

# UNION CEMETERY OF HELLERTOWN

## RULES AND REGULATIONS

### RULES APPLICABLE TO BOTH CEMETERY AND CREMATION GARDEN

1. Purchase and Ownership of Lots, Wall Niches and Ground Plots
  - a) Lots within the Cemetery (consisting of one or more graves) and wall niches and ground plots within the Cremation Garden may be purchased from the Union Cemetery of Hellertown (“UCH”).
  - b) Upon receipt of the purchase price, UCH shall record the purchase of the lot, wall niche and/or ground plot upon the books of UCH and issue a deed to the owner
  - c) Upon purchase, the owner acquires the perpetual right to inter human remains or cremains in a lot, wall niche or ground plot. UCH retains ownership of the land.
  - d) Once the purchase price for a lot, wall niche or ground plot has been paid, the sale is considered a “final sale.”
  - e) UCH will not re-purchase a lot, wall niche or ground plot under any circumstances.
  - f) The owner’s right of interment in a lot, wall niche or ground plot is limited exclusively to the interment of human remains or cremains.
    - a) The owner’s right of interment in a lot, wall niche or ground plot is subject to the laws of the Commonwealth of Pennsylvania, as well as the UCH Charter, UCH By-Laws and UCH Rules and Regulations (and any amendments thereto).
    - b) When a lot, wall niche or ground plot is sold to two or more persons, then such persons hold title to the lot, wall niche or ground plot as tenants in common who, unless specified otherwise in the deed, own equal shares. The owners may, by written agreement signed by all of them, direct how action related to the lot, wall niche or ground plot shall be taken. In the absence of such agreement, all owners must consent to any action related to the lot, wall niche or ground plot.
2. Transfer of Right of Interment in Lots, Wall Niches and Ground Plots
  - a) The owner may transfer the right of interment in a lot, wall niche or ground plot, contingent upon compliance with the following conditions:
    - i. The owner obtains the approval of UCH.
    - ii. The owner pays UCH a transfer fee as determined by UCH.
    - iii. UCH issues a transfer deed to the transferee.
    - iv. The issuance of the transfer deed is recorded upon the books of UCH.
  - b) The owner releases and forever discharges UCH and its directors, officers, agents, employees, representatives, successors and assigns from any and all liability for damages, attorney’s fees and costs caused by, arising from or related to the owner, or anyone acting on his or her behalf, providing UCH with inaccurate or false information regarding the transfer of interment rights in lots, wall niches or ground plots.

### 3. Right and Order of Interment

- a) The owner may provide UCH with a written designation of interment rights.
- b) Upon the death of the owner, the right and order of interment in remaining graves in a lot or in available space in a wall niche or ground plot shall be determined in accordance with the written designation of interment rights provided by the owner to UCH.
- c) In the absence of a written designation of interment rights, interment in a lot, wall niche or ground plot is restricted to the owner and his or her spouse and heirs, and the right and order of interment in remaining graves in a lot or in available space in a wall niche or ground plot shall be in the following order:
  - i. The surviving spouse of the owner shall have the right of interment in one grave in the lot or the right of interment in an available space in the wall niche or ground plot. This right may be voluntarily relinquished as hereinafter provided. Otherwise this right shall terminate only upon interment.
  - ii. The children of the owner (interred in the order of their death).
  - iii. The grandchildren of the owner (interred in the order of their death).
  - iv. The parents of the owner (interred in the order of their death).
  - v. The brother and sisters of the owner (interred in the order of their death).
  - vi. The nephews and nieces of the Owner (interred in the order of their death).
  - vii. The grandparents of the owner (interred in the order of their death).
  - viii. The uncles and aunts of the owner (interred in the order of their death).
- d) A spouse or heir of the owner may relinquish his or her interment rights by completing and signing the relinquishment form provided by UCH.
- e) Interment rights shall terminate when there are no available graves in a lot or no available space in a wall niche or ground plot, or when there are no longer any living persons in the classifications designated herein.
- f) UCH shall require adequate proof of the interment rights of a person designated in a written designation of interment rights, or, in the absence of a written designation of interment rights, of a spouse or heir. The adequacy of such proof shall be determined in the sole discretion of UCH.
- c) The owner releases and forever discharges UCH and its directors, officers, agents, employees, representatives, successors and assigns from any and all liability for damages, attorney's fees and costs caused by, arising from or related to UCH's determination of the right and order of interment in remaining graves in a lot or in available space in a wall niche or ground plot.

