

The Weehawken Cemetery

Rules and Regulations

4000 Bergen Tpke, North Bergen, New Jersey 07047
Office: 201-867-0151

The following rules and regulations pertaining to the management and conduct of The Weehawken Cemetery are herewith adopted.

In order to secure and promote the mutual benefit and protection of the owners of interment rights and the Cemetery, and to further the general objectives thereof, the following are hereby adopted as the RULES AND REGULATIONS OF THE CEMETERY. All owners of interment rights in the Cemetery, visitors thereto, persons performing work therein, and all persons within the cemetery grounds shall be subject to the Rules and Regulations, and all revision thereof, amendments, and additions thereto or alterations thereof as shall be duly adopted by the Cemetery time to time.

The Cemetery is a Non-Profit Cemetery, which operates under the guidelines of Title 45:27 1-41 and New Jersey Administrative code Title 13 Chapter 44J.

GENERAL INFORMATION

- 1) All lot, grave, crypt, and niche prices shall be subject to ordinary care and such prices as may be determined by the Board of Trustees of The Weehawken Cemetery, and according to the plans on file in the cemetery office. Purchasers of a grave, a crypt, and/or a niche simply acquire the right to bury their dead.
- 2) Any and all deeds and/or certificates of rights shall be subject at all times to such regulations as may from time to time be determined by The Weehawken Cemetery and shall be part of said deed/certificate as if embodied and fully set out.
- 3) The Superintendent of The Weehawken Cemetery, or his/her employees, will attend to the maintenance of grave grade, trimming of lawn, trees and bushes that have been authorized by the cemetery.
- 4) No lot shall be raised above the established surface grade when completed. No enclosure of any kind, such as fences, copings, hedges or ditches shall be permitted around any graves.
- 5) No trees, shrubs or plants shall be planted upon any lot without specific consent of the Superintendent, and only in rare cases shall such planting be allowed. If same is done, such at all times shall be under the control of the Superintendent, who may order the pruning, transplanting or removal of any tree, shrub, or plant, when he/she considers such a course necessary or beneficial to the general appearance of the cemetery. The employees of The Weehawken Cemetery shall have the right, at any time, to enter upon each and every lot for the purpose of maintaining, cleaning and policing same.
- 6) Before a person, who is not a member of the family of the lot owner (heir at law), shall be buried in any lot, a Right of Interment shall be required from the lot owner authorizing The

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Weehawken Cemetery to issue a permit for such burial.

- 7) Persons desiring to have work done of any kind on or about the lot(s) they own shall first explain the character of the work to the Superintendent, who will evaluate the problem, work up a quotation and submit a proposal to the requestor for their approval. Once The Weehawken Cemetery receives the signed approval and required payment, the Superintendent shall proceed to have the work done as requested.
- 8) When funeral flowers become unsightly, or are causing turf damage, they will be removed from the grave. Persons wishing to retain any flowers, baskets, etc. must remove them or advise the Superintendent or Office Staff to retain such for them.
- 9) A map or print of the cemetery property will always be on file in the cemetery office for the purpose of finding a grave location or for other information.
- 10) All waste or rubbish of any kind shall be deposited in the proper receptacles located throughout the cemetery.
- 11) Visitors or lot owners are prohibited from plucking or carrying away any flowers, either wild or cultivated, and shall not break down or deface any shrubs, trees or plants, or in any way damage any marker, fence or structure within the cemetery.
- 12) All persons visiting any lot shall respect the solemnity of the cemetery. No loud noises, disorderly conduct or illegal activities will be permitted within the cemetery.
- 13) Visitors to the cemetery who are not members of a funeral procession shall not intrude upon a funeral or loiter about an open grave.
- 14) Upon request and with adequate soil, double-depth interments are permitted at an additional fee. Infants or cremains may be buried on top of a vault from a previous burial. There shall be only one infant or one cremation interred in a grave along with a regular interment.
- 15) Vehicles shall not pass a funeral procession making its way to a gravesite, nor shall the funeral procession be closely followed or joined by persons who are not a part of that procession. Vehicles shall not turn around on the roadway. They shall follow the roadway to their destination. Vehicles shall keep to the right and when parking stay as close to the lawn as possible.
- 16) Refreshments or intoxicating liquors shall not at any time be permitted in the cemetery. Firearms shall only be permitted in the cemetery for use in a military funeral and by military professional only.

