Rules and Regulations

for Saint Johnsbury Cemeteries

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Commission Members

Adopted by:
Lauren Jarvi, Chair
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The Cemeteries of Saint Johnsbury, Vt.

The Town of St. Johnsbury is responsible for the care and maintenance of the following cemeteries.

1. The Center Village Burial Yard located on Breezy Hill Road near the intersection of U.S Route 5 by the church in St. Johnsbury Center. This cemetery is closed to new burials.
2. The Grove Cemetery located on U.S. Route 2 in East St. Johnsbury.
3. The Ayer-Hawkins Cemetery located on Crepeault Hill Road in St. Johnsbury.
4. The Centervale Cemetery located on U.S Route 5 near the intersection of Mt. Pisgah Road in St. Johnsbury Center.

For information pertaining to purchasing burial lots please call the Town Clerk's office 802-748-4331 or e-mail townclerk@stjvt.com

Effective 4/22/2024 pricing for interments and disinterments shall be $400. A weekend surcharge of $200 will be imposed for weekend burials and a $300 surcharge will be imposed for Holiday burials. Additionally, any contracted services such as excavation service fees will be paid for and the responsibility of the family.

Lot prices for a standard 3X9 lot is $550, and a cremation lot is $300.

Rules and Regulations

For the mutual protection and benefit of lot owners of each cemetery, the following Rules and Regulations are established. 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 Commission.

Definitions

1. Commission: The term Commission shall mean the Cemetery Commission of the Town of St. Johnsbury, Vermont, and the person or persons duly elected for a three-

year term or appointed by the Commission. The Commission shall hold public meetings for the administration of cemetery business.

2. Sexton: The term Sexton shall mean the person or persons responsible for coordinating the burials and associated paperwork for each burial and designation of cemetery maintenance in conjunction with the Commission. The responsibilities and powers of this position may also be transferred to a designee approved by the Commission.
3. Selectboard: The term Selectboard shall mean the governing body of the Town of St. Johnsbury, Vt. that has been lawfully elected by residents of the Town.

4. Department of Public Works: Shall mean the department maintaining the cemeteries in the Town of St. Johnsbury, Vt.

5. Cemetery: The term Cemetery is hereby defined to include a burial park for earth interments.
6. Grave: The term grave shall apply to a space of sufficient size to accommodate one adult interment approximately three by nine feet.
7. Lot: The term lot shall apply to numbered divisions as shown on record map to which consists of two or more graves.
8. Interment: The term interment shall mean the permanent disposition of the remains of a deceased person by entombment, burial, or inurnment of cremated remains. Scattering cremains within a cemetery is strictly prohibited.
9. Disinterment: The term disinterment shall mean the removal of the remains of a deceased person by entombment, burial, or cremated remains in following State law.
10. Memorial: The term memorial shall include a monument, marker, tablet, or headstone.
11. Monument: The term monument shall include a tombstone or memorial of stone, which shall extend above the surface of the ground.
12. Marker: The term marker shall mean a memorial flush with the ground.
13. Lot marker: The term lot marker refers to any means used by the cemetery or lot owner to locate corners of the lot.
14. Lot Deed or License: The term deed or license is an instrument giving the lot purchaser the right of interment only.
15. Certificate of Ownership: The term certificate of ownership shall apply to the original conveyance given by the cemetery to the original purchaser or subsequent owner.

Lot Owner Rights

1. The deed to a lot or other grant to interment space gives only a right or privilege of disposition of human remains, the ownership in fee to the land remaining in the cemetery. This right comes with it, however, the right to provide a memorial.

2. Persons desiring to purchase burial rights in a lot should visit the cemetery where the Sexton will aid them in making a selection and will issue a deed 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 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 their 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 Town Clerk's office, 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 interment in the lot and to give all needful directions regarding the lot.

Transfer or Assignments

Any transfer or assignment of a lot of interest therein shall first be approved in writing by the Commission, and thereafter recorded on the books of the Cemetery at the Town Clerk's office.

1. The Commission may refuse consent to transfer or to assign as long as there is any indebtedness to the cemetery from the record lot owner or other reasons.
2. All transfers shall be subject to a nominal charge to be paid when the transfer is recorded.
3. 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 Commission.

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 town, 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. Casket burials must be enclosed in an outer container or receptacle of concrete. Urns made of biodegradable material, cardboard, pottery or other fragile material must be enclosed by a durable vault of concrete.
4. 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.
5. When instructions regarding the location of an interment space in any lot cannot be obtained, or are indefinite, or for any reason, the interment space cannot be opened where specified, the Commission may at their discretion, open it in such location in the lot as best and proper, so as not to delay the funeral; and the Town shall not be liable for damages for any error so made.
6. The Town 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.
7. No interment shall be permitted or memorial placed in or on the property not fully paid for except by special consent of the Cemetery Commission in each and every case.
8. Not more than one body, or the remains of more than one body, and three cremations shall be interred in one grave, except by written consent of the Cemetery Commission, and provided proper identification is made of such interment or interments in one regulation crypt, niche, memorial or marker.
9. 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.
10. The utmost care will be exercised in making a disinterment or removal, but the Town shall assume no liability or damage to any casket, burial case or urn incurred in making the removal.
11. The burial rights in a lot can only be sold back to the cemetery at the original purchase price.

