

**MONUMENT RULES AND REGULATIONS OF  
ELMWIER CEMETERY ASSOCIATION  
MOUNT ZION CEMETERY**

1. The Monument rules and Regulations pertaining to all types of monuments shall be deemed a part of the General Rules and Regulations of the Association. All grave and lot owners, stone masons, monument dealers, sand blasters, setters, etc., are urged to refer to the General Rules and Regulations of the Association as well as the Monument Rules and Regulations, prior to entering into any contract or agreement relative thereto. All work must be completed in strict conformity with said Rules and Regulations.
2. No orders will be accepted for the construction of foundations in any grave or plot against which there shall be any unpaid charges due to the Association. All work ordered to be done by the Association for which it may impose a charge, must be paid for in advance.
3. Before commencing any work, the monument contractor shall first submit to the Cemetery, on forms provided by the Cemetery, a written order for their approval, containing the following information:
  - (a) Location of grave
  - (b) Type of work to be done
  - (c) Sketch of monument to be erected and inscription thereon indicating name of deceased by lot owner
  - (d) Width, thickness and height of base (Width = left to right, Height = top to bottom and Depth (thickness) = front to back)
  - (e) Width, thickness and height of die (Width = left to right, Height = top to bottom and Depth (thickness) = front to back)
  - (f) Type, finish and color of base and die
  - (g) Name and address of purchaser and relationship to the deceased.
  - (h) If any part of the inscription is not in English, the translation must be included on the foundation order.

