

Huse Memorial Park and Mausoleum

Rules and Regulations

HUSE MEMORIAL PARK AND MAUSOLEUM

(Revised June 2016)

Purpose

The following rules and regulations have been adopted as a guide to the use and management of the Cemetery. The rules and regulations will help protect all who have interest here. All owners of interment rights, visitors and contractors performing work within the Cemetery shall be subjected to said rules and regulations, amendments or alterations as shall be adopted by the Huse Cemetery Park Commission from time to time.

Definitions

Crypt is a casket space in a mausoleum used for or intended to be used for the entombment of human remains.

Lawn Crypt is an interment space in the Cemetery that contains a pre-constructed and pre-buried vault capable of holding a casket.

Lot is a grave, crypt or niche.

Memorial is a monument, tombstone, grave marker or headstone identifying a grave or graves or a nameplate with inscription identifying a crypt or niche.

Monument is an upright memorial made principally of stone.

Niche is a space in a mausoleum or columbarium used or intended to be used for the inurnment of cremated human remains.

Owner(s) is the person or persons to whom the Huse Memorial Park Commission and the Town of Fayetteville has conveyed a burial right or rights or a person or persons who have acquired such rights by transfer in accordance with the rules of the Cemetery or a person or persons who hold such burial right or rights by inheritance.

Single grave is a grave for one person.

Urn is a container used for cremated remains.

General Rules and Regulations

1. Rules and Regulations of the Huse Memorial Park Commission and Mausoleum and prices for burial spaces and services are made by the Huse Memorial Park Commission and the Town of Fayetteville and become effective upon approval by Huse Memorial Park Commission and the Town of Fayetteville.

The Huse Memorial Park Commission and the Town of Fayetteville may, and it hereby expressly reserves the right, at any time, with or without notice to lot owners, to adopt new rules and regulations or to amend, alter and/or repeal any rule, regulation and/or article, section or paragraph in these Rules and Regulations. Special cases may arise in which the literal enforcement of the rule may impose unnecessary hardship. Huse Memorial Park Commission and the Town of Fayetteville, therefore, reserves the right, without notice, to make exceptions, suspensions or modifications in any of the Rules and Regulations when, in its judgment, the same appear advisable, and such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of such.

2. The Huse Memorial Park Commission and the Town of Fayetteville retains to itself, for the benefit of all interment right owners, full and complete supervision, control and management of the land, buildings, improvements, roads, walks, utilities, development, books and records, and the full and complete authority, rights and privileges to make, change administer and enforce all rules and regulations and restrictions not inconsistent with the laws of this State wherein this Cemetery is located.

3. All lots in the Cemetery are sold in accordance with the provisions of the laws of the State of West Virginia and shall not be used for any other purpose than as a burial place for dead human beings.

4. Lots, Crypts and Niches must be paid in full before a burial is made. Full purchase price must be paid before a certificate of ownership is issued.

******Any ground lot in which a payment has not been received within 3 consecutive months, will default back to the Huse Memorial Park Commission and Town of Fayetteville to be sold. The monies applied to the original purchase will not be refunded but can be used toward the purchase of a new lot at current prices. Be aware the original lot may not be available at that time. We advise you to make your monthly payments to prevent this action from occurring.***

5. Visiting hours are from 8:00 a.m. to dusk every day for the main cemetery and 8:00 a.m. until 3:30 p.m. week days for mausoleum.

Any person found on the Cemetery grounds after closing will be considered a trespasser.

6. The Huse Memorial Park Commission and the Town of Fayetteville issues to each owner of the rights of burial for its lots, crypts or niches a Certificate of Ownership describing the location and naming the owner or owners of the said location. The naming of more than one owner is indicative of joint ownership in common with rights of survivorship.

The issuance of such certificate is the Huse Memorial Park Commission and the Town of Fayetteville's sole form of recognition of ownership. Possession of the Certificate by a person whom is not listed on the Certificate is not in itself evidence of ownership. Purchasers of lots, crypts or niches simply acquire the right of burial.

7. The owner of interment rights hereunder may dispose of same by will or, should the owner die in testate, such interment rights shall pass according to laws of this State governing intestacy provided, however, the Huse Memorial Park Commission and the Town of Fayetteville shall not be bound by such transfers unless and until an exemplification of record of same has been presented to it and such change has been recorded on the books and records of the Cemetery. Any plot, crypt or niche in which there are no burials, entombments or inurnments may be transferred to a new owner, providing the original Certificate of Ownership is submitted to the Huse Memorial Park Commission and the Town of Fayetteville together with proper transfer agreement, upon payment of transfer fee in accordance with the Huse Memorial Park Commission and the Town of Fayetteville's established schedule of charges.

8. In the event of loss or destruction of a Certificate of Ownership and upon the presentation of a written request, accompanied by a properly executed affidavit by the owner setting forth the circumstances of the loss or destruction and indemnification for the Cemetery, the Huse Memorial Park Commission and the Town of Fayetteville will prepare a duplicate Certificate from its records.

9. Lot owners are prohibited from allowing interments to be made on their lots for compensation.
10. If a lot owner sells or transfers title to his or her lot, as provided by these regulations, he or she must pay any and all indebtedness due the Huse Memorial Park Commission and the Town of Fayetteville before such transfer of title will be allowed.
11. All lot owners are required to notify the Huse Memorial Park Commission and the Town of Fayetteville of any change of address. All notices required to be sent shall be sent to the last recorded address and such notices shall be deemed adequate.
12. No person, other than employees of the Town of Fayetteville, shall be allowed to perform any work, (including but not limited to interment, entombment, setting of monuments, markers, and vases) , within the Cemetery without permission from the Huse Memorial Park Commission and the Town of Fayetteville.
13. The Huse Memorial Park Commission and the Town of Fayetteville shall direct all improvements within the grounds and upon all lots before and after interments have been made herein.
14. Charges for work and services performed by the Huse Memorial Park Commission and the Town of Fayetteville or for materials purchased from the Huse Memorial Park Commission and the Town of Fayetteville will be at rates as approved by the Huse Memorial Park Commission and the Town of Fayetteville.
15. The Huse Memorial Park Commission and the Town of Fayetteville will take all reasonable precautions to protect lot owners and their property within the Cemetery from loss, damage or injury but it shall not be responsible for any loss, damage or injury.
16. The use of the Cemetery land as a thoroughfare will not be permitted.
17. The right to use automobiles or other vehicles in the Cemetery is authorized solely and exclusively for the purpose of transporting persons to visit burial plots. The speed limit within the Cemetery is five (5) miles per hour. Parking and/or driving on any gardens or grassy areas are prohibited for purposes other than those obtained from the Huse Memorial Park Commission and the Town of Fayetteville.
18. Bicycles, skates, snowmobiles, motorcycles, horses, dogs, etc., may not be used on Cemetery lands except with the approval of the Huse Memorial Park Commission and the Town of Fayetteville.
19. Bringing alcoholic beverages or illegal drugs into the Cemetery is strictly prohibited. Firearms, persons carrying firearms, other than police officers or those conducting a military funeral are not permitted on park grounds.
20. The Huse Memorial Park Commission and the Town of Fayetteville shall have the right to enter upon or use any adjoining lot or lots to carry out its duties as to interments, erection of monuments or markers, etc., without prior notice to the lot owner.
21. No signs, notices or advertisements of any kind shall be allowed in the Cemetery unless placed by the Huse Memorial Park Commission and the Town of Fayetteville.
22. Peddling of any kind or soliciting the sale of any commodity, other than by the Huse Memorial Park Commission and the Town of Fayetteville, is prohibited within the confines of the Cemetery.

Interment & Funeral Regulations

23. Interments into a lot are restricted to those entitled to burial therein according to these rules and regulations.
24. The Huse Memorial Park Commission and the Town of Fayetteville 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, the Huse Memorial Park Commission and the Town of Fayetteville reserves the right, under such circumstances, to place the body in the receiving vault until the full rights have been determined.

25. The use of one grave space shall be limited to interments as follows unless otherwise permitted by the Huse Memorial Park Commission and the Town of Fayetteville:

- a) One adult burial, or
- b) One adult burial and one infant burial, or
- c) One adult burial and two urns of cremated remains, or
- d) Four urns of cremated remains

The use and placement of memorials shall be governed by Rule 53 below.

26. No burial of a casket or cremains will be made unless there has been provided an outer container or receptacle of concrete or such other material which the Huse Memorial Park Commission and the Town of Fayetteville will deem to have comparable strength or resistance to deterioration.

27. Funerals are to be finished and exiting the Cemetery by 3:00 p.m., Monday through Friday or be subject to overtime fees. Holidays and weekends will also be at the overtime rate. If a funeral service date is requested during holiday or weekend not allowing regular work time to open space, then the overtime rate will be used to accommodate day requested.

28. No disinterment will be allowed without permission of next of kin, the lot owner, the Cemetery and the proper authorities.

29. The Huse Memorial Park Commission and the Town of Fayetteville shall in no way be liable for any container, receptacle or urn of cremated remains placed in any lot, crypt or niche. A permanent type of urn or vault is required for ground interment of cremated remains. The scattering of cremated remains over a family lot is prohibited anywhere in the cemetery.

Flower & Decoration Regulations

30. The Huse Memorial Park Commission and the Town of Fayetteville reserves the right to remove all flowers, wreaths or other decorations from lots as soon as they become unsightly. The grounds will be cleared of decorations twice a year. Spring cleanup begins March 1, and Fall cleanup begins October 1. In order for a family to save any decorations placed on a grave, the decoration should be removed prior to these dates. New decorations may be placed beginning May 1 and November 1 respectively.

31. Fresh flower arrangements are allowed on lots in a disposable vase. Glass containers are prohibited.

32. Grave blankets and wreaths are allowed as winter decorations from November 1 until the spring cleanup beginning March 1.

33. Items not allowed to be placed on a lot within the Cemetery include, but are not limited to, the following: shepherd's hooks, standup decorations, coping, curbing, decorative rocks, fencing, hedging, grave mounds, borders or enclosures. No decorations of any type are permitted in trees or Cemetery plantings.

34. Flags may be placed on graves on Memorial Day, the Fourth of July, Flag Day, and Veterans Day. Flags should be kept to 12" by 18" in size or smaller. Flags are subject to removal by Huse Memorial Park Commission and the Town of Fayetteville ten (10) days after the Holiday.

35. Trees and shrubs are placed throughout the Cemetery by the Huse Memorial Park Commission and the Town of Fayetteville for overall beauty and serenity of the grounds. Individual graves are not permitted to have trees or shrubs. Any such tree or shrub not approved by the Huse Memorial Park Commission and the Town of Fayetteville may be removed without notice to the lot owner.

36. Certain lots embrace a tree that may interfere with space that otherwise might be used for burial. In such a case, the Huse Memorial Park Commission and the Town of Fayetteville recognizes that right to the retention of the trees as prior to the right of use of such space for burial. Should any such tree die naturally, the Huse Memorial Park Commission and the Town of Fayetteville will remove it at its own expense.

37. Glass is prohibited at all times.

38. Devotional lights of any type are prohibited in the Cemetery.

39. The Huse Memorial Park Commission and the Town of Fayetteville shall have the right to remove all objects whose appearance and condition warrant removal and/or violate the Huse Memorial Park Commission and the Town of Fayetteville's rules and regulations. The Huse Memorial Park Commission and the Town of Fayetteville also will not be liable for any flower or decoration removed or lost by any cause.

Planting Policies

Individual Burial Spaces

40. Planting will not be permitted to cover substantially an entire grave space or even the center or end of a grave away from the headstone.

41. Displays and designs will not be permitted anywhere in cemetery.

42. Winter blankets and sprays made of artificial flowers and material will not be permitted. They must be of balsam or pine and decorations confined to red ruscus, natural or silvered pinecones and red berries.

Family Monuments

43. Monuments are not permitted except on a lot (consisting of four or eight single grave spaces) and except in accordance with these rules. Where the configuration of the lot permits a family monument, the size, material and design of the monument must be submitted for prior approval by the Huse Memorial Park Commission and the Town of Fayetteville. No monument on any lot, other than those so designated in the prior rules, shall be installed without first being reviewed and approved by the Huse Memorial Park Commission and the Town of Fayetteville.

44. No upright monuments are permitted in Block three.

45. Monuments are permitted in the Old Cemetery portion of the cemetery. Where the configuration of the lot permits a family monument, the size, material and design of the monument must be submitted for prior approval by the Huse Memorial Park Commission and the Town of Fayetteville. No monument on any lot, other than those so designated in the prior rules, shall be installed without first being reviewed and approved by the Huse Memorial Park Commission and the Town of Fayetteville.

Markers and Monuments

46. All memorials should be made of the highest quality standard bronze or of granite approved by the Cemetery except on the monument lots where all monuments shall be made of granite. All markers on individual graves shall be set flush except in limited designated area. Please note: No marble permitted.

