



HERSHEY CEMETERY



RULES & REGULATIONS



# HERSHEY CEMETERY

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## ARTICLE I

### Purpose and Location

1. Hershey Cemetery was established by town founder Milton S. Hershey in 1917. Its purpose is to provide a burial place for town residents, their relatives, and others.
2. Hershey Cemetery is conveniently located northeast of the town of Hershey, accessible by a tree-lined road off of PA Route 743.
3. Offices for the Cemetery are located within Hershey Trust Company at High Point Mansion, 100 Mansion Road East, P.O. Box 445, Hershey, Pennsylvania 17033-0445. Office hours are Monday to Friday by appointment - 717.520.1110.

## ARTICLE 2

### Management of the Cemetery

1. Hershey Cemetery will be governed by a Board of Directors of no less than three nor more than five individuals as it so elects. It will be a self-perpetuating Board without term limits or eligibility requirements. All management decisions are based on a majority vote of the Board.

## ARTICLE 3

### Lot Ownership

1. Lots within the Cemetery are available for purchase at the office of the Cemetery via appointment. Each purchaser of a lot, upon payment in full, will receive a deed guaranteeing to him and his heirs, a perpetual burial place. The deed will specify the number of burial plots available to the purchaser on the lot selected for purchase. It is assumed that a purchaser has inspected and approved the location of the lot prior to purchase.
2. The one and only purpose of a purchased lot is for and limited to the burial of the human dead.
3. Owners cannot sell or transfer any lot, in partial or full, to a third party. In the event that a purchaser no longer wishes to retain a purchased lot that has remained in its original form, he must request to the office of the Cemetery that the Cemetery repurchase the lot. The Cemetery is not required to repurchase any lot. However, if it does so choose to repurchase, under no circumstances will the Cemetery repurchase the lot for more than the original purchase price. The Cemetery may impose normal and customary fees for the old deed to be destroyed.
4. Lot sizes are determined by the Cemetery. All lots are marked by corner posts set flush with the ground. All avenues, walks and lots shall be established by the Cemetery.
5. No permit for a grave will be allowed on any lot where the owner has neglected to pay any indebtedness which he may owe the Cemetery.



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## ARTICLE 4

### Perpetual Fund and Perpetual Care

1. Under existing Pennsylvania law, at least 15% of the purchase price of any lot sold by the Cemetery, must be placed in a “Perpetual Fund” for perpetual maintenance of the grounds of the Cemetery. Maintenance includes but is not necessarily limited to mowing of the lawns during growing season, plowing of roads in winter within a reasonable time after snowfall, and the control of weeds, trees, and other vegetation.
2. Only the Board of Directors has authority to expend funds from the “Perpetual Fund” for maintaining the Cemetery grounds.
3. The Board of Directors shall be Trustee of the “Perpetual Fund” but has the authority to designate any financial institution it pleases, to invest, reinvest, and distribute funds of the “Perpetual Fund”. The Board also has the authority to have the financial institution maintain the books of the “Perpetual Fund”.
4. The “Perpetual Fund” shall be used only for properly maintaining the Cemetery grounds, or for other restoration or beautification purposes as the Board of Directors, in its sole discretion, deem desirable.

## ARTICLE 5

### General Fund

1. All funds received by the Cemetery, to the extent they are not placed in the “Perpetual Fund”, will be added to the “General Fund”. These funds are available to the Board of Directors to use in their sole discretion, for expenses relating to the Cemetery and its operations (including any fees paid to any financial institution for its services).
2. The books for the “General Fund” will be maintained by the Board of Directors or their designee. The Cemetery is under no obligation to provide financial statements or other financial records to any purchaser of any lot.

## ARTICLE 6

### Lot Improvements/Monuments

1. Hershey Cemetery reserves the right to approve all monuments brought in to the Cemetery. All monuments are to be constructed of granite or bronze.
2. One family monument will be permitted on deed holder(s) lot, to be placed at the head in compliance with the general plan of the Cemetery.
3. The size of a monument shall be governed by the size of the lot. Size restrictions may be obtained from the office of the Cemetery. The Cemetery reserves the right to reject or remove any monument not conforming to approved plans and specifications.