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- 17) No disinterment's shall be permitted, except upon written request of the lot owner. Such disinterments shall be done at the expense of the lot owner and in compliance with the laws of the State. Only a licensed Funeral Director can be present at a disinterment. No videoing, recording of any type or pictures will be allowed.
- 18) No Deed of Title or Certificate to a lot in this cemetery shall be issued until the purchase price is paid in full, or according to the conditions of the selling contract, which The Weehawken Cemetery shall have in force.
- 19) If any marker, structure, monument or inscription that may be deemed offensive or improper is placed on or around any lot, The Weehawken Cemetery may give notice to the lot owner to remove the object. Upon failure to do so within the stated period of time, The Weehawken Cemetery shall do so at the lot owner's expense. The Weehawken Cemetery alone shall decide whether the object or inscription is offensive or not.
- 20) A permit must be secured from The Weehawken Cemetery for the erection and installation of headstones, markers, or lot corner posts. All monuments must have a concrete foundation that must be constructed by the cemetery and paid for by the applicant. All memorials must be approved by the cemetery. All memorials must have the location on the lower right-hand corner and must have a foundation in accordance with the Cemeteries Memorialization Regulations.
- 21) The cost of all interments includes the digging and filling in of the grave and the services of the Superintendent during the interment. The charge for the interment will be in accordance with the schedule of cemetery charges made by The Weehawken Cemetery and are fully displayed in the Cemetery Office. All interments, entombments must be paid for no later than at the time of the interment. No additional burials shall be made in any lot if any previous expenses on the lot remain unpaid.
- 22) Foundations are guaranteed for 10 years. After 10 years charges will apply for raising and leveling.
- 23) No dogs or other animals shall be allowed on the cemetery grounds.
- 24) No feeding of wildlife is permitted.
- 25) Upon entering the cemetery, all funeral processions shall be under the direction and control of the Superintendent of the cemetery, or his workers.
- 26) Any questions that may arise as to the placing of monuments on a grave shall be answered at the discretion of the Board of Trustees of The Weehawken Cemetery

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- 27) If any tree, plant or shrub situated on any lot, or the roots thereof, become detrimental to the adjacent lot or roadway, or become unsightly to visitors, it will be the duty of The Weehawken Cemetery to remove said trees, plants or shrubs.
- 28) The sale of any lot, or portion thereof, must be done through the office of The Weehawken Cemetery. Before the issuance of a Transfer of Certificate of Right, The Weehawken Cemetery must approve such transfer. If there is a transfer of money, 15% of the current selling price of the space(s) minus the original sale price, must be collected by the cemetery and deposited into the Maintenance and Preservation Fund. This is a state law. If the lot is simply transferred to a family member, or other party, with no money being involved the 15% fee does not apply. A transfer fee will be charged and paid to The Weehawken Cemetery for any transfer of a Certificate of Right.
- 29) The Weehawken Cemetery is divided into many sections. Several are for monuments only, others are all flat memorials, and some have a variety. Colors and Sizes may also be specific to that section. Please call our office before ordering your memorial.
- 30) The planting of flowers in wooden boxes shall not be permitted.
- 31) Concrete benches of any kind are not permitted in the cemetery.
- 32) The Superintendent of The Weehawken Cemetery is directed by the Board of Trustees of said cemetery to enforce these regulations for the lot owners and to comply with same.

OWNERSHIP, TRANSFER AND DESCENT OF INTERMENT SPACE

- 1) All crypts and niches in the Mausoleum shall be held in pursuance of and subject to the New Jersey Cemetery Act, N.J.S.A.; 1-1 et seq., the amendments thereof and supplements thereto, and any and all special or general acts applicable to the Cemetery or the Cemetery and the lands thereof and said crypts or niches shall also be held subject of the franchise, By-laws and rules now in force or hereafter adopted, whether or not the same appear herein or in the agreement for purchase or in the deed or certificate for same.
- 2) No person will be recognized as the owner or co-owner of any crypt or niche interment space, or any interest therein, unless his name is properly recorded as such upon the records of the Cemetery.
- 3) When there are two or more owners of any interment space, they may designate in writing one or more persons to represent the said interment space and the owners thereof, and file the same with the Cemetery, the same to be in such form as is acceptable to it. So long as they fail to file such a designation, the Cemetery shall not be liable to any persons for the incurring or permitting of an interment in the interment space upon the request or direction of any co-owner.

