

**Rules and Regulations
for
St. Joseph Roman Catholic Cemetery
operated under the direction of
St. Paul Roman Catholic Parish
Highland, Illinois
Adopted: April 24, 2012
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**For copies of this book
contact the St. Paul Parish Office at 618-654-2339.**

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Section I. Purpose

These 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 protect your cemetery and create and preserve its beauty. All owners of lots, owners of interment rights, visitors and contractors performing work within the cemetery shall be subject to these rules and regulations and any amendments which may be made from time to time.

Section II. General Rules

A. Noise

Persons within the cemetery shall at all times maintain decorum of speech and action, including avoidance of loud talking or other noise within earshot of graveside ceremonies, if not part of the group participating in the ceremonies, workers shall suspend their work when near such ceremonies.

B. Hours

St. Joseph Cemetery will be open to the public from sunrise to sunset and no person shall be in the cemetery after those hours unless otherwise authorized by the Cemetery Sexton or Cemetery Board.

C. Speed of vehicle

No person shall drive any vehicle faster than 5 miles per hour or in a careless manner upon the cemetery roads nor drive anywhere except upon such roads unless authorized by the cemetery Sexton or Cemetery Board.

D. Walking on graves

Persons shall walk only on roads and walkways or footpaths except when absolutely necessary for maintenance of gravesites, inspection of plots, installation of markers, decoration of graves, or attendance at graveside services.

E. Defacing Cemetery Property

No person shall deface or otherwise damage any marker, headstone, monument, cemetery fence, or other cemetery structure.

F. Plants and decorations

No person except an authorized cemetery employee shall cut, remove, or carry away any flowers, trees, shrubs, plants, or vines from any lot. However, the owner of a lot may remove and carry away any flowers, plants or vines that they have placed upon said lot. No person other than the owner of the lot or cemetery employees in the performance of their duties shall remove, carry away, or destroy any vases, flower pots, urns, or other objects which have been placed upon any lot.

G. Food and beverages

No person may consume or possess food, refreshments, liquors, or beverages of any kind on the cemetery grounds.

H. Animals at large

No person shall allow any dog or other animal belonging to them or under their control to run at large in the cemetery or any part of it.

I. Firearms

No person other than law enforcement officers and persons engaged in military funerals or like ceremonies whose functions require the carrying of firearms may carry any firearm in or upon the cemetery grounds.

J. Refuse

All persons using the cemetery grounds shall deposit their rubbish and trash in the receptacles placed in the cemetery for that purpose.

K. Soliciting of bereaved

Approaching the bereaved for purposes of soliciting business within the cemetery is prohibited.

Section III. Burials

A. Funerals and related services

All funerals and related services while within the cemetery shall be under the control of the Cemetery Sexton, a member of the Cemetery Board, or a member of the St. Paul Parish clergy.

B. Grave digging, and vaults

1. All grave openings shall be done by a hired grave digger and the Cemetery Sexton employed by the Cemetery Board, and no filling, boxing, mounding, or other work upon single graves or lot graves shall be done except by such employees. However, this shall not prevent others from seeding or laying sod on graves.

2. All interments for traditional remains shall be in an outer burial container of plastic, fiber glass, metal, concrete, or some durable combination of these materials with a minimum of eighteen (18) inches of ground covering the container. The use of wooden boxes for an outer container is prohibited.

3. All interments for cremated remains shall be in an urn of a durable material, such as plastic, fiber glass, metal, concrete, or some durable combination of these materials. If a wooden or other breakable container is used as an urn, an outer container of plastic, fiber glass, metal, concrete, or some durable combination of these materials must be used and buried with no less twelve (12) inches of ground covering the container. The use of wooden boxes for an outer container is prohibited.

C. Slabs and surface vaults

Neither slabs of any kind nor surface vaults of any kind will be permitted as covering for graves.

D. Interment

No interment of any body other than a human being shall be permitted or made in the cemetery, nor shall more than one body burial be allowed per grave space. A maximum of four (4) cremated remains will be allowed per grave space. No cremated remains may be scattered upon the ground or plowed into the ground.

E. Arrangements for interments

Arrangements for interments shall be made by the owner of the burial space, or by a member or members of the family acting and authorized by law to act for the owner.