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4. All grave markers will be flush with the ground and placed at the end of the grave farthest from the monument. Only with special permission from the Cemetery may two grave markers be placed on one grave. An extra fee for perpetual care will be collected before the second marker is approved.
5. On lots where no family monument is provided, markers may be placed at the head of the grave flush with the ground.
6. Only grave markers flush with the ground, at the head of the grave, are permitted in the Single Section.
7. Foundations for all monuments shall be of concrete and constructed by the Cemetery at the expense of the lot owner. They shall be the same size as the base and of sufficient depth to insure permanence.
8. All contractors performing work in the Cemetery must conform to the rules and regulations of the office of the Cemetery.
9. Flowers may only be placed directly in front of and within 8” of a family monument. These plants are the responsibility of the lot owner. The Cemetery is not responsible for damage done to plants. No planting of vines, shrubs or trees.
10. Landscaping stones, borders, and ornamental objects are not permitted on or around grave monuments or the lots. These items will be removed by Cemetery personnel and an invoice sent to lot owner.
11. All monuments placed in the Cemetery are at the owners own risk.
12. Plants that become unsightly or overgrown will be removed by the Cemetery and an invoice sent to the lot owner.

### ARTICLE 7

#### Funerals and Interments

1. Whenever an interment/disinterment is to be made, a burial permit must be obtained from proper authorities and not less than a forty-eight hour notice given at the office of the Cemetery, excluding Saturday, Sunday and holidays.
2. No interment will be made on Sunday or the following holidays: New Year’s Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas, except to comply with Board of Health Regulations or special considerations.
3. Only one coffin size interment will be allowed in a grave, however, two cremations may occupy one grave space.
4. The digging of all graves and the raising or removal of bodies from one place to another will be done by workmen with the consent of the office of the Cemetery.



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5. No removal will be allowed from any lot or grave in the Cemetery without permission from the lot owner.
6. The owner of a lot has the right to give verbal or written permission for interment of those other than family members, but he cannot do so for monetary profit.
7. All funeral processions, while within the grounds, will be subject to the direction of the Cemetery management.
8. When workmen are engaged in labor in the immediate vicinity of an interment, they must suspend operations until all religious services are concluded.

## **ARTICLE 8**

### **Regulations for Visitors**

1. The Cemetery is open daily from sunrise to sunset.
2. Dogs are not permitted within the grounds of the Cemetery.
3. No refreshments or parties are permitted on the grounds.
4. No person with firearms will be allowed on the grounds (except for military/police personnel).
5. Children must be accompanied by an adult, who in all cases will be held accountable for their conduct.

## **ARTICLE 9**

### **Miscellaneous Provisions**

1. All trash/rubbish must not be left on the grounds of the Cemetery.
2. The Cemetery shall not assume any responsibility for items brought in to the Cemetery. All items left behind are at the risk of the lot owner.
3. The Cemetery will take every reasonable precaution to protect property rights of lot owners, but it distinctly disclaims all responsibility for any loss or damage from causes beyond its control, and especially from any damage caused by an Act of God, the elements, common enemy, vandals, thieves, malicious mischief, strikes, invasion, riots, explosions, unavoidable accidents or order of any military or civil authority whether damage there from be direct or indirect.
4. The Cemetery reserves the right to correct without liability for the payment of damages, any errors which may be inadvertently made by it either in making interments/disinterments, or in the description, transfer or conveyance of deeds or burial rights, and to substitute and convey in lieu other property of similar nature and location as far as possible, or at the sole discretion of the Cemetery to refund the amount of money paid on



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account of said purchase. When such error is in respect to the interments of the remains of a deceased person in such property, the Cemetery reserves the right to remove and/or transfer such remains to other property of similar nature and location

5. The Cemetery reserves the right from time to time, as it may become necessary or desirable, to make any changes in boundary or grading of respective sections of the Cemetery or in road location and grades or in paths and walks or any part thereof. It also reserves the right to alter or lay, maintain and operate pipe lines, gutters, drains, electric lines, etc.
6. Should a lot owner fail to notify the Cemetery of a change in his or her post office address, any notice shall be addressed to him at the last known post office address appearing on the Cemetery record.
7. The Board of Directors shall have the sole power to make any rules and regulations, at any time and from time to time, as it believes are necessary for conducting the affairs of the Cemetery. The Cemetery may at any time alter, modify, or discontinue any rules and regulations or adopt new ones, as the need arises.
8. The Board of Directors reserves the right at all times to add, alter, or amend the foregoing Rules and Regulations.

Updated April 2015