

Walton Cemetery Association, Inc.
55 Fancher Ave.
PO Box 122
Walton, NY 13856
NYS Identification Number: Delaware County 13-048

This Association was incorporated on April 23, 1852, under and by virtue of an 1847 act of the New York State Legislature, and is operated under the New York State Not-for-Profit Corporation Law, related statutory enactments, and rules of procedure promulgated by the State Division of Cemeteries.

RULES and REGULATIONS
Of the
WALTON CEMETERY ASSOCIATION, Inc.

1. All lots in the Walton Cemetery are sold in conformity with the provisions of the laws of the State of New York, and shall not be used for any purpose other than as a place for the interment of deceased human beings.

2. Purchasing Cemetery of Lots.

- A. Lots must be paid for before a deed is given. No interment shall be allowed until all fees and charges are paid in full.
- B. The deed is for burial rights only; the land is owned and controlled by the Walton Cemetery Association. (Hereinafter referred to as the Association.)
- C. Lot owners are prohibited from allowing interments to be made on their lots for compensation. No lot owner may transfer or assign his/her lot without written permission from the Walton Cemetery Association and approval by the New York State Division of Cemeteries.
- D. The Association retains the right of first refusal to buy back lots.
- E. Permission by a lot owner to inter in his lot, given to other than members of his family, must be made in writing, duly witnessed and delivered to the office of the Association during office hours, by the lot owner. This must be approved by the Superintendent and the Board of Trustees. The location, lot number(s) and names must be provided.
- F. When transferring ownership of a lot(s) purchased in the cemetery to another lot(s) location, the Association will purchase first lot(s) at the original price plus simple interest at the rate set by the New York State Division of Cemeteries. Then the Association will sell the new lots requested at the current price posted on the rate chart.
- G. Anyone requesting to purchase more than 12 lots will require Board approval.
- H. Copies of the Rules and Regulations and the Rate Chart may be obtained anytime at the cemetery office.

I. Lots may be saved or placed on hold for a period of 90 days only. The saved lots will be returned to the availability list if not paid for and deed issued.

J. The total number of burials per grave space is restricted. Two cremains burials or one cremains and one vaulted burial may be placed in one grave. Interments in a lot are restricted to those entitled to burial therein according to the terms of Section 1512, paragraph (d) of the Not-For-Profit Corporation Law of the State of New York.

K. All foundations for headstones will be constructed by the Association under the direction of the Superintendent and/or the Trustees. See rate chart for pricing.

L. All bodies stored in the vault during the winter must be removed and interred or cremated before June 15th. Any remains left in the vault after June 15th will be removed and interred by the Association staff. If remains are not entitled to be buried in a family plot, they will be interred in a single grave. The expense of such interment shall be born by those who made the final arrangement for the deceased.

3. Required burial information: No interment shall be allowed without permission first being obtained from the Association. In applying for permission, the following information must be furnished:

- A. Name of deceased
- B. Age of deceased, including date of birth, if known
- C. Place of birth of deceased, if known
- D. Date of death
- E. Veteran status of deceased, conflict if applicable
- F. Time and date of interment
- G. If deceased is not an adult – the name of parent(s) or legal guardian(s)
- H. Full-scale burial or cremation
- I. Deed for burial rights and grave location
- J. Additional genealogy information ie: marriage, children etc.

4. Funeral processions: Funeral processions should arrive at the Cemetery by 2:00 pm to allow sufficient time to close the grave properly and remove equipment by 4:30pm. All funeral processions and vehicles will be under control of the Superintendent at all times. Weekend/holiday and late arrival charges will be applied as per the current rate chart.

5. Interment of cremated remains: will be permitted only in appropriate rigid receptacles such as wood, metal, plastic, ceramic or concrete. Cremated remains may not be scattered in any part of the cemetery.

6. Vaults and liners: Concrete vaults or concrete grave liners are required for interments in all graves purchased on or after December 1, 2000. Unvaulted burials in the Walton Cemetery will be assessed a fee (see rate chart) for the extra

maintenance involved, e.g., the constant settling of the land requires constant filling.

7. Mausoleum construction: No vault or mausoleum may be built above ground without express permission of the Board of Trustees. All excavation for vaults, mausoleums, or monuments shall be performed by the Association at the expense of the lot owners. A Trust Fund must be established to maintain the structure into perpetuity. All foundations will be constructed by the Association under the direction of the Superintendent and/or the Trustees of the Association. See rate chart for pricing.

8. Memorialization Requirements: Provision must be made at the time of burial for a permanent grave marker, showing the name of the deceased and the date of death.