F. Notice of interment

Notice of interment must be given to the St. Paul Parish Office, when possible, at least thirty-six (36) hours in advance of burial. A member of the Roman Catholic Church's clergy (most of the time this will be a priest or deacon) must be present at all interments. The Cemetery Sexton shall have full charge of opening, closing, and sodding or seeding of all graves, although this shall not prevent others from laying sod on or seeding graves. A licensed funeral director does not need to be present for burials.

G. Delay in interment

Neither St. Paul Parish nor the St. Joseph Cemetery Board shall in any manner be liable for any delay in interment of a body where a protest to the interment has been made or where the rules and regulations of the cemetery have not been satisfied. Neither the St. Paul Parish nor the Cemetery Board shall be under any duty to recognize any protest of interment unless it is in writing and filed at the St. Paul Parish Office. Neither the St. Paul Parish nor the Cemetery Board shall be responsible for errors resulting from orders or instructions given by telephone, and the parish, Cemetery Board, or Cemetery Sexton may require such order to be in writing before finalizing any action.

H. Liability for identification

Neither the St. Paul Parish Office nor the Cemetery Board shall be liable for the identity of the body sought to be interred.

I. Disinterments

Disinterments shall be governed by all of the foregoing rules of this policy.

J. Liability during disinterment

Cemetery employees shall exercise reasonable care in making a removal, but neither they, nor the St. Paul Parish Office, nor the Cemetery Board shall assume any liability for damages to any casket or burial case or urn incurred in making the removal.

K. Dilapidated vaults, tombs and mausoleums

If any vault, tomb, mausoleum or like structure in which bodies are entombed in the cemetery shall fall into a state of dilapidation or decay, or shall be determined by the Cemetery Board to be offensive or in any way injurious to the appearance of the cemetery, and no adequate provisions having been made by the owner for repair and preservations of such structure, the Cemetery Board shall have the right to remove the offensive or objectionable structure, and to inter any body or bodies contained therein in the earth on the lot on which such structure was located, maintaining such lot thereafter in good and similar condition as done with other lots in the cemetery.

Section IV. Markers and Monuments

A. Definition of terms

The terms markers, monuments, or memorials shall all have the same meaning and refer to one and the same whenever used in these rules and regulations.

B. Type and quality of monuments

Monuments shall consist of marble, granite or bronze and shall be of recognized grade and shall contain no discoloration, flaws or weak spots. Use of any other material must first be approved by the Cemetery Board.

C. Foundations for low profile markers, monuments or memorials

All markers, monuments, or memorials not exceeding four (4) inches in height above the surface of the ground shall be secured to a foundation that extends not more than five (5) inches or less than two (2) inches from each side thereof and is at least eighteen (18) inches in depth below the surface of the ground.

D. Foundations for all other markers, monuments or memorials

All markers, monuments, or memorials higher than four (4) inches above the surface of the ground shall be placed on a foundation that is 30 inches in depth below the surface of the ground and consists of poured concrete (5 sack mix). No filler rock shall be used. Concrete must be thoroughly mixed before being poured.

E. Monument locations

Only one grave memorial will be permitted on one grave space. No memorial may be set to embrace two or more grave spaces except a companion or a family memorial. All memorials shall be set on uniform lines as prescribed by the cemetery Sexton to conform to the general plan of the cemetery.

Exception to the rule: Government issued military plaques and ground level markers will be allowed, in addition to standard monuments. Plaques and markers must have the required foundation. The plaque must be placed at the foot of the grave or on the monument.

F. Placement of monument subject to payment of charges

No memorial shall be placed on a lot or grave space until all charges against the lot or grave space have been paid to date.

G. Vase receptacles

All vase receptacles that are included as a part of a marker or memorial shall be constructed with a drain.

H. Independent sellers and installers of memorials, monuments, and vaults

1. Standard of performance

Employees of a seller/installer shall be expected to provide a level of installation service and performance not less than that of the staff of the cemetery. Sellers/installers shall provide a certificate of insurance that meets the diocesan standard before work is begun.

2. Damages

The seller/installer of will be responsible to the cemetery for any actions committed which causes damage to the cemetery grounds, including roadways, other than normal use.

3. Installation

All work in connection with the preparation and installation of a memorial or the cutting of an inscription on a memorial will cease while a funeral is in progress or a committal service is being conducted.

4. Hours for installation

All installation work and the cutting of inscriptions will be done between 8:00 a.m. and 5:00 p.m. Monday through Friday or at such other times as may be arranged with the permission of the Cemetery Board.

