Newtown
Village Cemetery

RULES AND REGULATIONS

OF THE

NEWTOWN VILLAGE CEMETERY ASSOCIATION, INC.

Newtown Village Cemetery Association, Inc.

Rules and Regulations

Table of Contents

Section		Page No.
Section I - General Administration		
A.	Purpose	1
B.	Authority	1
C.	Definition of Terms	1
D.	Cemetery Location	2
E.	Hours of Operation	2
Section II - General Supervision		
A.	General Provisions	3
B.	Personal Conduct	3
C.	Motor Vehicle Traffic within the Cemetery	4
D.	Service Charges and Overdue Indebtedness	5
Section III - Internments and Disinterments		
A.	General Provisions	5
B.	Cremations	7
Section IV - Acquisition and Ownership of Lots		
A.	Purchase	7
B.	Lot Sizes and Pricing	8
C.	Transfer of Cemetery Lots	8
D.	Records	8
E.	Property Rights of Lot Holders	8
F.	Protection from Loss or Damage	9
Section V - Sole Agreement		**9**
Section VI - Control of Work within Cemetery		
A.	General Provisions	9
B.	Changes in Grade and Replanting	10
C.	Care of Lots and Graves (Perpetual Care)	10
Section VII - Monuments and Markers		
A.	General Provisions	11
B.	Size of Monuments and Markers	12
C.	Materials Permitted	12
D.	Foundations and Settings	13

Section	Page No.
Section VIII - Appeals	13
Section IX - Savings Clause	14
Schedule A	15

Newtown
Village Cemetery

CEMETERY RULES AND REGULATIONS

SECTION 1
GENERAL ADMINISTRATION

A. Purpose

These rules and regulations are hereby set forth for the mutual protection of lot holders and the cemetery as a whole. The public often misunderstands the purpose and function of cemetery rules and regulations and the role that they play in the beautification and preservation of cemetery grounds. They are intended to safeguard the lot holder from misdirected sentiment or poor taste of those who might otherwise erect unsightly monuments or impair the dignity and beauty of the cemetery. The following rules and regulations have been adopted by the Board of Directors of the Newtown Village Cemetery Association, Inc. for the Newtown Village Cemetery. All lot holders and visitors to the cemetery as well as all lots sold shall be subject to said rules and regulations and any amendments or alterations thereto as may hereafter be adopted.

Reference to these rules and regulations in the deed to a grave, lot or urn garden plot shall have the same force and effect as if set forth in full therein.

The cemetery is for the interment of current or former residents of Newtown. Current and former residents shall provide such documentation as required by Newtown Village Cemetery Association, Inc. to evidence such residency.

B. Authority

These rules and regulations and all amendments hereafter are adopted by the Board of Directors of the Newtown Village Cemetery Association, Inc. Management is responsible for the daily care of the cemetery and shall confer with the President and/or Board of Directors to assist in this effort and to regularly review these rules and regulations.

C. Definition of Terms

1. **Board of Directors**. The term Board of Directors shall refer to the Board of Directors of the Newtown Village Cemetery Association, Inc.

2. **Cemetery**. Cemetery refers to Newtown Village Cemetery and is hereby defined to include a burial park for earth internments.

3. **Corner Marker**. The term corner marker refers to a device used by a Lot Holder to mark the corners of a lot.

4. **Deed**. A Deed to a burial grave or lot is issued by the Newtown Village Cemetery Association, Inc. for the purpose of granting to the holder of the Deed, to his or her family and heirs, and to any other specified individuals the right to be buried in a specific grave or lot. The Deed has no other purpose whatsoever. Newtown Village Cemetery Association, Inc. retains ownership of and responsibility for maintenance of the land itself.

5. **Grave**. This term shall apply to a space sufficient size to accommodate one (1) adult full earth burial and one (1) cremation burial. Or in the alternative, the grave can accommodate up to four (4) cremation burials. However, the "old" section (also referred to as Section E) of the cemetery is excluded from this regulation. Two or more graves constitute a lot.

6. **Interment**. The term interment shall mean the permanent disposition of the remains or ashes of a deceased person by inurnment, entombment or burial.

7. **Lot**. This term shall apply to a numbered division of space within a cemetery consisting of two or more graves.

8. **Lot Holder**. The holder of a Deed to a single grave or a burial lot.

