

## I. DEFINITIONS

**Local Ordinary:** The Roman Catholic Bishop of the Diocese of Norwich

**Director:** The person appointed by the Pastor for the purpose of administering St. Mary Cemeteries.

**Manager:** The person appointed by the Director; to be responsible for the conduct of Cemetery operations and services.

**Cemetery:** All the property, for earth burials.

**Grave:** A certain space of ground within the cemetery, used and to be used only for the burial of human remains. One grave may contain  
(1) one casket and two cremains or  
(2) Four cremains.

**Plot:** A numbered division as shown on the record card and which consists of two or more adjoining graves.

**Interment:** Shall mean burial of a casket or cremains.

**Plot/Grave Owner:** Person who originally purchased burial rights.

**Plot/Grave Holder:** Person or persons who have purchased interment rights or who hold by same right of inheritance or written assignment.

**Certificate of Burial Rights:** Document which grants to the purchaser and his/her heirs, the exclusive right of burial in a specific grave. It does not convey ownership to land.

**Endowed Care (also called Perpetual Care):** a certain sum of money placed in a special trust fund, which will be used, the in the amount of the interest income available there from, for the care of the lawn, care of the lot and the proper maintenance of its general surroundings.

**Memorial:** Any monument, marker stone or inscription for one or more deceased persons.

## **II. PURPOSE OF THE CEMETERY**

2-A The Cemetery is intended for the interment of Catholics who are entitled to Christian burial according to the rules and discipline of the Roman Catholic Church. Any questions of the burial of a non-Catholic member of a Lot Holder's family or of any person not entitled to Christian burial according to the rules and discipline of the Roman Catholic Church shall be decided exclusively by the management or Local Ordinary and such decision shall be final.

## **III. ADMISSION TO THE CEMETERY**

3-A The Cemetery reserves the right to refuse admission to the cemetery and refuse the use of any of the Cemetery's equipment or facilities at any time to any person or persons as the rules, judgment and tradition may dictate.

## **IV. BURIAL**

4-A A sale does not transfer any title or interest in land. The Cemetery will continue to own the land at all times. You are only buying the privilege of burial in a lot at the Cemetery.

4-B The Cemetery reserves the right to specify the terms of the purchase of all interment rights in graves or plots and to fix the number of interments allocated to a grave or plot.

4-C If the purchaser fails to carry out the terms of the purchase agreement, the Cemetery may declare said agreement canceled and all rights of the purchaser in and to the grave or lot are forfeited. Notice of such forfeiture mailed to the last address of such purchaser appearing on the cemetery records shall be sufficient.

4-D In the event any error shall occur in the Certificate of Right of Burial, the Cemetery shall have the right to correct the same by canceling such certificate and substituting a Certificate of Right of Burial in such other grave or plot of as nearly equal value and similar location as may be possible, to be selected by the Cemetery, or in the sole discretion of said Cemetery, by refunding the sum paid on account. In the event any such error shall involve interments,

disinterment or removal of the remains of any person in any grave or plot, the Cemetery reserves, and shall have, the right to remove and reinter the remains in such other grave or plot of equal value and similar locations as may be substituted therefore.

4-E No coping, curbing, fencing, hedging, borders or enclosures of any kind shall be allowed around the grave or plot. The Cemetery reserves the right without prior notice to remove the same if so erected, planted or placed.

4-F The privilege of burial at the Cemetery is subject to all present and future rules of the Diocese of Norwich, the laws of the State of Connecticut and rules and regulations of the town in which the Cemetery is located. It is also subject to those laws and disciplines of the Roman Catholic Church which concerns rules and ceremonies.

4-G There shall be no removal from any grave or plot without the prior written consent of the Director or his agent.

4-H The privilege of a burial may not be sold, transferred or given to anyone else without written consent; provided, however, upon your death, burial, rights in the grave(s) or plot(s) may be transferred to someone else, if the transfer is made by a valid last Will and Testament, specifying the name of the Cemetery and location, or by an Assignment of Burial on file with the Cemetery. A Living Trust is not an approved method of transferring burial rights.