5. Guarantee

If the seller/installer should sell and install a memorial, monument, and vaults that are not in accordance with these rules and regulations, the seller/installer must remove the memorial, or monument, and vaults at the seller's expense and shall pay any reasonable expenses incurred by the cemetery in connection with the removal.

6. Right to purchase memorial

The lot owner and his or her agent, next of kin, or personal representative shall have the right to purchase a memorial or monument or installation service from any seller/installer of memorials or monuments provided that the memorial or monument and installation are in accordance with these rules and regulations.

7. Determination of authority

The Cemetery Board is entitled to determine that the person ordering the memorial or monument and installation service is authorized to do so, to the extent that this may be determined by the records the cemetery has available.

8. Authorization for installation of memorial

The seller/installer of memorials or monuments may be authorized by the lot purchaser or their agent, next of kin, or personal representative to perform all necessary work related to preparation and installation of the memorial.

9. Location of grave

The St. Paul Parish Office shall provide lot owners, their next of kin, their families, and their agents or personal representatives, including seller/installers of memorials or monuments, the locations of graves and any other information from cemetery records without charge.

10. Advance notice of installation required

The seller/installer of memorials and monuments, acting on behalf of the memorial purchaser, shall provide prior notice of any installation the seller/installer intends to make in the cemetery to the Cemetery Sexton or the St. Paul Parish Office.

I. Installation performance

1. Sod and dirt to be removed

All sod and dirt removed during excavation for the installation of a memorial or monument will be carefully removed, and none will be left on the cemetery lot except that needed to fill the space between the memorial and the adjacent lawn unless permission is otherwise obtained from the Cemetery Board Sexton.

2. Transportation of memorial or monument

The memorial or monument will be transported to the cemetery lot in a manner which will not cause damage to the cemetery lawn.

3. Restoration of surface

The seller/installer of a memorial or monument will carefully fill any area around the memorial or monument with top soil or sand in accordance with the instructions of the Cemetery Board Sexton.

4. Removal of equipment and debris

The seller/installer of any memorial or monument will remove all equipment and any type of debris which may have accumulated in the process of installing a memorial or monument.

5. Adjacent monuments to be cleaned

The seller/installer of any memorial or monument will also check if adjacent memorials have become soiled or dirty in the process of installing a memorial or monument, and if so, the seller/installer will clean such adjacent memorial or monument.

6. Reports of damage

If the seller/installer damages any cemetery property, the seller/installer shall repair such damage as soon as possible and notify the St. Paul Parish Office of the property damage and what was done to correct or repair such damage.

7. Notice of defective installation or damage

If the Cemetery Board believes a memorial or monument has not been installed properly or that the seller/installer has damaged the cemetery grounds or property, the Cemetery Board must, within 90 days, notify the seller/installer in writing of such errors.

8. Faulty installation

If a memorial or monument sinks, tilts, or becomes misaligned within twelve (12) months and the Cemetery Board believes this is due to faulty installation, the seller/installer shall be notified in writing thereof so the problem can be corrected. However, the seller/installer will not be responsible if the damage is caused by the cemetery, including but not limited to, running a backhoe over the material, carrying the vault or other heavy equipment, or opening or closing a grave adjacent to the memorial or monument.

Section V. Decorations

A. Plants

No new permanent plantings shall be allowed in any section of the cemetery. Unplanted flowers and artificial decorations are permitted on any grave.

B. Objects on graves

Lot owners and others are prohibited from placing on lots or graves any toys, cases, boxes, globes, shelves, cans, jugs, bottles, bric-a-brac of every description, wooden benches, chairs, settees, headboards or wooden articles of any kind. Any such articles found on the cemetery grounds may be removed by the cemetery Sexton.

C. Enclosures

No enclosure of any kind, such as a fence, coping, hedge, or ditch shall be permitted around any grave or lot and the Cemetery Board shall have the right to remove any existing enclosure.

Section VI. General Charges

The Cemetery Board shall set, from time to time, charges for burial permits, grave digging, filling, protective tent rent, casket-lowering machine rent, concrete vaults, marker or monument bases, or other services.

