

Moravian Cemetery

Rules and Regulations

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Owned by the
UNITED BRETHREN'S CHURCH
ON STATEN ISLAND

and Supervised by the
BOARD OF TRUSTEES

RULES GOVERNING AND THE CONDUCT OF LOT OWNERS AND VISITORS AS WELL AS ALL PERSONS PERFORMING WORK IN THE CEMETERY

No sign indicating that a lot, vault or monument is for sale will be permitted.

In moving materials to interior lots, the paths must be used and intervening lots must not be trespassed upon. Guy ropes must not be fastened to trees and shrubs.

The management may move machinery and other heavy equipment upon and across any plot at any time.

Visitors shall regard the Cemetery as a sacred place, devoted to the burial of the dead, and shall observe the respect due thereto.

Moravian Cemetery is home to many different forms of wildlife. In light of this all motor driven vehicles are prohibited from operating at a speed of more than 15 m.p.h.

Children on roller skates or bicycles are prohibited from entering the cemetery.

It is strictly forbidden to bring dogs or other pets into the cemetery.

The distribution of business cards and the soliciting of orders for work will not be permitted within the cemetery.

No advertisements will be allowed on any monumental work, trees or shrubs or mausolea in the cemetery.

Cemetery gates open all year from 8:00 A.M. to 6:30 P.M. conditions permitting.

Because the cemetery is open to the public, it is impossible to control the activity of every visitor.

We cannot guarantee items from damage or disappearance.

The information kiosk is updated annually.

CONDITIONS OF OWNERSHIP

The United Brethren's Church on Staten Island is the owner of the Moravian Cemetery and its Central Board of Trustees is in charge and control of the Moravian Cemetery.

Whenever the word "board" appears or the words "Central Board" appears in these rules and regulations, they shall mean the Central Board of Trustees of the United Brethren's Church on Staten Island.

All lots sold by the United Brethren's Church on Staten Island are subject to the rules and regulations of the Cemetery. They shall not be used for any purpose other than a burial place for human remains.

The interpretation and application of these rules and regulations are exclusively within the province and judgment of the Board of Trustees of the Cemetery, and are absolutely binding upon the graves, plots, mausoleum crypts and their owners. Every person purchasing a grave or plot in the Moravian Cemetery is required to acknowledge the receipt of a printed copy of these Rules and Regulations and to agree to abide by them and to subject his or her grave or plot to them, and to any alteration, amendment or modification thereof.

The word "owner" or "owners" shall mean the owners of a burial lot or plot.

Lot owners shall not permit interments to be made in their lots for a remuneration. When there is more than one owner of a lot, no interment will be allowed therein, without the consent of all the owners, unless the deceased was an owner of the lot or the wife or husband of an owner or a child of such wife or husband.

The law of State of New York provides that title to burial plots shall descent indivisibly to the heirs at law of the owner, unless the owner specifically bequeaths the burial plot in his last will and testament. Title to the burial plot does not pass under a residuary clause in a last will and testament. Accordingly, the Board will not permit the sale of part of a plot or any graves in a plot by the owner or owners of such plot. Such sale is unlawful and punishable by law.

No grave, lot or burial plot or any part thereof shall be sold, transferred, assigned or bartered.

Upon the death of an owner of such lot or plot, the right to future interments therein shall descend indivisibly to his heirs at law, subject to the limitation condition that if he leaves children and

no widow, they or the survivors of them, shall in common, have the possession and control of such lot during the life of the survivors of them.

No title to real estate shall pass to any purchaser of a grave, plot, mausoleum crypt, but merely a perpetual easement or right of burial and after a burial has been made therein, the grave or plot shall be deemed to be forever sanctified and consecrated ground and inalienable.

After the death of an owner of a lot, in case said lot is specially mentioned in his or her last will, a certified copy of said will or in case of intestacy an affidavit of one of the heirs, showing facts relating to the heir ship, must in all cases be filed in the office of the Cemetery.

The widow or widower of a deceased owner of a lot shall have the right of interment in the lot. However, he or she, may, at any time release his or her rights in such lot. No person shall deprive her or him of such right of interment.

