



RULES AND REGULATIONS OF REST HAVEN CEMETERY

For the mutual benefit and protection of each and every plot purchaser in the above named cemetery, hereinafter sometimes referred to as "The Cemetery," the following Rules and Regulations are hereby adopted, approved, and put into effect by the undersigned, hereinafter sometimes referred to as "The Township," and same, as well as such other rules, regulations, amendments or alterations as shall be adopted from time to time by the Township, shall be applicable to all plot owners, all visitors within the Cemetery, tradesmen, contractors, employees and uninvited guests; and the reference to these Rules and Regulations in any letter, memorandum, contract for deed, certificate of ownership or other instrument shall have the same force and effect as if fully set forth therein.

Rule 1 ~ DEFINITIONS OF TERMS

- (a) **CEMETERY:** In its broad sense, means a burial park for earth interments: mausoleum for crypt entombments; columbarium for cinerary interments or a combination used or intended for the burial of human remains.
- (b) **BURIAL SPACE:** As used herein means a grave space, crypt space, or niche.
- (c) **CENOTAPH:** An empty tomb, crypt, or grave, memorialized in honor of a person interred elsewhere.
- (d) **MEMORIAL:** Means a marker, tablet crypt, urn, or niche plate.
- (e) **MARKER:** Means a memorial or name plate made of bronze or stone, flush with the ground.
- (f) **INTERMENT:** Means the permanent disposition of human remains by burial, entombment, or inurnment.
- (g) **FAMILY:** Those persons residing in one household and descended from a common ancestor.
- (h) **IMMEDIATE FAMILY:** Means husband and wife and their children whether living together or not.
- (i) **CEMETERY GROUNDS:** That property within the legal boundary lines of the cemetery and particularly within that portion fenced, including the entrances.

- (j) **COMMITTAL SERVICE:** Means the ritual or ceremony in the Chapel or near the grave, crypt, or niche where the remains are committed to their final resting place.
- (k) **NICHE:** Means a space in a columbarium used or intended to be used to inurn cremated remains.

Rule 2 ~ GENERAL SUPERVISION

- (a) **OWNERSHIP:** The Township, the owner of the Cemetery, retains to itself, for the benefit of all plot owners, full, complete, and undisputed supervision, control and management of the land, building, 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, regulations and restrictions not inconsistent with the laws of the state of Wisconsin wherein the Cemetery is located.
- (b) **CONTROL OF WORK:** All grading, landscape work and improvements of any kind and all care of plots shall be done, and all trees and shrubs and herbage of any kind shall be planted, trimmed, cut or removed, and all openings and closing of graves, and all interments, disinterments, and removals shall be made by the Township.
- (c) **RIGHT TO REPLAT:** The right to enlarge, replat, or reduce or change the boundaries or grading of the Cemetery or of any section or sections, or any parkways therein, from time to time, including the right to modify or change the location of, or remove, or regrade roads, drives, walks, parkways, gardens, or any part hereof, is hereby expressly reserved.
- (d) **RIGHT TO CHANGE DRAINAGE:** The right to lay, maintain, and operate or to alter or change pipe lines or gutters for sprinkling systems, drainage, lakes, etc., is expressly reserved.
- (e) **ADMISSION TO CEMETERY:** The Town reserves the right to control admission to anyone not a plot owner, and the use of any of the Cemetery facilities at any time.

Rule 3 ~ PROPERTY RIGHTS OF PLOT OWNERS

- (a) **INTERMENT RIGHTS:** All lots, plots and burial spaces conveyed heretofore or hereafter shall be presumed to be sole and separate property of the person or persons named as a grantee in the instrument of conveyance subject to these rules, regulations and restrictions; provided, however, that the husband or wife shall have a vested right of interment of his or her body in any burial plot or interment spaces

conveyed to the other, which right shall continue as long as he or she shall remain the husband or wife of the plot owner or shall be his or her wife or husband at the time of such plot owners demise, and no conveyance or other action, without the joinder thereon or written right of interment; provided, however, that a final decree of divorce between them shall terminate such vested rights of interment unless it shall be otherwise provided by such decree of divorce.