A. Only one monument shall be allowed on a single lot. It shall be set in accordance with the general plan of the Cemetery and shall conform to said plan in size and material. All markers must conform to the established plan.

B. Monuments are restricted in size to dimensions which will not cover more than nine (9) percent of the surface area of the lot. Every monument shall be at least six (6) inches in thickness.

C. Markers, footstones and headstones are not included within the meaning of "monuments". Only one marker or headstone is allowed per single grave. The following sizes are the maximum allowed.

D. The total height of a single lot monument including base shall not be over 36". Maximum width allowed: 1 lot = 36", 2 lots = 48", 3 lots = 54" and 4 lots = 72". Any deviation must have approval of the Association.

E. When a monument, footstone, or marker memorial is under consideration, the Superintendent must receive a written request signed by the lot owner(s) or heirs describing the dimensions and materials and illustrating inscriptions and designs. This document shall be supplied by the monument dealer. A signed approval by the Superintendent and/or a Trustee of the Association must be obtained before the purchase is complete..

F. An exception is allowed for the military tablet which are furnished by the Veteran's Administration.

G. Baby graves: Section 4, plot 19 is reserved for baby graves. The size of these graves is 24" x 48". These graves must be marked with a flat, permanent marker and not exceed 18 inches x 12 inches in size.

9. Cemetery Decorations: The Association regulates the use of grave decorations to insure the efficient maintenance of the cemetery and a safe environment for employees and visitors to the cemetery grounds. Any decorations which violate these rules and regulations or otherwise interfere with the ease of maintenance will be removed without notice. The Association reserves the right to remove all flowers, wreaths, or other decoration from lots as soon as they become unsightly.

A. All decorations are placed at the owner's risk. The Association is not responsible for damage or loss of any decorations that are placed in the Walton Cemetery. This includes monuments, headstones, and other grave markers. These items should be on a homeowner's insurance coverage.

B Spring and Fall Major Cemetery Cleanup: April 1 and October 1 will be the time for clean up of the cemetery. Please have your seasonal decorations removed by these times. Annual and perennial plants will be cut to ground level during the fall cleanup.

C. Artificial decorations, April 1 through October 1, are not in harmony with the natural beauty of our cemetery and will be removed at once without notice. Artificial Decorations, November 1st through April 1st, (artificial wreaths or fresh natural wreaths) must be placed on heavy wire easels or tied securely to the monument because of the prevalent strong winds in the cemetery. Grave blankets and containers are allowed with artificial or fresh decorations. No stems of artificial flowers shall be inserted directly into the ground.

D. Cut flowers and potted plants are permitted at all times in metal or plastic and unbreakable containers. (No glass or other breakable containers.)

E. Potted plants are allowed on or in the ground or hanging on shepherd hooks, 5 feet tall, minimum. Lot owners are responsible for watering and tending to them. If they become unsightly, they will be removed.

F. Planting of trees and shrubs on graves shall not be allowed in the Walton Cemetery.

G. The planting of annuals and perennials in the ground or in pots is allowed in front of the monument only, the width of the monument and at a depth of no more than 18 inches. No planting behind the monument or more than the width of grave or graves is allowed. (Check your corner markers so as not to encroach on the graves of others.) If pots dry up and plants are dead, they will be removed. If ground plantings are unkempt with weeds taller than the flowers, everything will be cut to ground level. No planting is allowed on flush to ground markers or foot stones. Any existing shrubs or trees will be removed if dead, diseased, outgrown their usefulness, spread beyond control or planted without permission.

H. Cremation decorations on standard burial lots in sections 1, 2, 3, and 4 will follow the same rules and regulations as a regular burial.

I. Items not permitted on the grounds: Due to safety concerns and the difficulty in performing maintenance on the cemetery grounds and to avoid the appearance of clutter, items that are not permitted on the grounds at any time include but are not limited to the following: borders or barriers of wire, wood, plastic, rocks or stones. "short" (less than 60" in height) wire and metal stakes with decorations attached, glass vases, pots or ornaments, signs, pennants, banners, balloons, spinners of any type, landscape edging, weed mat, decorative crushed stone (natural or manufactured), Wood mulch, natural or colored, may be used.

J. Benches and other accessory items. Requests to place such items must be submitted to the Superintendent and the Board of Trustees for approval before being ordered and should be of a lasting material like bronze, granite, or marble. Wooden benches are not allowed.

K. Responsibility for placement of permitted decorations. When decorations are placed, care should be given to see that they are firmly in or on the ground or attached to the monument. The Walton Cemetery is not responsible for decorations that are blown away, damaged, removed or moved by others.