The cemetery is authorized to take and hold any lot which an owner may convey or devise to it, in which conveyance or devise the owner may restrict interment to such person or persons or such class of persons as shall be prescribed in the conveyance or devise, or other document.

It is the objective of the Board to give the entire cemetery a Park-Like effect and appearance, and to effectuate this purpose the Board of Trustees reserves the right in its sole and exclusive judgment to remove trees, shrubs, flowers, plants, mounds, statuary, benches, vases, stones, monumental markers and memorials and from all graves.

Media or means of identifying graves will be preserved.

The Board may, from time to time lay out such avenues and paths, or make such rules and regulations for the Government of the Grounds as they may deem proper for the general welfare of the cemetery.

The cemetery shall not be held responsible for shrubbery, plants or trees if a burial is taking place at a plot.

The cemetery shall not be responsible for holes or depressions in the ground or any grave or paths or roads, caused by moles, rabbits, chipmunks, bee's nests or other rodents or other natural phenomenon, unless such conditions are brought to the attention of the Cemetery management in writing and such grave or plot is endowed by a trust fund or the owner thereof pays adequate annual care for the same.

Lot owners may plant shrubs or flowers with the consent of the Cemetery management. Such shrubs or flowers or monuments may be removed at any time in the sole judgment of the management.

All ivy throughout the cemetery shall be removed. Furthermore, the planting of ivy is absolutely prohibited.

If any trees or shrubs situated in any lot shall become detrimental, unsightly or inconvenient to the adjacent lots or avenues, the trustees reserve the right to enter upon such lot and remove the said trees or shrubs.

No person will be permitted to remove trees, shrubs, plants, monuments or grave markers without the written consent of lot owner or owners, and the cemetery management.

If any article is placed in or upon a plot or grave, which shall be considered by the Board to be offensive, or improper or injurious to the appearance of the surrounding grounds or lots, the Board shall have the right and it shall be its duty to enter upon such lot and remove the same.

The placing of Eternal Lights, glass containers or receptacles of any kind on or near any grave is strictly prohibited.

The placing of aluminum and plastics strips, stone chips or wood chips between the flower bed and the grass on any grave is strictly prohibited.

It is not within the cemetery's normal upkeep to shovel or water gravesites – this is the sole responsibility of the deed holder.

Purchasing, laying and caring of Sod is the sole responsibility of the deed holder.

Guy rope, caution tape and signage is not permissible.

We will allow Border Demarcation of scalloped bricks 15 inches in front of a single grave monument and 24 inches in front of a plot monument.

Since flowerbeds are not required, and since their creation is up to the plot or grave owners, flowerbed maintenance is the responsibility of the grave owner.

Under no circumstances will the Cemetery allow the planting of any type of trees, bushes, ivy or pachysandra on single graves.

We will allow one small shrub on each side of the family monument in the plot section.

We will allow artificial flowers on the grave from November 15th to April 15th.

Religious Statues are permissible as long as they are no larger than 12 inches in height.

Christmas Decorations will be removed starting on or around January 10th conditions permitting.

All graves and plots with no trust endowment or annual care payment is the sole and exclusive responsibility of the owners.

If any monument, headstone, or any structure whatsoever shall be or become dangerous, offensive or improper, or injurious to the appearance of the adjacent lots or grounds, it shall be the right and duty of the Superintendent to remove or correct such, without liability for so doing.

The placing or leaving of inanimate objects, ornaments, trinkets and articles and objects of all kind of an insubstantial nature is prohibited and will be removed and discarded by the cemetery without notice or liability to any person.

Permanent flower holders are not permitted by the cemetery and if placed are the sole responsibility of the deed holder. What shall constitute articles and objects prohibited by this paragraph shall be determined in the sole judgment of the Board of Trustees.

West Nile Virus – Department of Health Notice – See office for a list of restrictions

SINGLE GRAVES AND PLOTS

All single graves shall be grassed entirely over and no planting of any kind is permitted except small flowering plants set in a crescent bed directly in front of the stone.