9. **Management**. The term Management shall mean the person or persons duly appointed by the Board of Directors of Newtown Village Cemetery Association, Inc. for the purpose of conducting and administering these rules and regulations and the cemetery.

10. **Marker**. The term marker means a monument which is flush with the ground.

11. **Monument**. The term monument shall include a marker, tablet, headstone, gravestone, tombstone, family stone, name stone, footstone, memorial, bench or other similar structure which is flush with or extends above the surface of the ground.

12. **Newtown Village Cemetery Association, Inc.** The term Newtown Village Cemetery Association, Inc. (“NVCA”) shall refer to the entity that owns the cemetery, Ram Pasture and other properties. The term Newtown Village Cemetery Association, Inc, depending on context, shall refer to Newtown Village Cemetery Association, Inc. or the Board of Directors.

13. **Urn Garden Plot**. This term shall apply to a space sufficient size to accommodate up to two (2) cremation burials in an urn garden plot in an urn garden.

D. Cemetery Location

The Newtown Village Cemetery is located on Elm Drive at the intersection of Hawley Road.

E. Hours of Operation

The cemetery is open to the public between the hours of sunrise and sunset, weather permitting. In late spring and summer the hours are from sunrise to 8:00 p.m. The Board of

Directors does not maintain the cemetery roads during the winter and therefore travel within the cemetery is not recommended.

SECTION II
GENERAL SUPERVISION

A. General Provisions

1. Management is hereby empowered to oversee and enforce the rules and regulations pertaining to the cemetery and shall oversee all cemetery buildings and grounds. Management shall exclude from these properties any person violating the rules and regulations and shall also have control of all persons within a cemetery including the conduct of individuals, funerals, traffic, contractors, etc.

2. Management in order to protect the best interests of the cemetery is authorized to make additional temporary rules, exceptions, suspensions or modifications of these rules and regulations when in Management's judgment it is necessary to do so in order to meet emergencies, to avoid an unnecessary hardship or as may in Management's judgment appear to be advisable with or without notice.

3. Such temporary suspension or modification of the rules and regulations will in no way be construed as affecting the general application of such rule or regulation or a waiver of the rules or regulations upon the conclusion of the emergency.

4. The Board of Directors may, and it hereby expressly reserves the right, to adopt new rules and regulations, or to amend, alter or repeal any rules, regulation, section, paragraph or sentence in these rules and regulations after a majority vote of the Board of Directors. These rules and regulations apply to the entire cemetery including but not limited to urn garden plots, a grave or lot.

B. Personal Conduct

1. It is of the utmost important that there should be strict observance of properties in a cemetery. Hence, all persons within a cemetery should avoid conduct unbecoming to a sacred place.

2. Persons traveling within a cemetery shall use only the roadways, avenues and walks provided by the Board of Directors unless it is necessary to do so to gain access to one's own lot. The Board of Directors expressly disclaims liability for any injuries sustained by anyone violating this rule.

3. Children under the age of sixteen (16) shall not be permitted within the cemetery or its buildings unless accompanied by an adult.

4. The gathering of flowers, breaking or cutting of trees, shrubbery or plants, defacing or otherwise damaging of monuments or structures or disturbing bird or animal life shall be strictly prohibited.

5. No person shall be permitted to consume food or drink within the cemetery with the exception of cemetery employees and contractors actively engaged in their duties.

6. No persons are permitted to sit or lounge on any of the grounds, graves or monuments in the cemetery with the exception of lot holders or relatives.

7. No persons shall make loud noises on cemetery grounds within hearing distance of funeral services.

8. The leaving of rubbish on cemetery grounds or in cemetery buildings is strictly prohibited. Garbage receptacles are provided during the spring, summer and fall seasons.

9. No signs, advertisements of any nature, peddling or soliciting the sale of any commodity shall be permitted within the cemetery.

10. Animals are not permitted in the cemetery or its buildings.

11. Firearms are not allowed in a cemetery except by a military escort accompanying a veteran's funeral or attending memorial services.

12. The use of cemetery grounds for commercial purposes (such as settings for movies, plays, etc.) is not allowed without the written approval of the Board of Directors and only under controlled circumstances where the dignity of the setting will not be compromised.

C. Motor Vehicle Traffic within the Cemetery

1. Motor vehicles shall not be allowed to park or come to a full stop in front of an open grave unless said vehicles are in attendance at a funeral.

2. Motor vehicles must be kept under control at all times. They must not pass a funeral procession going in the same direction. When meeting a funeral procession, they must stop until the procession has passed.

