

Union Cemetery Association, Inc., Ovid, N.Y.

“BY-LAWS, RULES, AND REGULATIONS” – 2025

The Union Cemetery Association of Ovid, N.Y. was incorporated May 23, 1960, under a law of 1847. The “By-Laws, Rules, and Regulations” were last generally revised in 1933. Certain changes in our way of life during the past century have seriously affected the ability of the Association to carry out its original purposes.

Most notably among these changes are: the increasing Federal and State regulation of all financial and occupational activity; the steady decline of the role of the family in American society; the decreasing community interest in cemetery affairs as an important part of community life; the very high cost of labor and machinery required for cemetery maintenance; the inability of endowed funds to provide income sufficient to achieve the original purposes of the endowment. Of course, there are other matters of change which could readily be added.

ARTICLE I. – The Association, its Members, and the Annual Meeting.

1. Any owner of record of a plot or grave in the Ovid Union Cemetery, or any person 18 years of age or older who will file with the Secretary an affirmation of responsibility for the care of any plot or grave in said Cemetery, may be a member of the Union Cemetery Association.
2. There are no dues for members. However, every member is asked to keep in mind, and to publicize, the fact that the annual care for one grave for one individual costs the Association Ten Dollars.
3. The Annual Meeting of the Union Cemetery Association for the secret ballot election of Trustees, of the Executive Committee of the Board of Trustees, and the establishment of Association policy shall be held on the second Tuesday of April in each year.
4. Notice of the time and place of such Annual Meeting shall be given by the Secretary through timely publication in The Ovid Gazette and/or The Geneva Times.
5. After the conclusion of the Annual Meeting, the Board of Trustees, including newly elected Trustees, shall elect its officers for the coming year.

6. The number of Trustees of this association shall be at least six; their terms of office shall be three years, renewable upon accepted nomination and election.
7. At the Annual Meeting, the Association shall annually appoint to be its attorney-at-law the Ovid Town Attorney, or any duly licensed attorney willing so to serve.
8. Parliamentary procedure shall be in accordance with Robert's Rules of Order.

ARTICLE II. – Officers of the Association, and the Executive Committee.

1. A President, Vice-President, Secretary, and Treasurer shall be elected from among the Trustees by the Board of Trustees. These officers are to constitute the Executive Committee of the Board of Trustees, and shall have power to act upon any and all Association business arising in the time between annual meetings.
2. The members of the Executive Committee may be bonded, the expense therefrom being borne by the Association.
3. The Executive Committee may designate one of their number, or any person they deem suitable, to be Superintendent of Grounds. The Superintendent shall exercise a general care and supervision of the grounds of this Association, and all buildings, fences, railings, avenues, walks, alley-ways, trees and shrubbery therein; and see that said grounds are properly mowed.
4. The President shall be the executive officer of the Association, of the Board of Trustees, and of the Executive Committee. The Vice-President is in training to succeed the President. Should the President be absent, or unable to act, the Vice-President shall act in place of the President.
5. The Secretary shall be in charge of all written records for the Association, keeping in usable order all of the history of the Association germane to the continued function of the Association, the legal operator of the Ovid Union Cemetery.
6. The Treasurer shall collect the funds of this association, pay out the same, safely keep the said funds and turn over the balance thereof to his successor in office, report to the Trustees the amount of funds in his accounts, when requested by them to do so, and make a report in writing to the annual meeting of all his official acts and a detailed account of the state of the treasury. He shall execute all conveyances with the President, and keep a

record of such conveyances, filing with the Secretary at the Annual Meeting his official records for the year passed.

ARTICLE III. – General Business Policy.

1. A list of Cemetery Service Charges, approved by the Division of Cemeteries of the New York Department of State, shall be maintained by the Superintendent, who shall also keep an up-to-date master chart of all the plots and grounds included within the bounds of the Ovid Union Cemetery.
 2. The sale of lots shall be for cash or any valid financial instrument. All payments from the Treasurer of the Association shall be by means of the Association's single checking account at the First National Bank of Ovid, administered by the Treasurer.
 3. Endowed monies are to be handled in accordance with procedures established by the New York Division of Cemeteries.
 4. No personal services from any individual performed for the Association will be paid for except through a lawful contract.
 5. The Association does not maintain a payroll, nor any employer-employee relationships other than those specified in lawful contractual arrangements.
 6. The Board of Trustees is also empowered to enter into contractual arrangements for any and all aspects of management and maintenance of grounds with any municipal, county, or state agency, or any other public or private agency.
 7. All conveyances of lots or graves on the grounds of this Association shall be executed by the President and the Treasurer, under the corporate seal, and made with reference to the maps or plots made of said grounds; said lots shall be held and owned subject to the provisions of the "Act authorizing the incorporation of Rural Cemetery Associations," and the acts amendatory thereof and supplemental thereto.
 8. No sale, transfer, lease or devise of any lot or part of lot or single grave within the grounds of the Association shall be made by the owner or owners thereof unless the release, will, or proper document shall be duly filed with the Secretary of the Association.
 9. If the funds of this Association applicable to the improvement and care of its cemetery be insufficient for such purposes, the Executive Committee of the Board of Trustees may levy a tax upon such basis as they may determine.
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ARTICLE IV. Regulations Concerning the Use of the Cemetery.

1. The owner or owners of any lot may erect thereon suitable monuments or tombstones, by placing the same upon substantial foundations, but no monument, tombstones, or material for building the same, or the foundations thereof, shall be placed upon any locus within said grounds, except by consent of the Executive Committee, and all surplus material, any dirt, stones, or rubbish, shall be removed promptly from said grounds after such erection shall have been completed.
2. No trees, shrubs, or plants shall be planted; no change shall be made in the grade of any lot or avenue unless with the written permission of the Executive Committee.
3. No interment shall be made in any lot within the grounds of this Association until the proper burial permit is presented to the Superintendent.
4. Owners of lots are required to keep all monuments, tombstones, and their foundations upon their several lots in good repair and condition, and the ground properly leveled, and, in case failure to do so, then the Executive Committee may have such work done, and the expense thereof shall be a lien and charge upon said lot until paid by such owner or owners.
5. Whenever any structure, monument, planting or device of any kind erected by the owner of a lot shall interfere with the proper maintenance of the cemetery grounds, the Superintendent of Grounds shall notify the President, who shall notify the owner in writing, and then shall resolve the problem through the action of the Executive Committee.
6. No person shall willfully destroy, deface, mutilate, injure, or remove any monument, grave stone, or structure of any kind placed in said cemetery grounds, nor willfully destroy, remove, cut, break, or injure any tree, shrub, plant or flower properly growing or placed within said grounds. A reward is offered for the apprehension of persons violating this by-law, which is made a misdemeanor by the penal code.
7. No motorized vehicle may lawfully proceed through the grounds of the Ovid Union Cemetery at any speed exceeding 10 miles per hour.
8. Lawful access to the grounds of the Ovid Union Cemetery, other than for discharge of duties by lot owners, their families, and Association officers or their agents, is limited to the hours between 7:00 A.M. and 10:00 P.M. o'clock.
9. A lot is designated for one full burial OR two cremated remains. Any additional burials will incur a 'right of additional interment' fee.