### 4. Lost Deed

- a) In the event that the deed cannot be located, UCH shall require adequate proof of interment rights in a lot, wall niche or ground plot. The adequacy of such proof shall be determined in the sole discretion of UCH.
- b) The owner releases and forever discharges UCH and its directors, officers, agents, employees, representatives, successors and assigns from any and all liability for damages, attorney's fees and costs caused by, arising from or related to UCH's

determination of interment rights in a lot, wall niche or ground plot in the event that the deed cannot be located.

5. Lots, wall niches and ground plots shall be used only for the interment of human remains or cremains.
6. Private mausoleums or buildings for the burial of the dead are prohibited.
7. UCH shall provide perpetual care of all lots, wall niches and ground plots.
8. UCH shall perform all work in preparation for, and related to, the interment of remains and cremains in a lot, wall niche or ground plot, including, without limitation, the excavation of vaults and graves.
9. The interment of remains or cremains in a lot, wall niche or ground plot, including remains or cremains that have been disinterred from other cemeteries, will not be made until the required fees have been paid in full and any documentation required by Pennsylvania law has been provided to UCH.
10. A lot, wall niche or ground plot shall not be enclosed with any fence, hedge, wall, curve, coping, pipe, mounds or structures, or any other enclosures.
11. Dogs, cats and other animals are prohibited on the grounds of the Cemetery and Cremation Garden.
12. Recreational activities are prohibited on the grounds of the Cemetery and Cremation Garden unless prior approval is given by UCH.
13. Once a funeral procession reaches the Cemetery grounds, it shall come under the control and supervision of UCH.
14. All persons are prohibited from trespassing on or interfering with any lot, wall niche or ground plot in which they maintain no interest.
15. Cremains may not be placed in the base of a monument. Cremains may only be interred in a grave, wall niche or ground plot.
16. Requirements for Non-Employee Work on Cemetery or Cremation Garden Grounds
  - a) Any type of work performed on Cemetery or Cremation Garden grounds by persons who are not employees of UCH must be reviewed and approved by UCH prior to the commencement of such work.
  - b) Persons who are not employed by UCH who propose to perform any type of work on Cemetery or Cremation Garden grounds must, at their sole cost and expense, maintain in full force and effect liability insurance providing insurance coverage for the work to be performed on the grounds of the Cemetery or Cremation Garden. Such insurance

shall be issued by an insurer licensed to do business in Pennsylvania and shall have minimum liability limits of \$1,000,000 in the aggregate and per occurrence. A Certificate of Insurance evidencing the existence of such insurance shall be provided to UCH prior to the commencement of any work.

17. UCH reserves the right to amend these Rules from time to time and to permit variations from these Rules when, in its sole discretion, such variations are advisable under the circumstances and do not violate Pennsylvania Law.
18. The UCH Rules and Regulations (and any amendments thereto) shall be binding upon the owner and his or her spouse, heirs, executors, administrators, and successors or assigns.

### **INTERMENT IN CEMETERY**

19. Interment of Remains and Cremains
  - a) A maximum of two interments of remains and two interments of cremains per grave are permitted.
  - b) The first interment of remains must be at double-depth.
20. Upright Monument (Headstone and Slant Marker) and Flush Marker
  - a) UCH shall require adequate proof of the right to install an upright monument or flush marker. The adequacy of such proof shall be determined in the sole discretion of UCH.
  - b) Foundation:
    - i. All upright monuments and flush markers must have a concrete foundation.
    - ii. UCH must review and approve a plan for the foundation before the foundation may be installed. The approval of the plan will be in the sole discretion of UCH.
    - iii. UCH shall perform the work required for the foundation. Such excavation work shall not proceed until the required fees have been paid in full and any documentation required by Pennsylvania law has been provided to UCH.
  - c) UCH will not accept the delivery of an upright monument or flush marker.
  - d) Personal information/content may be engraved on upright monuments and flush markers. The owner or other responsible person shall be solely responsible for determining the personal information/content of the engraving.
  - e) Flush marker:
    - i. The number of flush markers that may be installed on a single-grave lot, on two or more adjacent single graves, and on a four-grave lot (four graves in a square area) shall be determined in the sole discretion of UCH.
    - ii. Single-grave lot: A flush marker must be at least 4 inches thick and may not exceed 36 inches in length and 18 inches in width.
    - iii. Two or more adjacent single graves and four-grave lot (four graves in a square area): the dimensions of a flush marker shall be determined in the sole discretion of UCH.