All graves shall be level or flush with the ground and the management is directed by the Board to remove all mounds over graves and to sow grass seed on such graves.

No changes from the established grade of a lot will be permitted.

All interments must be made in a concrete vault or concrete rough box with the following exception.

- When the original interment was made in a wooden outer case the second interment must be made in a wooden outer case or metal vault.
- When a request is made for an interment of cremains in a grave that has two vaults:
 - a) A GRAVE DEPTH TEST will be taken to determine if there is space available for the interment of cremains.
 - b) There is a fee for the GRAVE DEPTH TEST, which must be paid even if it is determined that the cremains cannot be interred in said grave.

Lot enclosures of all kinds are prohibited: corner stones only are to be used to mark the boundaries of lots.

Established area with strip foundations are limited to:

1. Two vaults.
2. One vault, one baby vault.
3. One vault, two permanent urns.

All temporary grave markers shall be set by the Cemetery.

They must have at least a two inch butt and shall not extend more than one foot above the surface of the ground. The locations are placed on each temporary marker and they are logged before being placed on gravesite.

INTERMENTS/ENTOMBMENTS

Orders for the opening of graves/crypts/niches shall be left at the cemetery office at least twenty-four hours before the time of interment.

Management will not be responsible for orders received by telephone/fax unless confirmed.

Before an interment/entombment is made, the following particulars are required:

Name of deceased,

Location of grave/crypt/niche to be opened,

Age,

Place of death,

Cause of death,

Date of interment,

Hour of arrival at the Cemetery,

Exact size of box/liner,

Name of funeral director,

Name of person giving order

- A person giving permission for an interment in their grave, plot, crypt or niche must submit a notarized affidavit stating the name of the person to be interred and the location of said interment. Interment of inground remains must be placed in a permanent receptacle.

All baby interments (child under 3 years) must be placed in a casket/vault combo.

Interment of baby (child over 3 years) in grave with one interment, considered a full burial.

New purchases, space for two burials and one baby casket/vault combo.

When an order for an interment is received and no Annual or Perpetual Care has been paid; a trust fund must be placed on the grave before the burial is permitted.

Burial sites are usually prepared in advance. Grading is established in advance at the sole discretion of the cemetery.

It is the policy of Moravian Cemetery not to inter or entomb the casket until everyone who is attending the committal service has left the burial site.

COMMUNITY MAUSOLEUMS

BAY VIEW, GARDEN AND VALLEY VIEW MAUSOLEUMS

NO PLANTING, BOUQUET HOLDERS, BOUQUET HANGERS, DECORATIONS OR FLOWERS WILL BE PERMITTED.

Caskets must be placed in a kryprotek liner or in a zinc liner which is fired sealed. Each crypt is built to contain a zinc or kryprotek liner, max size 7ft. 2 in. long x 30 in. wide by 24 in. high.

Inscribing of slabs must be ordered with the Cemetery to insure uniformity. The normal time frame for an inscription on a mausoleum shutter is 10-12 weeks from the day of entombment. (conditions permitting)

The cost of the inscription is paid by the family or funeral director.

The inscription will be as follows:

Given Name,

Middle Initial,

Last Name,

Year of Birth,

Year of Death,

A kryprotek or zinc tray must be used in conjunction with a sealer casket when the first entombment of a Westminster for two or a Westminster for four then the two bottom entombments are used.

COMMUNITY NICHEs

The capacity of niches is limited to one container of cremated remains unless otherwise indicated in the certificate of purchase.

Container from crematory accepted as a permanent receptacle in all niches.

Container from crematory not acceptable for inground burials.

Size of urn to be placed in a niche, must not exceed size, 10"W x 10" H x 9"D.

Inscriptions on the tablets of niches are limited to the name(s) and years of birth and death of the deceased.

The size, type and manner of lettering must meet with the approval of the Superintendent. A sample of permissible lettering and word arrangement may be seen at the office of the Cemetery. The Cemetery reserves the right to refuse to accept any container for inurnment of cremated remains which in the judgment of the Board of Trustees, will not provide permanent interment, or is of a size which will not permit the use of the niche to its stated capacity.

