

**Rules and Regulations for
St. Margaret's/St. Patrick's Cemeteries**

Cemetery Board Members are considered the "Trustees".

St. Margaret's & St. Patrick's Cemeteries are designated as final resting places for the faithful departed of St. Patrick, St. Margaret Mary, and St. Gabriel parishes and others of the Catholic faith community. It is our sacred duty to preserve this resting place in perpetuity until that time when Jesus comes again to bring all of us home to be with him. The Cemeteries are part and parcel of the corporate structures of St. Patrick (Menasha, WI) along with St. Margaret Mary and St. Gabriel parishes (both of Neenah, WI). The Cemetery Board, as a subcommittee of each of the respective Parish Finance Councils, is immediately responsible for the operation and management of the cemeteries. We've partnered with Twin City Monument Works, Inc. (729 Main Street, Neenah, 54956, (920)-722-8271) to show the sites available and review options. Any questions regarding the operation of the cemeteries, arranging burials, or purchasing burial rights shall be directed to the St. Patrick Parish office located at 324 Nicolet Blvd., Menasha, WI 54952, (920) 725-8381.

BURIAL RIGHTS

1. Note that plots, lots, graves, gravesites, and burial rights may be used interchangeably hereinafter as may also be burial(s) and interment(s).
2. Burial rights shall be permitted in our cemeteries for all the Catholic faithful departed, catechumens and others in accordance with canon law. Subject to the approval of the Trustees, those of other Christian faith traditions or certain non-Christian traditions may be permitted in the cemetery. The cemetery Trustees may recommend to the pastor/administrator/pastoral leader rules and regulations governing specific ethnic practices.
3. Burial rights (lots or gravesites) are sold only by a representative of the cemeteries.
4. It is important to note that the cemeteries do not sell physical property. The purchaser does not take ownership of the land on which the lot(s) are located, but rather the purchaser becomes a holder of burial right(s) in that space.
5. The purchase of a grave lot permits the burial of one full body casket, or one full body casket with one cremains, or two cremains within that space. There are additional charges beyond the lot price for excavation of the space, i.e., opening and closing of the grave.
6. When burial rights are paid in full, the Cemetery office (St. Patrick Parish office) shall issue a Certificate of Easement.
7. All interments in lots must be restricted to members of the family of the lot owner unless the burial right owner wishes to designate a gravesite to another party (family member or otherwise). This is not a transfer of burial right ownership, rather a designation allowing that person to be interred in that gravesite. No person shall have burial rights in any grave or lot unless

- his/her name appears on the cemetery records for that burial space. The family of the lot owner comprises all relatives within the second degree of consanguinity (blood line) and the first degree of affinity (marriage line).
8. When purchasing cemetery interment rights, the costs of perpetual care are included in the purchase price. The term "perpetual care" means the cutting of grass on cemetery lots at reasonable intervals, the raking and cleaning of the lots, the pruning of trees, and any other such work as may be necessary to keep the property in presentable condition. "Perpetual care" does not include maintenance or repair of any gravestones, monument structures or concrete foundations erected upon cemetery lots. Nor does it include maintenance of plantings provided by the lot owner or the lot owner's family.
 9. As a condition of purchasing interment rights, every owner of said right, agrees to accept responsibility for loss or damage to assigned burial space including, but not limited to, acts of thieves, vandals, rioters and malicious mischief, as well as from all acts of nature including wind, tornadoes, floods, hail, snow, frost, whether the damage be direct or indirect, and specifically agrees to hold the cemetery harmless of any such liability.
 10. A certificate for a lot does not grant any privileges other than specified therein. After the first interment no further interment will be allowed on any lot against which there are unpaid charges.
 11. Upon the death of the holder of rights on a given space or lot, legal heirs should assure that the cemetery records show the proof of transfer of burial rights. According to Wisconsin State Statutes 157.10 (Published and certified under s. 35.18. August 1, 2020), when the original owner(s) of a burial space(s) or lot die and is/are buried there, any remaining burial spaces (burial rights) pass equally to all heirs specified by the aforementioned State Statutes. No burials or designations/assignments for future use of the remaining burial rights may be made without the written permission of a majority of heirs, unless a majority of heirs have agreed to transfer ownership to a single heir.
 12. If an owner desires to transfer the right(s) to space(s) back to Seller (St. Margaret's/St. Patrick's Cemeteries), Seller may purchase the space(s) at a price not more than 70% of the original purchase price of said space(s). Before an owner may transfer rights under this provision, the total purchase price must be paid in full and the space(s) must not be occupied. All services necessary to restore the returned space(s) to its (their) original condition will be the responsibility of the party returning the space(s).
 13. The 'member' discounted fee shown on the current price list for St. Margaret's/St. Patrick's Cemeteries for the purchase of burial rights or for services applies only to registered members of any of the five Neenah/Menasha parishes, i.e. registered at the time of purchase.

BURIALS

14. Burial vaults are a requirement for full casket ground interments. Burial vaults serve the purpose of protecting the caskets and mortal remains within, and maintain the integrity of the cemetery ground (prevent collapsing and cave-ins). This is a diocesan regulation and not a state or federal law. People are able to purchase burial vaults from a number of sources, with local funeral homes being the most common.
15. Urns containing cremated remains buried in the ground should be made of durable materials that can withstand ground pressure and moisture. The use of urns which are breakable (glass or wood) or biodegradable are not recommended for ground burial.

