



Morgan Hall

*Town of Franklinville, New York
11 Park Square
P.O. Box 146
Franklinville, New York 14737*

Columbarium Rules and Regulations

The regulations regarding the columbarium under the control of the town of Franklinville and located in Mount Prospect Cemetery on Chestnut Street in the Town may be amended by the Town Board without notice as deemed appropriate.

A. Niche Engraving

1. Engraving shall consist of first name, middle initial, last name and suffix (i.e. Jr., Sr., Dr., Esq.) as space allows per single interment;
2. The year of birth and the date of death may be engraved; full dates will only be permissible if space allows;
3. Niche lettering, lines, and design must be selected by purchaser from list of approved sketches provided by cemetery official; final approval by cemetery official is required;
4. Emblems and symbols are limited to one per name and shall be no larger than 3 inches at the widest point and must be approved in advance by a cemetery official. Veterans will be accommodated by Standard US Government 3-inch Medallion;
5. Lettering size shall be sand blasted using Roman Letters;
6. No color or paint is allowed in the lettering;
7. Purchaser will make payment directly to a pre-approved Rock of Ages authorized engraver;
8. Should a single niche later become a double niche, the owner of the niche or legal heir or guardian is responsible for the cost of new door if required and any new engraving;
9. Name changes may be made to the niche door with the full cost to the owner or family of the deceased and pre-approved by cemetery official.

B. Containers

1. No more than 2 cremated remains are allowed per niche; Each individual urn/container must be distinctly identified with the name of the deceased if more than one urn is placed in a single niche;



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2. No temporary containers (i.e. cardboard, plastic, tin) may be placed in the columbarium;
3. The containers must be no more than 11 inches in height, width or depth;
4. Cremation Certificate must be presented prior to internment;
5. All remains must be contained in a non-ferrous metal (copper or bronze) or other non-biodegradable material to prevent damage to the remains and the columbarium;
6. The family or niche owner is responsible to ensure that that the urn fits in the niche;
7. No artifacts, mementos or flowers can be left on the concrete pad surrounding the columbarium;
8. The town is not responsible for any items left at the site and such items will be disposed of at the discretion of a cemetery official or maintenance worker;
9. Nothing may be attached to the columbarium as a form of decoration (artifacts or flowers, etc.);
10. The planting of flowers, shrubs and trees around the columbarium is designated and approved only by the town board.

C. Responsibility

1. The Town of Franklinville is not responsible for any damage to the columbarium;
2. Owners of the niches are responsible for any repair or replacement needed to their niche, including engraving, to preserve the quality and the appearance of the columbarium whether due to malicious mischief or an act of God;
3. Should the niche owner wish to dispose of this property, the Town reserves the "right of first refusal";
4. A deed, signed by a town official, must accompany any fees to establish the right to use the columbarium.



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D. Internment Fees

1. The cost of one niche is \$1,200.00;
2. The fee for opening the door for internment will be \$325.00;
3. The cost for second internment will be one half the price of the first internment only when done simultaneously;
4. The cost of engraving the niche door will be the actual cost of engraving plus a \$50 surcharge payable to the Town;
5. All keys to open the niche are in the control of the cemetery official and the Town Board;
6. Purchase of a niche is done through the Franklinville Town Clerk during regular business hours or by contact with a cemetery official;
7. A deed will be presented to prove purchase of the right to use the columbarium;
8. Ownership of the columbarium remains with the Town of Franklinville ;
9. Prices are subject to change without notice and a cemetery official must be contacted for current pricing.



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Mount Prospect Cemetery
COLUMBARIUM DEED

KNOW ALL MEN BY THESE PRESENTS, that the **TOWN OF FRANKLINVILLE MOUNT PROSPECT CEMETERY**, in consideration of

_____ (\$ _____), the receipt whereof is hereby acknowledged, **DOES**, hereby grant, sell and convey unto (purchaser)

_____, COLUMBARIUM NICHE NUMBER _____ North Side or South Side (circle) at the MOUNT PROSPECT CEMETERY in the Town of Franklinville, Cattaraugus County, New York.

TO HAVE AND TO HOLD the niche herein granted to the said (purchaser) _____ his heirs and assigns forever, **for an internment/lot place**: subject, however, at all times, to the conditions and restrictions of all Acts of the Legislature of the State of New York, bearing upon said the quiet and peaceable possession of the said (purchaser) _____, his heirs and assigns, for the purposes and on the conditions above named, the said Town of Franklinville Mount Prospect Cemetery will **for Warrant and Defend** the said premises.

IN WITNESS THEREOF, the **TOWN OF FRANKLINVILLE MOUNT PROSPECT CEMETERY**, has, by its town official, caused this instrument to be attested on this _____ day of _____, 20_____.

(Signature of Purchaser)

(Signature of Town Official)

Print Name: _____

Title: _____



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ACKNOWLEDGEMENT: I acknowledge receipt of the Town of Franklinville Mount Prospect Cemetery Rules and Regulations on this _____ day of _____, 20_____.

Purchaser Contact Information:

Name: _____

Residence Address: _____

(Include Mailing Address if Different)

Telephone Number: _____

(Please include all contact information, including cell if applicable)

Next of Kin Contact Information:

Name: _____

Residence Address: _____

(Include Mailing Address if Different)

Telephone Number: _____

(Please include all contact information, including cell if applicable)

Return this form to the Franklinville Town Clerk
11 Park Square, P.O. Box 146 , Franklinville , NY 14737



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Mount Prospect Cemetery
Cadiz Cemetery
Rules, Regulations and Fee Schedule

Cemetery Hours: Dawn to 9:00 pm

The overall intent of these Rules and Regulations for Mt. Prospect Cemetery and Cadiz Cemetery is to maintain a safe, serene environment and to display respect and elegance for all.

