums or to anything within the confines of the Cemetery, shall be limited absolutely the income received from the investment of the endowment care fund – no part of the principal being expended.
5. The income from the endowment care fund shall be expended by the Cemetery and Parks Department in such manner as will, in its judgment, be most advantageous to the property owners 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 Cemetery and Parks Department is hereby given the full power and authority to determine upon what property, for what purpose and in what manner the income from said fund shall be expended, and it shall expend said income in such 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 or for any purpose necessary in the execution of its duties.
6. The amount of said endowment care funds to be collected from the purchasers or cemetery lots shall be such sum as may be determined by the City Council, the same to be collected at the time of payment for the purchase price.
7. It is understood and agreed between the purchaser and the Cemetery and Parks Department that all of said fund 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 endowment care as above defined; but in no case shall their deposit be construed as a contract to care for any individual property or space other than as above defined.

8. The record books of the cemetery and the receipt issued by the Cemetery and Parks Department shall show the amount of endowment care fund that has been required of the individual and set aside in each case.

Special Care

1. Special care shall include only those specific services set forth in the Special Care Agreements with the lot owners. It may include the following:
 - A. The planting and cultivation of flowers.
 - B. The placing of floral decorations at specific times (Memorial Day, Easter, etc).
 - C. Any other special services that the cemetery deems advisable for the benefit of the lot owner or the cemetery itself.
2. All such Special Care services shall be limited to the income derived from the investment of such funds. The Cemetery Director is given the power to expend the funds in the best manner, which, in its judgment, fulfills the agreement outlined in each special care contract.
3. Special care funds may be commingled and invested with Endowment Care funds, with the exception of the flower care fund.

Specifications, Rules, and Regulations for Memorial Work

1. Retail monument dealers and manufactures of memorials shall agree to install memorials of only first grade, clear Barre granite. They must be willing to guarantee that such granite is free from sap or anything that may cause rust stains, that it will not check or crack, and agree that if such faults develop within five years from date of setting, the memorial will be replaced without cost to the cemetery or lot owner by the retail monument dealer or manufacturer of the memorial.
2. Any person or any firm who is engaged in the memorial business, including sub-contract, letter cutters, sandblast personnel, and persons washing memorials must procure a permit from the Cemetery Director before any work is started. In doing such work, they must comply with the reasonable directions of the cemetery authority.
3. Only one central or family memorial shall be allowed on a lot, and shall be set in space designated by the Cemetery Director, unless an exception is granted by the Cemetery Director after consultation with the Cemetery Committee.

4. A blueprint or sketch drawn to scale of all proposed memorial work, including mausoleums, with full specifications as to size, material finish, inscription and ornamentation must be submitted to the Director for approval before a foundation will be constructed.
5. Cemetery officials have the authority to reject any plan or design for any memorial, which, in the opinion of the Cemetery Director, is unsuited to the lot on which it is to be erected or because of size, design or quality of stone.
6. No lot owner shall erect, place, or cause to be erected or placed on any lot in the cemetery, any memorial that the Cemetery Director disapproves.
7. Slant face markers are not allowed in any of the new sections of the cemetery developed after 1950.
8. All markers shall be flush with the ground except where it is necessary to match those already set in the lot. All lettering and carving on flush markers must be incised. Markers shall be placed at the end of the grave furthest from the base of the monument or in such space designated by the Cemetery Director.
9. The bottom beds of all bases and markers must be cut full and level.
10. Corner posts shall be of Barre granite placed flush with the grade. Corner posts shall be a minimum of six inches by six inches at the top and eight inches in height.
11. No fencing, hedging, stone or gravel aprons around memorials or around lots shall be allowed.
12. All names and inscriptions on each monument or marker must correspond with the names on record in the office of the cemetery. No changes shall be made except upon request of the proper parties and by permission of the Cemetery Director.
13. Duplication of the design of any memorial shall not be permitted without written consent of all affected parties and the Cemetery Director in a location significantly near to the original that the duplication is readily noticeable.
14. All die stones shall be finished in an approved manner on the front, back, top, and ends and shall be at least six inches thick. Wire saw is not an approved finish. Other finishes may be approved with prior written consent from the Cemetery Director.
15. The maximum size of the memorial is governed by the size of the lot on which it is placed. It is determined as follows:
 - A. The length of the base shall not exceed sixty percent of the width of the lot.
 - B. The width of the base shall not exceed the depth of the space available for a monument on the lot. In no case shall it extend over the grave.
 - C. The area of the face of the memorial, including the die and base shall not exceed twenty percent of the square foot area of the lot.

