



**BROOKSIDE CEMETERY COMMISSION**

**BY-LAWS, RULES  
AND REGULATIONS**

Approved October 17, 1996



### DEFINITIONS

In this by-law, the following definitions shall apply:

“**Commission**” refers to the Brookside Cemetery Commission;

“**Secretary**” refers to the Secretary of the Brookside Cemetery Commission;

“**Treasurer**” refers to the Treasurer of the Brookside Cemetery Commission;

“**Lot**” refers to a single grave lot;

“**Lot Holder**” refers to the person in whose name the lot is recorded;

“**Perpetual Care**” refers to care until perpetuity upon payment of a one-time fee;

“**Annual Care**” refers to care on an annual basis upon payment of a yearly fee;

“**Foundation**” refers to a hole filled with crushed rock which is placed at the head of a grave to accommodate a monument;

“**Resident**” refers to resident or property tax payer either Residential or Commercial excluding Business Occupancy Tax;

“**Non-Resident**” refers to an individual who is not a Residential or Commercial tax payer excluding Business Occupancy tax at time of lot purchase.

### MEMBERSHIP

Amended  
05/28/07

The Brookside Cemetery Commission shall consist of seven (7) voting members and two resource people, ie:, Cemetery Superintendent and Secretary, as required. The voting members shall include the Mayor and one appointee from Council, one of whom shall act as Chairperson of the Commission, and five (5) individuals who reside in the town of Bridgewater.

### MEETINGS

The Commission shall meet quarterly in March, June, September, and December and any other times as deemed necessary by the Chairperson.

### ADMINISTRATION

#### Cemetery Manager/Secretary

The office of the Commission shall be in the office of the Director of Parks, Recreation & Culture of the Town of Bridgewater. The Cemetery Manager shall be responsible for the proper administration of all the affairs of the cemetery in accordance with the policies and plans approved and established by the Commission. The Manager/Secretary shall be responsible for recording all deaths, burials, lot sales, transfers and preparing data for invoicing which shall be forwarded to the Director of Finance and Administration.

#### Treasurer

The Director of Finance and Administration shall be responsible for the financial records of the Commission, including the billing of cemetery accounts and posting of payments. The Director of Finance and Administration shall appoint a Recording Secretary who shall be responsible for recording Commission meeting minutes and the distribution of said minutes to all designated individuals.

#### Operator

The Commission shall employ a Operator whose duties and remuneration shall be fixed by the Commission. The Operator shall maintain the cemetery grounds and all buildings thereon in accordance with policies and plans set forth by the Commission, and perform such other duties as defined in the job description for the position which may be revised from time to time.

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### LOT PURCHASES

Subject to the approval of the Operator, all persons purchasing a lot shall have the privilege of choosing a lot, which has not already been sold, in any part of the cemetery that is laid out in lots according to a plan approved by the Commission.

Amended  
05/28/07

Lots shall be laid out to contain a minimum of 32 square feet per single grave lot, as nearly as it is possible to do so and conform with the general layout of the cemetery.

The price of lots shall be set forth in a schedule adopted by the Commission which shall be reviewed on a yearly basis. Lot prices shall be increased annually by at least the rate of inflation rounded to the nearest full percentage point.

An index shall be kept indicating the names of lot holders, lot numbers, and burials therein. A record shall be kept of all lots that have been laid out and not sold as of that time.

Any person not requiring a lot may only sell their lot to the Town. Grave lots will be repurchased at their original price. No person shall sell a lot to another individual.

### Perpetual Care

At the time of purchasing a lot, a fee shall be paid for perpetual care of the lot. The lot holder shall be given a perpetual care certificate, a copy of which shall be kept by the Commission. Perpetual Care shall consist of keeping the lot clean at all times and ensuring that grass is mowed when necessary.

### Annual Care

Annual care lots are no longer sold by the Commission. Lot holders paying annual care fees shall be encouraged to transfer to perpetual care by paying a one-time fee as set by the Commission. Until such time as all transfers are made, lot holders may pay annual care fees.

If annual care payments are not made for a continuous period of ten years, the privileges of burial therein shall be forfeited and the vacant lots shall revert to the Commission. The Commission shall then be free to resell the lots.

Amended  
12/2/96

### Lot Transfer

The record of lot holders kept at the office of the Commission is the only evidence of the title of the lot recognized by the Commission. When a person receives a lot by transfer from another lot holder he/she must obtain a lot transfer certificate from the office of the Commission for record. The fee for transfers shall be determined by the Commission.

### MONUMENTS

Lot holders wishing to erect monuments, headstones, etc., shall make their own arrangements through monument companies. Upon receiving notification from monument Companies, the Commission shall arrange for the construction of a foundation for the monument. Charges will be made to the monument company in accordance with the foundation construction rate set by the Commission.

Amended  
05/28/07

Only one monument and foot marker shall be permitted per single grave lot. No monuments shall be allowed on a lot if they overlap onto the lot of another owner.

The care of monuments and markers shall be the responsibility of the lot holder; neither annual care nor perpetual care agreements with the Commission shall include monuments.

Effective  
01/01/00

The following size of monuments shall be as follows:

Amended  
05/28/07

For all rectangular sized lots, no monument shall exceed 8" in thickness, or be greater than 3'6" in height, including the base.

Effective  
05/28/07

The Brookside Cemetery Commission may give consideration to mausoleums depending on availability of appropriate site.

### GENERAL

Unless the party or parties having charge of the arrangements for a burial give the Operator notice in writing of the exact location required for the grave, neither the Operator nor the Commission shall be responsible for any error in location.

Amended  
07/07/97 No lot owner will be permitted to bury ashes on top of an existing grave.

Lot holders shall be permitted to build vaults, erect monuments and cultivate trees, plants or flowers thereon, subject to Brookside Cemetery Commission policy.

All work done on lots or graves by order of lot holders shall under be under the supervision of the Operator.

No material for the building, or setting of monuments, or any other type of work will be received, or allowed to be delivered on weekends or holidays, unless by the permission of the Operator.

All rubbish resulting from work of any kind must be cleaned up by the parties employed on that work and the grounds left in good order.

All work must be performed during the working hours of the cemetery.

Effective  
12/02/04 Trees or shrubs, other than those planted on lots, shall not be removed from the cemetery without the approval of the Commission.

The Commission shall have the power to remove or order to be removed any noxious or offensive plant, or any indecent or offensive monument with or without notice to the offending parties.

Trees or shrubs that interfere with normal operations of the Cemetery may be removed.

The Commission will make a reasonable attempt to contact lot holders at last known address if the tree or shrub is required to be removed for the purpose of opening a grave.

Lot holders who have been reached shall have the option of having the tree or shrub replanted in another area of the Cemetery with Commission approval or may make arrangements to have the tree or shrub removed from the Cemetery at the owners expense.

All placements of Christmas trees, wreaths, and plantings by the lot holder must receive the approval of the Operator. No such items are to be placed on lots before December 1 or after February 28.

It shall be lawful for the Commission to offer a reward, not exceeding two hundred dollars, for the detection of any person or persons committing vandalism or damage in the cemetery, and to pay the same, on conviction of the offender, from the funds of the Commission.