These rules and regulations supersede all previous and apply to the entire Cemetery. The rules and regulations may be amended as deemed necessary by Resolution of the Town Board without notice to any person.

A. General

1. Cemetery is open for burials and lot sales year round; burials and lot sales during winter months will be done as weather conditions permit;
2. All funeral processions and vehicles will be under the control of the funeral director and or staff while in cemetery;
3. Only human remains and/or cremated remains will be permitted in each grave; Animal burials are strictly prohibited;
4. Access to the Cemetery shall be allowed to all persons observing the rules and the propriety due the Cemetery;
5. Pets shall be under the direct control of the owner and not allowed to run free in the Cemetery; the law requires that you must clean up after your pet;
6. The full purchase price of a Cemetery lot must be paid prior to a deed being conveyed or a burial allowed on the plot;
7. Deed holders may not allow internment to be on their plots for compensation;
8. Deed owners are required to notify the Town of Franklinville Cemetery Clerk of any changes of legal name and or address; Deed owners also must specify who has the right of internment;
9. No burials will be held on Sundays;
10. Right to use burial plot is subject to NY State Cemetery Law.



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B. Internment

1. No internment shall be allowed without permission being granted by the Cemetery Sexton. At the time of internment the following information must be furnished as written on death certificate:
 - 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. time and date of internment
 - f. if not an adult - names of parent or legal guardian
2. Only one casketed burial or two cremated remains will be buried on each lot. Unless deceased name is on head stone previous to or as a pre-arrangement;
 - 2.a. Right of Second Internment – ONE cremated remain shall be allowed per one full-burial plot; only legal spouse, child, brother, sister or “one-generation” away family member.
3. Cremated remains must be buried in an Urn or other appropriate permanent rigid, non-ferrous metal receptacle, a concrete or marbelon receptacle designed for cremated remains; Scattering of cremated remains in any part of the cemetery or directly into the soil of the plot is strictly prohibited;
4. Grave liner (vault) is required for all casketed/ full burials.

C. Memorials, Markers and Headstones:

1. One upright memorial per lot;
2. Town has the right to order cemetery monuments removed if found offensive;
3. For every 1 foot in height of the stone, die (foundation) must be 3 inches in thickness;
4. Temporary grave markers will be removed if they become unsightly;
5. Memorials, Markers, Headstones must be made of marble, quarried stone, plate steel; Foundations are required for all monuments;



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6. No Memorials shall be delivered to the Cemetery until the foundation is installed and ready to receive monument;
7. Memorials, Markers, Headstones are the property of the purchaser/lot owner. The Town of Franklinville assumes no responsibility for these or any other article of any nature removed from any lot or grave or for damage or destruction of any such article. The repair and upkeep of markers/ monuments/headstones are the responsibility of the deed holder. This includes vandalism, theft, acts of God and damage due to routine maintenance of the Cemetery;
8. No plastic or artificial ornamentation/decoration in front or behind any stone/marker.

D. Decorations and Novelties

1. Permitted:

- a. Shepherd hooks, aligned tight to the side of gravestone;
- b. Concrete urn, please attempt to avoid the use of plastic
- c. Wreaths must be attached to headstones;
- d. Artificial flowers must be in flower urns at side of headstone not in front or secured in hanging basket on shepherd hook;
- e. Flowers may be planted on side of headstone;
- f. Planting of memorial trees is permitted with approval by Cemetery Sexton and Town Board. With approval the tree will be planted where root system or future growth would not hinder another lot owner;
- g. American (USA) flags up to 12x8 inches may be placed by the headstone. Flags should be properly secured to avoid falling to the ground and blowing away. Optional flag holders are available for a fee from Veteran organizations and are allowed by the headstone;
- h. The following are not prohibited but must be used sparingly: Pinwheels, toys, flags, banners, figurines, lighting devices, solar lights; these items pose a safety risk to cemetery personnel and equipment. PLEASE NOTE: these novelties will be removed without notice by cemetery personnel if deemed a hazard.

2. Not Permitted:

- a. Bushes, shrubs, rose bushes, trees, or other plantings not listed above;
- b. Fence, stone, plastic edging, gravel, chunk type mulch;
- c. Glass; glass or plastic blocks, glass vases;
- d. Artificial flowers placed in/on/around soil; planting of flowers in front of or behind monuments.

E. Responsibilities



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1. Cemetery has the right to remove any previously planted shrub or tree deemed dangerous or if they interfere with another lot;
2. Cemetery personnel are not responsible for weeding or watering plants and flowers at sites;
3. The Town of Franklinville reserves the right to remove all flowers, wreaths, or other decoration from plots as they become unsightly. Any prohibited objects or other objects deemed questionable due to safety, maintenance, and appearance issues will be removed.
4. Funeral flowers will be removed as soon as they become unsightly.

F. Fee Schedule

1. Cost of Plot:	\$600.00
2. Cost of Full Burial:	\$600.00
3. Foundation Surcharge:	\$50.00
4. Cost of Cremation Burial:	\$325.00
5. Cost of Newborn/Stillborn/Limb Burial:	\$325.00
6. ADDITIONAL Cost of Saturday Burial: (no Sunday burial)	\$200.00
7. Right of Second Internment Burial:	\$625.00

Adopted by Resolution of the Town Board – September 10, 2013