3. Motor vehicles shall not be left with their engines running, and their emergency brakes shall be set when the vehicles are left unoccupied by their operators.

4. Motor vehicles and their operators must refrain from unnecessary noise while in a cemetery.

5. No motor vehicle shall be left, driven across or parked upon any grave or lot.

6. The parking or leaving of any motor vehicle on any road, driveway or path which is left in a manner or position so as to prevent any other motor vehicle from passing the same is prohibited. Such a vehicle may be removed by Management at the owner's expense.

7. The use of a cemetery as a thoroughfare is prohibited. Commercial or industrial vehicles may enter the cemetery only with the permission of Management.

8. Off-road recreational vehicles, snowmobiles and the like are prohibited from the cemetery.

D. Service Charges and Overdue Indebtedness

1. The charges for the services to be performed by Management will be paid at the time of the interment, disinterment or in the case of repairs, payment will be made upon acceptance of the estimated cost by Management.

2. Management reserves the right to refuse to do or allow to be done work of any character, including interments in or upon any lot until arrangements have been made for payment of any and all indebtedness due to NVCA for work performed upon the lot.

SECTION III
INTERMENTS AND DISINTERMENTS

A. General Provisions

1. In addition to these rules and regulations, all interments and disinterments shall be made in accordance with and subject to laws, statutes, ordinances, rules and regulations of the Town, County or State of Connecticut.

2. The cemetery will be open for internments daily, with the exception of Sundays and legal holidays. Interments may be made outside of these days if required by the laws of the State of Connecticut or, if in the opinion of Management, a delay would cause an undue hardship or inconvenience. In that event, an additional fee will be added to the regular interment charges.

3. Management reserves the right to refuse an interment in any lot if in Management's judgment there is a question as to ownership or the right of interment.

4. When the location of an interment space in a lot cannot be determined, is indefinite or is otherwise unclear, or if for any reason an interment space cannot be opened, Management may at their direction open another space in such location in the lot as they deem proper. In such circumstances, neither Management nor the Board of Directors shall be liable for any damages for this or any other error.

5. To prepare for an interment/disinterment, Management shall be given written detailed instructions by the lot holder or funeral director. Neither Management nor the Board of Directors will be responsible for any errors resulting from any order given verbally or by telephone or for any mistake occurring from the lack of precise written instructions.

6. NVCA or the Board of Directors reserves the right to correct any errors that may be made by it either in making interments, disinterments or removals, or the description, transfer or conveyance of any lot, either by canceling such conveyance and substituting and conveying in lieu thereof another lot of equal value and similar location as far as possible, or as may be selected by Management, in the sole discretion of Management, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such lot, NVCA reserves the right to remove or transfer such remains so interred to another lot of equal value and similar location as may be substituted and conveyed in lieu thereof.

7. NVCA or the Board of Directors shall in no way be liable for any delay in the interment of a body or cremated remains where a protest to the interment has been made or where the rules and regulations have not been complied with. NVCA further reserves the right to place the body into a receiving vault until such time as the protest has been resolved. If a cost is incurred for placing the body into a receiving vault, the lot holder or family shall pay for and be responsible for said costs. NVCA is under no obligation to recognize any protest unless it is submitted in writing to the President of NVCA and Management.

8. No interment of any body or the cremated remains of any body other than that of a human body shall be permitted.

9. Containers for full earth burials or cremated remains must be enclosed in a concrete vault. Cremated remains buried in a container in the urn garden may be enclosed in a concrete vault.

10. A single grave can accommodate one (1) adult full earth burial and one (1) cremation burial. Or in the alternative, a single grave can accommodate up to four (4) cremation burials. However, the "old" section (also referred to as Section E) of the cemetery is excluded from this regulation.

11. It is prohibited to remove a body or cremated remains so that a lot may be resold.

12. A body or cremated remains may be removed with proper permits from its original grave to a different grave within the same lot or to another lot in the same or another cemetery.

13. In cases where NVCA is required to disinter a body or cremated remains, the utmost care in making the removal will be exercised. However, NVCA or the Board of Directors will assume no liability for damages resulting to any casket, urn, burial case, vault or body.

