

Contact Information:

Town of St. Armand
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Physical Location:

Franklin Falls/Union Falls Cemetery
2004 Gillespie Drive
Franklin Falls, NY

Purpose

The following rules and regulations have been adopted as a guide to the use and internments of Franklin Falls/Union Falls Cemetery. The rules and regulations will help protect all who have interest here. All owners of interment rights, visitors and contractors performing work within Franklin Falls/Union Falls Cemetery shall be subjected to said rules. Updates to regulations, amendments or alterations as shall be adopted by the Town of St. Armand Board as necessary.

Definitions

Cemetery Office - the term Cemetery Office shall refer to the Town Clerk located in the Town of St. Armand.

Internment - the term internment shall mean the permanent disposition of the remains of a deceased person by cremation, entombment or burial.

Deed - refers to the Deed of the Lot sold to an individual or family designation their burial Lot.

Grave - the term grave shall apply to a space of sufficient size to accommodate one adult internment, approximately three by ten feet.

Lot – the term Lot shall apply to numbered divisions as shown on the record which consists of a single, double or family burial Lot.

Lot sizes are as follows:

Single – five feet by ten feet (5'x10')

Double – ten feet by ten feet (10'x10')

Family - twenty feet by ten feet (20'x10')

Memorial – the term memorial shall include a monument, tablet, tombstone, grave marker or headstone identifying a grave or graves, cremated interred or a nameplate with inscription identifying a crypt or niche.

Monument – the term monument shall refer to an upright memorial made principally of stone or marble which extends above the surface of the ground.

Marker – the term marker shall mean a memorial that is flush with the ground.

Lot Marker – the term Lot marker refers to any means used by Franklin Falls/Union Falls Cemetery grounds keepers or families of the interred to locate corners of graves. i.e.: cornerstones, steel posts, etc.

Management – the term Management shall refer to the Town of St. Armand Board.

Cemetery Office – the term Cemetery Office shall mean:

Office of the Town Clerk
Town of St. Armand
PO Box 338
1702 NYS Rt. 3
Bloomingdale, NY 12913
Phone: 518-891-3189

Cemetery Office Supervisor – the term Cemetery Office supervisor shall refer to the Town of St. Armand Supervisor.

Owner(s) is the person or persons to whom the Town of St. Armand has conveyed a burial right (Deed) or rights or a person or persons who have acquired such rights by transfer in accordance with the rules of Franklin Falls/Union Falls Cemetery, or a person or persons who hold such burial right or rights by inheritance.

Single grave/single Lot is a grave for one person.

Urn is a container used for cremated remains.

Permanent Urn refers to an urn that is non-biodegradable and is made from ceramic, metal, stone or other hardened material.

General Rules and Regulations

1. Rules and Regulations of Franklin Falls/Union Falls Cemetery and prices for burial spaces and services are made by the Town Board and become effective upon approval by a Resolution of the Town Board.
2. Management may, and it hereby expressly reserves the right, at any time, with or without notice to Lot owners, to adopt new rules and regulations or to amend, alter and/or repeal any rule, regulation and/or article, section or paragraph in these Rules and Regulations. Special cases may arise in which the literal enforcement of the rule may impose unnecessary hardship. The Town Board, therefore, reserves the right, without notice, to make exceptions, suspensions or modifications in any of the Rules and Regulations when, in its judgment, the same appear advisable, and such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of such.
3. Management retains to itself, for the benefit of all interment right owners, full and complete supervision, control of the land, buildings, improvements, roads, walks, utilities, development, books and records, and the full and complete authority, rights and privileges to make, change administer and enforce all rules and regulations and restrictions not inconsistent with the laws of the State of New York; wherein Franklin Falls/Union Falls Cemetery is located.
4. All Lots in Franklin Falls/Union Falls Cemetery are sold in accordance with the provisions of the laws of the State of New York.
5. Purchase of a Lot only gives Lot owners burial privileges.
6. No Lot owner may not sell or lease a Lot to anyone. A Lot may be willed to an heir or heirs.
7. Lot owners may Deed a Lot back to the Town of St. Armand, if they desire. The Town of St. Armand will not reimburse owners for any Lots that are deeded back to the Town.
8. Upon the death of a Lot owner, the heir (s) to the Lot must provide in writing, a Notarized letter allowing for specific relatives to be interred in Franklin Falls/Union Falls Cemetery Office.
9. Lots must be paid in full before a burial is made or a monument is erected. Full purchase price must be paid before a Deed is issued. The Town Clerk issues to each owner of the rights of burial for its Lots a Deed describing the location and

