

BY-LAWS, RULES
AND REGULATIONS

OF

Altona
Cemetery Company

Altona Road & Macada Road
Bethlehem, Pennsylvania 18017

BY-LAWS, RULES, AND REGULATIONS OF ALTONA CEMETERY CO.

PURPOSE:

1. These by laws, rules, and regulations are designed for the protection of owners of interment rights as a group. They are intended, not as restraining, but rather as preventing the inconsiderate from taking unfair advantage of others. Their enforcement will help protect your

Cemetery and create and preserve its beauty. These rules and regulations are hereby adopted as the rules and regulations of the Cemetery, and all owners of interment rights, visitors, and contractors performing work within the Cemetery, shall be subject to said rules and regulations, amendments or alterations as shall be adopted by the Cemetery from time to time.

DEFINITIONS:

- 2a. The term “Owner” shall mean the owner of rights of interment.
- 2b. The Board of directors shall consist of nine plot holders.
3. The term “interment” shall mean cremation and inurnment, entombment or burial of the remains of a deceased person.
4. The term “memorial” shall mean any marker or structure upon or in any lot or niche, placed thereupon or therein or partially therein for the purpose of identification or in memory of the interred.
5. The term “contractor” as used in these rules and regulations shall mean any person, firm or corporation or anyone engaged in placing, erecting or repairing any memorial, or performing any work in the Cemetery grounds, other than an employee of the Cemetery.

OWNERSHIP:

6. Ownership of interment rights shall be used for no other purpose than the burial of the human dead.

SUPERVISION OF CEMETERY:

7. This Cemetery reserves the right to compel all persons coming into

the Cemetery to obey all rules and regulations adopted by the Cemetery. The rules and regulations may be change without notice to any Owner by the Cemetery.

8. The Cemetery shall take reasonable precautions to protect Owners and the property rights of owners, within the Cemetery from loss or damage; but distinctly disclaims all responsibility for loss or damage from causes beyond its control, and, especially, from damage caused by elements, and acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be directed or collateral, other than as herein provided.

9. The Cemetery reserves, and shall have, the right to correct any errors that may be made by it either in making interments, disinterments or removals, or in the inscriptions, transfer, or conveyance and substituting and conveying in lieu thereof other interment right of equal value and similar location as far as possible, or as may be selected by the Cemetery or in the sole discretion of the cemetery, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property, the Cemetery reserves and shall have the right to remove and transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. The Cemetery shall also have the right to correct any errors made by placing the improper description, including an incorrect name or date either on the memorial or on the container for cremated remains.

10. Persons within the Cemetery grounds shall use only the avenues, walkways and roads.

11. The right to enlarge, reduce, replace or change the boundaries or grading of the Cemetery or of a section or sections, from time to time, including the right to modify or change the locations of /or any part thereof or remove or regrade, roads, drives and walks, is hereby expressly reserved. The right to lay, and maintain and operate, or alter or change pipe lines or gutters for sprinkling systems, drainage, lakes, etc., is also expressly reserved, as well as is the right to use Cemetery property, not sold to individual owners, for Cemetery purposes, including the interring and preparing for interment of dead human bodies, or for anything necessary, incidental or convenient thereto. The Cemetery reserves to itself, and to those lawfully entitled thereto, a perpetual right to ingress and egress over lots for the purpose of passage to and from other lots.

SALES AND PURCHASE OF INTERMENT RIGHTS:

12. The sale or transfer of any interment right by any owner or purchaser, shall not be binding upon the Cemetery unless same shall first be duly approved in writing by the properly authorized officer of the Cemetery and then such interment right must be reconveyed to the Cemetery; the Cemetery shall issue a Warranty Conveyance to the new owner. The same rule shall apply in all cases of assignment of purchase contract for interment right. This procedure is required in order that the Cemetery may at all times have complete and accurate record of all owners and purchases.

13. Any and all transfers of any interment right, whether same be by conveyance or assignment of purchase contract, are subject to all rules and regulations of the Cemetery, which are now in full force and effect or which may be hereafter enacted. The Cemetery may refuse to consent to a transfer or to an assignment as long as there is any indebtedness due the Cemetery from the owner so recorded in the records of the Cemetery at the Cemetery Office. All transfers of

ownership shall be subject to a charge, said charge must be paid to the Cemetery when the transfer is recorded.