4-I The plot shall be indivisible. If you die, without transferring the burial rights by one of these two ways (4-H) or if a person to whom you have properly transferred your rights dies without transferring any remaining burial rights by one of the two ways listed in this paragraph (4-H) then any unused burial or entombment rights will devolve as follows: the surviving spouse of the owner has a prior right of one burial space. If there is more than one heir, they shall designate in writing to the Cemetery which of their number shall represent said grave or plot and on failure to so designate, the heir holding the Certificate shall be presumed to have the best claim, all other things being equal.

## **V. INTERMENT**

5-A Once a funeral has entered the Cemetery; it shall be under the exclusive direction of the Cemetery.

5-B All care charges, and other charges against a grave or plot are due and payable before a grave will be opened.

5-C An outside container constructed of approved material is required on all casket burials.

5-D No interments will take place on Sundays and Holidays.

5-E The Cemetery shall not be responsible for any mistake resulting from improper or erroneous instructions given at the time of a burial order - by the family or their representative. Additional charges may be levied whenever additional labor results from such mistakes.

5-F Should there be any delay in the interment of a body, where rules and regulations have not been complied with or where said rules and regulations shall forbid such interment, or where a protest to the interment has been made, the Cemetery shall in no way be responsible for such delay.

5-G The Cemetery shall not be responsible for providing a grave opening on lots where such impediments as curbing and other enclosures, steps, corner posts and memorialization infringe on burial space, should the lot owner and family insist on retaining these impediments as they are.

5-H All arrangements for interments, purchase of burial rights or removals made by a grave or plot holder through a funeral director or other agent shall be binding on said grave or plot holder.

5-I The Cemetery reserves the right to refuse permission to anyone to open the casket or to touch the body without the presentation of a court order.

## **VI. DISINTERMENT**

6-A No disinterment or removal shall be allowed except with the permission of the Director or his agent with written authorization of the plot owner and the next of kin. If there are more than one next of kin, all must give written authorization.

6-B The Cemetery shall exercise due care in making a disinterment and removal, but it shall assume no liability for the damage to any casket or burial case incurred in making the disinterment and removal.

6-C The Cemetery shall have the right to designate the hour and manner in which the interment, disinterment and removals will be permitted.

## **VII. CREMAINS**

7-A The scattering of cremains in the Cemetery is prohibited. The Cemetery provides burial service for cremated remains. The cremains must be accompanied by certification that the remains are those of the deceased person for whom the burial is requested.

7-B The interment of cremains is subject to the same rules and regulations as are other interments.

7-C The Cemetery does allow up to two cremains to be buried with an existing casket burial if the necessary 12 inches of ground cover can be achieved. Four cremains can be interred in a single grave with no existing casket burial.

## **VIII. REGULATIONS OF MEMORIAL WORK**

8-A Marker stone may be erected only on plots where all charges against a plot are paid. All foundation work and all installations of flush marker stones will be done by the Cemetery.

8-B Before any memorial work will be considered, an application complete in duplicate and signed by owner of burial rights in said grave or plot and the contractor, must be filed at the Cemetery office.

8-C A completely executed application must be filed for any contemplated changes, inscriptions or additions to memorials already set. These applications will be handled in exactly the same way as applications for new work.

8-D Pictures, as well as the words Perpetual Care and similar phrases are not permitted on memorial work. Benches, corner posts and planting baskets are not allowed. Said certification must unconditionally guarantee against checking, cracking and disintegration due to natural causes. Generally, work showing knots, evidence of doctoring, or with a tendency to create dirt pockets is not acceptable. No machine marks to show.

8-E Raised or upright marker stones are permitted on certain plots. Other graves or plots are entirely restricted to flush marker stones.

8-F Only one upright marker stone may be set on a plot. Only one flush marker stone may be set on a grave.

8-G Grave marker stones are restricted to the "flush" type. Granite marker stones must be 4 inches thick with sawed sides and bottom. Marker stones on graves have a standard size of 12 inches by 24 inches, except in certain limited areas, where other specific sizes are permitted. Marble markers are prohibited. The carving or lettering on stone markers may not come closer than 1" (one inch) to any edge.

8-H All marker stones set in the Cemetery shall have as their principle feature a carving of evident religious significance. This regulation excepts those memorials which are cruciform. The Cemetery reserves the right to forbid any marker stone with symbolism which is not in keeping with religious tradition.