- (b) **JOINT TENANTS:** In all conveyance to two or more persons as joint tenants, each shall have a vested right to interment of his or her remains in the plot so conveyed. Upon the death of a joint tenant, right and title in and to the burial plot so held, immediately vests in the survivor or survivors, subject to the vested rights of interment for the remains of the deceased joint tenant owner. This vested right of interment of the remains of a joint tenant may be waived and shall be terminated upon the interment of such remains elsewhere.
- (c) **RIGHT OF DESCENT:** If no interment has been made in a plot which has been transferred by deed or other instrument to an individual, by the cemetery corporation or its predecessors, or if all the bodies have been lawfully removed therefrom in the absence of specific disposition thereof by the owner's last will and testament, the whole of said plot, except the one grave space which must be reserved for the surviving husband or wife of the owner, shall, upon the death of such owner, descend in regular line of succession to the heirs at law of the owner.
- (d) **OFFICIAL RECORDS:** The official records of plot owners shall be maintained by the Township at its designated office, and each plot owner shall be registered by name and address. Such registration shall be the final governing record in determination of plot ownership.
- (e) **INALIENABILITY BY INTERMENT:** All plots, the use of which has been conveyed by deed or certificate of ownership as a separate plot, are indivisible except with the consent of the Cemetery management, or as provided by law. Whenever an interment of the remains of a member or of a relative of a member of the family of the record owner or of the remains of the record owner is made in a plot transferred by deed or certificate of ownership to an individual owner and the owner dies without making disposition of the plot either in his will by a specific devise, or by a written declaration filed and recorded in the office of the Township, the plot thereby becomes inalienable and shall be held as the family plot of the owner.

In a family plot, graves may be used for the owner's interment or for the owner's surviving spouse, if any, who by law has a vested right of interment in it. The parents and children of the deceased owner in order of death may be interred without the consent of any person claiming any interest in the plot.

If no parent or child survives, the right of interment goes in the order of death first to the spouse of any child of the record owner and second, in the order of death, to the next heirs at law of the owner or the spouse of any heir at law.

Any surviving spouse, parent, child, or heir having a right of interment in a family plot may waive such right in favor of any other relative or spouse of a relative of the deceased owner, and upon such waiver the remains of the person in whose favor the waiver is made may be interred in the plot.

- (f) **CHANGE OF ADDRESS:** It shall be the duty of each and every plot owner to keep the Township fully informed as to his or her mailing address and to notify said Township as to any changes thereof. Notice sent to any plot owner at the last registered address on file in the office of the Township shall be considered sufficient and proper legal notice.
- (g) **RIGHT OF INGRESS AND EGRESS RESERVED:** The Township reserves to itself, and to those lawfully within the cemetery, a perpetual right of ingress and egress over plots for the passage to and from other plots.
- (h) **MAY NOT SUBDIVIDE PLOT:** Individuals may not subdivide and sell their plots without consent of the Township and the burial of the remains of any person, not having an interest therein, shall be prohibited, except when the written consent of all the owners, registered on the books of the Cemetery, shall have been obtained and approved by the Township.
- (i) **NO RIGHT GRANTED IN ALLEYWAYS:** No easement or right of interment is granted to any plot owner in any road, drive, alley, or walk within the gardens, but such road, drive, alley, or walk may be used as a means of access to the gardens or buildings as long as the Township devotes same to that purpose.

Rule 4 ~ TRANSFER OF OWNERSHIP

- (a) **METHOD OF TRANSFER:** The transfer of ownership or title or any interest in any plot shall be made only on forms by the Township.
- (b) **CONSENT AND APPROVAL:** No transfer or assignment of any plot, or interest therein, shall be valid without the consent in writing of the Township first to be had and endorsed upon such a transfer or assignment, and thereafter being recorded on the books of the Township.
- (c) **TIME OF RECOGNITION:** A deed or transfer or assignment of rights, in order to be valid, must not only be proper on its face, but it must be delivered to the grantee or some third person during the lifetime of the grantor with full intent to divest said grantor of his interest, and it must be presented to, approved by, and transferred upon the records of the Township during the lifetime of such grantor.
- (d) **INDEBTEDNESS:** The Township may at its option, refuse to consent to a transfer or assignment of any Cemetery lot, plot, or burial space as long as there is on

any Cemetery lot, plot, or burial space indebtedness due hereon by the registered owner thereof.