The wording of the inscription must be in good taste and respectful of the decedent. Any monument where the inscription does not match the diagram approved by the Cemetery, will not be permitted to be erected on the gravesite. Only one inscription will be permitted on a single monument for each grave where interment has taken place. A memorial inscription will not be permitted, however, wording such as "wife of husband of" "son or daughter of" will be allowed. Only the date of birth and date of death of the decedent is permitted; no other dates may be inscribed.
  - (i) The Cemetery does not accept family checks for payment of foundations. Monument dealers should submit their check along with the foundation order.
  - (j) If a monument with a polished surface is ordered, a Polished Monument Application must be submitted along with the foundation order. This form must be signed before a Notary Public by the legal next of kin of the decedent.
4. No work shall be performed on Saturday, Sunday or any Jewish or Legal Holiday, nor during cold or inclement weather, the same to be determined at the sole and absolute discretion of the Director of Operations of the Cemetery or his assistant or designee. The Cemetery gates will be open for inspection and erection of monument work from 8:30 A.M. to 12:00 Noon and from 1:00 P.M. to 3:00 P.M. Trucks will not be admitted after 3:00 P.M. and all work must stop at 3:30 P.M.
5. A permit signed by the grave or plot owner, and/or the lawfully required heirs and representatives of a deceased grave or lot owner, must accompany each order. If the owner is a Society, Lodge or Congregation, the permit must be signed by the authorized officer(s) thereof and bear the seal, if any, of the organization. The Association shall have the right to rely and act upon the truth or all statements therein, and upon the genuineness of all signatures thereon and upon the authority of the persons signing the same to bind all interested parties. The aforesaid permit must specify the name of the deceased, the date of death, line and grave number. If the permit is for a double stone or triple stone, the reserve grave number(s) must be indicated thereon. If the permit is for a family stone, a description of the lot must accompany the order.
6. The Cemetery will process a foundation order only after full payment has been received. The Association will reject any work that does not meet with its Rules and Regulations, or differs from the dimensions and descriptions given in the sketch. Monument dealer should not proceed with the making of the monument until they receive written notice that the monument has been approved.
7. No setting of monuments will be permitted during inclement weather, the same to be determined at the sole and absolute discretion of the Cemetery Superintendent or his assistant or designee.
8. All foundation work including excavation shall be done by the Association under the supervision of the Management and charged to the person erecting the monument.
9. The Association reserves the right to prevent the erection of, or to remove any monument or structure which may be considered detrimental to the appearance or safety of this Cemetery.
10. Producers of monuments must sell only first grade clean stone for monument purposes and must guarantee that such stone is free from sap or anything that will cause rust stains, that it will not crack or pit, stain or discolor, and must agree that should any such fault develop within five years from the date of setting, that the memorial will be replaced without any charge to either the lot or grave owner or the Association, regardless of the manner of manufacture, treatment, setting or handling.
11. All work shall be produced in a first class workmanlike manner and must be free from drill or tool marks. All stone work must have the surface next to the foundation bedded off sufficiently true and even to allow all parts to be in contact with the foundation.
12. All foundations must be ordered the full size of the monument. Any monument, the material and dimensions of, which are different from that shown on the sketch, will be rejected.
13. Copings, entrance sills, fencing, posts and bars, benches, shrub/hedge enclosures or like materials/items on any lot and/or Society plots will not be permitted. The enclosure of any grave or graves is not allowed.
14. Monuments in the shape of tree stumps or other shapes, detrimental to the appearance of the cemetery are forbidden.
15. Pictures, photographs, statuary (including vases and candles/candle receptacles), or bronze plaques (unless duplicates) of any description, or like items, are forbidden and monuments having holes for any of these items will be rejected. Etchings are permitted.
16. No dyes, stains, paints, lacquer or coloring will be permitted on the surface or any monument. Blackening compound will not be permitted in sandblasted or incised lettering.
17. The Cemetery reserves the right to remove and dispose of any bed which has broken or fallen into disrepair, without notice or liability in compliance with the New York State Not-for-Profit Corporation Law. The Cemetery may remove any bed without charge upon the written permission of the family.
18. Duplicates of existing monuments not in conformity with the present rules will be permitted only in the case of laterally adjacent graves of members of the same family.
19. In every case, where the monument is more than one-piece, all pieces must be of the same origin, quality and color. This rule will be strictly enforced.
20. Foundation work will be finished true and level by the Association two (2") inches below grade at the lowest point. Notice will be mailed when the foundation is completed and no monument will be permitted to be set until such mailing. No monuments may be set until the foundation has been poured.
21. Monument work shall be of granite from approved quarries. Limestone, cement, epoxy, marble or artificial stone, urns, balls or arches will not be permitted. Second hand material will be rejected.
22. All refuse, boxes, rubbish or surplus material must be immediately removed.
23. Trucks while loading or unloading are prohibited from leaving the roads.
24. All cement used for pointing joints shall be of a non-staining kind.
25. Monument setters prior to setting a monument must first stop at the Cemetery office and notify the office of the monument or monuments to be set. No monuments may be set until it has been inspected by a Cemetery foreman and such foreman has designated the specific grave or plot where it is to be set.
26. Sandblasting and lettering contractors entering upon the Cemetery grounds shall carry their portable unit to the gravesite where work is to be done and shall extend their compressor hose to the grave site from their truck without placing the hose or portable unit on graves or monuments. The hose shall be placed in an orderly manner either on the sidewalk or in the pathways. Before the monument is lettered, the area must be adequately protected from any material used or caused by sandblasting. Upon completion, the area must be restored to its prior condition. The Cemetery reserves the right to charge any sandblaster for the cost of restoring damage to plants, shrubs, or sod which occurred during sandblasting operations.
27. Government markers, supplied by the Federal Government for veterans will be permitted to be sent directly to the Cemetery for setting and must meet the following standards:
  - (a) Order must be processed through the Cemetery.
  - (b) Size of marker must be 2'0" wide, 1'0" thick and 4" high.
  - (c) Marker must be of granite.
28. New or replacement bed(s)/ledger(s) on single, double, triple graves will only be permitted with Endowed Care as according to statute. (For graves co-joined by double or triple monuments, all graves must be endowed regardless as to whether or not second or third interment has been made).
29. No beds of marble, metal or plastic may be used to encircle graves or plots.