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 Commission; 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, 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.

3. The money received for endowment care shall be held in trust and invested as provided by law.
4. The income from the endowment care fund shall be expended by the Commission in such manner as will, in its judgment, be most advantageous to the property owners as a whole.

Specifications, Rules, and Regulations for Memorial Work

1. Any person or any firm who is engaged in the memorial business must notify the Sexton before any work is started.
2. Only one central or family memorial shall be allowed on a lot, and shall be set in space designated by the Sexton.
3. Slant face markers are not permitted.
4. All markers shall be flush with the ground except where it is necessary to match those already set in the lot. Markers shall be placed at the end of the grave furthest from the base of the monument.
5. Lot Markers shall be placed flush with the grade and the responsibility of the deed owner.
6. No fencing, hedging, stone or gravel aprons around memorials or around lots shall be allowed.
7. 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 Commission.
8. The maximum size of the memorial is governed by the size of the lot on which it is placed. It is determined as follows:

   The length of the base shall not exceed sixty percent of the width of the lot.

   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.

   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.

9. No monument or marker shall be removed from the cemetery, except by the Cemetery Commission, unless the written order of the lot owner is presented to the commission.

Lot Plantings and Decorations

1. In ground plantings of annual flowers is permitted and must be kept immediately next to the monument base.
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 are discouraged, however are allowed and must be removed by October 1. There is no trash removal service.
4. The Cemetery Commission shall have the authority to remove all floral decorations, flags, shrubs, plants or herbage of any kind, which in the judgment of the Cemetery Commission have become unsightly, dangerous, diseased or detrimental, or which do not conform to the regulations outlined.
5. The Town 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 placed on the lot, the Cemetery Commission reserves the right to remove the same. Exceptions may be made after notification of the Commission.
7. Coat hangers or other wires in the ground or attached to memorials as potholders are not allowed.

Foundations

1. Foundations will be built to a depth of four feet and finished slightly below the surface of the ground.
2. Foundations will be made at least as large as the bottom base of the memorial. The Cemetery Commission reserves the right to require a larger foundation when, in its opinion, the weight of the memorial or structure requires it.
3. No memorials may be set until the cement in the foundation shall have time to harden thoroughly for twenty-four hours.

Conduct of Persons Within the Cemetery

1. The cemetery grounds shall be open from 7 AM to sunset, May 1- October 15.
2. The town and cemetery shall in no way be held liable for any injuries sustained by anyone while in the cemetery.
3. Children under 12 years of age shall not be permitted within the cemetery or its buildings unless accompanied by an adult.
4. All unauthorized persons are prohibited from sitting, lounging, having refreshments or lunch within the grounds of the cemetery and the use of alcohol is prohibited.
5. 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.

6. No loud talking shall be permitted on the cemetery grounds within hearing distance of funeral services.
7. Automobiles must be kept under complete control at all times.
8. 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.
9. 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.
10. Dogs are allowed on the cemetery grounds and shall remain on a leash and under control of the owner. Owners are expected to pick up after their dog and ensure the animal is not barking.
11. No firearms shall be permitted within the cemetery except at military funerals or in possession of the Honor Guard. Hunting is prohibited.
12. No signs, notices, or advertisements of any kind shall be allowed in the cemetery unless placed by the Commission.

Miscellaneous

1. All grading, landscaping, and improvements of any kind on lots shall be made by the Cemetery unless approved by the Commission. If such alterations are made without written consent, the Commission 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 Commission. 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 Commission is hereby empowered to enforce all the rules and regulations. The Commission shall have supervision and control of all persons within the cemetery.
4. The Commission 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.
5. The Commission may, and it hereby expressly reserves the right, at any time, 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. If any discrepancies are noted with the rules State law shall prevail.
6. In the event that the Cemetery Commission is disbanded the authority with the Commission shall revert to the Selectboard.

The Town of Saint Johnsbury would like to acknowledge and thank the City of Barre, Vermont for their assistance with this project of establishing Rules and Regulations for the Cemeteries of Saint Johnsbury. Adopted 11/18/2021

Town of Saint Johnsbury Cemetery Rules and Regulations Updates

04/22/24: Page 2 updated Sexton contact, pricing, and acquisition of St. J Ctr. Cemetery.
09/05/24: Page 3 scattering cremains within cemetery prohibited.
11/14/24: Page 2/3 changed the lot size from approximately 3x10 to 3x9.
12/11/25: Page 1 name change from St. J Ctr. Cemetery to Centervale Cemetery.
11/10/26: Page 2 added adopted to commission members under R&R at top of page, replace sexton with town clerk contact information and page 4 updated regulation on urns and vaults.