MONUMENTS/MARKERS/MAUSOLEUMS

16. Cemetery management must be contacted by family or the memorial dealer prior to any monument or marker being placed. Cemetery management will verify the correct location, and will then issue approval to the respective memorial dealer.
17. Monuments and markers are property of the burial right owners. Damage which occurs through acts of God or vandalism is the responsibility of the owners. It is recommended monuments and markers are added to homeowner insurance policies.
18. Only one monument will be permitted on each family burial plot. It must have a Christian emblem placed or engraved upon it (e.g. a cross).
19. When headstones are used no foot stones will be allowed.
20. No mausoleums can be built without permission from the Trustees. Plans for mausoleums must be submitted to the Trustees for approval.
21. No coping or enclosure will be allowed. Boundaries of lots will be marked only by corner stones set by cemetery Trustees at expense of lot owner. Corner stones once set are not to be altered or removed except by the authority of the Cemetery Board.

DECORATIONS

22. Any floral arrangements must be placed in rigid containers. The use of glass containers or tin cans is not allowed.
23. Trinkets, toys, cans, balloons, cards, glass items, edging, bricks, patio blocks, landscaping stones, etc. are not allowed on graves, lots, or trees.

24. Discolored or wilted decorations should be removed. The Trustees will do so at their discretion if necessary.
25. Cemetery Trustees may remove all untidy decorations or articles.
26. The Trustees are authorized by law, (after formal written notice), to remove from a lot any monument, headstone or object which conflicts with these Rules & Regulations, or is considered unsightly by the Trustees.
27. The cemetery staff is not responsible for damage to any decoration due to ordinary cemetery maintenance. Decorations that interfere with cemetery maintenance will be removed at the discretion of the Trustees.

PLANTINGS

28. No tree or shrub, etc. shall be planted, moved or removed without permission from the Trustees. Obtain a landscaping permit from St. Patrick's Parish office.
29. Bushes and shrubs are to be kept trimmed by the lot owner or the lot owner's family.

GENERAL

30. All owners of interment rights, as well as visitors to the Catholic cemeteries in Neenah, are subject to these rules and regulations which have been adopted by the Trustees.
31. Cemeteries are open daily from dawn to dusk, weather permitting.
32. The speed limit within the cemeteries is 15 mph.
33. Cemetery maintenance equipment needs to move easily around the headstones. Anything that interferes with the maintenance of the cemeteries will be removed at the discretion of the Trustees.
34. No lots may be filled above the established grade.
35. No lot transfer will be allowed without approval from the Trustees.
36. Contracted vendors need to be properly insured and authorized by the Trustees.
37. Scattering of human cremains/ashes is NOT allowed. Likewise, burial of pets cremated or otherwise, shall not be allowed in any part of the cemeteries.
38. No pets or animals are allowed on cemetery property. This prohibition does not apply to service animals. Cemetery grounds are sacred spaces. Thus dogs or other pets on or off leash are not allowed. No one wants to visit the grave of a loved one to find animal waste.
39. No firearms or instruments of like nature, such as air guns and sling shots will be allowed on cemetery property. Military units offering salutes at funerals or special occasions will be permitted.

40. A Catholic cemetery is the resting place of “children of God by faith, temples of God.” It is a sacred place. The decorum or propriety due such sacredness should be strictly observed. Improper conduct or anything disturbing the quiet and reverence of this sacred space should be avoided.

41. Spring clean up begins the first Monday in April. All winter artificial bouquets and wreaths need to be removed prior to that day, weather permitting.

All Cemetery Rules & Regulations may be amended without notification.

Adopted at 10/13/2020 Board Meeting

Items 12 & 13 under Burial Rights added & adopted at 5/3/2022 Board Meeting

Attachment I

CANON LAW

Canon 1176

1. Deceased members of the Christian faithful must be given ecclesiastical funerals according to the norm of law.
2. Ecclesiastical funerals, by which the Church seeks spiritual support for the deceased, honors their bodies, and at the same time brings the solace of hope to the living, must be celebrated according to the norm of the liturgical laws.
3. The Church earnestly recommends that the pious custom of burying the bodies of the deceased be observed; nevertheless, the Church does not prohibit cremation unless it was chosen for reasons contrary to Christian doctrine.

Canon 1180

1. If a parish has its own cemetery, the deceased members of the faithful must be buried in it unless the deceased or those competent to take care of the burial of the deceased have chosen another cemetery legitimately.
2. Everyone, however, is permitted to choose the cemetery of burial unless prohibited by law.

Canon 1208

When the blessing of a cemetery has been completed, a document is to be drawn up, one copy of which is to be kept in the diocesan curia and another in the archive of the church.

Canon 1240

1. Where possible, the Church is to have its own cemeteries or at least areas in civil cemeteries that are designated for the deceased members of the faithful and properly blessed.
2. If this cannot be achieved, however, then individual graves are to be properly blessed.

Canon 1241

1. Parishes and religious institutes can have their own cemetery.
2. Other juridic persons or families can also have a special cemetery or tomb, to be blessed according to the judgment of the local ordinary.

Canon 1242

Bodies are not to be buried in churches unless it is a question of burying in their own church the Roman Pontiff, cardinals, or diocesan bishops, including retired ones.

Canon 1243

Particular law is to establish appropriate norms about the discipline to be observed in cemeteries, especially with regard to protecting and fostering their sacred character.