

ARTICLE 7 TOWN CEMETERIES

Sec. 3-701 Town Cemeteries

The burial grounds owned by the Town of Farmingdale known as the Maine Avenue Cemetery, the Northern Avenue Cemetery, and the Carter Cemetery shall be managed by the Board of Selectmen.

Sec. 3-702 Maintenance and Use

The Board of Selectmen shall adopt rules to establish procedures for the maintenance and use of the Town Cemeteries, to include the laying out and numbering of lots, the sale and conveyance of lots, the fees to be paid for lots and perpetual care, the opening and closing of graves, the erection of monuments, fences, and structures, the planting of trees and shrubs, the marking of grave sites, and the qualification of persons with respect to the purchase or use of lots subject to the provisions of Section 3-804.

Sec. 3-703 Appointment of Superintendent

The Board of Selectmen may appoint a superintendent to oversee the care and maintenance of the Town Cemeteries and to otherwise assist the Board in the management of the use of the Town Cemeteries.

Sec. 3-704 Sale and Occupancy of Cemetery Lots

1. No cemetery lot may be used for any purpose other than as a place of burial for the dead. The right to occupy any cemetery lot shall be granted only:
 - A. To a person who has been a legal resident of the Town for at least two years prior to the date of purchase,
 - B. To the estate of a person who is a legal resident of the Town on the date of death, or
 - C. To the estate of a person who is a legal resident of the Town for a majority of that person's life or twenty years, whichever is less, at any time prior to death.
2. No lot may be occupied by anyone except the person who purchased the lot or that person's heirs at law who are lineal descendants. No person may hold rights in more than 12 occupied or partially occupied cemetery lots at any one time. A cemetery lot may be sold, given, or transferred to another, only with the written consent of the Board of Selectmen, and only to a person who is qualified to purchase a cemetery lot under the terms of this Section. No person, who has been granted a cemetery lot, may allow the use of such lot for the burial of a person who is not qualified to purchase a lot under this Section.
3. The grant of any rights in a cemetery lot by the Town is expressly conditioned on compliance with this Section. A violation of this Section or any rules adopted pursuant to Section 3-802 is a civil violation subject to the provisions of Section 1-109. The Town may repurchase any unused cemetery lot subject to available funds for the original price paid.
4. The Town Clerk shall keep a record listing all lots denoted on the plans of said Cemeteries by section and number indicating for each the name of the purchaser, if any, and the price and date of sale. No cemetery lot may contain more than three graves.

Sec. 3-705 Cemetery Funds

The Town Treasurer shall receive all moneys relating to fees for lots, perpetual care, and other sums paid relating to use of the Town Cemeteries. No cemetery lot may be

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sold without payment for perpetual care. All moneys paid for the purpose of perpetual care shall be placed in a segregated trust account, and only the income may be used for the maintenance and improvement of the Town Cemeteries. The principal of the trust may be invested in the same manner as other municipal funds. All other moneys received by the Treasurer for cemetery purposes shall be maintained in a segregated non-lapsing account and used exclusively for the maintenance, care, improvement and enlargement of the Town Cemeteries.

Sec. 3-706 Fees

Reference Appendix 1 to review the established fee schedule.

Revised: June 28, 2014