- (e) **TRANSFER CHARGES:** All transfers and assignments of ownership in any plot shall be subject to a charge fixed from time to time by the Township, which charge must be paid when the transfer or assignment is received for filing by the Township.

Rule 5 ~ INTERMENTS

- (a) **SUBJECT TO LAWS:** Besides being subject to these rules and regulations, all interments, disinterments and removals are made subject to the orders and laws of the properly constituted authorities of the Town, county and state.
- (b) **NOTICE:** The right is reserved by the Township to insist upon at least twenty-four hours notice prior to any interment and to at least one week's notice prior to any disinterment or removal.
- (c) **APPLICATION FOR INTERMENT:** The Township reserves the right to refuse interment in any plot, and to refuse to open any burial space for any purpose, except on written application by the plot owner of record made out on blanks provided by the Township and duly filed in the office of the Town Clerk.
- (d) **TELEPHONE REQUESTS:** The Township shall not be held responsible for any order given by telephone, or for any mistakes occurring from want of precise and proper instructions as to the particular space, size, and location in a plot where interment is desired.
- (e) **AUTHORIZATION FROM ONE OWNER:** The Township reserves the right to make an interment of any member of the immediate family of any one of joint or several plot owners upon his written authorization. No other person may be interred in any plot without the written consent of all those owners of the plot who are recorded as such on the books of the Township.
- (f) **TIME:** All interments, disinterments, and removals must be made at the time arranged for in advance.
- (g) **ERRORS MAY BE CORRECTED:** The Township reserves, and shall have, the right to correct any errors that may be made by it either in making interments, or removals, or in the description, transfer or conveyance of any interment property, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as far as possible, or as may be selected by the Township, or, in the sole discretion of the Township 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 property the Township reserves, and shall have, the right to remove and/or transfer such remains so interred to such property of equal value and similar location as may be substituted

and conveyed in lieu thereof. The Township shall also have the right to correct any errors made by placing an improper description, including an incorrect name or date, either on the memorial or on the container for cremated remains.

- (h) **DELAY FROM PROTEST:** The Township 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; and further, said Township reserves the right, under such circumstances to place the body in the receiving vault until the full rights have been determined. The Township shall be under no duty to recognize any protests on interments unless they are in writing and filed in the office of the Town Clerk.
- (i) **NOT RESPONSIBLE FOR IDENTITY:** The Township shall not be liable for the interment permit nor for the identify of the person sought to be interred or cremated; nor shall the Township be liable in any way for the embalming of the body.
- (j) **NO INTERMENT UNLESS PROPERTY PAID FOR:** No interment shall be permitted or memorial placed in or on any property not fully paid for except by consent of the Township in writing in each and every case, and, in the event such consent is given, any and all interments or memorials placed in or on said property shall be considered as temporary. A note shall not be considered as payment, and no rights shall be acquired by the plot purchaser of said interment or interments until such property is fully paid for in cash, including principal and interest; and, in case the purchaser of said property shall fail to meet all payments within thirty days after the same are demanded by the Township, then the Township may re-enter said property and hold the same as of its former estate. The Township, thereupon, shall be released from all obligations thereunder, and it may retain such payments as may have been made toward the purchase of such property as liquidated damages. The Township reserves the right, and shall have the right immediately or at any time thereafter, without notice, at its discretion, to cremate or to remove to single graves, to be chosen by the Township, each of the remains then interred in said property. The Township, further, shall have the right to remove any memorial that may have been placed on said property.
- (k) **MORE THAN ONE BODY:** Not more than one body shall be interred in one grave, vault, crypt, or niche and proper identification shall be provided such interment on the regulation crypt, niche, memorial or marker. More than one cremains may be interred in one grave, vault, crypt or niche with the consent of the Town Administrator. Consent will not be unreasonably withheld.
- (l) **MUST USE CONCRETE OR STEEL VAULT:** Earth interments shall be made within a concrete or steel vault unless the interment is of cremated remains. Cremains shall be within a non-biodegradable container (not Styrofoam) at least 3/8 of an inch in thickness.
- (m) **UNDERGROUND VAULTS:** All vaults shall be placed below the surface of