The original cremation certificate must accompany the cremains, no interment or entombment of cremains will be permitted unless we receive the original cremation certificate.

RECEIVING VAULT

All bodies which are placed in the receiving tomb are placed there with the distinct understanding that the nearest next of kin or relative shall as soon as possible, make arrangements for the interments of the remains in a burial plot, or for the cremation thereof. Upon the failure of the nearest next of kin or relative to make such arrangements or upon the failure to pay the rental charges for the use of the space of the tomb, the Board in its sole and exclusive judgment may cause removal of such remains to a single grave and the next of kin or relative shall be responsible for the payment of the price of the single grave and the rental charges in arrears.

When the body is placed in the receiving tomb the name of the nearest relative must always be given in writing to the management, with a written request that the body be placed in the receiving tomb and a promise to pay rental charge.

MONUMENTS, MAUSOLEUMS AND SARCOPHAGI

All foundations shall be constructed by the Cemetery at the expense of the lot owner. All monumental work, except boundary posts, must be set on foundations.

No foundation work will be done between November 1st and March 1st.

Foundation Strips – certain foundations are pre-poured to grade. The final leveling of the monument will be accomplished with the use of industry approved shims and will be done by the stone setter.

Boundary posts shall be set by the Cemetery and they must be cut to set at least one foot in the ground. When they are set on a lot adjoining another lot, the side adjoining the other lot must be dressed down plumb with the top of the post and all posts must be full length and full size at the bottom or they will be rejected. Duplication of corner posts will be avoided wherever possible. In some Old Sections, corner posts are set above ground. In the New Sections, they shall be flush with the ground.

No mausoleum or monument of any kind shall be erected upon any grave, plot or lot, without the consent of the Central Board of Trustees. Complete plans and specifications shall be submitted to the Board of Trustees with the application for the erection of said mausoleum or monument.

The Board reserves the right to regulate the size, kind, nature and character of all mausolea and monuments.

All shall have non-shatterable glass in doors and windows.

The plans and specifications referred to in the above paragraph must be complete and show all details of the work including inscriptions, religious figures, reliefs on the granite, statuary, etc.

The Board of Trustees reserves the right to reject any and all such plans and specifications.

No stone, monument or memorial of any kind whatsoever shall be placed or erected upon any grave or plot unless its quality, style, design, location and size have first been approved in writing by the management of the Cemetery.

No benches of any kind shall be permitted to be set anywhere in the Cemetery.

No epitaph, inscription, symbol, writing or phraseology of any kind shall be placed upon, carved into or embossed upon any stone, monument and memorial without the written approval of the cemetery management.

There shall be permitted in the apex or top middle part of the monument, inscribed in or upon the granite, the insignia or symbol of any recognized fraternal, patriotic or armed services organization, the Daughters of the American Revolution, the Bible, a cross and the dove of peace. Other insignia, symbols or quotations intended to portray hope, or faith shall also be permitted.

All such insignia and quotations are subject to the approval of the management.

Pictures of the deceased cannot be etched or inscribed or glued on any MONUMENT, CRYPT or NICHE.

Only one monument shall be permitted on a single grave.

No monumental work shall be commenced in the cemetery until the cost of the plot and foundation has been paid in full.

The Cemetery SHALL NOT be responsible for damages to grave markers or monuments.

No stone, monument or memorial of any kind whatsoever shall be placed or erected upon any grave or plot unless its content, quality, style, design, location and size have first been paid for and approved in writing by the management of the Moravian Cemetery.

If a stone is placed without any of the aforementioned, it will be promptly removed and Moravian Cemetery will not be held responsible for same.

The Cemetery SHALL NOT be responsible for incidental damages (whether unintentional or deliberate) to any of the Mausoleum Shutters.

No mausoleum shall be erected unless proper provision has been made for the perpetual care of the building and grounds.

All single grave markers of Granite in Zones A-B-D-E-F-G-H-I-J-K-L-M-N must be made in one (1) piece.