## SPECIAL RULES AND REGULATIONS FOR THE INSTALLATION OF LEDGERS

- a) The maximum size permitted for a ledger is 5'0" L x 2'0" W x 1'0" (Modification of Monument Rule #50)
  - b) The maximum size permitted for a headstone is 5'0" H overall, including the base. Base must not exceed 2'4" W x 1'4" D x 1'0" H.
  - c) No pre-need monument or double headstone is permitted where a concrete vault will be used for interment.
  - d) Endowed Care is mandatory at the current approved charges.
30. **IMPORTANT:** The Cemetery reserves the right to limit the size and type of any family stone or footstone in certain sections of the Cemetery in order to produce uniformity within that section. Monument Rules and Regulations, for these sections, when determined, will become a part of these Rules and Regulations.

### PRIVATE PLOTS (OTHER THAN SECTION XV)

31. The grade of all plots will be determined by the Cemetery and the contractors shall be governed thereby.
32. Private plots shall have one family monument placed in the rear center of the plot bearing only the family name. In all cases the family monument must face the entrance of the plots. The lot owner may have a footstone erected at each grave, only after an interment has taken place. Said footstone to be set on a proper foundation. Single headstones are not permitted.
33. Where a plot extends from a walk to walk, the monument shall be set in the center of the plots facing both walks, and only in such a case may the inscription appear on both the front and rear of the monument, except Section XV. Where two branches of a family or a family or friends have adjoining plots back to back, one monument may be used for both plots with the inscription facing each plot.
34. Bases for family monuments shall be 12" in height, not more than 18" and no less than 12" in-depth from front to rear, nor longer than 80 percent of the width of the plot. The front or face area of the entire monument shall not exceed 15 percent of the area of the entire plot. The minimum width of die must be 3'0"; minimum thickness of die will be 8" minimum height of die must be 2'6", except Section XV.
35. There shall be at least 2" finished wash on all sides of the base. There may be a rock projection of not more than 1" on any side, except Section XV.
36. Where two branches of a family have adjoining plots back to back, or equal size, one monument may be used for both plots, with names of family facing each plot. Such monument must be centered between the two plots.
37. In no event shall a family monument be higher than 5'0" overall, except Section XV. Monoliths are to be a minimum of 6' in width and 1' in thickness, a minimum of 3'6" in height, and a maximum of 4'0" in height.
38. All family monuments and footstones shall be constructed of approved quarry granite. All orders for family monuments must include the design and lettering on the application. Last name of lot owner(s) may be inscribed on the front of the family monument provided there is room and all of the lot owner(s) sign written authorization.
39. Footstones or markers set in a family plot shall be of the same kind and quality of stone as used for the family monument and/or other footstones in the plot. They must not be more than 2'0 in width 1'0" in thickness and not more than 12" in height. Bases under footstones or markers are not permitted. Double footstones are not permitted unless both burials have taken place.
40. Footstones shall contain only one inscription. The use of two or more names is strictly forbidden.
41. All footstones in memorial can only be erected if the owner gives written consent that the grave will be used for interment. "In memory/Memorial" must be inscribed on the footstone.
42. Corner markers may be set without lettering or if lettered, the initials must be sunk and not raised. They shall not be more than 8" x 8" square, nor less than 18" depth, set flush with grade and have the sides about the adjoining lots dressed to the bottom of the markers. Only one marker permitted in each corner and must be set within inside boundary line of plot.
43. Entrance sills and enclosures of any type will not be permitted.
44. Benches of any type will not be permitted.
45. Temporary grave markers are not the responsibility of the Cemetery.

### SINGLE HEADSTONES

(Width = left to right; Height = top to bottom and Depth (thickness) = font to back.)