14. The subdivision of interment rights is not allowed without the consent of the Cemetery and no one shall be buried in any lot not having an interest therein, except by written consent of all parties interested in such lot and of the Cemetery.

15. No enclosure of any kind, such as a fence, coping, hedge, or ditch, shall be permitted around any grave or lot. Grave mounds will not be allowed and no lot shall be raised above the established grade.

16. No Mausoleum may be erected.

17. Interment rights can be purchased in this Cemetery only with approval of the officers, and subject to the rules and regulations of said Cemetery now or hereafter adopted for the government of this Cemetery, and for the purpose of interment only. This provision applies to all sales, whether made directly by the Cemetery or sales made by owners.

18. No interment rights or contracts for the purchase of interment rights can be sold, assigned, transferred, pledged or hypothecated without the written approval of the Officers of the Cemetery.

19. All agreements for the purchase of Cemetery interment rights must be on the form approved and signed by the Officer of the Cemetery, all terms and conditions for the purchase of interment rights must be recited in the purchase contract; verbal agreements or representations will not be recognized.

20. The Cemetery may exchange interment rights when desired by

Owners, but not for interment rights of lesser value. When such an exchange is made, the original conveyance must be surrendered by proper assignment or by reconveyance if considered necessary, before any change is affected.

21. Each owner is vested with the ownership of his or her interment right for the sole purpose of interment of human dead bodies. Under the regulations of the Cemetery the interment rights cannot be conveyed without the consent of the Officers, not any use, division or improvements of them be made which the Cemetery prohibits, or may deem improper. The Owner of interment rights may dispose of same by will, subject to the foregoing conditions. If the owner dies intestate, the interment rights will descent to his or her heirs according to the laws of descent.

22. No conditional or partial transfer of interment rights and no sale of an undivided interest, except to a person or persons who are already part-owners will be recorded, as the Cemetery cannot be responsible for the carrying out of the intent of the grantor. No burial shall be made on any lot until the purchaser shall have paid on the interment rights therein the amount required by the Cemetery.

23. The general care of the entire Cemetery grounds and lots is assumed by the Cemetery. This however, does not provide for any special care. Estimates for any special work will be made by the Cemetery upon application, and charges for the work must be paid in advance.

24. The Cemetery shall be direct generally all improvements within the grounds and upon all lots and graves, before as well as after interments have been made therein. They shall have charge of the planting, sodding, surveying and improvements.

25. No person other than the proper officers of the Cemetery shall be allowed to perform any work on any grave or lot within the grounds without a permit from the Cemetery.

26. If any memorial, or any structure whatsoever, or any inscription to be placed on same, shall be determined by the Officers to be offensive, they shall have the right and it shall be their duty, to enter upon such lot and remove, change, or correct the offensive or improper object or objects.

27. No person shall pluck or remove any plant or flower, either wild or cultivated, from any part of the Cemetery.

FUNERAL REGULATIONS:

28. Funerals after entering the Cemetery shall be subject to the directions of the Cemetery.

29. Graves must be located by the family or its representatives.

30. When removal is to be made from a single grave to another grave, the formerly occupied single grave space and all rights therein revert to the Cemetery. If no steel or concrete vault and same is in a removable condition, charge for the removal must be paid in advance to the supplier of the vault. Arrangements for the vault removal must be made by someone other than the Cemetery. Application for removal permit must be signed by next of kin and properly notarized prior to time of removal, a court order is required. These shall remain on file in the office of the Cemetery.

31. The burial of two bodies on one grave will not be permitted except where one occupies a space less than three feet in length.

GENERAL REGULATIONS:

32. No dogs shall be permitted in the Cemetery.
33. No person shall be permitted within the Cemetery on a bicycle.
34. Bringing lunches, beer, or intoxication liquors within the Cemetery is strictly forbidden.
35. The Cemetery is not responsible for theft or damages to anything placed on graves or lots.
36. Only vaults approved by the Cemetery will be permitted to be used.
37. No wooden or cast-iron bench or chair, or any wooden or wire trellis, shall be permitted to be or be brought upon the grounds.
38. The Cemetery and their agents have authority to enter upon any lot and to remove any objectionable thing or any erection that may have been placed there contrary to the regulations of said Board, and they may remove any tree, shrub or vine.
39. Any person found on the grounds after dark will be considered a trespasser.
40. Speed of over 5 miles per hour will not be permitted, and no person shall either ride or drive upon the lawns.
41. Holders containing flowers or other decorations will be removed as soon as the flowers fade and wither and the right are reserved by the Cemetery to make such removal. Also, winter wreaths will be removed March 5th.