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A fee shall be paid for the filing of any such designation.

- 4) Subject to the provisions of these Rules and Regulations and to the provisions of the New Jersey Cemetery Act, N.J.S.A. 45:27, 1-41 et seq., the owner of any interment space or an interest therein may convey the same to the Cemetery or any person. Nothing herein shall require the Cemetery to purchase any interment space offered for sale.
- 5) The Cemetery may refuse to recognize as valid, complete and/or effective, any transfer, assignment or reservation of an interment space unless and until the Cemetery shall have first authorized the same by a writing endorsed on the instrument of transfer, assignment or reservation, and which instrument of transfer, assignment, or reservation, accompanied by an affidavit of title, both of which shall be in such form as it is satisfactory to the Cemetery, shall have first been filed and recorded in the office of the Cemetery, for which filing and recording it shall be entitled to make a reasonable charge, and shall have made such payment to the Maintenance and Preservation Fund (herein known as M&P), as shall be required by N.J.S.A. 45:27, 1-41 ET SEQ. The Cemetery may refuse its said consent as long as any indebtedness remains due on said interment space.
- 6) Upon the death of the owner of an interment space or any interest therein, or upon the date of the purchaser under a Contract of Sale, thereof, the Cemetery may require, before recognizing the interest of a successor in title, that the surviving spouse, if any or any person claiming title thereto or an interest therein as heir or devisee of such deceased owner or as the executor or administrator of his estate, file with the Cemetery an Affidavit in such form as meets with its approval, setting forth the pertinent facts and shall attach thereto and make a part thereof a properly certified copy of any Last Will and Testament left by the decedent amid such extra documents of transfer or conveyance as shall be reasonably required by the Cemetery.
- 7) Upon the death of a joint tenant or a tenant by entirety, the Cemetery may require, before recognizing the surviving tenant as sole owner of the interment space, that such survivor file with the Cemetery an Affidavit in such form as meets with its approval and other proofs and documentation as may be required by the Cemetery for which filing by the Cemetery shall be paid its regular charge.
- 8) The owner of a crypt space may, exchange his/her crypt for a location of an equivalent size and value in any section available in the mausoleum provided that no entombment has been made in the original crypt. A fee shall be paid for this exchange.

INTERMENTS AND DISINTERMENTS

- 1) All interment spaces in the Mausoleums shall be used only as and for a place of the interment of human remains of those that either own said crypt or niche or have an interest therein.

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- 2) The Cemetery reserves the right to refuse interment, and to refuse to open any interment space for any purpose, except on written application by the owner of record or his legal representative, made out on such forms as shall meet with the approval of the Cemetery and which shall be filed in the Cemetery office.
- 3) In the absence of specific written instructions by the owner of a number of interment spaces, the Cemetery, or its officer or agent having immediate charge of the interment may inter the remains of any person entitled to interment therein, in any one of the unused spaces therein, at its discretion.
- 4) When instructions regarding the location of any interment cannot be obtained without undue delay or cannot be obtained at all, or where instructions given with regard thereto are in the opinion of the Cemetery indefinite, or when for any reason the interment space cannot be opened where specified, the Cemetery may in its discretion open such interment space as it deems best and proper, so as not to delay the funeral; and the Cemetery, its agents, servants and employees shall not be liable in damages therefore.
- 5) The Cemetery may in its discretion rely upon the presentation of the original deed or certificate to any interment space, or a copy thereof, or a copy of a confirmatory deed thereto, duly certified as a true copy by the proper officers of an under the seal of the Cemetery, or upon presentation of the executed and approved duplicate of the transfer deed or certificate recorded and filed in the Cemetery Office, as sufficient proof of ownership of the interment space therein mentioned, so as to permit the use of same for interment purposes. If at the time of an interment, the said original deed or certificate, duly certified as aforesaid, or said transfer deed/certificate is not produced, the Cemetery may at its discretion accept such other proof of ownership as in its opinion may seem sufficient, and may insist upon the presentation of such deed or certificate at another date.
- 6) All funerals, on entering the cemetery grounds, shall be under the supervision of the Cemetery Management. The employees of the Cemetery are not and shall not be obligated to act as pall bearers for the removal of the casket from the funeral car or the urn or other receptacle containing cremated human remains, conveying it to the interment space and/or the handling of the casket, urn or other receptacle for any purpose. Any such act by the employees of the Cemetery is done as a mere accommodation and the Cemetery shall not be liable for the handling of the casket containing the remains or the urn or other receptacle containing the cremated human remains.
- 7) Every funeral procession is required to stop at the Cemetery Office or other previously designated area and deliver to a member of the office staff or such other authorized agent of the Cemetery, the permit issued by the Board of Health and the owner of the crypt or niche, and to make proper payment.