- f) Upright monument:
  - i. Single-grave lot: One upright monument is permitted. The upright monument may not exceed 6 feet in height, 18 inches in width, and 36 inches in length is permitted.
  - ii. Two adjacent single graves: One upright monument is permitted for both graves. The upright monument may not exceed 6 feet in height, 18 inches in width, and 6 feet in length.
  - iii. More than two adjacent single graves: One upright monument is permitted for all of the graves. The upright monument may not exceed 6 feet in height, 18 inches in width, and 8 feet in length.
  - iv. Four-grave lot (four graves in a square area): One upright monument is permitted. The upright monument must be centered on the lot and may not exceed 6 feet in height, 18 inches in width, and 6 feet in length.

## 21. Vaults, Caskets and Graves

- a) Remains must be placed in a casket and vault.
- b) The vault must, at a minimum, have a concrete grave liner or its structural equivalent.
- c) All vaults and graves shall be dug at least 6 inches within the lot lines.
- d) The distance from the parts of the top of the outer case containing the casket may not be less than 18 inches from existing surface of the ground.
- e) In the event that a vault not supplied by UCH is installed, the owner releases and forever discharges UCH and its directors, officers, agents, employees, representatives, successors and assigns from any and all liability for damages, attorney's fees and costs caused by, arising from or related to a defect in such vault.

## 22. Decorations

- a) Only the following items are permitted on grave sites: flowers (real or artificial); vigil lights; and American flags (must be provided by the American Legion).
- b) Items that are prohibited from being placed on grave sites include, without limitation, the following: balloons; designer flags; stones; permanent plantings of any kind (flowers, bushes, etc.), plastic items, stuffed animals; toys of any kind; statues; and monuments of any kind (excluding upright monuments, slant markers and flush markers).
- c) Flowers (annuals, perennials, artificial and bulbs):
  - i. The planting of flowers on the sides of a single upright monument or flush marker is prohibited.
  - ii. Flowers may be planted up to 12 inches in front of upright monuments and flush markers.
  - iii. Flowers may be planted on both sides of a double-sided upright monument.
  - iv. UCH prefers that flowers and bulbs be planted in planters.

- d) Clean up:
  - i. Spring, summer and fall decorations and artificial flowers must be removed prior to November 15<sup>th</sup> of each year, and winter and Christmas decorations and artificial flowers must be removed at least two weeks prior to Palm Sunday.
  - ii. UCH shall remove prohibited items, decorations and artificial flowers that have not been removed in accordance with the deadlines specified in this paragraph, and any item that it determines in its sole discretion to be objectionable to the landscape of the Cemetery grounds.

### **INTERMENT IN CREMATION GARDEN**

#### 23. Wall Niche

- a) Two interments of cremains per wall niche are permitted.
- b) The cremains must be placed in an urn or other container that is crush-proof and non-biodegradable.
- c) The urn or other container for a single interment may not exceed 14 inches by 12 inches.
- d) Each urn or other container for a double interment may not exceed 7 inches by 6 inches.
- e) Neither a single interment nor a double interment may exceed 11 inches in height.
- f) UCH shall not be responsible for the purchase of urns or other containers that exceed the maximum size or number permitted under these Rules.
- g) Plaques, memorials or personal information/content may not be attached (by glue, pins or any other means) to the wall niche door.
- h) Personal information/content may be engraved (etched) on the wall niche door:
  - i. UCH must review and approve a plan for the engraving before the commencement of work. The approval of the plan will be in the sole discretion of UCH.
  - ii. The engraving may not be colored.
  - iii. The engraving is not permitted within a ¾ inch limit around the inside walls of the wall niche.
  - iv. The owner or other responsible person shall be solely responsible for determining the personal information/content of the engraving.

#### 24. Ground Plot

- a) Two interments of cremains per ground plot are permitted.
- b) The cremains must be placed in an urn or other container that is crush-proof and non-biodegradable.
- c) If the urn or other container is placed in a standard urn vault (14 inches in width by 14 inches in length by 14 inches in height), then the urn cannot exceed 10 inches in length by 10 inches in width by 11 inches in height.

