

2017  
Cemetery Rules & Regulations

Immaculate Conception Parish,  
North Easton, MA

Diocese of Fall River, MA

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## **1.0 Introduction**

The Immaculate Conception Parish Cemetery grounds, North Easton, MA, are sacredly dedicated to the internment of the dead. As such, strict observance of decorum and respect that is accorded such a place is required at all times. The Rules & Regulations for the Immaculate Conception Parish Cemetery apply to all aspects of the operation of the cemetery and are subject to revision without notice by the parish and cemetery authorities, subject to ratification by the Bishop of Fall River, their successors or assigns. Failure on the part of easement holder or heirs to comply with the rules, regulations and laws referenced in this document constitutes a forfeiture of the rights granted.

## **2.0 Authority**

The Cemetery Superintendent or Foreman shall have absolute responsibility for the grounds and shall have the authority to enforce the rules, maintain order and supervise all contractors, funerals and visitors to the grounds. The Superintendent has the authority to expel from the grounds any persons or materials that violate the rules & regulations of the cemetery, or when he may deem such action as necessary to maintain the decorum of the cemetery.

## **3.0 Easement**

Upon purchase of cemetery lots and graves, purchasers shall be issued an Easement. This document contains the following regulations that shall apply:

- a) Lots and graves are not sold, but convey merely the right of burial. This right is subject to the laws and regulations of the Diocese of Fall River or local authorities for cemetery management.
- b) The right of burial applies to member of the family in direct lineage. All interments are subject to the laws of the Catholic Church including Christian burial.
- c) The Endowment Care of a new lot or grave is payable at the time of purchase, or the balance paid in full within one year of date of purchase.
- d) No monument or structure of any kind is allowed until its sketch and inscription is submitted for approval to the cemetery authorities and Endowment Care has been paid in full.

Easement holders shall not transfer their right of burial in any lot unless the transfer has been approved by the cemetery authorities and is entered on the cemetery records in the parish office.

## **4.0 Endowment Care**

All graves and lots are purchased under a clause of Endowment Care. This perpetual care ensures the upkeep of the cemetery grounds and includes the cutting of grass upon the lot or grave at reasonable intervals, the raking or cleaning of the lot or grave, the repair of sunken graves and all such work that is deemed necessary to keep the lot or grave in good and neat condition. In addition to this, the cemetery authorities are bound to keep in repair and maintain the good condition of all buildings, drives, trees, shrubs, etc. which ensure the overall good and neat appearance of the cemetery on a perpetual basis. Any graves or lots purchased prior to the establishment of the Endowment Care clause will be subject to this cost at the time of the next grave opening. *Consult the Cemetery Rate Schedule, Attachment C.*

Cemetery authorities reserve the right to make such changes on the grounds or in the grounds from time to time as may be deemed in the best interests of the cemetery.

## **5.0 Plantings & Maintenance**

Plantings and flowers are ONLY allowed in a permanent container. The size of the container is restricted to the width of the monument foundation. In ground plantings are not allowed and will be removed. Hedges, curbing, corner posts, shrubs, ornaments, glass cases, candles, toys, shrines or other miscellaneous articles are not allowed on the lots or graves and will be removed without notice. Under no circumstances shall the cemetery authorities be responsible for the loss or damage to articles placed upon lots or graves.

Note that the Immaculate Conception Parish Cemetery is surrounded by private property. The dumping of pots, plants, flowers (real or artificial) or any items on or over the boundary lines of the cemetery property is strictly prohibited. Violators are subject to arrest and fines by the town of Easton. Trash cans are provided on cemetery grounds for refuse.

The cemetery will not be responsible for the care or safety of any stone, metal or other structure that may be placed upon the lot or grave. Easement holders will be held liable for any costs accrued if it becomes necessary to move their monument for any reason.

All arrangements for work on the cemetery grounds must be made through the cemetery office. Work of any kind, such as grass cutting, grading, foundations, etc. must be approved by the cemetery office.

## **6.0 Monuments, Markers & Headstones**

No monument, marker or headstone is to be placed upon any lot or grave that is not paid for in full. All monuments, markers or headstones must be placed upon a properly installed foundation. The foundation of any monument must be at least as large (wide) as the width of the monument, marker or headstone. *Consult the Contractor Guidelines for Foundations, Monuments and Ashes, Attachment D.* All arrangements for foundation work must be made through the cemetery office at Immaculate Conception parish.