Section VII. Sale of Lots and Perpetual Care

A. Deed

Purchasers of burial space in the cemetery, whether by lots or by parts thereof, shall be entitled upon payment of the full purchase price, to a deed for the space purchased. The deed will be signed by the Cemetery Manager. A deed will specify that it vests in the purchaser, the heirs, or the assigns of the purchaser, a right in fee simple to the lots,

lot, or part thereof for the sole purpose of burial alone, for human bodies only, subject to the rules and regulations and ordinances governing the cemetery as they exist at the time of the interment, and subject to the reservation of control by the Cemetery Board of such lots, lot, or part of lots to maintain the cemetery in proper order. No deed shall be delivered until the purchaser has made final payment of the full purchase price, plus the payment required for perpetual care.

B. Reversion to Cemetery Board

Any unoccupied lot will be presumed abandoned under the conditions specified by state law for reversion. The Cemetery Board may sell such reverted lot, and the proceeds shall be deposited in the perpetual care fund to provide for the care of any occupied area of the reverted property or if none of the lot is occupied, the proceeds from the sale portion may be invested, and the interest thereon be used wherever deemed useful for the care of the cemetery.

C. Price of lots

The Cemetery Board shall, from time to time, as conditions require, establish the selling price for the conveyance of a deed for lots which shall be based on the size and location of each lot. The price shall include a portion for the perpetual care charge as established by the Cemetery Board. The portion of the sale proceeds attributable to perpetual care shall be deposited in the perpetual care fund, and the remainder of the sale proceeds shall be deposited in the general fund. The prices may be increased and the proportion for perpetual care changed when the Cemetery Board finds that the needs of the cemetery so require.

D. Correction of errors

The Cemetery Board reserves the right to correct any errors that may be made in marking either interments, disinterments, or removals, or in the description, transfer, or conveyance of any interment property, either by cancelling such conveyance and substituting and conveying in lieu thereof any interment property of equal value and similar location as far as possible, or as may be selected by the Cemetery Board or in the sole discretion of the Cemetery Board, by refunding the amount of money paid on account of such purchase. In the event such error shall involve the interment of the remains of any person in such property, the Cemetery Board reserves the right to remove and transfer such remains to such other property of equal value and similar location as far as reasonably possible may be substituted and conveyed in lieu thereof.

E. Long term care of lots

The purchase price of a lot shall include a portion to be designated as the perpetual care charge. The cemetery shall deposit this amount of the purchase price into a cemetery perpetual care fund. The Cemetery Board may accept gifts or donations of land, money or investment assets to be placed to the credit of the perpetual care fund. The assets of the perpetual care fund shall be invested by the cemetery as may be permitted by law for cemetery investments. The cemetery shall use the income from such investments in caring for the property of the donor, or as provided in the terms of such gift or donation.

Section VIII. Records

A. Lot record

The Cemetery Board shall cause to be maintained a lot record and each lot record which shall contain the following information: lot and location; owner and address of owner; grave space; deceased persons who are buried there; and date of burial. In addition, a separate listing of all lot owners shall be maintained. Also, the Cemetery Board shall cause to be maintained a map of lots although the owner's name need not be shown thereon, and any other records required by law to be maintained.

B. Interment register

The Cemetery Board shall also cause to be maintained an interment register which shows a record of all interments to the extent possible. This shall be in book form, and shall to the extent possible, provide the recording of each burial by listing name of the deceased; city and age at the time of death; birth date; spouses name and if the spouse deceased or, if not married, next of kin; date of death; clergy official; section, block, and grave number; and the date of interment.

Section IX. Liability Restricted

The Cemetery Board shall take reasonable precautions to protect lot owners and the property rights of each lot owner within the cemetery from loss or damage, but shall not be liable for loss or damage beyond their control, and particularly, for damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable civil authority, whether the damage be direct or consequential.

Section X. Platting

A. Duty to plat

The Cemetery Board shall have the duty to survey, plat, grade, fence, ornament, and improve all of the cemetery grounds and avenues leading thereto from time to time, as in their opinion may be necessary and advisable. The Cemetery Board may use the Cemetery Sexton and other labor in help to accomplish these duties.

B. Recording of new blocks prior to sale

Before any new block of the cemetery is opened for sale of lots, the Cemetery Board shall cause it to be platted and recorded in the St. Paul Parish Office. A copy of the plat map shall be deposited with the Cemetery Sexton and one or more copies with the St. Paul Parish Office. The plat shall be so designated as to provide direct access to each lot from either a road or a walkway or footpath.

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