

TOWN OF ST. ALBANS
ORDINANCE REGULATING
TOWN CEMETERIES

I. Scope

The ordinance shall apply to cemetery land owned by the Town of St. Albans and used for cemetery purposes.

II. Definitions

Burial or Interment – the depositing of the remains of a human being into the ground.

Disinterment – to dig up or remove from a grave or tomb; exhume.

Contractor – a person, firm or corporation engaged in the sale and/or erection of vaults, liners, monuments, grass markers, etc.

Cremation Lot (2' x 2') – a lot purchased in a designated area of the Village Cemetery to contain the cremated remains of one human being.

Single Lot (10' x 4' Grave) – a lot designated to contain the remains of one adult human being or two children at the discretion of the Town or the cremated remains of six human beings, provided such remains are the members of the same family or anyone approved for interment within said lot by the owner of said lot.

Double Lot (10' x 6' Grave) – a lot designated to hold two single graves.

Triple Lot (10' x 10' Grave) – a lot designated to hold three single graves.

Family Lot (10' x 20' Grave) – a plot designed to hold six single graves.

Grass Marker – flat marker flush with the ground to include stone, concrete or metal markers used to designate a burial lot.

Memorial – any object used as a remembrance of the dead.

Monument – granite or other stone block which may have the name of the lot or burial rights owner(s) inscribed on it.

Owner – shall refer to the person(s) holding title and to his/hers heirs.

Selectmen – Municipal Officers of the Town of St. Albans.

Sexton – contracted or hired caretaker of cemeteries belonging to the Town of St. Albans.

Town – the inhabitants of the Town of St. Albans as a body politic and corporate and or its duly authorized officials and employees.

Vault – approved concrete box large enough to contain the casket remains of the deceased and so constructed and assembled as to prevent sags or hollows in the grave site, which must meet all laws, rules or regulations required by the State of Maine.

Weekends & Holidays – weekends shall mean Saturday and Sunday. Holidays shall mean the approved holidays in the Town of St. Albans Personnel Policy in effect at the time.

III. General Regulations

1. No vehicle shall be operated within the cemeteries, other than on paved and unpaved roadways, unless authorized by the Town. No vehicle shall be operated at a speed in excess of 5 miles per hour on any established roadway within the cemeteries. The Town may post and close the roadways during certain times of the year to prevent damage to the cemeteries. Vehicles are not allowed on the paths within the cremation areas of the Village Cemetery.

All cemetery roads shall be closed at minimum between December 1 and April 1 (out of season) as deemed by the Selectmen, Sexton, and/or Town Manager. No snowmobiles, ATVs, or unregistered vehicles may be operated within the cemetery at any time.

No vehicle may be operated in any manner which results in damage to the cemetery property, such as leaving ruts or displacing turf. Vehicles must not stop and block the path of the other vehicles, except in cases involving burial ceremonies, and then only for such length of time as is absolutely necessary. All vehicles must park on the right side of the roadway.

2. The owner of any lot is responsible for the removal of any unsightly flowers, wreaths, decorations, etc. from the grave site. If the owner fails to execute such removal, the Town may remove the same. The depositing of any refuse, unsightly flowers, wreaths or other grave decorations for disposal must be made in receptacles provided for such purpose; otherwise said deposits will be considered an act of littering. It is unlawful for anyone other than the owner or the Town to remove flowers, wreaths or decorations etc. from the lots upon which they are laid. Any memorial decorations shall be placed only in front or back of a central monument or at each end or immediately in the back of the individual grave marker, except in the case of floral arrangements for funerals. All such decorations and arrangements shall be removable. No glass or other breakable containers shall be used at any time. All flowers and decorations shall be removed by October 15 of each year, or the Sexton may remove the same without any fault to the Sexton or the Town. In the special cremation areas of the Village Cemetery, each lot is restricted to one non-breakable container per burial and it shall be maintained directly on the grass marker.
3. Planting of trees or shrubs shall be done only with the consent and direction of the Sexton. A Memorial Garden will be available for planting, with consent from the Sexton,

in the special cremation areas of the Village Cemetery. If any trees or shrubs shall, by means of their roots, branches or otherwise, become detrimental to cemetery lots or roadways, the Town may remove said trees or shrubs or parts thereof without liability therefore to the owner of said trees or shrubs. No one shall damage, remove, injure, or harm any trees or shrubs except the owner of said tree or shrub, or the Town. No trees or shrubs shall be removed by any owner without the permission of the Town.

