

# Woodbury Cemeteries

\*South Woodbury \* Woodbury Center \*  
\* Woodbury-Cabot Road \* West Woodbury \*  
\* Buck Lake \*

Town of Woodbury

Established 1781

## RULES AND REGULATIONS

Effective December 13, 2023

\*The Woodbury-Cabot Road Cemetery is also called Harvey and Buck Lake is also known as Ainsworth.

## TABLE OF CONTENTS

1. FORWARD.....	3
2. DEFINITIONS.....	4
3. PURCHASE OF PLOTS AND LOT OWNER’S RIGHTS.....	5
4. INTERMENTS AND DISINTERMENTS.....	6
5. TRANSFERS OR ASSIGNMENTS.....	7
6. CARE OF PLOTS.....	8
7. SPECIFICATIONS, RULES, AND REGULATIONS FOR MEMORIAL WORK.....	9
8. FOUNDATIONS.....	10
9. SETTING OF MEMORIALS AND MAUSOLEUMS.....	10
10. GREEN BURIALS.....	11
11. LOT PLANTINGS AND DECORATIONS.....	11
12. CONDUCT OF PERSONS WITHIN THE CEMETERY.....	12
13. MISCELLANEOUS.....	13
Appendix A -- Town Price List.....	14

## 1. FORWARD

The Board of Cemetery Commissioners of the Town of Woodbury, Vermont, with careful consideration adopted this set of Rules and Regulations covering the five cemeteries under its jurisdiction. For the mutual protection and benefit of lot owners, and each Cemetery, the following Rules and Regulations have been adopted for, South Woodbury, Woodbury Center, Woodbury-Cabot Road, West Woodbury, and Buck Lake Cemeteries, hereafter, singly or jointly referred to as the Cemetery.

These Rules and Regulations may appear to be complicated and lengthy, however, there are several important reasons for their adoption:

1. These Rules and Regulations are designed to protect the cemetery spaces to create peaceful and well-maintained sanctuaries for honoring those who have passed.
2. Reasonable rules help the Cemetery Commissioners to operate their cemeteries more efficiently at less cost.
3. Rules help create a better understanding of what is expected of visitors, lot owners, funeral directors, the public and other outside contractors.
4. Today we are much more concerned with potential legal problems than was necessary even five or ten years ago. Town employees and board members everywhere are all much more vulnerable to legal action than ever before. The cost of insurance protection for towns and cities and their employees is sometimes almost prohibitive. Reasonable Rules and Regulations are a partial answer to these potential problems.

We intend to review the rules periodically to make sure that they serve their purpose and at the same time provide our local citizens with attractive cemeteries efficiently operated, for the benefit of all concerned.

The Woodbury Cemetery Commission  
Susan Stitely, Chair  
Patti Garbeck, Vice Chair  
Kenzan Seidenberg, Secretary  
Jamie Dutil, Treasurer  
Amy Eldred, Member