8-I The working hours for setting, cleaning or inscribing marker stones shall be the same as the Cemetery workday and in all cases work must end at the same time as the Cemetery workday. Trucks are not allowed on any grass area. The repair of any damage to turf or plantings caused by any memorial dealer will be charged to his account.

8-J The use of marble statues, which are relatively short-lived in our New England climate, is prohibited.

8-K Contractors working in the vicinity of an interment must suspend their work until the conclusion of the service.

8-L Neither the individual Cemetery nor the Parish Corporation itself assumes responsibility for the care of marker stones or any damage to them by accident or willful action. In the event any marker stone is damaged, the Cemetery reserves the right to remove the damaged marker stone if not repaired or contracted to be repaired within 10 days notice sent to the grave or plot owner at his/her last known address. Repairs must be approved by the Cemetery.

8-M Any violation of these rules and regulations by the contractor is his sole responsibility even though he has received a copy back from the Cemetery.

8-N Any dealer who violates the rules of the Cemetery may be denied the privilege of installing marker stones in the Cemetery.

8-O No marker stone shall be removed from the Cemetery, except by the corporation, unless a written order executed by the grave or plot owner is presented at the Cemetery office and written permission is granted by the association.

## **IX. VETERAN MEMORIALS**

9-A The US Department of Veterans Affairs (VA) now furnishes a government marker stone to Cemeteries where the grave has already been memorialized by a privately purchased marker stone. However, this benefit is subject to the Cemetery's Rules and Regulations. See 8-F: "only one marker stone may be set on a grave."

9-B Any marker stone furnished by the VA must be delivered to the Cemetery office and remains the property of the US Government and may not be used for any other purpose other than to mark a veteran's grave. 9-C Marker stones are restricted to "flush" type and must be either granite or bronze. Marble markers are prohibited.

9-D VA Form 40-1330 Block 19 thru 26 should be left blank and will be completed by the appropriate Cemetery office. Form 40-1330 must be signed by an official of the Cemetery. If a VA marker is received by the Cemetery which has not been signed for by an official of the Cemetery, the Cemetery reserves the right to refuse the installation of said marker.

## **X. DECORATIONS ON GRAVES AND LOTS**

10A Decorations are limited to one display per marker stone, in a plastic or metal portable container, not to extend more than ten inches from the upright marker stone. The container may not be more than twenty four inches long. Concrete and other types of materials must not be placed in the container. The cemetery is not responsible for lost, stolen or damaged decorations.

10-B Decorations, other than flags and flag holders (see 10-H) are prohibited from being placed or driven into the ground.

10-C Displays in containers placed on the base of an upright marker stone constitute the decoration for the grave or plot.

10D When there is more than one display on the grave or plot; the extra containers will be removed by the Cemetery staff without prior notice. Decorations will also be removed when their condition warrants.

10-E The schedule for decorations is:

Nov. 1 to Mar. 1 - greens, artificial flowers appropriate to the season

Mar. 1 to Nov. 1 - live flowers preferred.

10-F For public safety and to maintain orderly good looks of the Cemetery, certain articles are prohibited and will be removed without notice: glass jars/objects or vases, water cans, palms, seats, bric-a-brac, any item of fragmental material, toys, mailboxes, etc. No items are to be placed on the fences.

10-G The installation of vigil lights is not allowed because of their susceptibility to vandalism and the danger of broken glass to personnel and visitors.

10-H Flags and flag holders must be kept up near the marker stone. The Cemetery is not responsible for the condition of flags and flag holders placed in the Cemetery by veteran organizations or individuals. When the flags become unsightly, they should promptly be replaced or removed by those who are responsible for them. Should neglected flags continue to remain, the Cemetery reserves the right to remove and to dispose of them. Only one flag is allowed to be displayed on a grave.

10-I Trees, shrubs, flowers, etc. planted directly in the ground will be removed without notice.

10-J The right is reserved by the Cemetery to regulate the method of decorating graves or plots, so that uniform beauty may be maintained,

## **XI. PERPETUAL CARE AND ANNUAL CARE**

11-A To retain a sense of reverence and an atmosphere of peace and beauty in the Cemetery, lawn care and general maintenance is a necessity.