- naming the owner or owners of the said location. The naming of more than one owner is indicative of joint ownership in common with rights of survivorship.
10. The issuance of such Deed is the Managements' sole form of recognition of ownership. Possession of the Deed by a person whom is not listed on the Deed is not in itself evidence of ownership. Purchasers of Lots simply acquire the right of burial.
 11. In the event of loss or destruction of a Deed of Ownership and upon the presentation of a written request, accompanied by a properly executed affidavit by the owner setting forth the circumstances of the loss or destruction and indemnification of the Deed, the Town Clerk will prepare a duplicate Deed from its records. The price of a replacement Deed is ten dollars (\$10.00).
 12. Lot owners are prohibited from allowing interments to be made on their Lots for compensation.
 13. All Lot owners are required to notify the Cemetery Office of any change of address. All notices required to be sent shall be sent to the last recorded address and such notices shall be deemed adequate.
 14. No person, other than employees of the Town of St. Armand, shall be allowed to perform any work within Franklin Falls/Union Falls Cemetery without permission from the Cemetery Supervisor.
 15. The Cemetery Supervisor shall direct all improvements within the grounds and upon all Lots before and after interments have been made herein.
 16. Management will take all reasonable precautions to protect Lot owners and their property within Franklin Falls/Union Falls Cemetery from loss, damage or injury but it shall not be responsible for any loss, damage or injury.
 17. The right to use automobiles or other vehicles in Franklin Falls/Union Falls Cemetery is authorized solely and exclusively for the purpose of transporting persons to visit burial plots. The speed limit within Franklin Falls/Union Falls Cemetery is five (5) miles per hour. Parking and/or driving on any gardens or grassy areas are prohibited for purposes other than those obtained from the Cemetery Supervisor.
 18. Snowmobiles, motorcycles, horses, four-wheelers, etc., may not be used on Franklin Falls/Union Falls Cemetery lands except with the approval of the Cemetery Supervisor. Dogs are not permitted except when kept on a leash or in a vehicle.
 19. Consuming alcoholic beverages or illegal drugs in Franklin Falls/Union Falls Cemetery is strictly prohibited.

20. Funeral staff, monument staff and interment workers shall have the right to enter upon or use any adjoining Lot or Lots to carry out the duties as to interments, erection of monuments or markers, etc., without prior notice to the Lot owner.
21. No signs or notices of any kind shall be allowed in Franklin Falls/Union Falls Cemetery unless placed by the Town of St. Armand.
22. Peddling of any kind or soliciting the sale of any commodity is prohibited within the confines of Franklin Falls/Union Falls Cemetery.
23. All lots in Franklin Falls/Union Falls Cemetery are only to be sold to Residents' of the Town of St. Armand or former Residents' of the Town of St. Armand. Once a lot is sold, it is the lot owner who determines who may or may not be buried in their plot.

Interment & Funeral Regulations

1. Interments into a Lot are restricted to those entitled to burial therein according to these rules and regulations.
2. Management shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made or where the rules and regulations have not been complied with.
3. The use of one grave space shall be limited to interments as follows unless otherwise permitted by the Management:
 - a) One adult burial, or
 - b) One adult burial and one infant burial, or
 - c) One adult burial and two urns of cremated remains, or
 - d) Six urns of cremated remains
4. Refer to additional pages "Franklin Falls/Union Falls Cemetery Rules & Regulations – Cremated Remains" for additional information regarding cremated interments.
5. No disinterment will be allowed without permission of next of kin, the Lot owner, Cemetery Supervisor and the proper authorities.
6. Management shall in no way be liable for any container, receptacle or urn of cremated remains placed in any Lot, crypt or niche. A permanent type of urn or vault is required for ground interment of cremated remains. The scattering of cremated remains over a family Lot is prohibited.
7. All interments must be made under the direction of the Cemetery Supervisor who will have entire control of the digging of graves, and all matters relating to burials.
8. The Cemetery Supervisor must be notified of an intended interment at least 48 hours in advance, in order that suitable arrangements can be made.