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- 8) The Cemetery reserves the right to insist upon receiving written notice of an interment at least 24 hours before the funeral arrives at the Cemetery, and at least one week's written notice of any disinterment or removal of remains.
- 9) Owners of interment spaces shall not permit interments to be made for remuneration.
- 10) The Cemetery will be in no way liable for any delay in the interment of the remains where a protest has been made, or where the Rules and Regulations have not been complied with, and it reserves the right, under such circumstances, to place the remains in a receiving vault at the expense of the person making the interment, until the rights of all interested parties have been determined. The Cemetery shall be under no duty to recognize any protest unless it is in writing and be filed in its office at least 24 hours before interment.
- 11) The remains or cremated remains of no more than one person may be interred in any one interment space unless such space was purchased as a double-depth grave. However, with the approval of the Cemetery and payment of the additional right(s) of interment, the cremains of as many as two persons may be placed above the full burial provided there is sufficient space to accommodate such a container(s).
- 12) The Cemetery's charges for the opening and closing of crypts or niches and for interments, disinterments, removals, work and materials shall be paid by the owners of such interment space or by the person ordering the same.
- 13) No interment or disinterment will be permitted in, and no memorial may be placed on any grave, crypt or niche if any charge from the Cemetery is due or unpaid.
- 14) Only the Cemetery, the charges for which shall be paid in advance, can make all interments and disinterments.
- 15) The purchase price of the crypt or niche does not include the fee for each entombment or inurnment service. Such entombment or inurnment service shall include the opening and sealing of the crypt or niche and use of the Chapel.
- 16) When the person directing the funeral, whether it be a Funeral Director or otherwise, presents him/herself at the Cemetery with the remains under his/her control, the Cemetery shall have the absolute right to assume that said remains are those of the person mentioned in the burial or Cremation permit presented to it for the interment thereof. The Cemetery shall not be liable for any difference in identity between the persons whose remains are sought to be interred and the person named in said permit or certificate.
- 17) The Cemetery reserves, and shall have the right to correct any error that it may make in interments, disinterments or removals, or on the container for cremated remains, or in locating or placing of memorials, or in the contract for the sale or in the conveyance of interment space

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(including, but not limited to, the erroneous inclusion therein of interment space which it had theretofore sold or contracted to sell to another). In the event of any error made in the contract for the sale of interment space, the Cemetery may correct the same. , or if for any reason it cannot sell the interment space therein described, other interment space of equal value and similar location as far as possible, or in its sole discretion, it may refund to the purchaser the consideration paid to it on account thereof and cancel said contract. In the event of any error made in the conveyance of interment space, or if for any reason it could not or should not be conveyed the same, it may cancel said conveyance and issue in lieu thereof a new conveyance for other interment space of equal value and similar location as far as possible, or in its sole discretion, it may refund the consideration aid to it thereof. In the event that the correction of any such error shall require removal of interred remains, the Cemetery reserves the right to disinter the same and re-inter the same in the correct or in the new location. The Cemetery shall not be liable in damages for any such error or the consequences thereof, or for the correction thereof, in such as said purchaser agrees to consent to the removal of the remains by executing the appropriate documents. Refusal to consent will result in appropriate legal action at the expense of the purchaser.