4. It shall be unlawful to damage or remove any markers, monuments, grass markers, gates, or other items in the cemeteries without approval from the Town.
5. Requests for additional work to be performed on lots other than mowing, trimming and raking shall be made in writing to the Town setting forth such work desired to be accomplished. Said request shall be answered by the Town in writing, expressing the work to be performed and the cost for such services, if any.
6. The Town shall not be responsible for damage done to any property, other than by the employees or persons contracted by the Town while in the performance of their duties.
7. A copy of this ordinance shall be issued with each deed.
8. All lots sold by the Town must have been placed in perpetual care prior to conveyance of title to the cemetery lot by the Town.
9. All lots sold will only be sold when it abuts on a previously sold lot. This prevents the scattered sale of lots throughout the cemetery.

IV. Burials, Interments and Disinterments

1. The Town shall be notified at least 7 days prior to any burial, interment or disinterment. The Town Sexton shall act as the agent of the Town in complying with this section unless other arrangements have been made in advance.
 - a. The Town shall be notified when and where a cremation burial is taking place. This notification is beneficial for records management and genealogical purposes. If a cremation burial takes place and is handled by someone other than the Town, the Town will not be responsible for the expenses of replacement of the urn or stone to correct the improper placement of them.
2. Land shall not be used for other purposes than as a place of burial for human remains. No animal burials will be permitted.
3. If disinterments is requested, the Town shall be informed as to the length of disinterment, and proof that said disinterment complies with all applicable laws, rules and regulations of the State of Maine. If disinterment results in permanent removal, the Town shall be notified of the state, county, Town and name of cemetery where the new burial is to be made.

4. Undertakers and/or funeral directors shall be responsible for the payment of all burial charges, fees and burial permits except in cases where their services are not retained and other arrangements have been made with the Town.
5. All interments of non-cremated remains shall be required to have vaults. No interments shall be authorized if this section is not complied with.

V. Memorials, Monuments, Etc.

1. No lot (grave) may contain more than one monument. Individual graves may have one grass marker per interment. Each individual cremation burial in the special cremation area of Village Cemetery may have one grass marker, no monuments, memorials, etc. The grass marker shall be installed over/above the cremated remains.
2. No structure shall be erected for the purpose of enclosing a lot. No materials, rock, stone etc. shall be placed over the grass on any part of the lot.
3. No tombs, above ground vaults, memorials such as benches, seats, etc., may be erected in any cemetery without the consent of the St. Albans Board of Selectmen.
4. No monument, memorial or other structure or any inscription shall be offensive or improper. The Town Manager and/or Board of Selectmen may order or have removed said offensive or improper object or inscription after a notice is given to the owner/heirs outlining the offensive or improper aspect of the memorial, monument, etc., including the timeframe and methods for remediation and any costs for removal if any. The owner/heirs shall not be held liable for the removal of offensive or improper object or inscription; if it was placed there through an act of vandalism or graffiti.
5. The contractor installing monuments, grass markers or approved memorials shall be responsible for installing said monuments, grass markers or approved memorial according to standards approved by the Town. Said contractor must contact the Sexton prior to the monument being placed in one of the Town's cemeteries. The monument company shall supply a colored stake, or some form of marker, to the Town and the Sexton will place that stake in the correct location. The contractor and/or the owner shall be held responsible for improper installation and no liability on the Town's part shall be incurred for repair of faulty workmanship by private contractors.
 - a. Base Requirements – The holes for all bases shall be dug to a minimum depth of 12", with a base of well drained gravel and a piece of 3" Styrofoam insulation. A cement pad shall be installed for the placement of the monument. Larger monuments will require discussion with the Sexton to ensure there is proper support for the weight and space for the monument.

- b. Bench Requirements – Bench without back to be no larger than 12” tall, 14” wide and 48” long. Bench with back to be no larger than 48” tall, 14” wide and 48” long.
 - c. Location Requirement – Minimum distance of 1’ from any other fixed object, memorial, monument, lot or abutting lot.
6. The Town shall not remove or allow any monuments, memorials or grass markers to be moved unless first obtaining permission of the owner, unless said removal is of an emergency nature or for making necessary repairs to the plot and its appurtenances.
 7. Flat grass markers will be flush with the ground and will be located on the front of the lot in relation to the roadway.
 8. Corner posts will be flush with the ground.

VI. Fees

1. The St. Albans Board of Selectmen shall be empowered to establish fees for the purchasing of plots, payment to the Sexton for services rendered – subject to federal and state taxes if employed with the Town – perpetual care, annual maintenance for non-perpetual care lots, and for opening graves. Said fees shall be available for public inspection in the Town Clerk’s office and the Board of Selectmen shall be required to file in writing a list of current fees. (Fees established at Selectmen’s meeting April 7, 2008; Cremation lot fees for new sections of Village Cemetery approved Selectmen’s meeting October 28, 2013; fees schedule revised and approved Selectmen's meeting April 27, 2026).