Example:

A two grave lot (11-0 x 6-8) will have an area of 74 square feet. Therefore, the maximum allowable face area of the memorial will be 14-10 square feet. The maximum allowable length of the base will be 4-0 feet.

16. As of July 1, 2016 the coloring, painting, Lithochroming, enameling, lacquering or bronzing of the letters, carving or other parts of the stone is prohibited in all sections of the cemetery. This includes all ceramic, porcelain, metal, bronze, marble and granite inserts or attachments of any kind.

17. No monument or marker shall be removed from the cemetery, except by the Cemetery Director, unless the written order of the lot owner is presented at the office of the cemetery.
18. The use of bronze is approved for doors, windows and grills, statuary and dowels of mausoleums or other mausoleum fixtures, provided the bronze has been cast from an alloy containing no less than 85% copper or more than 5% lead. Suppliers shall be required to certify as to the analysis of the bronze. Stainless steel and other noncorrosive metals of proven permanency may be used. The Cemetery Director must first approve all use of such metals.
19. Mausoleums or tombs, either wholly or partially above ground, shall be constructed only in lots so designated by the Cemetery Director.
20. Mausoleum plans, specifications, and location in the lot shall be subject to the approval of the Cemetery Director.
21. All parts of the mausoleum or tomb that are above ground must be constructed of first grade natural stone from approved producers, except that bronze may be used as specified previously.
22. When an interment is made in a private mausoleum, the casket must be metal lined and or wood, and placed on a plastic pan, and the crypt shall be hermetically sealed
23. Immediately upon the completion of any vault, tomb, or mausoleum, one key to each lock must be deposited with the Cemetery Director.

Lot Plantings and Decorations

1. In ground plantings of annual flowers by lot owners is allowed on all lots in Hope, Elmwood, and St. Monica's cemeteries on approval of the Cemetery Director.
2. One moveable flower box or flower tub will be allowed on each lot, the size not to exceed three feet in length and one foot wide. These receptacles are to be made of durable material. Glass containers of any kind are not an acceptable container.
3. Artificial flowers will be allowed only from September 15 through May 15.
4. The Cemetery Director shall have the authority to remove all floral decorations, flags, shrubs, plants or herbage of any kind, which in the judgment of the Cemetery Director have become unsightly, dangerous, diseased or detrimental, or which do not conform to the regulations outlined.
5. The Cemetery Director shall not be liable for any floral arrangements, plants, or receptacles that have become lost, misplaced, stolen or broken.
6. The placing of shells, toys, metal designs, ornaments, chairs, settees and similar articles are not permitted, and if so placed on the lot, the Cemetery Director reserves the right to remove the same.
7. Coat hangers or other wires in the ground or attached to memorials as potholders are not allowed.
8. All in ground plantings and plantings of annual flowers are allowed and must be kept immediately next to the monument base.

Foundations

1. As a guarantee of good work and as a protection to all lot owners, the Cemetery Director reserves the right to excavate for and build all foundations, set all markers and posts, and to regulate all this work done in the cemetery. A reasonable charge will be made for such work, and the Cemetery Director shall assume responsibility for the proper construction of the foundation.
2. Foundations will be built in the spring (prior to Memorial Day) and in the fall. Any other time will be at the discretion of the Cemetery Director.
3. Foundations will be built to a depth of five feet and finished slightly below the surface of the ground.
4. Foundations will be made at least as large as the bottom base of the memorial. The Cemetery Director reserves the right to require a larger foundation when, in its opinion, the weight of the memorial or structure requires it.
5. No memorials may be set until the cement in the foundation shall have time to harden thoroughly for twenty-four hours.
6. Foundations and setting charges shall be payable in advance.

