INTRODUCTION

For the mutual protection of all lot purchasers (a person having burial rights to a lot purchased), to
insure respect for the deceased and properties of others, and for the Cemeteries as a whole, the
following rules and regulations have been adopted by the Town of Fairfield as the rules and
regulations of all Town maintained Cemeteries and all lot purchasers and visitors within the
Cemetery. All lots sold shall be subject to these rules and regulations and any future rules and
regulations, amendments or alteration as may be adopted by the Town of Fairfield.

Fairfield cemeteries are operated by the Fairfield Public Works Department. The Public Works
Director or designee shall have the authority to enforce all rules and regulations as set forth in this
ordinance. For the purpose of this ordinance, Fairfield Public Works shall be referred to as Cemetery
Management.

Rules and Regulations

1) All Cemeteries operated by the Town of Fairfield shall be open from dawn to dusk from
May 1st to October 31st. Anyone found in the Cemeteries between dawn and dusk
without permission of the Cemetery Management will be considered a trespasser.
Trespassers shall be liable to prosecution. During the winter and early spring months,
Cemeteries will be closed off because of weather elements causing poor road conditions.

2) Children under the age of thirteen are not allowed in cemeteries unless accompanied by
an adult. Playing on lots and lawns as well as climbing on memorials or monuments is
prohibited. We welcome your walking and enjoying the grounds of the cemetery.

3) Out of respect to the deceased and lot purchasers, dogs are not allowed in Cemeteries
unless they are dogs assisting the handicapped.

4) No firearms allowed except at military funerals or by permission of the Cemetery
Management.

5) The speed limit within the Cemetery is fifteen (15) miles per hour. Fast driving will not
be permitted. Vehicles must not turn or back up on roads, but must be driven around
the nearest circuit. Vehicles must not pass a funeral procession or a lot where services
are being held.

6) Visitors must not park on the grass, pick flowers, or injure trees or shrubs and must, in
all cases, respect the properties of the Cemetery.
7) Drivers and chauffeurs must remain by their vehicles and no loud conversation will be allowed during funeral services. Undertakers will be held responsible for the enforcement of this rule and for any improper conduct on the part of the drivers or chauffeurs while in the Cemetery.

8) Cemetery Management will not be held responsible for anything left on lots including, but not limited to, floral pieces, potted plants or urns and their contents. Items left on lots must be removed by October 1st or they will be removed and discarded. Cemetery Management reserves the right to remove any unsightly flowers, wreaths, or other items left on the graves at any time.

9) Solicitation in the Cemetery is prohibited.

10) Any person disturbing the peace by noise, fast driving, or any improper conduct, or who shall violate any of the rules will be compelled to leave the grounds and will be reported to the proper authorities.

11) The Town of Fairfield disclaims all responsibility for any and all damages or loss from causes, beyond its reasonable control and especially from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasion, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral.

**Burial Lots**

1) Persons desiring to purchase a burial lot should apply to the Cemetery Office, where a competent person will accompany the purchaser into the Cemetery where lots may be seen and a suitable selection made.

2) Persons desiring to place a monument on a lot must receive permission from Cemetery Management prior to the monument being placed. Cemetery Management is not liable for loss of grave space due to the placement of the monument, even though the monument was placed on the lot with the Cemetery Management's permission.

3) No conveyance or transfer of any lot, or interest therein shall be valid unless it shall have been approved in writing by the Town of Fairfield through its agents and has been recorded in its books. Burial lots shall be passed equally to blood descendants and legally adopted children of the original purchaser next in line unless designated by will. Burial rights may not be denied to blood descendants and legally adopted children of the original purchaser unless specifically denied by said purchaser.

4) Cemetery lots may not be sold by the purchaser to anyone other than the Town of Fairfield. The sale price of the lot shall be the original purchase price paid for said lot.
Interments

1) Interments shall not be made until the Cemetery Management has received the proper permits as may be required by law. The Town of Fairfield will not be responsible for the procurement of burial permits required by law.

2) No interment will be made until the grave space which is to be used has been paid in full. Also, the fee for the interment must be paid prior to burial unless a local funeral director is willing to accept financial responsibility for it. Any outstanding charges on the lot must be paid prior to interment.

3) Orders for interment should be given at least 48 hours before the time of interment. It is important that the purchaser or representative of a lot give personal attention to the location of the graves. An authorization for interment needs to be signed and given to Cemetery Management prior to interment. Unless prior notice is given to the Cemetery Management, it shall be understood that the licensed funeral director is duly authorized to make funeral arrangements as the agent of the family and/or the person having legal custody of the remains of the deceased and also the purchaser of the lot or interment space.

4) Funerals on arrival at the Cemetery shall be under the charge of the Cemetery Management or person appointed.

5) The cost of interment and disinterment can be obtained upon application to Cemetery Management. An overtime charge will be made for all burials that cannot be completed within regular hours.

6) To prevent settling of graves, concrete or steel vaults or cement liners are required for outside containers. Permanent containers are required to bury remains.