9. Once a casket containing a body is within the confines of Franklin Falls/Union Falls Cemetery, no funeral director, embalmer, assistant, employee or agent shall be permitted to open the casket or touch the body without the consent of legal representation of the deceased, or an order signed by a court of competent jurisdiction.
10. Burial permits required as directed and governed by the State of New York.
11. Franklin Falls/Union Falls Cemetery Rules and Regulations also include any and all state, local and federal laws regarding internments of human remains.

Disinterment

1. Application for disinterment of a body shall be made at the Cemetery Office. Permission must be based upon the application of the spouse, child or next of kin of the deceased person.
2. Law Enforcement disinterment must follow all applicable state, federal and local laws.

Flower & Decoration Regulations

1. Management reserves the right to remove all flowers, wreaths or other decorations from Lots as soon as they become unsightly.
2. Trees and shrubs are placed throughout Franklin Falls/Union Falls Cemetery for overall beauty and serenity of the grounds. Individual graves are not permitted to have trees or shrubs. Any such tree or shrub not approved by the Cemetery Supervisor may be removed without notice to the Lot owner.
3. Management shall have the right to remove all objects whose appearance and condition warrant removal and/or violate the rules and regulations. Management also will not be liable for any flower or decoration removed or lost by any cause.
4. In the event a memorial is placed where it is necessary to remove it for a disinterment, Management shall have the right to remove such memorial without proper notice to the Lot owner.

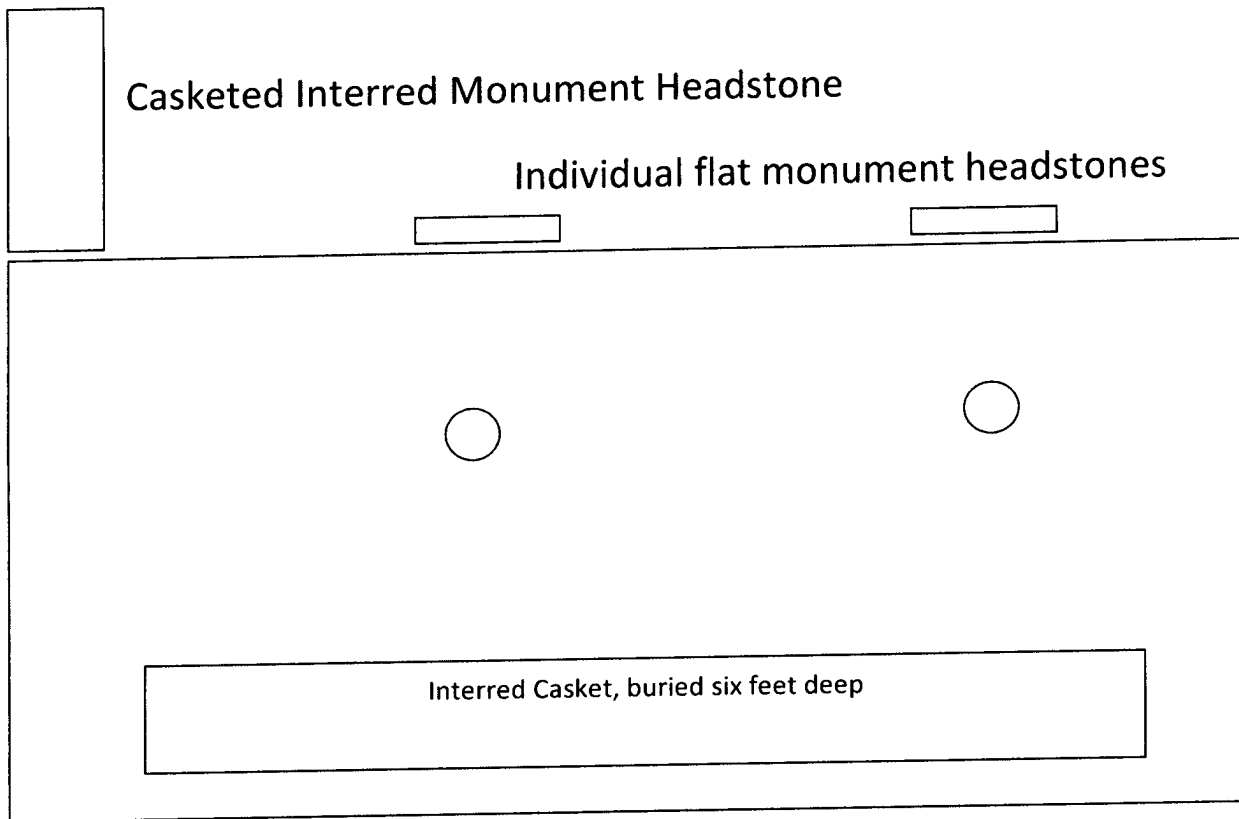
Franklin Falls/Union Falls Cemetery Rules & Regulations - Cremated Remains