10. Section 5: Special Rules and Regulations apply: Burials are north to south only. Multiple graves must be purchased in even numbers only 2, 4, 6, 8. Only one single headstone plus corner markers is allowed per plot. Granite markers are allowed. See size chart. Plots of 12 graves are limited to a center monument with 12 footstones. Pots of flowering plants or those planted in ground by headstones may be up to 18" in depth. No hangers, shepherd hooks or solar lights are allowed. No benches, statues or accessories may be placed on or around the grave area.

11. Section 6, Memorial Park Special Rules and Regulations: Cremation burials only.

A. Lot size is 2' x 2'

B. 1 (one) Cremains per lot

C. Multiple lots may be purchased to create family plots

D. Each grave will be topped with a 2' x 2' x 1 ½ inch native blue stone

E. At the time of burial, there will be a brass plaque 8" x 12" with the name of the deceased, date of birth, date of death, and one memorial line of choice by the family. The plaque will be included in the charge for the lot and will be ordered and installed by the Association after interment.

F. There will be no grave decorations allowed on these lots. Nothing may be attached, set or laid on the bluestone top except the brass plaque that is furnished by the Association.

G. The interment fee is due at the time of interment as per the current posted rate chart.

12. All work performed in the cemetery shall be done by the cemetery employees or by others under the control and supervision of the Superintendent or Board of Trustees of the Association, a liability insurance certificate of at least one million dollars in coverage must be supplied to the Association before work can be performed by contractors.

13. Options for Winter Burials:

A. From December 1 till April each year, the Walton Cemetery office is open by appointment. You can always make contact by phone at 607-865-4348, state your name, address and phone number and we will return your call. During the winter, hourly employees are laid off and salaried employees only work as needed.

B. When the ground freezes, is ice covered or snow covered, there will be no graveside services allowed. This is done for the safety of families, friends and others and to protect the Association from liability issues.

C. During the winter season, a committal service could be held at the vault near the Fancher Ave. entrance to the cemetery. Bodies can be stored in the vault at no charge to plot owners. Interment would be done when feasible in the spring.

D. Winter burials may be done if weather conditions permit with the approval of the superintendent and president or two (2) Board members.

E. Winter conditions that could effect this decision:

1. Snow covering so deep that the burial lot can not be located.
2. Ground frozen 12 inches or more so that probing for vaults can not be done effectively.
3. More than 12 inches of frost will prevent us from digging even if no vaults are nearby.
4. Spring and fall wet conditions at the grave site so that the lawn on surrounding graves would be damaged in the process of opening your site.

5. Unreasonably cold temperatures and/or wind chill factors.

6. Weather conditions that would cause our roads to break up under the weight of heavy trucks and equipment.

F. If we proceed with the opening of the grave during the winter season, the standard rates posted on our current rate chart will be used. All the extra costs of equipment, labor, and subcontractors will be billed to the plot owner.

1. Hiring of heavy duty backhoe and operator.
2. Rental of and operator for frost remover.
3. Cost of removing snow from the roads from the Fancher Ave. entrance to the burial site.
4. Cost of snow removal in and around the site to accommodate the vault truck and other equipment. All snow must be trucked away as it can not be piled on other grave sites.
5. You will be responsible for the cost of spring cleanup such as filling in ruts and reseeding (if necessary) at your side and to other sites damaged as the result of your burial. This could include concealed damage to monuments and stones on other sites.
6. No visitors at the grave site during the process.

7. No vehicles will be allowed in the cemetery during the winter months, except cemetery personnel, vault truck, hearse and equipment used for burials.

8. The Association has until June 15th to bill for any extra unexpected costs related to the grave opening and closing and an additional year to determine if burial has damaged the vaults of other sites nearby.

14. All persons shall be allowed access to the cemetery during daylight hours. Visitors are reminded that these grounds are appropriated exclusively to interment of the dead and are requested to observe the proprieties due such a place and to follow the rules that are in effect. Anyone disturbing the quiet and good order of the place will be compelled to leave the grounds. Vehicle traffic through the cemetery will not be allowed with the first snow fall. Parking will be allowed near the vault at the Fancher Ave. entrance. Please park and walk in. An access road will be plowed occasionally for service vehicles as far as the office. All travel by foot or vehicle is at your own risk.

15. All recreational vehicles are prohibited from operating on cemetery grounds. Dogs entering cemetery grounds must be kept on a leash at all times, and all leavings must be cleaned up by their masters. No winter sports such as sledding or skiing are allowed.

16. All lot owners are required to notify the Secretary or the Superintendent of the Association of any change of address. All notices to lot owners will be sent to the last recorded address and such notice will be deemed adequate.

17. These rules and regulations may be amended by the Board of Trustees, but no amendment shall be effective until approved by the New York State Cemetery Board.