

Town of Kingfield

Burial Policy

Sunnyside, Riverside, West Kingfield Road (aka Durrell) Cemeteries

The actual opening and closing of a grave is just one component of the opening and closing fee. Due to safety issues which arise around the use of machinery on cemetery property and the protection of other gravesites, the actual opening and closing of the grave is conducted by the following policy.

1. Timing: Cemeteries shall be open for burials at the discretion of the Municipal Officers. There shall be no burials permitted after December 1st until the following spring thaw is complete.
2. Notice: A minimum of forty-eight (48) hours' notice (not counting weekends or holidays) must be given to the Sexton or the Town Clerk by the funeral or burial service provider prior to all burials.
3. Location: When a burial is to be made, the location of such burial shall be designated by the Grantee of the Right or their representative or agent. Should the Grantee or their representative fail or neglect to make such designation, particularly when the Grantee owns rights in multiple burial sites, the Town reserves the right to make or direct the burial in a location designated by the Sexton.
4. Instructions: Prior to the burial, Grantees or their heirs or representatives are required to provide the Sexton or Town Clerk communication as to the location of the burial – preferably in writing. The Town will not be responsible for a mistake as to the particular space or location in the plot resulting from lack of precise and proper written instructions (for example, mistake caused by any order given by telephone).
- 5 A. Burials Permissions: Full-size burials are to be performed only by the Sexton.
- 5 B. Burial Permissions: Ashes may be buried by the Sexton or individuals or entities approved by the Town Manager. Approval or denial of such burial will be given within forty-eight (48) hour's (not counting weekends or holidays) **provided** such request has been made in writing and submitted directly to the Town Clerk or Town Manager.

A copy of the cremation certificate must be provided to the Town Clerk or Town Manager immediately following when the cremation took place by an outside party, other than the sexton. (This would have been given to you with the ashes after the cremation.) Location of such ashes must be well documented and provided as well.

6. Individuals or entities receiving approval for the burial of ashes requiring assistance from the Sexton such as location, probing and/or oversight may be expected to compensate such services directly to Sexton. Such amount for services will not exceed \$25.00 per hour and will be capped at the full cost of a cremation service.
7. Damages: The Town will take all reasonable action to rectify any such prohibited burials and seek damages and costs from violators of this rule. The Town will not be responsible for recording the unauthorized burial, including the identity of the deceased.
8. Movement: Monuments and Markers may have to be moved or removed to gain access to burial sites for purposes of burials. Funeral Homes/Directors will be responsible for moving and restoring the moved items to their initial position as soon as time and weather permits.
9. Directors: All funeral or burial parties entering Cemeteries shall be under the direction of a funeral director licensed by the State of Maine who shall abide by the Rules and Regulations set forth by the state.
10. Sexton will be responsible for providing documentation to the Town Clerk or Town Manager to accurately report data on Cemetery Maps.
11. Fee: The Town reserves the right to charge an administrative fee for all burials and such fee is subject to change without notice.

Validity: It is the intention of the municipality that each separate section of this ordinance shall be deemed independent of all other sections herein, and it is further the intentions of the municipality that if any provisions of the policy be declared invalid by the courts, all other sections thereof shall remain valid and enforceable.

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This policy accepted: July 2, 2018

Updated language to change AA to TM 2023