Monument size and placement is dictated by the number of graves in the lot as stated on the easement. *Consult the Monument, Headstone & Marker Regulations, Attachment A.*

All persons desiring to do ANY monumental work must file a plan of the work to be done at the cemetery office for approval before proceeding. The plan must include the location of the lot, accompanied by a written work order signed by the easement grantee or heirs. Contractors and their employees, while performing work in the Immaculate Conception cemetery are under the direction of the Reverend Pastor. Cemetery authorities reserve the exclusive right to supervise all monumental work done in the cemetery.

## **7.0 Ashes**

Placement of ashes on a lot are subject to similar location guidelines as monuments, headstones and markers. *Consult the Ashes Regulations, Attachment B.* No ashes burials take place during the winter or after the ground has frozen. Burials resume in the spring.

## **8.0 Interments and Funerals**

All interments in the Immaculate Conception Parish cemetery shall be in strict accordance with the laws of the Roman Catholic Church of the Diocese of Fall River and the General Cemetery Laws of the Commonwealth of Massachusetts. The arrangements for interments or entombments must be made at the cemetery office at least 3 days before the date of the funeral. Interments can be made only in accordance with the regulations of the Bishop of the Diocese of Fall River and the Department of the Board of Health of the Town of Easton.

A burial permit must be obtained from the cemetery office and will be provided only in the presence of the easement and proof of identification.

Burials are not allowed on Christmas, New Years Day, Good Friday, Thanksgiving, Memorial Day or any Sunday. Additional charges will be applied for burials on holidays. *Consult the Cemetery Rate Schedule, Attachment C.*

All contractors or cemetery maintenance personnel must suspend labor if in the immediate vicinity of the interment or entombment until the conclusion of the funeral services and the families have dispersed.

All funerals while within the cemetery grounds shall be subject entirely to the direction of the Reverend Pastor or Superintendent of the Cemetery.

## **9.0 Disinterments**

Disinterments or removals may only be performed upon receipt of a permit from the Town of Easton. Massachusetts Law Chapter 114, #45 states: "No undertaker or person shall exhume a human body and remove it from a town, from one cemetery to another, or from one grave or tomb to another in the cemetery until he has received a permit from the board of health or its agent aforesaid or from the clerk of the town where it is buried." Further, section #18 "Care of neglected burial places within limits of town .... No property rights shall be violated and no body shall be disinterred."

Canon Law 1214-1 states "When a body has received a permanent (no length of time) Christian burial no matter where, it cannot be exhumed without the permission from the Ordinary (Bishop of Fall River), who can never grant such a permission if the body cannot be identified from other bodies." A removal of Permanent Burial must have the permission of lot grantee, the Bishop and the Town of Easton Board of Health. Contact the cemetery office for assistance.

## **10.0 Easement Holder Rights & Sequence of Inheritance**

The purchaser of the right of burial in an Immaculate Conception Parish cemetery lot has exclusive right during his or her lifetime, subject to the terms of the easement, to dictate who shall be buried in the lot. If the purchaser died intestate, his or her interest passed indivisible but inheritable to his or her heirs at law. If the purchaser died testate without express disposition of the burial lot in his or her will, that interest would still descend to his or her heirs as if he or she had died intestate.

The surviving spouse of the original grantee of the lot has a prior right of one burial space in the lot. This right may be voluntarily forfeited at any time. Otherwise, the right will terminate upon burial or

remarriage. The burial rights in the remainder of the lot descend from the intestate grantee in the following order:

1. To the children of the grantee
2. If none of the children of the grantee are alive, then to the grandchildren of the grantee
3. If no children or grandchildren, then to the father or mother, or both, of the grantee
4. In none of the first three classifications are living, then to the living brothers and sisters of the grantee
5. Then to the nephews and nieces of the grantee
6. Then to the grandparents of the grantee
7. Then to the uncles and aunts of the grantee



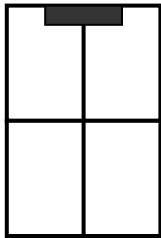
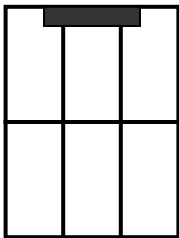
When there is no longer any living persons who could be classified in any of these seven groups, the burial rights in the lot will have terminated. No one except the original grantee can transfer a lot or any part of a lot. Each transfer must have the approval of the Reverend Pastor of the Immaculate Conception Parish, North Easton.