the ground and shall allow for a minimum of 18" of dirt and sod to be placed over the top of the vault (Exposed top vaults are prohibited.)

- (n) **CHARGES:** The Township reserves the right to fix its charges for services rendered and to be rendered from time to time.
- (o) **CEASE WORK:** While a funeral or interment is being conducted all work of any description shall cease within the section of interment.
- (p) **LOCATION OF INTERMENT SPACE:** When instructions regarding the location of an interment space in a plot cannot be obtained, or are indefinite, or when for any reason any interment space cannot be opened where specified, the Town Administrator may, in his discretion, open it in such location in the plot as he deems best and proper, so as not to delay the funeral; and the Township shall not be liable in damage for any error so made.

Rule 6 ~ DISINTERMENTS AND REMOVALS

- (a) **TO MORE DESIRABLE PLOT:** A body or cremated remains may be removed from its original plot to a large or more desirable plot in the Cemetery when there has been an exchange or purchase for that purpose and the legal representative of the deceased consents.
- (b) **CARE IN REMOVAL:** The Township shall exercise the utmost care in making a removal, but it shall assume no liability for damage to any casket or burial case or urn incurred in making the removal.
- (c) **REMOVAL FOR PROFIT PROHIBITED:** Removal by the heirs of a body or cremated remains so that the plot may be sold for profit to themselves, or removal contrary to the expressed or implied wish of the original plot owner is repugnant to the ordinary sense of decency and is absolutely forbidden.
- (d) **AUTHORIZATION:** A body may be removed from its burial place only upon written request and authority from the legal representative of the deceased and then only for good and sufficient reason.
- (e) **REMOVAL FOR AUTOPSY:** A body may be removed for autopsy only upon written consent of the surviving spouse and a good and sufficient order of court of recognized jurisdiction.
- (f) **NOTICE REQUIRED:** The Township reserves the right to require at least one week's notice prior to any removal or disinterment.

Rule 7 ~ SUPERINTENDENT IN CHARGE

- (a) **GENERAL CHARGE:** The Town Administrator shall be in charge of the premises, employees, work done, development, care and maintenance, subject only to the instructions, orders, and directions of the Town Board.
- (b) **FUNERALS:** All funerals, on reaching the Cemetery, shall be under the charge and supervision of the Town Administrator, his assistant, or a designed officer of the Town Board.
- (c) **ENFORCE RULES:** The Town Administrator or his/her assistant is hereby empowered to enforce all rules and regulations and to exclude from the property any person violating the same. The Town Administrator shall have charge of the grounds and buildings, and at all times, shall have supervision and control of all persons in the Cemetery, including the conduct of funerals, traffic, employees, plot owners, and visitors.
- (d) **POLICE POWER:** The Administrator and his/her assistant are vested with full police power to arrest without warrant any offender on the grounds. He/she is directed to expel from the Cemetery any person disturbing its sanctity by boisterous or other improper conduct, or who shall violate any of the rules herein stated.
- (e) **MAY REMOVE:** All removals of bodies from burial spaces within the Cemetery shall be under the supervision of the Town Administrator or his/her assistant.
- (f) **MUST INSIST ON PERMIT:** The Town Administrator must insist on proper permits before burial or removal in order to comply with the law.
- (g) **CHAPEL SERVICE:** Funeral services within the Cemetery, whether grave side or in the Chapel or other building, shall be under the supervision and control of the Town Administrator or his/her assistant, whether such services are conducted by a funeral director or not, and all floral arrangements shall be under his supervision.
- (h) **MAY STOP WORK:** The Town Administrator is vested with full authority to stop all work of any nature whenever, in his opinion, proper preparations therefore 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 any reasonable request on the part of the Township is disregarded; or when work is not being executed according to specifications, or when any person employed on the work violates any rules of the Cemetery.