46. Single headstones are permitted only in the single grave or society areas of the Cemetery and may be erected only after interment has taken place. Single headstones will not be permitted in any family plot area.
47. Bases for single headstones must be 12" in height and not less than 1'0" in depth nor more than 1'4" in depth. No base shall be more than 2'4" in width. All bases must have close-pointed or smooth ends. No single headstone shall exceed 5' in height overall (base and die).
48. There shall be at least 2" finished wash on all sides of the die. No single headstone will be permitted to be set with a flush back.
49. The minimum width of the die must be 1'0" and the maximum width shall not exceed 2'0". The minimum height of the die must be 2'0" and the maximum height shall not exceed 4'6". The minimum thickness of the die shall be 8" and the maximum thickness shall not exceed 12". No single headstone shall exceed 5'6" in height overall.
50. Only one inscription will be permitted on a single headstone. Two "in memory" inscriptions and two etching will be permitted on a single headstone provided no interment is to take place. "In Memory/Memorial" must be inscribed on the monument. Monuments in memorial can only be erected if the owner and/or society gives written consent that the grave will not be used for interment.
51. Where ledger slabs are permitted, they shall be no more than 5' in length, 2' in width, no more than 12" in height and shall be hammered all around or polished. Foundations will be built so as 2" of the ledger will be below grade and 10" exposed. The words, "where ledger slabs are permitted" shall be strictly adhered to. Generally, ledgers are not permitted.
52. New or replacement bed/ledger with a single headstone will only be permitted with endowed care as according to statute.
53. Where footstones or foot markers are to be erected with a single stone, they must be of the same kind of quality of stone as used for the single stone, and they shall be flush grass markers measuring a maximum of 2'0" in width, 1'0" in depth, 1'0" height. The top must be steered or polished, balance may be rock pitched. All lettering must be sandblast incised, and the initials of the deceased must appear on the top of the lower right corner.

### DOUBLE HEADSTONES

(Width = left to right; Height = top to bottom and Depth (thickness) = font to back.)

54. Double headstones will be permitted only over two (2) graves in a line and only after the first interment has taken place.
55. Bases for double headstones must be 12" in height and no less than 1'0" in depth or more than 1'4" in depth. No base shall be more than 4'6" in width. All bases must have close-pointed or smooth ends.
56. When a bed is to be erected with a double headstone, the width of the base must be 4'0" minimum.
- 56 B. New or replacement beds/ledgers with a double headstone will only be permitted with endowed care as according to statute. (Both graves must be endowed)
57. There shall be at least 2" finished wash on all sides of the base. No double headstone will be permitted to be set with a flush back.
58. The minimum width of the die must be 2'10" and the maximum width shall not exceed 4'2". The minimum height of the die shall be 2'0" and the maximum height shall not exceed 4'6". The minimum thickness of the die shall be 8" and the maximum thickness shall not exceed 12". No stone shall exceed 5'6" in height overall.
59. Monument dealers are responsible for the placement of the inscription on the proper side of the die. If the double headstone is inscribed on the wrong side of the die, the cemetery will reject the monument and it will not be allowed to be set. If the monument is set in error, the monument dealer will receive written notice to remove said monument and make the correction within fifteen (15) days. The Cemetery reserves the right to remove and place on the side said monument, if the above is not adhered to.
60. Where the base and die is over 5' in height together, the die shall be clean, sawed or hammered all around and including the base.
61. Where footstones or foot markers are to be erected with a double headstone, they must be of the same kind and quality of stone as used for the double headstone, and they shall be flush grass markers measuring a maximum of 2'0" in width, 1'0" in depth, and 1'0" in height. The top must be steered or polished, balance rock pitched. All lettering must be sandblast incised, except Section XV. Exception: Where there exists an above ground footstone and the two graves are laterally adjacent and covered by a common monument, a duplication of the existing footstone will be permitted.

### TRIPLE HEADSTONES

62. Triple headstones will only be permitted over three successive graves in the same line.
63. The minimum width of the base must be 5'0" and the maximum width of the base shall be 6'0". All bases must be 12" high. The minimum thickness of the base must be 1'0" and the maximum thickness shall be 1'4".
64. The minimum thickness of the die must be 8" and the maximum thickness of the die shall be 12". The minimum height of the die must be 2'6" and the maximum height of the die shall be 3'6".
65. There shall be at least 2" finished wash on all sides of the die. No triple headstone will be permitted to be set with a flush back.
66. New or replacement beds/ledgers with a triple headstone will only be permitted with endowed care as according to statute. (All three graves must be endowed)
67. Where footstones or foot markers are to be erected with a triple headstone, they must be of the same kind and quality of stone as used for the triple stone, and they shall measure a maximum of 2'0" in width, 1'0" in depth, and 1'0" in height. The top must be steeled or polished, balance rock pitched. All lettering must be sandblast incised. Exception: Where there exists an above ground footstone and the three graves are laterally adjacent and covered by a common monument, a duplication of the existing footstone will be permitted.