Conduct of Persons Within the Cemetery

1. The cemetery grounds shall be open from 7 AM to sunset.
2. Persons within the cemetery grounds shall use only avenues, roads, or paths, except if it is necessary to walk on the grass to reach their lot.
3. The cemetery shall in no way be held liable for any injuries sustained by anyone while in the cemetery.
4. Children under 12 years of age shall not be permitted within the cemetery or its buildings unless accompanied by an adult.
5. All unauthorized persons are prohibited from sitting, lounging, having refreshments or lunch within the grounds of the cemetery.
6. All persons are prohibited from gathering flowers, either wild or cultivated, breaking or cutting trees, shrubbery or plants, or defacing or otherwise damaging monuments and structures.
7. No loud talking shall be permitted on the cemetery grounds within hearing distance of funeral services.
8. Automobiles shall not exceed 15 miles per hour when driving through the grounds and must be kept on the right hand side of the roadway unless otherwise directed by cemetery authorities.
9. Automobiles must be kept under complete control at all times. When meeting a funeral they must stop until the procession passes. Automobiles must not be left with the engine running and emergency break must be set when the driver is not in the seat.
10. No automobile or other vehicle shall be driven across or upon any lot or lawn nor park thereon. It is prohibited to park any vehicle on any road or driveway within the cemetery so as to prevent any other vehicle from passing.

11. Snow machines, ATVs and go-carts are not allowed in the cemetery. All roads in cemeteries are public roads and therefore applicable to all city and state rules and regulations.
12. Drag racing, hot rodding and driver trainings are not allowed in the cemetery.
13. Pets shall not be allowed in the cemetery grounds or any building unless it is considered a service animal.
14. No firearms shall be permitted within the cemetery except at military funerals or in possession of the Honor Guard.
15. No signs, notices, or advertisements of any kind shall be allowed in the cemetery unless placed by the Cemetery Director.

Miscellaneous

1. All grading, landscaping, and improvements of any kind on lots shall be made by the Cemetery unless by special permit in writing, from the Cemetery Director. If such alterations are made without written consent, the Cemetery Director shall have the right to remove or change such alterations at the expense of the lot owner.
2. The right to enlarge, reduce, replot, or change the boundaries or grading of the cemetery or of a section from time to time, including the right to modify, remove, or regrade roads, drives, or walks is hereby reserved to the City Council. The right to lay, maintain, operate or alter water lines or drainage lines is also reserved. The right of ingress or egress over lots for the above purposes is also reserved.
3. The Cemetery Director is hereby empowered to enforce all the rules and regulations. The Cemetery Director shall have supervision and control of all persons within the cemetery, including the conduct of funerals, traffic and employees.
4. The receiving vault is for temporary use only. In no case shall a body remain in the vault longer than six months and unless special permission in writing is granted by the Cemetery Director.
5. Payment of the vault fee is required at the time of placing the remains in the vault. Funeral directors of approved credit rating may guarantee such payment; however, the funeral director shall be responsible for the payment of such a fee upon receipt of the statement for the same.
6. The Cemetery Director reserves the right, without notice, to make exceptions, suspensions, or modifications in any of these rules and regulations when it is advisable. Such temporary exceptions, suspension, or modifications shall in no way be construed as affecting the general application of such rule.
7. The Cemetery Director may, and it hereby expressly reserves the right, at anytime, to adopt new rules and regulations, or to amend, alter, or repeal any rule or regulation. All rules previously adopted which are contrary to these rules and regulations and hereby repealed and are no longer effective.