11-B For Endowed Care (also called Perpetual Care); a certain sum of money has been placed in a special trust fund, which is used, in the amount of the interest income available there from, for the lawn care of the burial grave or plot and the proper maintenance of its general surroundings

11-E The term “maintenance” shall in no case mean the doing of any special or unusual work in the Cemetery, including work caused by impoverishment of the soil, disruption of water supply or facilities nor does it mean the reconstruction of any marker stone, granite, bronze or concrete work on any section of a grave or plot, or any portion or portions thereof in the Cemetery, injured or damaged by any cause, direct or indirect, beyond reasonable control of the Cemetery.

## **XII. CONDUCT IN THE CEMETERY**

12-A Visitors to the Cemetery are reminded that the Cemetery is a sacred place. Therefore, pets should not be allowed; rubbish must be taken with you, and peddling, soliciting, advertising or other non-cemetery signs are prohibited.

12-B Improper assemblages are prohibited and the Cemetery has the right to forbid and prevent these on Cemetery property.

12-C Drivers of vehicles are requested to observe the following: Grant all funerals the right of way; use moderate speed; drive on roads only; park on roads only. Motorists will be responsible for damages.

## **XIII. LIABILITY**

13-A The Cemetery Authorities disclaim all responsibility for loss or damage beyond their reasonable control, and especially from damage from an Act of God, the elements, earthquake, war, common enemy, air raids, invasions, insurrections, riots, order of any military or civil authority, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, or any cause similar or dissimilar beyond control of said authorities, whether the damage be directed or collateral.

## **XIV. IN GENERAL**

14-A Statement of employees of the Cemetery Authorities shall not be binding on such Authority, except as such statements coincide with the document conveying the right of interment and these rules and regulations.

14-B These rules shall apply to any grave, plot, or marker stone now in existence and to any future grave, plot or marker stone.

14-C In all matters not specifically covered by these rules and regulations, the Cemetery Authorities reserve the right to do anything which in their judgment is deemed reasonable on the premises, and

such determination shall be binding upon the grave or plot owner and all parties concerned.

14-D The Director reserves the right at any time or from time to time to change, amend, alter, rescind or add to these Rules and Regulations or any part thereof or to adopt to any new rule or Regulation with respect to said Cemetery or anything pertaining thereto.

14-E The Cemetery reserves the right to remove any tree, shrub or any structure upon any grave or plot which has or shall become; by any reason of age or otherwise, unsightly or detrimental to the grave or plot upon which it is situated or any adjoining grave, plot or avenue; and if ,by reason of the absence or neglect of a grave or plot owner, any plant or structure thereon shall become unsightly, hazardous or otherwise detrimental, the Corporation shall have the right to cause the same to be put in safe and proper condition, according to the discretion of the Manager.

14-F The Cemetery reserves the right to resurvey, enlarge, diminish, alter in shape or size or otherwise to change all or any part or portion of the Cemetery.

14-C The Cemetery reserves the right to lay out, establish, close, eliminate or otherwise modify or change the location of roads, walks or drives providing ingress and egress to said graves or plots.

## **XV. DISPUTE RESOLUTION PROCEDURE**

PUBLIC ACT 95-184 “An Act Concerning Cemeteries” mandates that each town, ecclesiastical society or Cemetery Association which owns, manages or controls a cemetery shall disclose to each consumer in writing at the time of the sale of any item or service, any Dispute Resolution Procedure of such town, ecclesiastical society or Cemetery Association. The written disclosure shall also indicate that the consumer may contact the State Department of Public Health and Addiction Services or the Local Public Health Director if he/she has any complaints which concern violations of Sections 7-64 to 7-72, inclusive, 19A-310 and 19A-311 of the General Statutes.

15-A Verbally discuss your complaint with the Foreman of the Cemetery involved or call the Cemetery office that handles the Cemetery.

15-B If your complaint is not taken care of at Step 1, contact the pastor.

15-C If your complaint is not resolved at Step 2, you may submit your written complaint to the Chancery Office, 201 Broadway, Norwich, CT 06360

15-D There are three levels of authority in our procedure. We ask that you do not approach higher levels until you have sought a resolution from a lower level.

St. Mary Cemetery - River Road (Route 12) Lisbon CT

St. Mary Cemetery - Lily Pond Road, Griswold CT

St. Thomas Cemetery - Sheldon Road, Griswold CT

For Cemetery Information 860-376-2044

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