## 2. DEFINITIONS

1. Commission. The term Commission shall mean the Board of Cemetery Commissioners of the Town of Woodbury, Vermont, and the person or persons duly appointed by them for the administration of South Woodbury, Woodbury Center, Woodbury-Cabot Road, West Woodbury, and Buck Lake Cemeteries, hereafter, singly or jointly referred to as the Cemetery.
2. Cemetery. The term Cemetery means any plot of ground used or intended to be used for the burial or disposition permanently of the remains of the human dead in a grave, mausoleum, columbarium, vault, or other receptacle.
3. Certificate of Ownership. The term certificate of ownership shall apply to the original conveyance given by the cemetery to the original purchaser.
4. Green Burial. A way of caring for the dead with minimal environmental impact that aids in the conservation of natural resources and reduction of carbon emission. Bodies designated for green burials may not be embalmed nor may concrete vaults be used. Bodies should be placed in a shroud or a biodegradable casket or container. Unless otherwise noted these Rules and Regulations also apply to green burials.
5. Internment. The term internment shall mean the permanent disposition of the remains of a deceased person by entombment, burial or inurnment of cremation remains.
6. Lot. The term lot shall apply to numbered divisions as shown on the record plot/survey.
7. Lot Marker. The term lot marker refers to any means used by the cemetery to locate corners of the lot.
8. Lot Deed. The term deed refers to an instrument giving the lot purchaser the right of internment only.
9. Marker. The term marker means a memorial flush with the ground.
10. Memorial. The term memorial shall include a monument, marker, tablet, headstone, private mausoleum, or tomb for family or individual use, tombstone, urn, crypt and niche place.
11. Monument. The term monument shall include a tombstone or memorial of granite, which extends above the surface of the ground.
12. Recording of Deed. All deeds shall be recorded by the owner in the office of the Town Clerk where such lots lie (VSA Chapter 121, Section 5376).
13. Sexton. A person empowered by the Commission to enforce the Rules and Regulations and who oversees the operation and maintenance of the cemeteries and burial-related activities.

### 3. PURCHASE OF PLOTS AND LOT OWNER'S RIGHTS

1. Persons desiring to purchase plots should visit the cemetery where the Sexton will assist them in selecting a plot and provide them with cemetery Rules and Regulations and information about how to purchase a plot.
2. Before any deed is given for a plot, complete payment for the plot must be made to the Town of Woodbury.
3. No plot shall be used for any other purpose than for the burial of the human dead except that cremated pet remains may be placed directly into the urn with human remains or scattered around the urn. In no circumstances may pet or any remains be scattered above ground.
4. No easement or right of interment is granted to any plot owner in any roads, drive, or walk within the cemeteries, but such road, drive, or walk may be used as a means of access to the cemetery as long as the Commission devotes it to that purpose.
5. The right to enlarge, replat or change the boundaries or grading of the cemeteries, including the right to modify or change the locations of or remove or regrade roads, drives, or walks, or any part thereof is hereby reserved.
6. The Commission reserves to itself and to those lawfully entitled thereto a perpetual right of ingress or egress over plots for the purpose of passing to or from other plots.
7. Description of plots will be in accordance with the cemetery plats that are kept on file in the office of the Town Clerk.
8. The Commission will take all reasonable precautions to protect plot owners, and the property rights of plot owners, within the cemeteries from loss or damage; but the Commission disclaims all responsibility for loss or damage caused by the elements, an act of God, common enemy, thieves, vandals, invasions, strikers, malicious mischief, explosions, riots, insurrections, unavoidable accidents, or order of any civil or military authority whether the damage be direct or collateral, other than as herein provided.
9. It is the duty of the plot owners to notify the Town Clerk of any change of address.
10. The Instrument of conveyance of these Rules and Regulations and any amendments thereto constitute the sole agreement between the Cemeteries and the plot owner. The statement of any employee or agent, unless confirmed in writing by the Commission, shall in no way bind the Commission.
11. The deed to a lot or other grant to interment space gives only a right or privilege of interment of human remains and cremated pet remains placed directly into the urn with human remains or scattered around the urn. Also included is the right to provide an approved memorial. The ownership in fee to the land remains with the Town of Woodbury.

12. The burial rights conveyed shall be presumed to be sole and separate property of the person or persons named in the deed.

13. In all conveyances to two or more vested persons as joint tenants, each joint tenant shall have a vested right of interment of his or her remains in the lot so conveyed. Upon death of a joint tenant the title to the burial lot shall immediately rest in the survivor or survivors, subject to the vested right of the interment of the remains of the deceased joint tenant owner.

#### 4. INTERMENTS AND DISINTERMENTS

1. All interments, disinterments and removal are subject to the Rules and Regulations of the cemetery as well as subject to the orders and laws of the properly constituted authorities of the town, county, and state.