47. The Huse Memorial Park Commission and the Town of Fayetteville shall have the authority to reject any memorial that, on account of its size, type, design, inscription, quality, color or method of construction is unsuitable for the particular lot or grave on which it is to be placed. The Huse Memorial Park Commission and the Town of Fayetteville reserves the right to prevent the placing or to remove any marker or other objects that do not comply with the standards of the Cemetery. Also, the Huse Memorial Park Commission and the Town of Fayetteville reserves the right to require the purchase of any and all markers from the Huse Memorial Park Commission and the Town of Fayetteville or approved producers or retail dealers.

48. No marker or monument will be accepted by the Huse Memorial Park Commission and the Town of

Fayetteville for installation unless a sketch has been furnished defining the dimensions, material content and lettering and permission of the lot owner or proper agent of the person having burial rights in the grave to be marked. All markers and monument foundations shall be placed by employees or agents of the Huse Memorial Park Commission and the Town of Fayetteville only.

49. All fees or encumbrances due on a lot must be paid in full prior to any memorial being placed on the lot, including any installation fee. There is an initial setting/marker fee of \$172.80 to be paid prior the interment to be used within 6 months towards the setting of a marker, purchased by family representative. In the event a marker is not supplied within the time frame allotted, the money shall be used by Huse Memorial Park to purchase and place a 14" x 6" x 4" dawn gray granite marker, with two lines, deceased name listed on interment form and birth and death date. For veterans eligible for a VA marker only a \$50 setting fee will be required.

50. Corner markers are allowed on all lots and must be installed at grade level.

51. In the event a memorial is placed where it is necessary to remove it for an interment or disinterment, the Huse Memorial Park Commission and the Town of Fayetteville shall have the right to remove such memorial without notice to the lot owner.

52. The Huse Memorial Park Commission and the Town of Fayetteville may, at its own expense, without any liability, correct any error that may occur in the placing of a foundation or memorial.

53. Memorials shall be set in accordance with the general plan of the Cemetery. Not more than two (2) memorials may be placed on a grave, one at the head and the other at the foot, unless otherwise approved by the Huse Memorial Park Commission and the Town of Fayetteville.

54. No photographs or porcelain material may be incorporated into any memorial. No protective glass or breakable material of any kind will be allowed on the memorial.

55. Monuments cannot exceed one-half of the width of the lot or a six-foot maximum. The tablet must be at least eight inches thick. The base and tablet together cannot exceed five feet in height except on lots specifically plotted for larger family monuments or family mausoleums.

56. Marker Regulations: Temporary Markers are intended for temporary purposes only. The Huse Memorial Park Commission and the Town of Fayetteville will not be responsible for damaged or lost temporary markers.

57. Monument Regulations: Sections 1,2,4,5 and old cemetery; On lots as designated on maps of the Cemetery. Upright family monuments or lawn level memorials are permitted on these lots. The upright family monuments must be made of quality granite approved by the Cemetery. The sides must be rock pitched.

Mausoleum

58. All entombments or inurnments in the mausoleum must be performed by regular employees of the Huse Memorial Park Commission and the Town of Fayetteville. All bodies to be entombed in the mausoleum must be embalmed.

59. Such entombments must be made in a casket understanding the crypt dimensions are 31" wide by 25 1/2" high by 7' deep. No wooden or blue cloth caskets are permitted.

60. The Huse Memorial Park Commission and the Town of Fayetteville will provide all inscriptions, lettering or crypt plates on the crypt or niche fronts to ensure uniformity. Vase will be provided for each crypt.

61. The Huse Memorial Park Commission and the Town of Fayetteville reserves the right to limit floral tributes. Only one floral tribute per crypt or niche is allowed to be placed in holders where provided. No

fresh flowers are permitted in mausoleum or on crypts.

62. The Huse Memorial Park Commission and the Town of Fayetteville reserves the right to remove all flowers, wreaths or other decorations from the mausoleum as soon as they become unsightly. The mausoleum will be cleared of decorations as deemed necessary.

63. Visiting hours for the mausoleum are weekdays from 8:00 am to 3:30 pm. Any unauthorized person found in the mausoleum after closing of cemetery will be considered a trespasser.

64. No decorative objects or photos may be affixed to the crypt fronts by tape or other means. No toys, glass containers, ceramic containers or like objects shall be permitted in the mausoleum. All such unauthorized items will be removed by the Cemetery without notice.

65. Caution should be used in selecting artificial flowers as some dyes can run and deface the crypt or niche front. No use of sand and gravel in vase, Styrofoam is suggested.

66. All niche spaces in the mausoleum are intended for an individual inurnment. There is a limit of two cremains per niche. The size of each niche is 11 3/4" by 11 3/4" by 12" deep. A container of suitable material is required.

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