Cremations interred in the same plot as casket interred individuals

No more than two cremated remains may be interred with a casket. The monuments for cremations that are interred above a casket must be "flat" and rise no more than six inches above the ground. For cremated individuals, only a single flat headstone may be installed; with a maximum size of 20 inches long by 12 inches wide and 6 inches high. Cremations will be buried 2.5 to 3.0 feet underground.

In the case of cremated remains interred with casketed remains, there are no size restrictions to the casketed interred Monument.

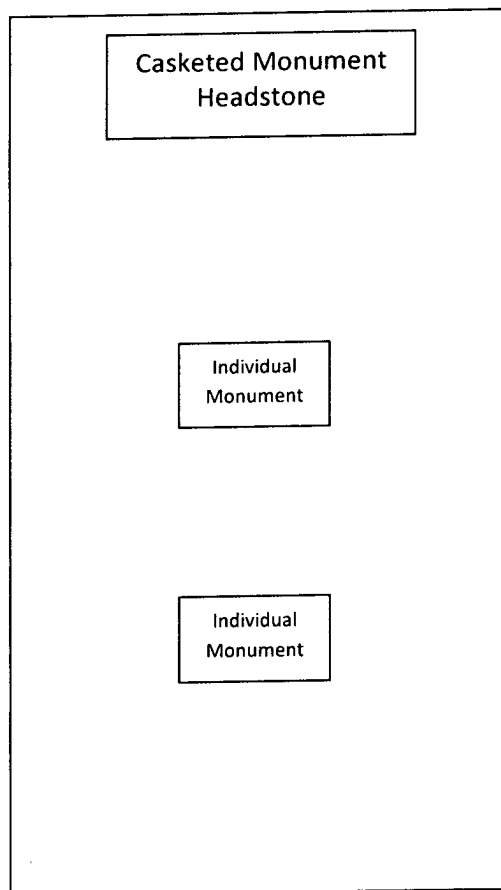
Profile view of interred casket with two cremations



○ This symbol represents an interred urn

Franklin Falls/Union Falls Cemetery Rules & Regulations - Cremated Remains

Top View – single casketed interred with two cremations.