- 18) It shall be the obligation and duty of each lot owners and/or his/her representatives to cooperate with Cemetery Management by the execution of such documents as shall be necessary to correct the records of the Cemetery or to permit the opening of the grave, crypt or other interment space for the purpose of disinterment or for any other purpose necessary to rectify or verify an interment previously made therein. If an interment shall be determined to have been made erroneously in a grave, crypt or other interment space owned by another lot owner, the owner of the affected interment space shall be entitled to notice of the occurrence. On the condition that the lot owner or owners and family members shall promptly cooperate with the Cemetery in the steps necessary to rectify or verify the occurrence, the Cemetery shall bear the costs of such verification and rectification of any occurrence caused by an error or omission of the Cemetery Management, including the costs of disinterment and restoration of the interment space, and under no circumstances shall the cemetery or its officers or employees be subject to claims for other compensation to the lot owner(s) or family members.
- 19) Neither the Cemetery nor its officers or employees shall be liable to any lot owner, family member or invitee for compensation or other damages arising from personal injury, emotion distress or property damage caused by or related to a condition of the grounds or the property of the Cemetery or improvements thereon, or arising from any occurrence or activity associated with Cemetery Management including grave openings, interments, disinterments and including, but not limited to, any other activity normally conducted upon the grounds of the Cemetery. Each lot owner shall be responsible to provide notice to the Cemetery Management of any site condition or activity deemed to be unsafe or in need of attention in order to improve the overall appearance and condition of the Cemetery.
- 20) The Cemetery may accept and rely upon as duly authorized, any and all instruments, including but not limited to, permits and orders of any arid kind, nature and description, transfer

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deeds/certificates, assignments and/or reservations of interment space, affidavits and designations, and it shall have the right to rely and act upon the truth of all statements contained therein, upon the genuineness of all signatures thereon, and upon the authority of the person signing the same to bind all interested persons as provided in N.J.S.A. 45:27 1-41

- 21) The Cemetery reserves the right to compel all persons, including visitors, coming into the cemetery to obey all Rules and Regulations now or hereafter adopted by it.
- 22) The Cemetery will be opened from 8:30 AM to 4:30 PM throughout the year.
- 23) No interments or interment services, disinterments or removals will be permitted on any of the following Legal Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day. In any other day said interments, services, disinterments or removals shall only take place between the hours of 8:30 AM and 2:30 PM unless otherwise authorized by the Cemetery Management. The owners of space within the Cemetery, their families and loved ones, will be allowed access to the grounds at all times while the cemetery is open, upon condition that they observe the Rules and Regulations which are now or which may hereafter be enforced for the regulation of visitors.
- 24) Any notice, which may be necessary or proper to be given to owners of property at The Weehawken Cemetery, shall be sufficient if sent by ordinary mail addressed to him/her at their last address on file in the Cemetery Office. It shall be the duty of such owner to notify the Cemetery in writing by certified mail, return receipt requested, of any change of his/her mailing address, and such notice must be actually received by the Cemetery at said office.
- 25) All installation, removal or inscription of memorials must be approved by the Cemetery Management prior to the vendors submitting the proper paperwork and fees. A completed Authorization for Memorial Work and Installation, along with the proper payment, must be submitted to the Cemetery Office for approval. All fees must be paid prior to the vendor entering the cemetery grounds and conducting work. Once approved, the foundation will be poured and the dealer will be notified and then be responsible for the delivery and installation.
- 26) The interment space owner, or owners or other interested party in any cemetery controlled, owned or operated by a cemetery company in this State, shall be notified by the Cemetery Management prior to the removal of an unsightly monument, railing, box, or other form of monumentation from the said interment space. The Cemetery Management shall notify the interment space owner in writing and shall secure the written consent of the said owner or owners. In the event the cemetery fails to secure such written authorization, the Cemetery may make application to the cemetery board for written consent for such removal. No interment space owner or other person whose interest are affected by any such application by a cemetery shall be afforded an opportunity to appear before the board in opposition to such application before any such authority is given to the Cemetery Management.

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- 27) The Cemetery Management of any cemetery in this State may remove any dangerous monumentation in the cemetery subject to the conditions hereinafter set forth. Prior to any such removal, the cemetery shall take photographs of the monumentation and its condition and shall retain same in the permanent records of the cemetery. Any such removal by the Cemetery shall be placed on the interment space. The cemetery shall immediately notify the interment space owner(s) other interested parties in writing as to such removal. If after a period of six (6) months, the interment space owner(s) or interested parties have not communicated with the Cemetery, the Cemetery may make application to the board for such relief as the board deems appropriate to protect the public interest regarding the removal of the monumentation from the interment space. Any interment space owner(s) or other interested parties who may claim that such a removal was not necessary may make application to the Board to review the action of the Cemetery.
- 28) Any and all improvements of any kind, all care of the crypts and niches, all interments, disinterments and removals, including all opening and closings of interment spaces, all trees and plants of any kind that will be planted, trimmed, cut or removed, shall be done and made solely by the Cemetery with its equipment. The owner of the interment space requesting same, shall pay the established charges of the Cemetery thereto.
- 29) No memorial crypt front shall be placed upon, altered or removed from a crypt or niche without the written consent of the Cemetery.
- 30) All workmen employed by anyone other than the Cemetery in performing any work or furnishing any material in the Cemetery, must be subject to the supervision of the Cemetery. Any workman failing to conform to the Rules and Regulations will not be permitted to work on the grounds. Workmen must provide proof of insurance. The cemetery is not responsible for work done by an outside contractor.
- 31) All rubbish generated by owners of crypts or niches or by persons employed by them, must be removed immediately to such places of disposal as may be provided for this purpose or as the Cemetery shall direct. Strict compliance with the Rules and Regulations will be enforced at the expense of the owner of the interment space.
- 32) No work by an outside contractor will be allowed to be left in an improper or unfinished state, and should such occur, the same may be properly completed by the Cemetery, and the expense of such completion will be charged to the owner of the crypt or niche.
- 33) All work by an outside contractor in the vicinity of a funeral service must cease during the conduct thereof.
- 34) All flowers when wilted or dead may be removed by the Cemetery and disposed of as it deems best without any liability. The Cemetery assumes no responsibility for any flowers left in the