- d) An urn vault may not exceed the following outside dimensions: 16 ¾ inches in length by 16 ¾ inches in width by 16 inches in height.
- e) The interment of a single set of cremains in a 36-inch by 36-inch ground plot may use an urn vault that does not exceed the following dimensions: 30 inches in length by 30 inches in width by 16 inches in height.
- f) One flush marker, slant marker or wall plaque that complies with the specifications in these Rules may be erected per ground plot.

25. Wall Plaque

- a) UCH shall require adequate proof of the right to install a wall plaque. The adequacy of such proof shall be determined in the sole discretion of UCH.
- b) A wall plaque must be bronze, contain no aluminum, and be comprised of at least 87% copper.
- c) A wall plaque must be secured to the wall with pins placed into drilled holes. Epoxy or other glue-type substances may not be used for surface mounting of the wall plaque.
- d) The owner or other responsible person shall be solely responsible for determining the personal information/content placed on the wall plaque.
- e) A wall plaque must be eighteen (18) inches in length and twelve (12) inches in width.

26. Slant Marker

- a) UCH shall require adequate proof of the right to install a slant marker. The adequacy of such proof shall be determined in the sole discretion of UCH.
- b) Foundation:
  - i. A slant marker must have a concrete foundation.
  - ii. UCH must review and approve a plan for the foundation before the foundation may be installed. The approval of the plan will be in the sole discretion of UCH.
  - iii. UCH shall perform the work required for the foundation. Such excavation work shall not proceed until the required fees have been paid in full and any documentation required by Pennsylvania law has been provided to UCH.
- c) Personal information/content may be engraved on a slant marker. The owner or other responsible person shall be solely responsible for determining the personal information/content of the engraving.
- d) A slant marker must meet the following requirements:
  - i. Barre gray granite.
  - ii. Smooth back and smooth joint.
  - iii. Polished front.
  - iv. Top, front nosing and ends are rock pitched.
  - v. Dimensions: 20 inches in length by 10 inches in width by 18 inches in height.

27. Flush Marker

- a) UCH shall require adequate proof of the right to install a flush marker. The adequacy of such proof shall be determined in the sole discretion of UCH.
- b) Foundation:
  - i. A flush marker must have a concrete foundation.
  - ii. UCH must review and approve a plan for the foundation before the foundation may be installed. The approval of the plan will be in the sole discretion of UCH.
  - iii. UCH shall perform the work required for the foundation. Such excavation work shall not proceed until the required fees have been paid in full and any documentation required by Pennsylvania law has been provided to UCH.
- c) Personal information/content may be engraved on a flush marker. The owner or other responsible person shall be solely responsible for determining the personal information/content of the engraving.
- d) A flush marker must meet the following requirements:
  - i. Barre gray granite.
  - ii. Polished top.
  - iii. Balanced rock pitch.
  - iv. Smooth joint.
  - v. Dimensions: 20 inches in length by 10 inches in width by 18 inches in thickness.

28. Decorations

- a) Only the following items are permitted: flowers (real or artificial), holiday wreaths and holiday logs.
- b) Prohibited items include, without limitation, the following:
  - i. Permanent plantings of any kind (flowers, bushes, etc.).
  - ii. Objects such as statues, stones, banners, upright or overhanging wire structures, toys, photographs, and other similar objects.
  - iii. Vigil lights and Veteran's memorials.
- c) Cleanup:
  - i. Floral arrangements from funeral services may remain for a maximum of three days.
  - ii. Spring, summer and fall decorations and artificial flowers must be removed prior to November 15<sup>th</sup> of each year, and winter and Christmas decorations and artificial flowers must be removed at least two weeks prior to Palm Sunday.
  - iii. UCH shall remove prohibited items, decorations and artificial flowers that have not been removed in accordance with the deadlines specified in this paragraph, and any item that it determines in its sole discretion to be objectionable to the landscape of the Cremation Garden grounds.



I HEREBY ACKNOWLEDGE THAT:

1. I HAVE RECEIVED THE FOREGOING UNION CEMETERY OF HELLERTOWN RULES AND REGULATIONS.
2. I UNDERSTAND THAT MY PURCHASE OF INTERMENT RIGHTS IN A LOT, WALL NICHE OR GROUND PLOT IS SUBJECT TO THE FOREGOING UNION CEMETERY OF HELLERTOWN RULES AND REGULATIONS AND ANY AMENDMENTS THERETO AND I AGREE TO BE BOUND THEREBY.

Date: \_\_\_\_\_

\_\_\_\_\_  
OWNER  
PRINTED NAME: