



Cemetery Rules & Regulations

For the mutual protection and benefit of lot owners, the Cemetery as a whole, and the Cemetery Commissioner; the following Rules and Regulations are in force in the Town cemeteries.

All lot owners and visitors within the Cemetery, as well as all lots sold, shall be subject to these Rules and Regulations together with those amendments and/or alterations adopted, pursuant to state and local law. Reference to these Rules and Regulations in the Deed to a lot shall have the same force and effect as set forth in full therein.

DEFINITIONS

Cemetery - A burial park for earth interments, a community mausoleum for vault interments, and a columbarium for cremated remains, or a combination of one or more therein, for the purpose of human burial. For the purposes of this document the words "cemetery" and "cemeteries" shall be construed as referring to all Town owned and managed cemeteries.

Deed - The original conveyance given by the Cemetery Commissioner or Superintendent of streets to the original purchaser. The deed does not convey ownership of the lot, only a right to use the lot for burial purposes.

Grave - A place for burial that is ten (10) feet long by forty five (45) inches wide.

Internment - The permanent disposition of the remains of a deceased person by cremation or traditional burial.

Lot - Numbered division as shown on the record plot, which consists of one or more graves.

Lot Marker - Any means used by the Cemetery Commissioner to locate corners of the lot or grave.

Marker - Small, flush, stone item used to identify the interred or corners of a lot, usually placed at the foot of a grave. Also refers to those items given to US Veterans to identify interred.

Monument - A large memorial placed at the head of a lot, centered upon deeded graves. Some regulations may apply to size and location of monument. Check with the



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Cemetery Commissioner before installing an oversized monument.

Vault – A reinforced concrete grave liner box. No vault over forty-two (42) inches in exterior width will be accepted for a single grave.

GENERAL RULES

1. Persons within the Cemetery may use only the avenues and roads. No one is permitted to walk upon or across lots or lawns unless it is necessary to do so to gain access to one's own lot. The Cemetery expressly disclaims liability for any injuries sustained by anyone violating this rule.
2. The following is prohibited:
 - a. Driving more than ten (10) mph within the grounds of a cemetery,
 - b. Driving any wheeled vehicle, motorized or otherwise, or riding any animal across or upon any grave, lot, lawn, or parking or leaving the same thereon.
 - c. Parking or leaving any motor vehicle on any road or driveway within a cemetery at such location or in such position as to prevent any other vehicle from passing. The Town will have any vehicle violating this rule towed at the owner's expense.
 - d. Children under sixteen (16) years of age not permitted in the cemetery, or its buildings, unless accompanied by a responsible adult or having been given approval by the Cemetery Commissioner.
3. In order to maintain the solemnity of the cemetery, the following activities are prohibited:
 - a. loud or boisterous talking,
 - b. loitering on the grounds, or in any of the buildings,
 - c. peddling or soliciting,
 - d. placing of signs, notices, or advertising of any kind,
 - e. Dogs and other pets excluding service animals, are prohibited
 - f. Special cases may arise in which the literal enforcement of a rule may impose an unnecessary hardship. The Cemetery Commissioner reserves the right to make exceptions, suspend, or modify of any of these Rules and Regulations.

LOTS AND LOT OWNERS

1. Persons desiring to purchase a grave or lot(s) should contact the Cemetery



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Commissioner where they will be aided in making a selection and will be issued a memorandum describing the lot purchased.

2. Before any stones or markers are placed on a grave or lot, complete payment for the grave must be made to the Town. The Town will issue a deed/certificate of ownership for burial purposes.
3. No lot or grace shall be used for any purpose other than for burial of the human remains.
4. The Town reserves the right to:
 - a. Enlarge, reduce, re-plot, or change the boundaries or grading of the cemetery, or section(s), from time to time, including the right to modify or change the locations or remove or regrade roads, drives, or walks, or any part thereof;
 - b. Lay, maintain and operate or alter or change pipelines or gutters for sprinkler systems, water systems, and/or drainage or any appurtenance thereof.
 - c. Use cemetery property not sold to individuals for cemetery purposes, including interment of the dead, or for anything necessary, incidental, or convenient thereto.
5. The Cemetery reserves to it and to those lawfully entitled thereto, a perpetual right of ingress and egress over graves for the purpose of passing to and from other graves or lots.
6. The Cemetery Commissioner will take all reasonable precautions to protect lot owners, and the property rights of grave owners, within the cemeteries from loss or damage. The Town will not be responsible for loss or damage from causes beyond its reasonable control, such as damage caused by the elements, an act of God, thieves, vandals, explosions, unavoidable accidents, riots, or order of any military or civil authority, whether the damage by directed or collateral, other than herein provided.
7. It is the duty of the grave owner to notify the Town of any changes in the mailing address.