<u>Lot Size</u>	<u>Persons</u>	<u>Lot Price w/PC</u>
Cremation Lot at Village Cemetery	one	\$75 (\$50 PC and \$25 Lot) Refers to the new sections only, developed in 2014

Following Prices include ½ Lot & ½ PC

<u>Single Lot 10’ x 4’</u> 1 Adult or 2 Children or cremated remains of 6	one	\$200
<u>Double Lot 10’ x 6’</u> Designed to hold two single graves	one	\$300
<u>Triple Lot 10’ x 10’</u> Designed to hold three single graves	three	\$400
<u>Family Lot 10’ x 20’</u> Designed to hold six single graves	six	\$600

Fees – Direct Pay – to Town:

Opening of graves	\$700
Cremation	\$150

Fees established for Cemetery Sexton at the Regular Selectmen’s Meeting 7/23/2012; fees for Cemetery Sexton revised and approved at the Regular Selectmen's Meeting April 27, 2026)

Disinterment - \$25 per hour, plus cost of equipment for disinterment (State law reads that the Sexton and a representative from a funeral home must be in attendance the entire time the disinterment takes place).

Opening/Closing of Graves – From December 1 to April 1 (out of season) \$800. The opening/closing of graves during the closed season must be approved by the Town Manager and Sexton. Out of season burials will only be scheduled for extreme circumstances.

2. All fees shall be paid to the Town Treasurer, unless otherwise stated. The Selectmen may authorize any qualified funeral home operator to collect fees upon terms approved by the Board of Selectmen.
3. Lots may not be sold, bartered or exchanged by the owners. Ownership may be transferred back to the Town only upon approval of the St. Albans Board of Selectmen upon such terms as they deem reasonable.
4. Any and all money collected for the purchase of a lot shall be deposited in the Cemetery Fund, with the exception of Sexton fees. The proceeds of the sale of lots shall be applied solely to the management, superintendence, improvement, and maintenance of the cemetery and – including the avenues, paths, and structures situated therein – , and for the purchase of additional cemetery land. Money collected for perpetual care shall be deposited with the Town Treasurer, who shall place the same in the Cemetery Trust account, the proceeds of which shall be for the upkeep and maintenance of the perpetual care lots and any appurtenances to said lots, as well as the general ways, paths and open spaces of the general cemetery in which said lots are located.

VII. Duties of the Selectmen

The St. Albans Board of Selectmen shall be responsible for the following items:

1. Posting roads within the cemeteries for seasonal closing or establishing weight limits.
2. Establishing standards for setting monuments, grass markers and memorials.
3. Establishment of the fees to be charged in accordance with Section VI of this ordinance.
4. Delegation of records management to the Town Clerk and Sexton.

VIII. Duties and Responsibilities of the Sexton

1. The Sexton shall notify the Town Manager of all obligations, safeguards, compensations, etc.
2. The Sexton shall keep the Selectmen informed (at least annually) of the condition of the cemeteries, proposed work and/or development to be done by the following year, working with the Cemetery Committee and/or Town Manager to prepare an annual budget.
3. The Sexton shall oversee, supervise and plan all maintenance and development of the cemeteries, also interments and disinterment's.
4. The Sexton shall ensure that all laws pertaining to Veteran's graves are complied with.

IX. Adoption and Amendments

1. This ordinance shall become upon approval at a regular or Special Town Meeting.
2. This ordinance may be amended in accordance with provisions of state law governing all ordinances.

X. Severability

If any section, subsection, paragraph, sentence, clause or phrase in this ordinance shall for any reason be held to be invalid or unconstitutional by a decree or decision of any court of competent jurisdiction, such decree or decision shall not affect or impar the validity of any other action or remaining portion of this ordinance.

XI. Repeal of Other Ordinances

Passage of this ordinance shall supersede and replace any other ordinance, by-laws, rules or regulations concerning cemeteries enacted by the Town or is Municipal Officers and/or Officials.

XII. Penalties


Any person who continues to violate any provision of this ordinance, after receiving written notice of such violation, shall be guilty of a misdemeanor and subject to a fine of up to \$100 for each violation. Each day the violation continues, shall constitute a separate offense. The Town also reserves the right to remove any items which are in violation of this ordinance, after 30 days written notice is given. The courts are urged to require restitution in full of persons convicted of damage to cemetery property.

Adopted Annual Town Meeting 3/8/2008
Amended Annual Town Meeting 3/6/2010
Fee Schedule updated at regular Selectmen's Meeting 10/28/2013
Amended Annual Town Meeting 3/1/2014
Amended Annual Town Meeting 3/4/2017 (Section 5 Subsections a, b, and c)
Fee Schedule updated at regular Selectmen's Meeting 4/27/2026
Amended Special Town Meeting 5/26/2026

Given under our hands this 8th day of June, 2026.



Robert Worster, Chairman



Brady Snowman, Vice-Chairman



Sandra Cooper, Selectman