Rule 8 ~ GROUNDS

- (a) **MUST USE WALKS:** Persons within the Cemetery shall use only the walks, alleys and roads, and any person injured while walking on the grass, or while on any portion of the Cemetery, other than walks alleys, or roads, shall in no way hold the Township liable for any such injuries sustained.
- (b) **FLOWERS:** All persons are prohibited from gathering flowers, either wild or cultivated, or breaking trees, shrubbery or plants, or feeding or disturbing the birds or fish or other animal life within the grounds of the Cemetery.
- (c) **PEDDLING AND SOLICITING:** Peddling of flowers or plants or soliciting the sale of any commodity, other than by the Township, is positively prohibited within the confines of the Cemetery.
- (d) **FIREARMS:** No firearms shall be permitted within the Cemetery except on special permit from the Town Administrator.
- (e) **ADVERTISING:** No signs or notices or advertisements of any kind shall be allowed in the Cemetery or on premises surrounding, unless placed or authorized by the Township.
- (f) **DOGS:** Dogs shall not be allowed in the Cemetery or in any of the buildings except in the case of the visually impaired.
- (g) **IMPROPRIETIES:** It is of the utmost importance that there shall be strict observance of all the proprieties of the Cemetery, whether embraced in these rules or not, as no improprieties shall be allowed. The Town Administrator shall have power to prevent improper assemblages.
- (h) **RUBBISH:** The throwing of rubbish on the drives, paths, walks, or any part of the grounds, or in the buildings, is prohibited; receptacles for waste material are located at convenient places.
- (i) **AUTOMOBILES:** Automobiles shall not be driven through the roadways within the Cemetery grounds, either by employees, salesmen, tradesmen, or visitors, at a greater speed than twenty miles per hour, and shall at all times, whether moving or not, be kept on the right side of the roadway.

Rule 9 ~ DECORATIONS

- (a) **FLOWERS:** No flower receptacles may be placed on any unsold plot in Section 3 effective September 2, 1999, unless of metal of approved size and design and attached to the grave marker. This rule also applies to all flower receptacles placed on any future lots in the presently undeveloped sections of the cemetery. In

the existing Sections 1 and 2, as well as lots already purchased in Section 3, pedestal-type urns will be permitted. Pedestal-type urns shall be set at either end of the marker in straight rows. The pedestal shall not exceed 2 inches in diameter and shall be painted green or black. The distance from the bottom of the urn holder to the top of the marker shall be 24 inches and the urn shall be round and not less than 10 inches or more than 14 inches in diameter. The stands for urns will be left at all times, but the urns will be emptied of dirt and hung upside down on the upright part of the stand after October 15. Such receptacles must be installed by the Township.

1. Flowers/Decorations must be limited to two items, bouquets, or vases per marker. Flowers will be allowed from May 1 to October 15. Either natural or artificial flowers may be used.
2. The caretaker is to remove any old, wilted and unsightly bouquets and wreaths. No flowers may be planted directly into the ground.
3. Wreaths will be allowed from November 1 to April 1.
4. In Sections 1 and 2 vases may be placed on markers in the event the markers are not equipped to hold recessed vases. If a separate recessed vase is used, it must be put in the ground at either end of the marker, not above or below it.
5. Flags will be placed on Veteran's graves for Memorial Day to July 4. They will then be removed and again placed on graves from Veteran's Day to December 1.