14. Advance notice of interment must be given to Management equal to at least two (2) working days.

15. Funeral directors, upon arrival in a cemetery, must present all necessary documents to Management.

16. Artificial grass and lowering devices associated with the burial ceremony shall be provided by NVCA.

17. The receiving vault for is for temporary use only and under no circumstances shall a body be considered as interred or buried by reason of being placed therein. The receiving vault shall only be used during winter months. Any body in the receiving vault shall be removed on or before May 1 with proper arrangements made for said body. Burials are permitted during winter months, weather permitting and at the discretion of Management.

18. Management reserves the right, without notice, to remove at once from any vault and inter any remains not in good state of preservation.

19. The remains of any person who has died of infectious or contagious disease may only be deposited in a receiving vault when in compliance with prevailing State health regulations.

B. Cremations

1. No cremains shall be independently and privately buried in the cemetery by individuals. All burials shall be under the supervision of Management.

2. In a single grave, up to four (4) individual containers of cremated remains may be buried, except in the "old" section (also referred to as Section E) of the cemetery. Each cremated remains burial shall be in its own concrete container.

3. In an urn garden plot, up to two (2) individual containers of cremated remains may be buried.

4. The location of each container buried shall be documented by Management for recording purposes.

5. If a cremated remains burial is not done through a funeral home, burial must take place during regular hours, scheduled with and managed by Management.

6. All rules and regulations, except those that relate exclusively to the burial of physical remains, shall also apply to burials of cremains.

SECTION IV
ACQUISITION AND OWNERSHIP OF LOTS

A. Purchase

1. A lot holder is the purchaser or owner of a right of interment in a specified grave or lot within the cemetery. The lot holder does not own the land in question in the usual sense of the word.

2. Persons wishing to purchase the right of interment in the cemetery lot should contact Management for the purpose of inspecting available space and discussing current rules and regulations.

3. Once a cemetery grave or lot has been selected, the purchaser shall remit to Management the required fee.

4. Upon complete payment, Management will deliver to the lot holder a deed fully describing the designated lot. At this time, if not before, the lot holder will be provided with the current cemetery rules and regulations and will be asked to sign a receipt to the effect that the rules and regulations have been received.

5. NVCA reserves the right to not sell any cemetery lot to a purchaser if it is determined that the best interests of NVCA will not be served by such a sale.

6. The use of a cemetery lot is for the lot holder or lot holder’s relatives for interment only, and not for resale or profit. The rights of interment in the unoccupied portion of a lot may be sold only to NVCA. Without legally accepted papers, NVCA will not authorize the interment of any non-family member in any lot. In the event NVCA has made a good faith accommodation for a family member or friend and used a lot that later comes under dispute by a lot holder,

owner, heir-at-law, or other party with legal standing, NVCA will be held harmless for the failure of those responsible for the interred to have acquired proper authorization from any such party.

B. Lot Sizes and Pricing

As lot sizes and prices are subject to change, a separate addendum is available which lists applicable charges. Please check with Management for current information.

C. Transfer of Cemetery Lots

1. No sale or transfer of any grave, lot or urn garden plot is valid without the written consent of NVCA. No lot holder is permitted to sell or transfer his grave, lot or urn garden plot to a family member or third party.

2. NVCA may, at its discretion, repurchase unused graves or lots thereof from authorized lot holders or heirs at the original price less a twenty-five (25%) transfer fee.

3. In the event of the death of a lot holder, any and all privileges of the lot holder shall pass to the lot holder's family in the following manner:

a. Lot holder's instructions pursuant to his will, duly admitted to probate in a court having jurisdiction thereof, such instructions shall control, and provided NVCA is furnished with proof of same.
b. In the absence of a duly probated will, the rights of interment shall devolve upon those entitled to succeed thereto under the intestate laws of the State of Connecticut.
c. In a conveyance to two or more persons as joint tenants, in the event of the death of one of the persons, that deceased lot holder's interest shall pass pursuant to the terms of the will or under the intestate laws of the State of Connecticut.
d. An affidavit by a person having knowledge of the facts setting forth the fact of the death of the lot holder and the name of the person or persons entitled to use the lot is complete authorization to NVCA to permit the use of the unoccupied portion of the lot by the person entitled to the use of it.

D. Records

1. NVCA shall keep a record of every burial showing the date of burial and name of the person buried, when these particulars can be obtained, and the lot or part of such lot, in which the burial was made.

2. It shall be the duty of the lot holder to notify NVCA of any change in the lot holder's mailing address. Notice sent to a lot holder at the last address on file shall be considered sufficient and proper legal notification.