Franklin Falls/Union Falls Cemetery Rules & Regulations - Cremated Remains

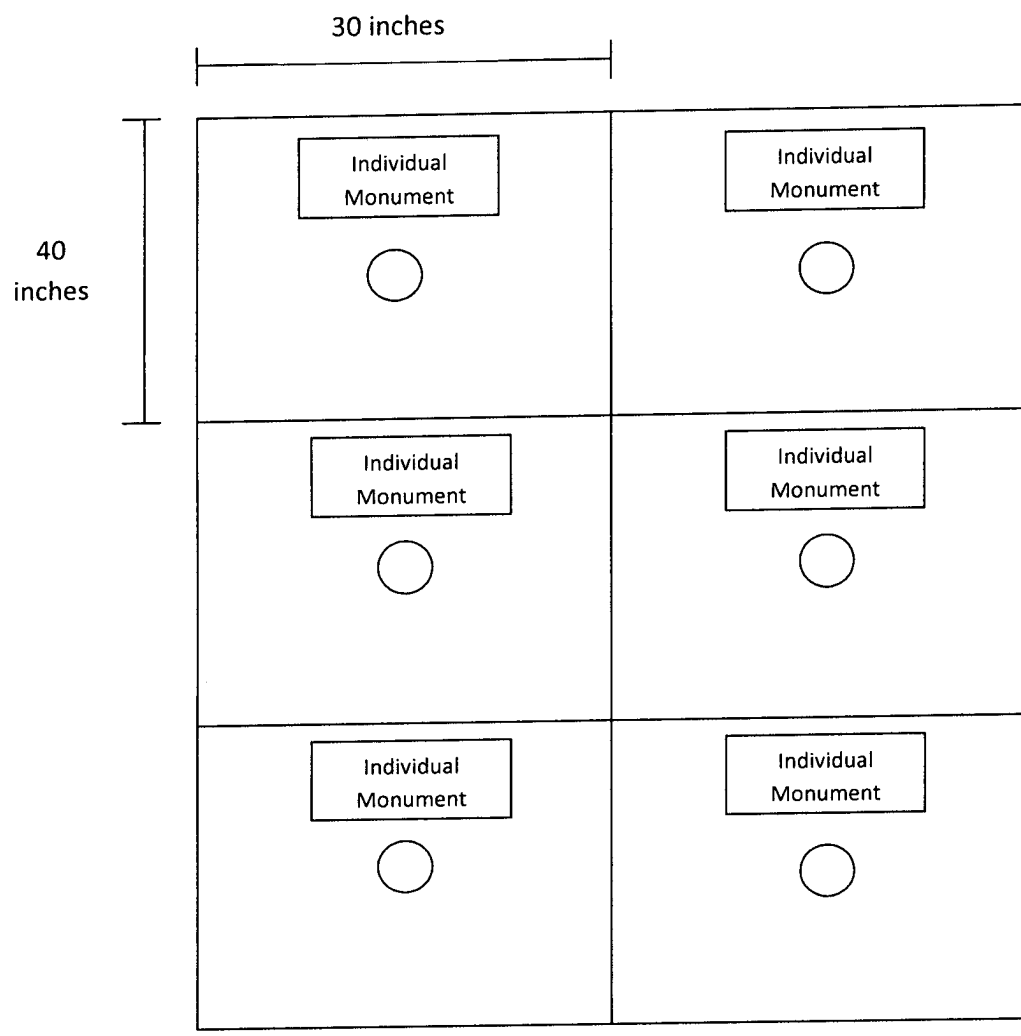
The size of a single plot is 5 feet by 10 feet, or 60 inches by 120 inches.

Each cremated individual that is interred in the plot shall have no less than a 30 inch by 40 inch burial space.

For cremated individuals, only a single flat headstone may be installed; with a maximum size of 20 inches long by 12 inches wide and 6 inches high. See below for Family Memorial information.

No more than six cremations may be interred into a single burial plot.

Cremated remains must be contained in a Permanent Urn. A Permanent Urn is not bio-degradable, and is made of glass, stone, ceramic, plastic, metal or some other non-biodegradable product.