2. All interments, disinterments and removal as must be made at the time and in the manner and subject to such charges as fixed by the Cemetery Commission.

3. Interments, disinterments and removals on Saturdays and holidays, when necessary, are subject to special additional charges. An additional charge is also made when the time of arrival of a funeral necessitates payment for overtime labors.

4. The Commission 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 lot owners on record and with approval of the Commission.

5. When instructions regarding the locations of an interment space in a lot cannot be obtained, or are indefinite, or when, for any reason, the interment space cannot be opened where specified, the Sexton of Cemeteries may, at their discretion, open it in such location in the lot as they deem best and proper, so as not to delay the funeral; and the Commission shall not be liable for damages for any errors so made.

6. Detailed written instructions are required by the Commission, and the Commission shall not be responsible for any order given verbally or by telephone, or for any mistake occurring from the want of precise and proper instructions as to the space, size and location in a lot where interment, disinterment or removal is desired.

7. The Commission reserves, and shall have, the right to correct any errors that may be made by it, either in making interments, disinterments 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, as may be selected by the Commission. Or, in the sole discretion of the Commission, by refunding the amount of money paid on account of such purchase. In the event such error shall involve the disinterment of the

remains of any person in such property, the Commission reserves, and shall have, the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

8. The Commission shall in no way be liable for any delay in the interment or disinterment of a body or the disinterment of cremated remains where a protest to the interment or disinterment has been made, or when the Rules and Regulations have not been complied with; and further, said Commission reserves the right, under such circumstances to place the body in the receiving vault until the full rights have been determined. The Commission shall be under no duty to recognize any protests of interment or disinterment unless they are in writing and filed with the Commission.

9. No interment shall be permitted or memorial placed in or on any property not fully paid for, except by special consent of the Commission in each and every case.

10. No interment shall be permitted or memorial placed in or on any property until all costs for such have been remitted to the Commission.

11. Not more than one body, or the remains of more than four cremations, shall be interred in one grave, vault, crypt or niche, except by written consent of the Commission, and provided proper identification is made of such interment or interments on one regulation crypt, niche, Memorial or marker. Four cremated remains are permitted in one grave.

12. No interment of any body, or the cremated remains of any body, other than that of a human being, shall be permitted in the cemeteries except that cremated pet remains may be placed directly into the urn with human remains or scattered around the urn. In no circumstances may pet or any remains be scattered above ground.

13. The utmost care will be exercised in making a disinterment or removal. The Commission shall assume no liability or damage to any casket, burial case or urn incurred in making the removal.

14. Cremated remains shall be placed in urns of stone, wood, or metal, or approved material. The Sexton needs to be consulted if the urn is not made of an approved material and the Commission must approve the exception.

15. The scattering of cremated remains on the top of a gravesite is not allowed.

16. Green burial disinterments are not allowed unless legally ordered by the State, and the family is responsible for any costs not borne by the State should this be ordered.

## 5. TRANSFERS OR ASSIGNMENTS

1. Any transfer or assignment of a lot or interest therein shall be made in writing, notarized, and submitted to the Commission for approval by the Commission and the Town Clerk.

2. The burial rights in a lot can only be sold back to the cemetery at the original purchase price as noted in the town records. If the original price cannot be determined, the price shall not exceed the current purchase fees.
3. The Commission may refuse consent to transfer or to assign if there is any indebtedness due the cemetery from the record lot owner.
4. All transfers may be subject to a nominal charge to be paid when the transfer is recorded.
5. The subdivision of lots is not allowed except by written consent of all parties interested in such lots. Such subdivision must have written consent by the Commission.

