

THE RED BAY CEMETERY
RULES AND REGULATIONS

As Adopted by the Red Bay Cemetery Committee

PURPOSE

1. These rules and regulations are designed for the protection of owners of interment rights as a group. Said rules and regulations are not intended to be restraining, but rather to provide rules and regulations for all families who use the Red Bay Cemetery to insure equal treatment of said individuals. Enforcement of these rules will help protect the Cemetery and preserve its beauty. All owners of interment rights, visitors, and contractors shall be subject to said rules and regulations, amendments or alterations as shall be adopted by the Red Bay Cemetery Committee from time to time.

DEFINITIONS

1. The term "Owner" shall mean the owner of rights of interment.
2. The term "interment" shall mean cremation and inurement, entombment or burial of a deceased person.
3. The term "Memorial" shall mean any marker or structure upon any lot, placed thereon or therein for the purpose of identification or in memory of the interred.
4. The term "Contractor" as used in these rules and regulations shall mean any person, firm or corporation performing any work in the Cemetery grounds, other than an employee of the Cemetery, as defined herein and/or an employee of the City of Red Bay.
5. The term "Employee of the Cemetery" as used herein shall mean any employee of the City of Red Bay or any person instructed to work in said cemetery at the order of the City of Red Bay.
6. The term "Cemetery Management" shall mean the officers of the Cemetery or Cemetery Committee and all employees placed in a supervisory capacity as designated by the officers of the Cemetery Committee to act in their

behalf.

SCOPE

THE RULES AND REGULATIONS CONTAINED HEREIN SHALL BE DEEMED TO APPLY TO ALL AREAS OF THE RED BAY CEMETERY.

SUPERVISION OF CEMETERY

1. The Cemetery reserves the right to compel all persons coming into the Cemetery to obey all rules and regulations adopted by the Cemetery Committee. The rules and regulations may be changed without notice to any Owner by the Red Bay Cemetery Committee.
2. The Cemetery Management shall take reasonable precaution to protect Owners and interment rights of Owners within the Cemetery from loss or damage; but it distinctly disclaims any and all responsibility and shall be relieved from any liability for loss or damage from causes beyond its reasonable control and especially, from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief, explosions, unavoidable accidents, invasion, insurrections, riots or order of any military or civil authority, whether the damage be direct or indirect other than as herein provided.
3. Persons within the Cemetery grounds shall use only the avenues, walkways and roads therein.
4. Vehicles shall not be driven upon the Cemetery roadways at a speed greater than fifteen (15) miles per hour and must always be kept on the right side of the Cemetery roadways. Vehicles shall not turn around on the driveways or roadways and shall not park or come to a full stop in front of an open grave unless the occupants of such vehicles are in attendance at the funeral.
5. The Cemetery Management reserves to itself and those lawfully entitled thereto, a perpetual right of ingress and egress over an interment space or spaces, for the purpose of passage to and from other parts of the Cemetery.

SALE AND PURCHASE OF INTERMENT RIGHTS

1. Interment rights in this Cemetery are assignable and transferrable by the Owner only after first obtaining the written consent of the Cemetery Management to any such assignment or transfer. To effectuate said transfer the owner or his/her duly authorized attorney in fact shall surrender the properly endorsed certificate of ownership and the same shall be cancelled. The surrender and transfer shall be duly noted on the books of the cemetery and a new certificate evidencing such rights shall be issued to the person or persons named as assignees or transferees in the endorsement. A reasonable transfer fee shall be charged, the amount of said transfer fee shall be in an amount as established from time to time by the Red Bay Cemetery Committee. Any attempted transfer of interment rights in any manner different from that described above shall be void and of no effect. The Cemetery Management shall treat the person or persons registered upon its books and records as the owners of interment rights for all purposes. The procedure for transfer of interment rights as set forth in this section is required in order that the Cemetery may at all times have a complete and accurate record of all owners and purchasers or interment rights within the Cemetery.
2. There shall be no subdivision of interment rights allowed without the consent of the Cemetery Management. No one shall be buried in any lot in which they do not have an interest therein, except by written consent of one or more of the owners of such lot, the next of kin of the decedent and the Cemetery Management.
3. No enclosure of any kind, such as a fence, hedge or ditch, shall be permitted around any grave or lot without approval by the Cemetery Management. Any such enclosure as referred to above shall be installed by Cemetery employees. Grave mounds will not be allowed and all lots shall be maintained at the established grade.

4. The interment rights in and to any unused grave spaces, may be disposed of by the owner by Will. If the owner dies intestate, such right shall pass to his heirs at law. In either of the above referenced instances, the personal representative or the heirs at law shall execute the necessary documents, as supplied by the Cemetery, to effectuate the transfer thereof upon the books and the records of the Cemetery within one year after the death of the owner. Further, if such transfer is not made within the said period of one year, after the death of the owner, all such interment rights shall revert to the Cemetery.
5. There shall be no tree, shrub or plants planted by property owners within the Cemetery. Any tree, shrub or plant standing upon any interment space or spaces or at any other location within the Cemetery, by means of its roots, branches, or otherwise, is or becomes detrimental to any adjacent interment space or spaces, or avenues, or if its removal, for any other reason, is necessitated, the Cemetery Management shall have the right and it shall be their duty to remove any tree, shrub, or plant or any part thereof, planted within this Cemetery.
6. No person shall pluck or remove any plant or flower, either wild or cultivated, from any part of the Cemetery.