E. Property Rights of Lot Holders

1. All cemetery lots conveyed shall be presumed to extend the right of interment to the person or persons named as the grantee in the deed, provided however that the spouse shall have the vested right of interment of his/her body in any burial lot conveyed to the other.

2. Newtown Village Cemetery Association, Inc. reserves to itself and to those lawfully entitled thereto a perpetual right of ingress and egress over lots for the purpose of passing to and from other lots.

F. Protection from Loss or Damage

NVCA take reasonable precautions to protect this cemetery and the lots, structures and monuments therein from loss or damage from causes beyond its reasonable control and especially from damage caused by the elements, acts of God, thieves, vandals, malicious mischief makers, and unavoidable accidents.

SECTION V
SOLE AGREEMENT

The deed and these rules and regulations of NVCA and any amendments thereto shall constitute the sole agreement between NVCA and the lot holder. The statement of any employee or agent, unless confirmed in writing by Management, shall in no way bind NVCA or its Board of Directors.

SECTION VI
CONTROL OF WORK WITHIN CEMETERY

A. General Provisions

1. All grading, landscaping and improvements of any kind, and all care on lots shall be done, and all trees, shrubs, and herbage of any kind shall be planted, trimmed, cut or removed and all openings and closings of lots, and all interments and disinterments and removals shall only be made with the express permission of Management.

2. All improvements or alterations of individual lots in the cemetery shall be under the direction and subject to the consent and satisfaction of Management and should they be made without Management's consent, Management shall have the right to alter or change such improvements or alterations at the expense of the lot holder or, in any event, at any time should they become in their judgment unsightly to the eye.

3. No trees, bushes, shrubs or other permanent woody vegetation shall be planted on any grave or lot. Annual flowers are permitted and shall be planted flush to the monument and not exceed 6" out from the monument. NVCA shall have the authority to remove all non-permitted floral designs, flowers, weeds, trees, bushes, shrubs, plants or herbage of any kind from the cemetery, as well as those which in the judgment of Management have become unsightly, dangerous, detrimental or diseased.

4. No plantings of any kind are permitted in the urn gardens.

5. NVCA shall not be liable for floral pieces, baskets or other receptacles beyond the use of such items for a funeral held in the cemetery. Furthermore, NVCA shall not be responsible for plants which may be lost, misplaced, broken, damaged by the elements, loss by thieves or vandals or any other causes beyond its control.

6. The use of glass or china receptacles, tin cans, bottles, jars or glass of any kind are not permitted and subject to immediate removal.

7. Artificial plant material shall only be permitted during the months of November, December, January and February. During the other months of the year, artificial plant material shall not be permitted and will be subject to immediate removal by Management. Wires used in them may become deadly projectiles if hit by a lawn mower. In the spring of each year, usually the latter part of March, all winter decorations of any sort will be removed in order to make possible the annual clean-up of the entire cemetery.

8. The placement of boxes, shells, plastic articles, metal designs, ornaments, balloons, toys, stuffed animals, photographs, chairs, settees, fencing, stones/gravel, solar lights, statuary, vases, glass, wood or iron cases and similar articles upon lots shall not be permitted, and will be subject to immediate removal by Management.

9. All fittings, adornments, urns, inscriptions, materials and layout of monuments or other structures shall be and are declared to be subject to the approval and control of and acceptance and rejection by NVCA.

10. All flags will be removed without notice when they become soiled, faded, torn or otherwise unsightly. This shall not be construed to require the removal of American flags in good condition or the removal of approved flag holders. Veteran flag holders are permitted but must be placed as close as possible to the monument or marker.

11. NVCA shall have the right and responsibility to remove without notice any articles deemed inappropriate (including but not limited to those noted in Paragraphs 3, 5, 6 and 7 above), improper, unsafe, or detrimental to the maintenance and/or general appearance of the cemetery. Articles removed shall be held by Management for retrieval by the lot holder. Articles still in the possession of Management at the end of any calendar year may be disposed of.

B. Changes in Grade and Replanting

The right to enlarge, reduce, replant or change the boundaries or grading of the cemetery or of a section or sections, including the right to modify or change the location of or to remove or regrade roads, drives, or walks, or any part thereof, is hereby expressly reserved for NVCA. The right to lay, maintain, and operate or alter or change pipe lines for sprinkler systems, drainage, etc. is also expressly reserved for NVCA.