## 6. CARE OF PLOTS

1. Care of plots shall be held to mean the cutting of the grass upon said lots at reasonable intervals, the raking and cleaning of the lots, and the pruning of the shrubs and trees that may be placed by the Commission; meaning and intending the general preservation of the lots, and the grounds, walks, roadways, boundaries and structures, to the end that such grounds shall remain and be reasonably cared for as Cemetery grounds.
2. The Commission is hereby given the full power and authority to determine upon what property, for what purpose and in what manner the lot purchase price shall be expended, and in its sole judgment, it may deem advisable for the care, reconstruction, repair and maintenance of all or any portion of the Cemetery grounds or for any purpose necessary in the execution of its duties.
5. It is understood and agreed between the purchaser and the Commission that the lot purchase price shall be used in the general improvement as above defined; but in no case shall their purchase price be construed as a contract to care for any individual property or space other than as above defined.



## 7. SPECIFICATIONS, RULES, AND REGULATIONS FOR MEMORIAL WORK

1. All memorials will be approved by the Sexton prior to installation. In the case that the memorial design does not meet requirements, the Sexton shall refer the memorial design to the Cemetery Commission for the final decision. No upright memorials are permitted in the green burial cemetery.
2. Retail monument dealers and manufacturers of memorials shall agree to install memorials of only first grade, clear granite. They must be willing to guarantee that such granite is free from sap or anything that will cause rust stains, that it will not check or crack, and agree that if such faults develop within five years from the date of setting, the memorial will be replaced without cost to the cemetery or lot owner by the retail monument dealer or manufacturer of the memorial.
3. Any person or any firm, who is engaged in the memorial business, including sub-contract, letter cutters, sandblast personnel, and persons washing memorials must receive permission. In doing such work they must comply with the reasonable directions of the cemetery authority.
4. Only one central or family memorial shall be allowed on a lot and shall be set on the space designated by the Commission.
5. The Cemetery Commission has the authority to reject any plan or design for any memorial, which, in the opinion of the Commission, is unsuited to the lot on which it is to be erected or because of size, design or quality of stone. The Sexton shall approve any plan or design for any memorial, unless the size, design or quality of stone falls outside of Rules and Regulations, in which case the Sexton will refer it back to the Commission.
6. No lot owner shall erect or place or cause to be erected or placed on any lot in the cemetery any memorial which is disapproved by the Cemetery Commission.
7. All markers shall be flush with the ground except where it is necessary to match those already set on the lot. Markers shall be placed at the end of the grave farthest from the base of the monument.
8. The bottom beds of all bases and markers must be cut full and level.
9. No fencing, hedging, stone or gravel aprons around memorials or around lots shall be permitted except upon review and permission of the Commission.
10. The maximum size of a monument is covered by the following:
  - A. The length of the base shall not exceed four feet six inches or one foot less than the width of the plot whichever is smaller.
  - B. The width of the base shall not exceed one foot four inches.
  - C. The height of the monument including a base shall not exceed four feet.

11. No monument or marker shall be removed from the cemetery, except by the Commission, unless the written order of the lot owner is presented at the office of the Cemetery Commission.

## 8. FOUNDATIONS

1. As a guarantee of good work and as a protection to all lot owners, the Commission reserves the right to regulate all work done in the cemetery.

2. Foundations will be built by the Sexton or someone designated or approved by them. Foundation work will be directly billed to those who requested the foundation. Preference for the building of foundations is in the spring (prior to Memorial Day) and in the fall. Any other time will be at the discretion of the Sexton.

3. Foundations will be built to a depth below the frost level.

4. Foundations will be made at least as large as the bottom base of the memorial. The Commission reserves the right to require a larger foundation when, in its opinion, the weight of the memorial or the structure requires it.

5. No memorials may be set until the cement in the foundation shall have had time to harden thoroughly.

6. Foundations and setting charges shall be payable prior to setting the memorial.

## 9. SETTING OF MEMORIALS AND MAUSOLEUMS

1. Workmen engaged in placing or erecting monuments and other structures, or bringing in materials, must procure permission from the Sexton before any work is started. To secure such a permit, it shall be necessary for the person or firm to submit satisfactory evidence of their ability to perform the work for which they have been engaged. In doing such work, they must comply with the reasonable directions of the Cemetery Commission and have appropriate insurance.