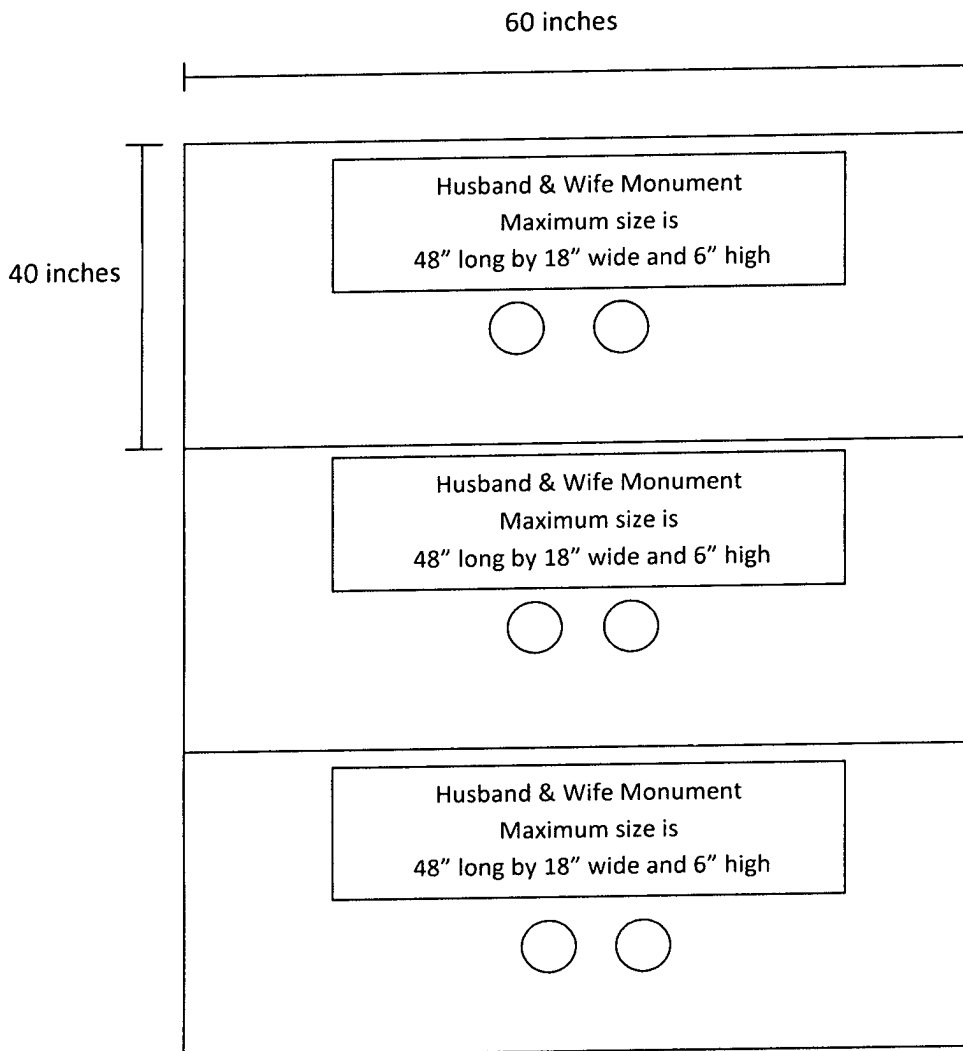
○ This symbol represents an interred urn

Franklin Falls/Union Falls Cemetery Rules & Regulations - Cremated Remains

In the event that a husband and wife with cremated remains wish to be interred adjacent to each other, the individual cremations may be interred together. A double headstone for them may be installed, but may not be larger than 48 inches long by 18 inches wide by 6 inches high.

Combinations of cremated remains may be interred, as diagramed below.

No more than six cremations may be interred into a single burial plot.