7) Should a burial be incorrectly sited, the Town of Fairfield reserves the right to correct this error by reburial.

8) Disinterment will not be made without signed authorization of next of kin and all proper permits required by law. All charges for disinterment must be prepaid in full. The utmost care will be made in making disinterment or removals. However, Cemetery Management and its personnel shall assume no liability if any casket, burial case or urn is damaged.

9) Winter burials will be made up to such time as excessive snow, frost or cemetery road conditions might prevent such burials. The Town of Fairfield reserves the right to make that decision.
Memorials

The purchaser (meaning a person having burial rights to a lot purchased) may wish to discuss memorial regulations with the Cemetery Management before selecting a memorial.

1) Curbing, corner posts, above grade, platforms, steps, buttresses, settees, or vases, except flower holders, will no longer be allowed or replaced from the date of this ordinance.

2) Designs, locations and materials for all monuments and markers or other structures must be submitted to the Cemetery Management for approval. This should be done before contracts are signed or orders given. The Town of Fairfield shall reserve the right to reject any plan or design for any memorial which by reason of size, design, inscription, finish or quality of stone is, in the opinion of the Town of Fairfield, unsuitable.

3) A concrete foundation is required for any above grade memorial. Arrangements for foundation are to be made by the lot purchaser with a memorial company. No above grade monument (memorial) shall be erected until the lot is paid in full.

4) Should any monument become unsightly, dilapidated or a menace to visitors or the Cemetery personnel, the Cemetery Management shall have the right to correct the condition or remove the same after the proper notification is made. If the purchaser or next of kin cannot be located, the Cemetery Management can remove the monument and not replace it. If this occurs, the Cemetery Management will place a marker on the lot indicating the names and dates of death of those interred on the lot.

5) While the Town of Fairfield will exercise all possible care to protect monuments and markers from damage, it disclaims any liability for damage or injury.

Flower and Decorative Policy

All plantings and decorations shall be subject to the general supervision of the Cemetery Management, and to such rules and regulations and conditions as the Cemetery Management may impose to insure the future welfare and appearance of the Cemetery.

1) All plantings must be approved by the Cemetery Management.

2) Annual plantings are allowed directly in front of the monument. These plantings shall not exceed one foot in width or the length of the monument. No plantings shall be made at or near any flush markers. These plantings interfere with the mowing, trimming and the opening of graves and will be removed without notice.
3) Artificial flowers are restricted to urns, baskets and vases. No artificial flowers shall be placed in the ground.

4) Any vase or urn which is deemed to be an obstacle to lawn mowing operations shall be moved or removed without notice. The use of jars, glass, china, or tin cans is strictly prohibited. These containers not only become unsightly, they are hazardous to Cemetery personnel. Also, the use of rocks, bricks or wires to hold down vases are prohibited for the same reasons. The use of washed, colored or crushed stone is prohibited.

5) The Town of Fairfield reserves the right to remove any plantings, containers or decorations in violation of the above said rules and to charge the purchaser for any expenses incurred, including the repair of the sod. Beginning October 1st of each year, the Cemetery personnel will clean up for the coming winter season. All flowers, real and artificial, vases, baskets, etc. will be picked up and disposed of. Lot purchasers should remove any item they wish to keep before this date. Urns may be left on the lot, but should be emptied and turned over to avoid breakage. Winter decorations are permitted from November 1 to April 30. After April 30, any decorations not picked up by the owner will be discarded by Cemetery personnel.

**Trees & Shrubs**

The Town of Fairfield maintains, to the best of its ability, all trees and shrubs planted by the Cemetery Management. However, it is not responsible for the care and trimming of any plantings on individual lots by the purchaser or his/her heirs.

1) From the date of this ordinance forward, the planting of evergreens, trees, and shrubs is strictly forbidden.

2) Any tree or shrub that is not maintained, becomes unsightly, encroaches on a neighboring lot, or obstructs the normal operation of the Cemetery shall be removed.

3) The Cemetery Management reserves the right to remove without notice any planting in violation of foregoing rules, conditions and limitations.

**Perpetual Care**

Perpetual Care shall include the mowing and trimming of grass at reasonable intervals, raking of fall leaves, and maintenance of graves. The general care assumed by The Town of Fairfield shall in no case or instance mean the maintenance, repair or replacement of any monument, memorial tomb, mausoleum or marker placed or erected on Cemetery lots.
**Future Changes to the Ordinance**

The Town of Fairfield reserves the right to change, amend, alter, repeal, rescind or add to these rules and regulations or to adopt any new rule or regulation with respect to the Cemeteries or anything pertaining thereto.

**Adoption**

The above Ordinance has been adopted by the Fairfield Town Council on this ______ day of ______________, 2007.

________________________________________________________________________
Richard Spear, Chairman                        Franklin Bouchard, Vice-Chair

________________________________________________________________________
Edward Stevens, Jr., Secretary                  William Towne

________________________________________________________________________
P. Michael Slaney

Attest: __________________________________________
Tracey L. Stevens, Town Clerk