2. Persons engaged in erecting monuments or other structures are prohibited from attaching ropes and cables to monuments, trees, or shrubs, or for scattering materials on adjoining lots, or from blocking roads or pathways, or from leaving their materials on the grounds longer than is absolutely necessary. They must remove all debris as soon as the setting is complete.

3. Plywood or planking is to be placed on the lots for the protection of the grass unless the Cemetery Commission grants permission otherwise.

4. Damage done to lots, walks, roadways, trees, shrubs or other property by dealers, contractors, vault companies or their agents shall be repaired by the Commission, and the cost of such repairs shall be charged to the party causing the damage or his principal.

5. No material, machinery or other construction equipment of vaults, monuments, or the monuments themselves may be brought into the cemetery until required for immediate use and no work shall be done without special permission from the Sexton of Cemeteries.

6. Work shall proceed promptly until the erection of the memorial is completed.

7. While a funeral or interment is being conducted nearby, all work of any description within the cemetery grounds shall cease.

## 10. GREEN BURIALS

1. All internment receptacles in the green burial section must be plant-based biodegradable. Unfinished wooden caskets, wicker and woven caskets, cardboard, paper mâché and shrouds made of natural fibers are all acceptable options.

2. While family and friends are not permitted to dig the grave, they are welcome to place boughs and flowers in the grave and/or on the body and fill in the grave with soil, partially or fully. Gravesite adornments must be made of natural materials that will decompose. Flowers may only be left in a bouquet or in a biodegradable pot, they must be real, not artificial. No glass or plastic containers are allowed. Potted plants must be in a container made of biodegradable materials like wicker or newspaper. No dyed paper, tissue, string, cards, or trinkets can be included with flowers and greenery.

3. To preserve the natural landscape and protect native plants and wildlife, no upright monuments are allowed. Individual graves may be identified with a marker flush with the ground at the head of the body. Markers may be granite or natural rock, although not set using concrete.

4. Plantings of native wildflowers on top of the grave mound are preferred. Only non-invasive plants are allowed. The green burial cemetery may be mowed twice a year including directly over settled gravesites. If plants on the gravesite are not maintained on an annual basis, the Commission reserves the right to remove plantings.

## 11. LOT PLANTINGS AND DECORATIONS

1. One movable flower box, planter or flower tub will be allowed on each lot, the size not to exceed two feet in length and 8 inches wide. These receptacles are to be made of a durable material and cannot be glass. No in-ground plantings are allowed. Plastic flowers are prohibited.

2. One candle or one solar light shall be permitted for each stone and shall be permitted only if placed in the above referenced planter.
3. The Commission and/or Sexton shall have the authority to remove all floral decorations, flags, shrubs, plants or herbage of any kind, which in the judgment of the Commission have become unsightly, dangerous, diseased or detrimental, or which do not conform to the regulations outlined. Exemptions must be approved by the Commission.
4. The Commission shall not be liable for any floral arrangements, plants or receptacles that have become lost, misplaced, stolen, or broken.
5. The placing of glass of any kind, chairs, settees, fences and similar articles are not permitted, and if so placed on the lot, the Commission reserves the right to remove the same, at the expense of the lot owner. An ornament placed on the stone shall be permitted. The Commission reserves the right to remove ornaments that have fallen to the ground.
6. Coat hangers or other wires in the ground or attached to memorials, as potholders are not allowed. Separate shepherd crooks are allowed if placed directly next to the stone.
7. In older sections of the cemetery where in ground plantings have been allowed, the plantings must be kept immediately next to the monument base. The Commission reserves the right to trim or remove the planting.