○ This symbol represents an interred urn

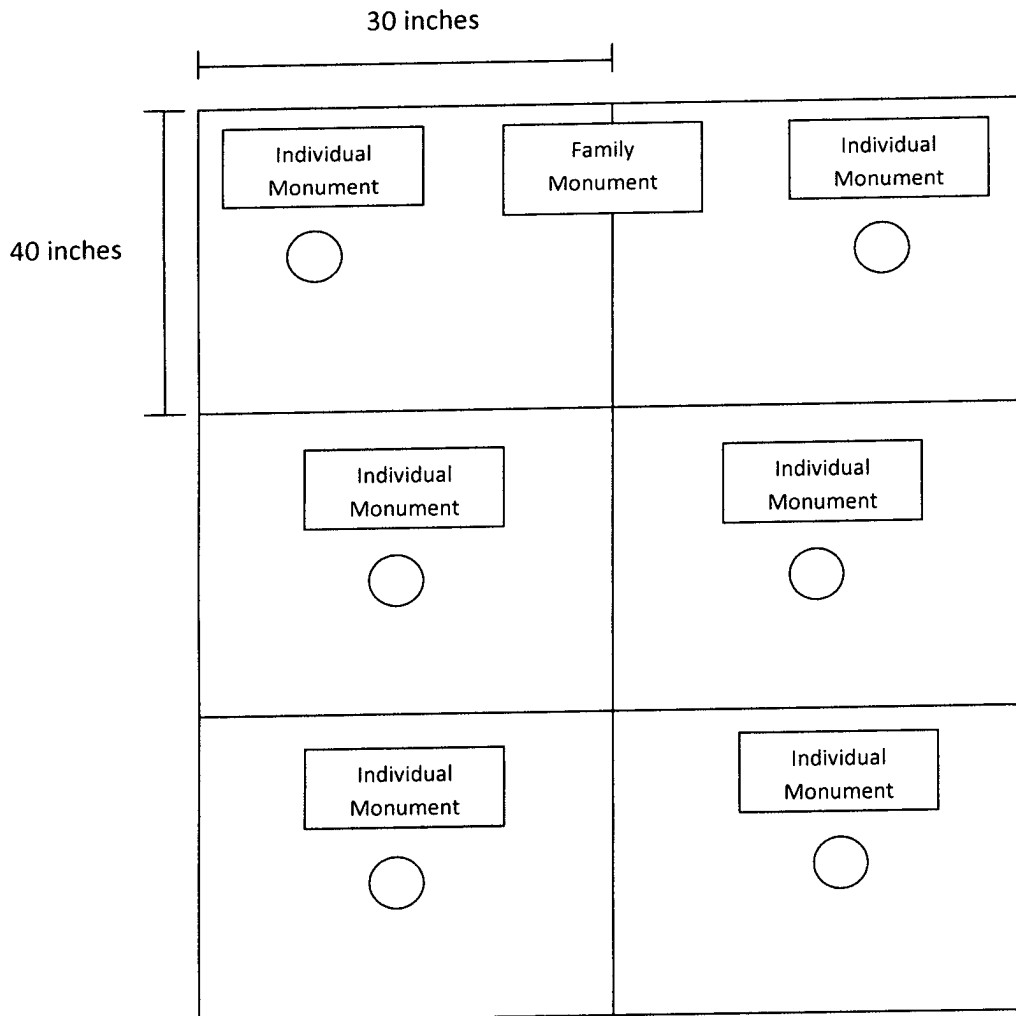
Franklin Falls/Union Falls Cemetery Rules & Regulations - Cremated Remains

A Vertical Family Monument (Headstone) may be installed at the head of the plot.

The size of the BASE of the Family Monument may not be greater than 48 inches long by 12 inches wide by 8 inches high. (48"x12"x8")

The Family Monument must rest on this base; there is no height restriction on the Family Monument itself.

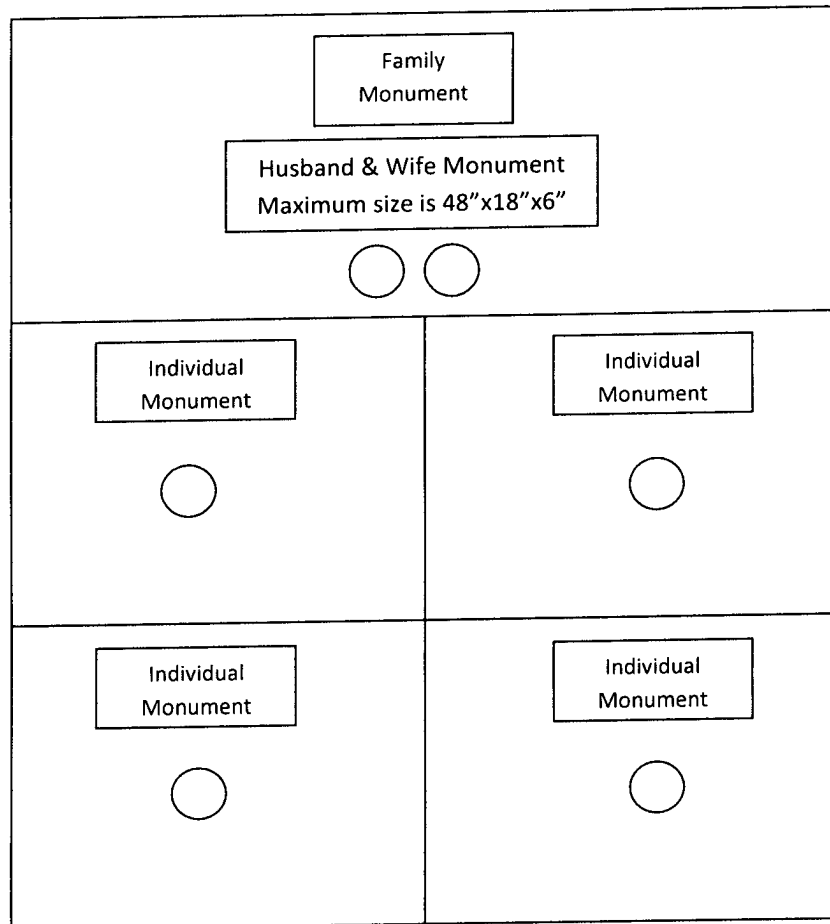
A Family Monument may be installed in any cremation plot, but it must follow the size restrictions listed above, and it must be installed at the Head of the plot.