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mausoleum or on the cemetery grounds.

- 35) No signs of any kind will be allowed in the mausoleum or on the fronts of crypts or niches except signs installed by the Management. No advertisement in any form will be allowed on any work in the Cemetery and the Cemetery reserves the right to remove any signs or advertisements and to dispose of the same as it sees fit, without any liability.
- 36) Persons within the cemetery grounds shall use only the corridors and facilities within the mausoleums, and the walks and roadways provided. Any person injured while using any portion of the Cemetery grounds other than the corridors and facilities within the mausoleums or the walks and roadways providing access thereto, shall in no way hold the Cemetery liable for any injuries sustained.
- 37) When driving any vehicle into, in or through the cemetery grounds, or over the private roads leading into the same, the following rules must be strictly observed:
- a. All posted traffic signs must be obeyed.
 - b. Where parking on one side of the road is permitted, the vehicle must be parked parallel with and at the edge of the roadway.
 - c. No vehicle shall ever be driven at a speed exceeding 15 miles per hour. When a lesser speed limit is posted, such lower limit must be observed.
 - d. No vehicle shall ever be parked upon or driven over any grave, lot or plot or lawn.
 - e. "U" turns are prohibited at all times.
 - f. Except where posted signs permit parking, no vehicle shall ever be parked on any road or driveway within or leading into the cemetery. Where parking is permitted, the vehicle should not be parked at such location or in such position as to prevent any other vehicle from passing the same, and if so parked or left, the Management reserves the right to remove same without liability therefore.
- 38) Persons with liquor, other beverages, or food of any kind will not be permitted to enter the Cemetery or Cemetery grounds. Smoking of any kind is not permitted within the interior of the mausoleums.
- 39) All persons are prohibited from climbing trees and from leaping or crossing over enclosures or memorials whether belonging to the Cemetery or the plot, lot or grave owners.
- 40) All disorderly persons or persons who willfully violate any of the Rules and Regulations of the Cemetery, or who trespass upon the Cemetery grounds shall be ejected from the grounds and forbidden thereafter to enter therein. All such persons shall be liable under the law for any damage done by them.
- 41) No animals of any kind will be permitted into the Cemetery grounds or within the mausoleums at any time.