## 12. CONDUCT OF PERSONS WITHIN THE CEMETERY

1. The Cemetery Commission or the Town of Woodbury shall in no way be held liable for any injuries sustained by anyone while in the cemetery.
2. The cemeteries are open for visitation during daylight hours only. Loitering or using the cemeteries for illicit purposes is prohibited.
3. Children under 12 years of age shall not be permitted within the cemeteries unless accompanied by an adult.
4. All persons are prohibited from defacing or otherwise damaging monuments or structures, or gathering flowers, either wild or cultivated, breaking, or cutting trees, shrubbery, or plants.
5. No loud talking, electronic devices, or will be permitted on the cemetery grounds within hearing distance of funeral services.
6. Automobiles shall not exceed 15 miles per hour when driven through the grounds and must be kept on the right side of the roadway unless otherwise directed by the Cemetery Commission.

7. Automobiles must be kept under complete control at all times. When meeting a funeral, they must stop until the procession passes. Automobiles must not be left with the engine running, and the emergency brake must be set when the driver is not in the seat.
8. No automobiles or other vehicles shall be driven across or upon any lot or lawn.
9. ATVS, snow machines and dirt bikes are not allowed in the cemetery. Drag racing, hot rodding, and driver training are not allowed in the cemetery.
10. Dogs shall not be allowed in the cemetery grounds except on a leash and all waste from dogs is to be disposed of properly by the dog's handler.
11. No firearms shall be permitted within the cemetery except at military funerals or by special written permission from the Sexton. Hunting in the cemeteries is prohibited although hunters may pass through the cemeteries.
12. No signs, notices or advertisements of any kind shall be allowed in the cemetery unless placed by the Cemetery Commission.

### 13. MISCELLANEOUS

1. All grading, landscaping, and improvements of any kind on lots shall be made at the decision of the Cemetery Commission unless by written permission from the Sexton. If such alterations are made without permission, the Sexton shall have the right to remove or change such alterations at the expense of the lot owner.
2. The Commission and Sexton's right to enlarge, reduce, replot, or change the boundaries or grading of the cemetery or of a section, including the right to modify, remove, or regrade roads, drives, or walks is hereby reserved, the right to lay, maintain, operate, or alter water lines or drainage lines is also reserved. The right of ingress and egress over lots for the above purposes is also reserved.
3. The Sexton or a member of the Commission is empowered to enforce all Rules and Regulations. The Sexton or a member of the Commission and their assigns, shall have supervision and control of all persons within the cemetery.
4. Special cases may arise in which the literal enforcement of a Rule or Regulation may impose unnecessary hardship. The Commission reserves the right, without notice, to make exceptions. Such temporary exceptions shall in no way be construed as affecting the general application of such rule.
5. The Commission expressly reserves the right, at any time, to adopt new Rules and Regulations, or to amend, alter, or repeal any rule or regulation. All rules previously adopted which are contrary to these Rules and Regulations are hereby repealed and are no longer effective.

## Appendix A

### **Town of Woodbury Price List**

For purposes of plot fees, “resident” is defined as Woodbury landowners/taxpayers. The plot fees include the price of granite corner stones to mark the plot. If the fees create an unnecessary hardship, please contact the Woodbury Cemetery Commission.

#### **Plot fees:**

Cremation grave plot (holds 2 cremations. Plot size: 4 X 5.5)  
resident price: \$350  
non-resident: \$850

Single grave plot: *(holds 4 cremations or 1 full burial and 2 cremations. Plot size: 4 X 11 or one green burial plot size 6 X10)*  
resident price: \$700  
non- resident: \$1700

Double grave plot: (holds 8 cremations or 2 full burial and 4 cremations. Plot size: 7X12)  
resident: \$900  
non-resident: \$2,100

Four grave plot: (14 x12)  
resident price: \$1500  
non-resident: \$3,300

#### **Interments:**

Full burial: \$1300

Hybrid burial: \$1500

Green burial: \$1600

Winter Green Burial: \$1600 -\$2000 (depending on winter conditions)

Cremation: \$500