42. No person will be permitted to use profane or boisterous language or in any way disturb the quiet and good order of the Cemetery.

43. All persons are strictly forbidden to break or injure any tree or shrub, or mar any landmark, marker, or memorial or in any way deface the grounds of the Cemetery.

44. All persons are reminded that the grounds are sacred devoted to the burial of the dead and that the provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wonton injury, disturbance and disregard of the rules.

45. It is of utmost importance that there should be a strict observance of all the properties due to the place, whether embraced in the foregoing regulations or not, as no impropriety will be tolerated.

46. All well-disposed persons will confer a favor by informing the Cemetery of any breach of proper decorum that may come under their notice.

47. Touch nothing in the Cemetery that does not belong to you. This is the only safe rule to adopt in visiting the Cemetery.

48. No person or persons shall be permitted to bring or carry firearms within the Cemetery except a Military guard of honor and they only when in charge of an Officer and during a Military Service.

49. All work and all planting of any kind on all lots and graves is strictly prohibited.

MEMORIALS (Bronze Section):

50. Flat stones or bronze tables, set flush with the turf, may be used

to mark graves.

51. When a monument or other erection shall become dilapidated the Cemetery shall notify the owner thereof, if he or she can be found, to repair the same, and, on failure to repair within sixty (60) days' time, the Cemetery may make the repairs at the expense of the lot owner. In the extreme cases of dilapidation, either where the owner cannot be found or refuses to repair, the erection may be sold and the net proceeds used to place the lot in repair.

INSTALLATION AND FOUNDATIONS:

52. All markers or memorials, except monuments, shall be installed by the Cemetery, on foundations furnished by the Cemetery, at the cost of the owner, and the Cemetery shall assume responsibility for the proper construction of the foundation and the proper installation of such marker, or memorial, except monuments; but the Cemetery shall not be liable for any defective materials or defective workmanship beyond replacement or repair of such defective materials as have been furnished by the Cemetery. All foundations shall be of size and material specified by the Cemetery.

53. If the marker or memorial is purchased from an outside agent and is approved by the Cemetery, the charges for installations shall be paid to the Cemetery in advance of installing such marker or memorial.

54. In the event a marker or memorial of heretofore uninstalled size and shape is approved by the Cemetery the owner shall pay the fair and reasonable cost of the special form required to construct the foundation for such marker or memorial.

55. The charges for furnishing foundation and installation of all

markers and memorials shall be reasonable and uniform. No memorial may be installed until the charges due for installation have been paid in full.

PERPETUAL CARE:

56. The purchase price of all interment space sold and to be sold in the Cemetery, includes a deposit for perpetual care.

57. This perpetual care includes complete landscaping with trees and shrubs, their maintenance and replacement, cutting of grass, edging, trimming, repair, and maintenance of roads, walls, fences, buildings, equipment, and replacement of equipment.

58. This shall not include maintenance, repair or replacement of any memorial under any circumstance; nor the repair or replacement of buildings, structures or other property when the damage is caused by vandals, thieves, act of God, common enemy, riots, or by the order of any military or civil authority, or acts beyond the control of the Cemetery.

GRAVE DECORATIONS:

59. CUT FLOWERS are permitted any time provided they are in appropriate containers or vases that can be moved easily. The digging of holes for any purpose what so ever is strictly prohibited.

60. ARTIFICIAL FLOWERS, DISPLAYS, AND POTTED PLANTS are not permitted during the growing season, March 15 to October 31, except during a period beginning three days before and ending one week after each of the four special days: Easter Sunday, Mother's Day, Memorial Day, Father's Day.

61. GLASS CONTAINERS are not permitted. Unsightly containers, such

as oil cans, fruit cans, etc. will be removed at once. Also, use of metal pins or making holes in the sod to hold the containers or cases in place are not permitted. Metal pins and broken glass are hazards in mowing.