C. Care of Lots and Graves (Perpetual Care)

1. Perpetual care is included in the price of all graves and lots sold within the cemetery.

2. Perpetual care shall include the cutting of grass upon the lot at reasonable intervals and the raking and cleaning of the lots. It shall not include maintenance and/or repairs to monuments, markers, benches, etc.

SECTION VII
MONUMENTS AND MARKERS

A. General Provisions

1. Bases and monuments shall be of the same or complementary materials acceptable to Management.

2. Corner markers shall be of first quality stone placed flush with the grade, lettering to be incised not raised.

3. Lettering on all monuments, markers, corner markers, etc. shall be in English, hand carved, bronze or sandblasted letters and numerals.

4. While NVCA will exercise care to protect the monuments or other structures on any lot and the raised letter, carving or ornaments on such monuments or other structures, it disclaims responsibility for any damage or injury thereto.

5. No coping, curbing, fencing, hedging, grave mounds, borders or enclosures of any kind shall be allowed around or on any grave, lot or urn garden, and no walks of brick, cinders, tile, stone, marble, terracotta, sand, cement, gravel or wood shall be allowed on any lot. Management reserves the right to remove same if so erected, planted or placed.

6. It is required that a plan drawn to scale showing design and complete inscription in detail with all dimensions for all monuments, markers, corner markers, etc. be submitted to Management in writing and written approval for same must be secured from Management before the foundation for the monument, marker, etc. is installed. It is important that the written approval of the materials, style, and size of the monument, marker, etc. be secured from Management before commencing work.

7. Management shall have the authority to reject any plan or design for any monument which in Management's opinion, on account of size, design, inscription, kind or quality of stone is unsuited to the lot on which it is to be placed or is not in conformity with these rules and regulations. If said plan is to be rejected, such rejection shall be made within fifteen (15) days of submission and a written explanation given. Appeals of a decision to reject such a plan will be made to the President of NVCA in writing.

8. Management reserves the right to stop all work of any nature whenever in the Management's opinion, proper preparations have not been made or when tools and machinery are insufficient or defective or when work is being executed in such a manner as to threaten life or property or when the monument dealer has been guilty of misrepresentation or when any reasonable request on the part of Management has been disregarded or when work is not being executed according to specifications or in violation of the provisions of these rules and regulations.

9. The making of stone rubbings is not allowed in the cemetery, unless written permission is granted by NVCA.

10. It is necessary that persons erecting, cleaning or repairing monuments give notice of their intentions to Management and comply with these rules and regulations. Persons

performing such services or those who are engaged in erecting monuments are prohibited from attaching ropes to other monuments, trees, shrubs, or from scattering their materials over adjoining lots. They must do as little injury to the grass, trees, or shrubs as possible and shall restore said grounds to their original condition thereafter.

11. Damage done to lots, walks, drives, trees, shrubs or other property by dealers, contractors, vendors, funeral directors, etc. shall be repaired by NVCA and the cost of such repairs shall be charged to the responsible party.

12. While a funeral or interment is being conducted nearby, all work of any description shall cease.

13. Mausoleums are not permitted.

14. No temporary markers such as those placed by funeral directors pending placement of a permanent marker will be allowed to remain in place for more than six (6) months.

B. Size of Monuments and Markers

1. The size of a monument shall be in proportion to the number of graves in the lot. The size and proportion of nearby existing monuments should be considered in the design of new monuments.

2. The size of a marker (a monument flush with the ground) shall not exceed a total of two (2) square feet and shall be a minimum of four (4) inches thick. It shall be made of granite or similar hard stone so as to accommodate the weight of mowing equipment.

3. There shall be no more than one upright monument per lot. There shall be no more than one marker per grave.

4. There shall be only one marker per urn garden plot in an urn garden.

5. A monument and bench are not permitted on any grave or lot.

C. Materials Permitted

1. All monuments shall be constructed of first quality natural stone. Such materials shall be free from sap and components which cause rust stains and from natural faults which might cause cracks. The use of cement, artificial stone, composition, wood, tin, iron or other metal shall not be permitted for any monument. Management reserves the right to reject any materials. The materials used in nearby existing monuments should be considered in the design of new monuments.

2. At no time shall NVCA become liable for the replacement or repair of monuments.

3. The use of bronze is for any tablets allowed when attached to monuments of natural stone provided the bronze has been cast from an alloy containing not less than eighty-five (85%) percent copper nor more than five (5%) percent lead. No other metals may be used

unless they are substantially non-corrosive, of proved permanency, and have been reviewed and approved by Management.