No two-piece markers shall be permitted. These markers must be placed parallel to the ground.

The maximum overall size shall be 2 ft.4 in. x 1 ft. 4in.

The size indicated above includes a 2 in. level flange of same material set flush with the ground leaving an inscription space on the raised portion of the stone 2ft. 0 in. x 1 ft. 0 in.

The maximum height above the flange shall be 2 in. front and 6 in. at the rear, markers shall be no more than 10 in. thick overall, and of good quality granite acceptable to the Board of Trustees.

All single grave markers of Granite in Zones C-P-R-S-T , THS, ZDS, SGHL, HRBV, VASG, HVSG also #6000 to 9000 must be made of one piece.

No two-piece markers shall be permitted.

These markers must be placed parallel to the ground.

The slant markers overall size shall be 2 ft. x 1 ft. 2 in.

Grave number must be cut on the lower right hand corner of slant.

MONUMENT DEALERS, GARDENERS AND BURIAL VAULT COMPANIES

All persons doing monumental work of any kind or the cutting of inscriptions, must present a written order, signed by the lot owner or the majority of the lot owners, giving them authority to do such work. Blank forms may be obtained at the Office of the Cemetery.

All private landscapers must register before hand at the Cemetery office and are subject to the Rules of the Cemetery. Their employees will be held accountable for any violation of the Rules. They must present a written order signed by the lot owner or the majority of the lot owners giving permission for such work.

All workman employed in the erection of monumental work is subject to the rules of the Cemetery.

Their employers will be held accountable for any violation of the rules.

All workman employed by a Burial Vault Company are subject to the Rules of the Cemetery.

Their employers will be held accountable for any violation of the Rules and for any damages.

APPLICATION AND ENFORCEMENT OF RULES AND REGULATIONS AND DISCLAIMER OF LIABILITY

All the Regulations of the Moravian Cemetery, including those governing the conveyance of burial space shall be applicable with respect to all burial spaces heretofore or hereafter conveyed. Special instances may arise in which the literal enforcement of a Regulation may impose unnecessary hardships. The Cemetery therefore reserves the right, without notice, to make exceptions to, or suspensions or modifications of any of its regulations when, in the judgment of the Board of Trustees the same appears advisable; and such exception, suspension or modification shall in no way be construed as affecting the general application of such Regulation.

Although reasonable care will be exercised in making an interment/disinterment, the cemetery assumes no liability for damage to any casket, burial case, box or urn which may occur in the course of making an interment/disinterment, nor for the disturbance of the remains themselves. The Cemetery may rely as to any fact in the affidavit of anyone who, in the judgment of Cemetery officials, is or should be acquainted with such fact, and no liability of any sort shall attach to or be imposed upon the Cemetery because of any action taken or not taken in reliance upon any such affidavit.

No disinterment will be allowed except by the consent of the trustees and upon a written order of the owner or owners of the lot. In every case the disinterment must be made by the Cemetery authorities.

The Cemetery shall not be liable for any injury or damage to persons or property arising out of any action or inaction on the part of its employees or agents acting with reasonable care.

The Cemetery shall have no liability whatsoever for any injury or damage to persons or property arising out of any action or inaction on the part of any other person whomsoever, including but not limited to visitors, lot owners, persons employed by lot owners in connection with interments, inurnments, disinterment or the care and embellishment of burial sites or from causes beyond its control, including, but not limited to, an act of God, enemy action, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or order of any military or civil authority, whether the damage be direct or indirect.

The Board of Trustees will pay a reward of \$1,000.00 to any person who furnishes evidence leading to the arrest, conviction and imprisonment of another person or persons who deface or damage a monument or mausoleum.

Sale of single graves and plots restricted to Island residents only and all Moravian Church members for immediate use only.

The Board of Trustees reserves the right to alter, amend, enlarge or modify these Rules and Regulations at any time in its sole and exclusive judgment without first giving notice to plot owners of such alteration, amendment, enlargement or modification, and all Rules and Regulations shall be binding on all plot owners at all times.