### SOCIETY ENTRANCES

68. All society entrances may be marked in one of the following ways:
  - a) The placement of a flush granite marker measuring 2'0" in width, 1'0" in depth and 0'4" in height placed in a bed of cement bearing the society name.
  - b) A slant marker 2' in width, 1' in depth and no higher than 2' in height, at the bottom on a cement platform; the placement of which is to be determined by the Cemetery.
  - c) The erection of granite posts, no higher than 4' in height, no larger than 1'6" x 1'6" in width and thickness, to be placed within a society plaza constructed of concrete and shall be set back 3' from the front line of the property.
  - d) All society entrances shall be approved granite and shall be hammered, sawed or polished all around.
  - e) Sills, copings, chains, posts, bars or enclosures of any type will not be permitted.

### MAUSOLEUMS

69. No mausoleum shall be erected on a plot containing less than 320 square feet, nor shall any mausoleum be wider than 75 percent of the width of the plot, nor shall a mausoleum be built less than two feet from the rear line of the plot, except where a plot extends from one walk to another, in which event the mausoleum shall be set at least five feet from the rear line. All new mausoleums must have Endowed Care.
70. The Cemetery reserves the right to restrict or determine the location of a mausoleum on any plot. Mausoleums must, as to dimensions, location on the plot, character of materials, nature of workmanship inclusive of finish, bases and foundations, comply with the Rules and Regulations pertaining to the construction of mausoleums, which will be furnished on request.
71. Mausoleums shall be designed to provide for only one interment in any catacomb. The construction of catacombs for the interment of more than one body behind one catacomb front or tablet will not be permitted.

Entombment of two (2) cremains in one catacomb will be permitted. Where two (2) cremains are entombed in one catacomb, the Cemetery will permit two inscriptions on one catacomb front or tablet. If deed is not recorded on the books of Mount Zion Cemetery, Society authorization is required.

72. Mausoleums shall face the front of the lot and shall not be erected with the side to the road.
73. No plans for the construction of a mausoleum or sarcophagus will be approved until a sum sufficient to provide Endowed Care of both the building and surrounding plot has been deposited in the Endowed Care Fund of the Association. It shall be understood that the amount necessary for Endowed Care shall be determined by the size and specifications of the building and the size and type of landscaping of the surrounding plot.
74. Where no provision has been made with the Association for the Endowed Care of a mausoleum or sarcophagus, and no other kind of care is being given, and due to an Act of God, and where in the opinion of the Management of the Association the mausoleum or sarcophagus is in need of essential repairs, and where repairs or necessary reconstruction has not been made after due notice to the last known address of the owner of record, by certified mail, the Association may, at its option, after the expiration of sixth (60) days from the sending of such notice, at the expense of the owner of the said plot, remove all bodies from such mausoleum or sarcophagus, demolish the same, and remove such mausoleum or sarcophagus and the foundation thereof, grade and surface the plot with grass, and reinter the bodies in said plot. Where the foregoing is not feasible in the opinion of the board of Directors or Management, the Association may permanently seal up the entrance to said mausoleum or sarcophagus with suitable materials after giving the same notice as previously stated.
75. Immediately upon completion of any mausoleum, one key to the door lock must be deposited in the office of the Cemetery to remain in the permanent custody of the Cemetery.
76. Once a mausoleum or sarcophagus has been erected, no interments shall thereafter be permitted on the plot outside of the mausoleum or sarcophagus walls unless the size of the lot can accommodate same.

### AMENDMENT AND WAIVER OF MONUMENT RULES AND REGULATIONS

The Monument Rules and Regulations of the Association may at any time be revised, amended, modified, supplement or repealed, in whole or in part. Management of the Board of Directors of the association shall have the right to waive all or any part of its Monument Rules and Regulations in specific instances without affecting their validity or enforceability in other or future instances. The interpretation of these Monument Rules and Regulations by Management shall be final and not subject to dispute.