D. Foundations and Settings

1. As a grantee of good work and as a protection to all lot holders, NVCA reserves the right to oversee, inspect and approve all excavations for and the building of all foundations, setting of all markers and monuments, and to regulate all work done in the cemetery.

2. No foundation shall be built when the weather is such that injury from frost may occur. No heavy stone work may be set in inclement weather or until the cement in the foundation has had time to harden thoroughly.

3. Corner markers require foundations. The foundation shall be 12" deep and the width and length of the corner marker. Corner markers shall be six (6) inches square on their face and shall be a minimum of eight (8) inches in depth and shall be set at the extreme corners of the lot and square within the bounds of the lot. They shall be set flush with the grade.

4. Individual markers shall be a minimum of one (1) foot wide by two (2) feet long and shall be placed at the end of the grave farthest from the base of the monument. In single graves, all monuments shall be placed at the head of the grave.

5. Foundations shall be of concrete.

6. The bottom surfaces of bases, monuments and markers must be cut level and true and set in cement mortar to allow every part to be in contact with the foundation without the use of pawls or underpinning.

7. Foundations will be made at least as large as the bottom base or first masonry course above ground with the exception that foundations for monuments must be 1" larger than the footprint of the monument and 1" above finished grade. NVCA reserves the right to require a larger foundation when, in its opinion, the weight of the structure requires it. Foundations for monuments shall be a minimum of four (4) feet in depth. Foundations for markers (monuments flush with the ground) shall be a minimum of three (3) feet in depth. The hole for any foundation has to have vertical sides from grade to bottom of the hole on all four sides.

8. Should any monument become unsightly, dilapidated, or a menace to visitors, NVCA shall have the right either to correct the condition or to remove same at the expense of the lot holder.

9. No monuments or markers shall be removed from the cemetery unless written order of the lot holder be presented to and permission granted by the Management.

SECTION VIII
APPEALS

See Schedule A attached hereto for appeals process.

No liability shall attach for any delays, or costs incurred or for any other damages which may occur which are associated with time required for the appeal process.

SECTION IX
SAVINGS CLAUSE

1. In the event that any portion of these rules and regulations is held to be in violation of State or Federal law, or found to be unenforceable by a court of competent jurisdiction, then that specific section or article shall be stricken or amended to the extent necessary to conform to existing law, rule or regulation. The remainder of these rules and regulations will continue in full force and effect.

2. The rules and regulations are hereby adopted by NVCA through its governing body and shall become effective on the date of adoption.

3. In all matters not specifically covered by these rules and regulations, the Management reserves the right to do anything which in its judgment is deemed reasonable in the premises, and such determination shall be binding upon the plot holder and all parties concerned.

These rules and regulations were approved by the Board of Directors of Newtown Village Cemetery Association, Inc. on February 21, 2012 at Newtown, Connecticut and replace all prior rules and regulations. These rules and regulations are effective as of February 21, 2012.

SCHEDULE A

COMPLAINT AND APPEALS PROCEDURE

NVCA is pleased to provide you with our established procedures in an effort to resolve any disputes or complaints you may have with the cemetery. There are levels of authority in our procedure. NVCA asks that you do not approach a higher level until you have sought a resolution from the lower level.

STEP 1 - If you have a complaint, you may verbally discuss your problem with the President of NVCA. Alternatively, you may submit your complaint in writing to the President. You must provide your name, address, telephone number, and the grave and lot number. Please be as specific as to the nature of the complaint. If the complaint is submitted in writing, then the President shall inform you of the decision in writing. If the complaint is not resolved in this step, you may proceed to Step 2.

STEP 2 - You must submit your written complaint to the Board of Directors, Newtown Village Cemetery Association, Inc., P.O. Box 117, Newtown, CT 06470. Please be as specific to the nature of your complaint. Enclose a copy of the written response you received from the President (Step 1) and the reason you are proceeding to Step 2. You will receive a written response from the Board of Directors.

NVCA will do their best to resolve all complaints at the lower level of authority. No complaint will be accepted at the higher level until it has been processed in accord with the above format.

The lot holder has the right to contact the State Department of Public Health and Addiction Services or the local Public Health Director should the complaint concern specific violations regarding public health issues as covered in Sections 7-64 to 7-72 inclusive and Section 19a-310 or Section 19a-311 of the General Statutes.