The Township shall have the authority to remove from the Cemetery all floral designs, flowers, weeds, trees, shrubs, plants, or herbage of any kind, as soon as, in the judgement of the Town Administrator, they become unsightly, dangerous, detrimental, or diseased, or when they do not conform to the standard maintained. The Township shall not be liable for floral pieces, baskets, or frames in which, or to which, such floral pieces were attached, beyond the acceptance of such floral pieces for funeral services held in the Cemetery. The Township shall not be liable for lost, misplaced, or broken flower vases. The Township shall not be responsible for frozen plants, or herbage of any kind, or for plantings damaged by the elements, thieves, vandals, or by other causes beyond its control. The Township reserves the right to regulate the methods of decorating plots so that a uniform beauty may be maintained. The Township reserves the right to prevent the removal of any flowers, floral designs, trees, shrubs, or plants or herbage of any kind unless the Town administrator gives his/her consent.

- (b) **CERTAIN ORNAMENTS PROHIBITED:** The placing of boxes, shells, toys, metal designs, ornaments, chairs, settees, vases, glass, wood, or iron cases, and similar articles upon plots, walks, casements, or roads shall not be permitted, and if so placed the Township reserves the right to remove the same.

Rule 10 ~ CARE AND MAINTENANCE

- (a) *CARE OF PLOTS:* The term "care and maintenance," as used herein with reference to lots, plots, and burial spaces within the Cemetery, shall be held to mean, (A) cutting of the grass at reasonable intervals, (B) raking and cleaning at reasonable intervals, and 8 reseeding or resodding, if necessary.
- (b) *GENERAL CARE:* The term "care and maintenance," as used herein with reference to Cemetery, shall be held to mean the general preservation of the roads, walks, fences, buildings, plantings, and features of art.
- (c) *EXCEPTIONS:* The term "care and maintenance" shall not be construed as meaning the maintenance, repair or resetting of any grave marker or memorial placed upon any individually owned lot or grave space, unless the lot owner thereof has previously guaranteed maintenance by the deposit of funds for such purposes with the Township. Neither does the term "care and maintenance" mean the doing of any special or unusual work on any lot.
- (d) *CARE FUND:* To provide for future care and maintenance of the Cemetery and the lots, plots and burial spaces therein, the Township has established, created and provided for an irrevocable Trust Fund, into which fund the Township shall deposit a sum equal to not less than fifteen (15%) percent of the gross selling price of each and every lot, sold by it in the Cemetery.
- (e) *GIFTS, DEVICES AND BEQUESTS:* Nothing in these rules and regulations shall prohibit gifts, donations, devices, or bequests of money, funds, securities or property for the general or special care or maintenance of the Cemetery or any lot, plot, or burial space therein, or any improvement or Garden thereon, but any such gift, device, or bequest may be co-mingled with other cemetery trust funds for the purpose of investment and the income therefrom divided between the general and special care funds in proportion to the respective contributions to the principal invested.

Rule 11 ~ MEMORIALS AND MARKERS

The Township has designed, landscaped, created, and dedicated the Cemetery as a place of restful and harmonious beauty, and it desires to perpetually maintain the premises not only as a place of comfort to the relatives and friends of deceased loved ones, but as a pride of the entire community. To economically maintain the premises, to insure the future uniform beauty and to safeguard plot owners against inferior quality and future replacement costs, the following rules and regulations must be strictly enforced.

- (a) *TYPE OF MARKERS PERMITTED:* Only bronze or a granite memorial, approved by the Township as to size, specification, quality, and material, and

guaranteed as to maintenance, shall be permitted in the Cemetery. All markers must be set level with the ground at each grave. No vases or memorials will be allowed except for:

1. Individual memorials up to 14" wide by 24" to 30" long with a vase, if desired, on either or both ends of the memorial with the total length of all the items not to exceed 36".
2. Companion memorials 14" wide up to 48" long with a vase on either or both ends of the memorial if desired, but the total length of all the items not to exceed 60".
3. Maximum size of infant markers is 10" by 20".

All markers must be uniform in thickness and have level bottoms; edges shall be straight cut.