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- 42) The Cemetery shall have the right to maintain guards, if in its discretion it deems it necessary, but is under no legal obligation to do so. Whether or not guards are used, the Cemetery distinctly disclaims all responsibility for any loss or damage caused by persons not in its employ, by the elements, acts of God, the common enemy, thieves, vandals, strikes, malicious mischief makers, explosions, unavoidable accidents, war, invasions, insurrections, riots or order of any military or civil authority, whether the damage be direct or co-lateral.
- 43) The Cemetery in the performance of any of its contracts or other legal obligations, shall not be liable for any delay (or the consequences thereof) caused by the elements, acts of God, strikes, lockouts, shortage of labor and/or material, the common enemy, thieves, vandals, malicious mischief makers, explosions, unavoidable accidents, war, invasions, insurrections, riots or orders of any military or civil authority, and/or conditions beyond its control.
- 44) The holders of a transfer deed or assignment and/or reservation of a crypt or niche upon demand of the Cemetery shall deliver the same to it in duplicate for its approval, and for recording on its books and filing in its records. The Cemetery shall be entitled to make its regular charge for such recording and filing.
- 45) The Cemetery reserves unto itself the right, at any time and from time to time, to enlarge, reduce, re-plot or change the boundaries or grading of the Cemetery or of any section or sections thereof, or any part or parts thereof, including but not limited to, the right to modify or change the location of, or any part or parts of, or regrade or eliminate, roads, drives, and/or walks. It also reserves unto itself easements and rights of way under, through and over the Cemetery grounds and any and every part thereof for the purpose of laying, maintaining and operating, or altering or changing pipelines, conduits, gutters and/or drains for sprinkling systems, drainage, electric or communication lines, or for any other purpose. The Cemetery further reserves unto itself and to those lawfully entitled thereto, a perpetual right of ingress and egress over any and all plots, graves and crypts in the Cemetery for the purpose of passage and re-passage to and from other plots, lots, graves, or crypts and other parts of the Cemetery.
- 46) The Cemetery may, and it hereby reserves the right at any time, with or without notice to the owners of crypts or niches, or any part thereof or any interest therein, to revise these Rules and Regulations, or to amend, alter, supplement and/or repeal the whole or any part thereof.
- 47) In the construction of these Rules and Regulations, or any part thereof, no outline or analysis of the contents of any title, sub-title or Rule or Regulation or head-note shall be deemed to be a part of these Rules and Regulations.
- 48) For the purpose of performing work in any part of the Cemetery or on crypts or niches including, but not limited to, making excavations for any purpose, the Cemetery reserves the right to enter upon and temporarily use any adjoining crypt or niche, including, but not limited to, the right to place thereon such tools, derricks and/or materials necessary to perform such work.

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- 49) Crypt or niche owners and visitors to the mausoleums are specifically prohibited under any circumstances from entering any area under construction or from using any cemetery equipment located on the premises. The Cemetery shall not be liable for damage or injury to any person or property in the Cemetery. Persons entering the Cemetery grounds, or buying property therein, are mere licensees and assume any and all risks.
- 50) The date and time of the interment or disinterment shall be set solely by the Cemetery.
- 51) Special cases may arise in which the literal enforcement of Rules and Regulations may impose necessary hardship. The Cemetery, therefore, reserves the right, without notice, to make exceptions, suspensions, or modifications in any Rules and Regulations, when in its judgment, the same appear advisable; and such exceptions, suspensions or modifications shall in no way be construed as affecting the general application of such Rules and Regulations. It is expressly understood that any indulgence on the part of the Cemetery, or failure to insist upon the strict performance of any Rule or Regulation, shall not be deemed a waiver of its rights in the premises.
- 52) The location, size and design for monuments and memorials must be first submitted to the Cemetery Company for their approval before being ordered or erected. All foundations will be constructed by the Cemetery Company and paid for by the Lot Owner or Monument Company erecting the memorial or monument. All upright memorials or monuments require a base beginning January, 2020. If any question arises as to placing of any monument, marker, vault, mausoleum or structure on any lot, the Cemetery Company shall have full authority and their decision in any matter shall be final. The erection of what is designated as a raised marker may be erected only in the monument sections of the Cemetery. Under no circumstances will raised markers be permitted to be erected in the center or foot of the lot or grave.
- 53) Single graves will receive the same perpetual care as other proportions of the Cemetery grounds, and in case of a removal of a body from a single grave, the ground shall revert to the Cemetery Company and the usual charge for disinterment will be made.
- 54) No artificial stone or concrete monuments will be allowed. And no monument will be allowed that will interfere with the general plan, design and layout of the Cemetery.
- 55) The Cemetery Company will not undertake the construction of monument or marker foundation between December 15th and March 15th, and during this period or at times when the weather is unsuitable will not allow the erection of any monumental work, except by special permission of the Cemetery Company. The erection of stonework is subject in all cases to the special rules governing any particular lot and shall be under the direct supervision of the Cemetery Superintendent. Material for stone or marble work will not be allowed to remain in the Cemetery longer than is strictly necessary and refuse or unused material must be removed as soon as the work is completed at the expense of the lot owner and the contractor, who shall be

The Weehawken Cemetery

Rules and Regulations

4000 Bergen Tpke, North Bergen, New Jersey 07047

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ultimately responsible for cost of such removal.

56) No material of any kind will be received at the Cemetery after twelve o'clock noon, Saturday.