○ This symbol represents an interred urn

Franklin Falls/Union Falls Cemetery Rules & Regulations - Cremated Remains

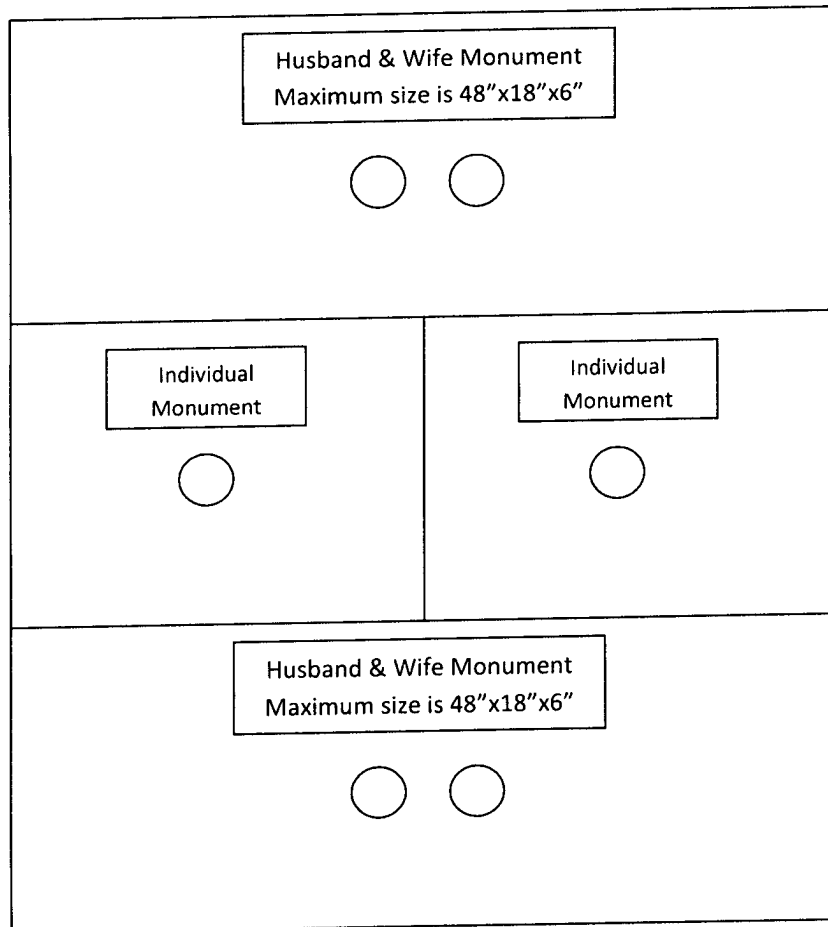
Example of acceptable interment of cremated remains in a single five foot by ten foot plot:



○ This symbol represents an interred urn

Franklin Falls/Union Falls Cemetery Rules & Regulations - Cremated Remains

Example of acceptable interment of cremated remains in a single five foot by ten foot plot:



○ This symbol represents an interred urn

There are many other combinations for interred cremated remains, and they are acceptable as long as the basic rules of six cremations per single plot are followed.

The rule regarding one vertical family monument at the Head of a single plot are required to ensure visual harmony within Brookside Cemetery.