62. The management has the authority to remove any items which are contrary to the regulations or which, in its judgement, have deteriorated and no longer contribute to the beauty and dignity of the Cemetery. The management is not responsible for items so removed.

BY-LAWS:

63. When a plot holder dies without leaving issue or heirs, the title to the plot or plots held by him shall vest in the original grantor or grantors, their heirs and assigns, of such plot, as set forth in the first deed for same, who shall then hold the same in trust, to protect the graves, monuments and improvements thereon erected, from trespass and injury, and in their discretion they may maintain and repair same, provided that said reversioners shall have the right and power to again sell the portion of such lots not in use, subject, of course, to the consent and approval of the Board of Directors.

64. At all meetings of the Company, each plot holder shall be entitled to one vote, provided that where there is more than one owner for any particular burial plot, such owners shall have only one vote, it being the intention of this By-Law, that owner or owners of each plot shall be entitled to only one vote. Owners of more than one plot shall be entitled to one vote for each and every plot. In the event of decease of plot owner, the legal representative shall control that vote until his duties as such have been discharged, and in that event then the heirs shall designate person entitled to vote.

65. The annual meeting of the Company shall be held on the 2nd

Tuesday of March. A notice of that meeting is permanently posted at the cemetery utility building. Place and time will be posted two weeks prior to the meeting.

66. At such annual meeting the plot holders shall elect three plot holders to serve on the Board of Directors of the Company for three years. If any vacancies occur in the Board of Directors between the period of the annual meetings, such vacancy shall be filled by the remaining Directors electing a Director for the unexpired term caused by the vacancy, provided that only plot holders shall be eligible for the Board of Directors.

67. The Board of Directors shall meet annually or oftener if they see fit, to transact such business as may legally come before the Board.

68. At the first meeting of the Directors held after the annual meeting of the Company, the Board of Directors shall choose from its body a President, a Vice-President, a Secretary, and Treasurer.

69. The Board of Directors shall fix the time and place of holding the stated meetings.

70. Five Directors present shall constitute a quorum for the transaction of business.

71. The Board of Directors shall have the right to adopt such rules and regulations for the conduct of business, and from time to time alter and amend the same, as to them may seem proper.

72. The Board of Directors shall keep accurate minutes of the proceedings, and shall have the power to enact all necessary rules and regulations for the care and management of the Cemetery grounds, not contrary to the Act of Incorporation or of these By-Laws.

73. The Directors are authorized to employ a superintendent for the care of the cemetery grounds, and to fix the amount of his salary, and how when payable.

74. The Board of Directors shall have the right to appoint such other subordinate officers and agents of the company who shall hold their offices subject to the pleasure of the Board and prescribe their compensations and method of payment of the same, as they may see fit.

75. The President shall preside at all meetings of the Company, preserve order, regulation, debate according to parliamentary rules, and appoint all committees as recommended by the Board or the Company. In his absence the Vice-president shall discharge the duties of the President.

76. The Secretary shall be present at all meetings of the Board of Directors and of the Company, and keep minutes of each. He shall have charge of the Corporate Seal, or the books, maps, leases and papers of the Company; have charge of the transfer of title of plots and perform all duties which are customary and incident to the Office of Secretary of a Corporation.

77. The Treasurer, shall under the direction of the Board of Directors, have general charge of the funds of the Company and make such report of the receipts and disbursement in such manner and form as the Board may direct. He shall co-sign all checks drawn upon the funds of the Company.

78. Special meetings of the Company may be called at any time by the

President or a majority of the Board of Directors. At least a three-day notice shall be given by the Secretary of the Board of Directors of the time and place of the holding of any special meeting of the Company.

79. The President of the Board of Directors shall be ex-officio member of all standing committees.

80. The account of the Treasurer of the Company shall be audited annually by auditors to be appointed by The President and the audit shall be placed on the minutes of the meeting.

81. All elections for Directors shall be by ballot or by discretion of the chair in the manner prescribed by law.

82. Amendments to these By-Laws, may be made at any stated or special meeting unless the notice of the meeting specifies the amendment as one of the purposes of the meeting.