FUNERAL REGULATIONS

1. Prior to burial, the personal representative, heir at law and/or surviving family member(s) who is/are responsible for the burial of the deceased, must execute any and all documents required by the Cemetery Management. Further, the personal representative, heir at law and/or the surviving family member(s) who is/are responsible for the burial of the deceased shall accompany an employee of the Cemetery to the Cemetery and locate the proper lot in which the deceased is to be buried.
2. Only one interment may be made in each interment space

unless otherwise authorized by the Cemetery Management and in no case may more than two interments be made in only one interment space.

GENERAL REGULATIONS

1. No dogs shall be permitted in the Cemetery.
2. No person shall be permitted within the Cemetery on a bicycle, motorcycle or all terrain vehicle unless they are a part of a funeral procession.
3. No boxes, shells, glassware, sprinkling cans, receptacles, or similar articles will be permitted on any interment space. Further, any item in the Cemetery which is determined to be a nuisance by the Cemetery Management will and shall be immediately removed.
4. The Cemetery is not responsible for theft or damage to anything placed on interment spaces.
5. Any person desiring to remove a body from an interment space for another must present a written permit signed by the owner and next of kin of the deceased for such removal, and also himself sign a request to have such removal made. These shall remain on file in the office of the Cemetery. These rules and regulations are in addition to complying with all State Rules and Regulations concerning the disinterment of bodies.
6. No wooden or cast-iron bench or chair, or any wooden or wire trellis, shall be permitted to be placed permanently in the Cemetery.
7. The Cemetery Management and their agents have authority to enter upon any interment space or spaces and to remove any objectionable thing or any structure that may have been placed there contrary to the regulations of this Cemetery.
8. No unauthorized persons shall either ride or drive upon the lawns. Heavily loaded vehicles are not permitted on the Cemetery roads except by special permission of the Cemetery Management and must travel only on the roads designated by such officials at time such permission is

granted.

9. In order that the entire Cemetery may always present as neat and orderly an appearance as is possible, cut or artificial flowers may be used to decorate graves at any time provided they are placed only in approval sub-surface type containers. Glass bottles, vases and cone shaped tin florists' vases are not permitted and, if placed will be removed and destroyed.
10. All persons, except City Employees or persons employed by the City of Red Bay are strictly forbidden to break or injure any tree or shrub, or mar any landmark, marker or memorial or in any way deface the grounds of the Cemetery.
11. All persons are reminded that the grounds are sacredly devoted to the burial of the dead and that the provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wanton injury, disturbances and disregard of the rules. It is of utmost importance that there should be a strict observance of all the proprieties due the place, whether embraced in the regulations or not, as no impropriety will be tolerated. All well-disposed persons shall confer a favor by informing the Management of any breach of proper decorum that may come under their notice.

MEMORIALS

1. The marking of each lot, grave or graves, except as herein after provided, is restricted and limited to flat markers set flush with the ground, and of such dimensions, materials, and designs, finish and construction as designated by the Cemetery Management.
2. Only one memorial, except for veterans, will be permitted on one interment space and no memorial may be set to embrace two or more interment spaces except a companion or family memorial, and these only with the approval of the Cemetery Management. All memorial shall be set on uniform lines as prescribed by the Cemetery Management,

to conform to the general plan of the Cemetery. All memorial placement must be approved at City Hall.

3. All foundations shall be of the size and material specified by the Cemetery Management. The Red Bay Cemetery Committee shall from time to time fix the charges to be made for memorials and for the installation thereof in the Cemetery.

MODIFICATIONS AND AMENDMENTS

1. The Red Bay Cemetery Committee may, and it hereby expressly reserves the right, at any time, with or without notice to Owners, to adopt new rules and regulations, or to amend, alter or repeal any rule, regulation, article, section, paragraph or sentence in these rules and regulations.
2. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Red Bay Cemetery Committee thereof, reserves the right, without notice, to make exceptions, suspensions or modifications in any of the rules and regulations when, in this judgement the same may appear advisable; and such in no way construed as affecting the general application of these Rules and Regulations.

FLOWER REGULATIONS

In order that the entire cemetery may always present as neat and orderly an appearance as is possible, your adherence to the regulations listed below will be appreciated.

AT ANY TIME OF YEAR CUT OR ARTIFICIAL FLOWERS MAY BE PLACED BUT ONLY IN REGULATION SUB-SURFACE CONTAINERS.

WREATHS, BASKETS, EASELS OR POTTED PLANTS ARE NOT PERMITTED AND WILL BE REMOVED EXCEPT FOR THE FOLLOWING SPECIAL DAYS:

Easter	Memorial Day
Mother's Day	Father's Day
Independence Day	Armistice Day
Labor Day	Thanksgiving
Decedent's Birthday	Christmas Day

WREATHS, BASKETS, EASELS OR POTTED PLANTS PLACED FOR THESE SPECIAL DAYS WILL BE REMOVED AFTER SEVEN (7) DAYS.

SPIKES, CONE, GLASS, PLASTIC OR TIN CONTAINERS OF ANY TYPE ARE PROHIBITED AT ALL TIMES.

ALL FLOWERS SHALL BE REMOVED DURING SPRING AND FALL
CLEAN-UP.

These reasonable regulations are made in the interest of
all concerned in order that the cemetery may always be a
place of abiding beauty and a source of continual
satisfaction to all whose interests are here. A proper
regard for them will be appreciated.

I, _____, hereby
acknowledge receipt of the The Red Bay Cemetery Rules and
Regulations and agree that I, my family members, heirs, executors
and assigns will follow and be bound by said Rules and Regulations.

DATED this _____ day of _____.