- (b) **FOUNDATION PLACEMENT AND CARE:** All foundations, memorials and markers shall be installed under the direction of the Township. All burials must have a permanent marker installed within one year.
- (c) **APPLICATION AND APPROVAL:** Application for the installation of a foundation and marker and the approval thereof by the Township shall be made in writing on forms provided by the Township and signed by the lot owner with his address and deed number. Such application shall be supported by the design and material specifications.
- (d) **PRESERVATION:** To preserve uniformity, style, beauty, and landscaping, the Township reserves to itself the right to designate and specify the type and design of markers that shall be exclusively used in any section, block or garden; the right to prevent the placing, or to remove any marker or other object which does not comply with the standards of the Township, or which it deems injurious to the beauty or general good appearance of the premises, particularly the adjoining lots within the section, block, or garden.
- (e) **ERROR IN PLACING:** The Township reserves, and shall have, the right to correct any error that may be made by its employees, or by any other person or persons, in the location of placing of a memorial or marker in the Cemetery.
- (f) **NOT PERMITTED:** No coping, curbing, fencing, hedging, grave mounds, borders, and no walks of brick, chat, cinders, tile, stone, marble, terra cotta, sand, cement, gravel, or wood shall be allowed on any lot or there about.

Rule 12 ~ GENERAL

- (a) **UNFAMILIAR SIGNATURES:** The Township reserves the right to require any or all signatures to be notarized.
- (b) **FINAL DECISION:** In the event of misunderstanding or dispute as to the meaning of any of these rules or regulations, the decision of the Town Board shall be final.
- (c) **TRUST CONVEYANCE:** Lots, plots, and interment spaces may be conveyed in trust to the Township by the owner thereof, with specific instructions as to just who shall be interred therein.
- (d) **DAMAGE BY CONTRACTORS:** Any damage done to lots, plots, grave spaces, walks, drives, trees, shrubs, or other property of the Cemetery by outside workmen, contractors, or dealers or their agents or employees shall be repaired by the offender, and if not so repaired by him/her within five days, upon demand, then by the Township at the cost and expense of such offender.
- (e) **NEATNESS:** In opening and closing graves, setting markers, building memorials placing shrubs, or any other type of construction, building repairing, and alterations, the persons so engaged, whether employees, contractors, workmen or dealers, shall not scatter their material over adjoining lots; or unnecessarily block roadways, walks, or avenues; or leave their material on the ground longer than is absolutely necessary; they shall do as little injury as possible to the grass, shrubs, and trees, and they shall remove all debris and restore the ground and sod to its original condition without delay.
- (f) **TOWNSHIP NOT RESPONSIBLE:** The Township shall take reasonable precaution to protect plot owners and the property rights of plot owners within the Cemetery from the loss or damage; but it distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control and, especially from damage caused by the elements, and act of God, common enemy, thieves, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than is herein provided.
- (g) **SERVICE CHARGES:** The charges for the Cemetery service must be paid at the time of the issuance of the order of interment or disinterment and removal.

Rule 13 ~ SOLE AGREEMENT

- (a) **STATEMENTS OF SALES AGENTS:** The purchase contract, the deed, the trust agreement and these rules and regulations, and any amendments hereto, shall constitute the sole agreement between the Township and any lot, plot, or burial

space owner, and no other statement or promise by any officer, employee, or sales agent shall be binding on the Township.

Rule 14 ~ MODIFICATION AND AMENDMENTS

- (a) **EXCEPTIONS AND MODIFICATIONS:** Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship, in which case the Township reserves the right, without notice, to make exceptions, suspensions or modifications in any of these rules and regulations when, in its judgment, the same appear advisable; and such temporary exception, suspension or modification shall in no way be construed as affecting the general application of such rule.
- (b) **AMENDMENTS:** The Township may, and it hereby expressly reserves the right at any time or times, to adopt new rules or to amend, alter and/or repeal any rule, regulation and/or article, section, paragraph and/or sentence in these rules and regulations.

Adopted by the Board of Supervisors of the Town of Washington on August 26, 1999.