Each qualified heir shares equally and jointly in the burial rights while vacant graves remain in the lot. His individual right cannot be determined except at the time of his own burial which automatically gives him the right provided he qualifies in the sequence of inheritance noted above. Any qualified heir may release his right at any time. However, he cannot assign or transfer his right to any one individual, but rather to the other qualified heirs jointly. When all graves are occupied, the surviving heirs lose their rights.

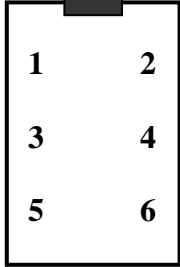
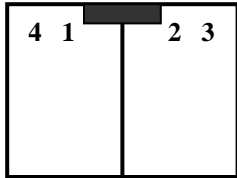
## **11.0 Corrections**

The cemetery authorities reserve the right to correct any and all errors that may occur in or in connection with the operation of the cemetery. This includes without limitation those errors that pertain to burial, disinterment or removal, or in the description, transfer or granting of the right of use or conveyance of a memorial. In this regard, the cemetery authorities shall have the right to substitute, grant the rights of use or convey other burial rights approximately equal in value and location, as far as feasible, in order to correct such errors. Correction of an error may be accomplished by the refunding of the amount of money paid on account of the acquisition or use of a memorial. In the event the error shall involve a burial, the cemetery authorities shall have the right to remove and transfer the remains that are involved.

## A. Monument, Headstone & Marker Regulations

Number of Graves in Lot	Marker or Monument Size	Marker or Monument Placement
Infant Grave Cremation Interment	Flat marker no larger than 10 in. x 8 in. Flat marker no larger than 8 in. x 5 in.	At head of grave On top of burial
Single Grave	Flat marker no larger than 2 ft. x 1 ft.	At head of grave
Two Graves Abreast	3 ft. wide x 4 ft. high x 1 ft. deep	At head of grave, centered 
Three or More Graves Abreast	4 ft. wide x 4 ft. high x 1 ft. deep	At head of grave, centered 
Four Graves in a Square	3 ft. wide x 4 ft. high x 1 ft. deep	At head of grave, centered. Not in the middle. 
Six Graves in a Square	4 ft. wide x 4 ft. high x 1 ft. deep	At head of grave, centered. Not in the middle. 
<u>Government Markers</u> Full burial  Cremains burial Placed on either side of a monument	<u>Sizes from military regulations</u> Flat marker no larger than 2 ft. x 1 ft.  Flat marker no larger than 8 1/2 x 5 1/2	<u>Location Military Burials</u> At foot in a lot 2 graves or more  On top of burial
<p><b>IN ALL CASES OF LOTS - TWO GRAVES OR MORE, THE HEIGHT OF THE MONUMENT SHALL NOT EXCEED 4 Ft.</b></p> <p><b>All markers must be approved by the cemetery office.</b></p>		

## B. ASHES REGULATIONS

Number of Graves in Lot	Guidelines	Placement
Single Grave	<ul style="list-style-type: none"> <li>No more than six burials in a single lot</li> <li>No ash burial in a single lot with a body</li> <li>Flat marker notes family name only</li> </ul>	<p>Divide the lot in half. The first placement is in the top left of center, the 2<sup>nd</sup> placement is in the top right of center, and so on as noted on diagram.</p> 
Two or More Graves	<ul style="list-style-type: none"> <li>Ash placements are made on either side of the monument or headstone base</li> <li>Ash burial may be made in combination with body burials on the family lot.</li> </ul>	 <p>The first burial of ashes is to be placed to the immediate left of the headstone base. The second burial of ashes is to go to the immediate right of the headstone, and so on as noted on the diagram.</p>
<ul style="list-style-type: none"> <li>All ash grave openings are approximately 14” square by 18” deep.</li> <li>If there is a change in the placement of the burial due to a family request, or if there is a limited number of ashes to be buried, please contact the cemetery office for accurate notation on the burial records.</li> </ul>		