CARE OF LOTS

1. The general care of the cemetery is assumed by the Town and includes the cutting of grass at reasonable intervals and in the raking and cleaning of the grounds. This general care shall exclude the maintenance, repair, or replacement of any memorial, tomb, or mausoleum placed or erected upon lots, or any other special or unusual work in the cemetery.
2. Funds for this general care shall be provided by the town appropriation pursuant



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to Massachusetts General Law, Chapter 114, Section 16.

3. Pursuant to MGL, the Town of Northfield may receive, hold and apply any funds, moneys, or securities deposited with the Town Treasurer for the preservation, care, improvement, or embellishment of the cemeteries or of the lots in the cemetery. The Town Treasurer shall invest these moneys to ensure a maximum income and at a low risk.

CORRECTION OF ERRORS

The Town reserves, and shall have, the right to correct any errors that may be made by it either in making interments, disinterment, removals, deed descriptions, transfers, or conveyances in any interment property, either by canceling such conveyance or by substituting any conveying in lieu thereof other interment property of equal value and similar locations as far as possible, or as may be selected by the Town, or at the sole discretion of the Town, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any such persons in such property, the Town reserves, and shall have the right to remove or transfer such remains of the interred to such other property (consistent with the law) of equal value and similar location as may be substituted and conveyed in lieu thereof. The Town will make a reasonable effort to notify property deed owners before taking any action.

DESCENT OF TITLE

The laws of the Commonwealth of Massachusetts govern descent of title to cemetery lots as well as other matters pertaining to assignments, conveyances, devices, trust deeds, and inalienability. The Town will assist any lot owner who desires information or advice on questions pertaining to his/her lot.

INTERMENTS

1. Except for winter months (November 1st through April 1st) the cemeteries will be open for interments at regular rates between 8:00 AM and 2:00 PM, Monday through Thursday. Funerals at the cemeteries during off hours, Fridays, and Saturdays may be subject to higher fees. No burials will take place on Sundays, or Town holidays.
2. All funerals upon entering the cemetery shall be under the charge of the Funeral Director.
3. Once a casket containing a body is within the confines of the cemetery, no



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- funeral director, or their staff, shall be permitted to open the casket or to touch the body without consent of the legal representative of the deceased or by court order.
4. The Funeral Director shall pay all charges for services to the Town of Northfield. The Funeral Director shall be responsible to the Town for the debt regardless of the arrangements with the family involved. Payment shall be completed prior to burial. (A copy of the burial permit is also required.) If the payment is coming from the family directly to the Town, payment must be made with a certified check.
 5. All charges for interment or services in connection therewith, shall be paid to the Town by the funeral director before or at the time of burial.
 6. Arrangements for the payment of indebtedness due the Town must be made before interment is performed.
 7. The Town reserves the right to insist upon thirty-six (36) hours notice prior to any interment and at least one (1) week's notice prior to any disinterment or removal.
 8. Lot owners shall not allow burials in their lots for remuneration of any kind.
 9. No interment of six (6) or more traditional burials in one grave, except in the case of parent and infant child or two infants buried in one casket.
 10. When an interment is to be made in a lot, the lot owner shall designate the location of such interment. Should the lot owner fail or neglect to make such designation, the Cemetery Commissioner reserves the right to make the interment in a location he shall designate.
 11. Employees of the Town are the only persons who will be permitted to open graves with the following exceptions:
 - a. The Cemetery Commissioner is directed to make a disinterment by judicial order and a certified copy of such order has been filed with the Town; or
 - b. When the Medical Examiner directs the disinterment for the purpose of holding an inquest and had filed with the Town a legal, signed authorization to release the body to the Medical Examiner or lawful agent. In such cases, the Medical Examiner or lawful agent does the disinterment. Town employees will not be permitted to assist.
 12. In order to maintain a high standard of care and to eliminate sunken graves caused by the collapse of wooden boxes, it is required that all traditional burials are made inside a vault. The "outside" width of such vaults shall not exceed forty-two (42) inches. In such cases where an oversized vault is needed to accommodate an oversized casket, the lot owners will need to use two (2) deeded graves. Burial vaults may be procured from any source provided they



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meet the established specifications. When Town employees handle or install such containers, a reasonable charge will be made for such service.

13. A interments, disinterment, and removals are made subject to local and state laws, by-laws, ordinances, and regulations.
14. The Town will not be responsible for any order given by telephone or for any mistake occurring from the lack of precise and proper instructions as to the particular space, size of grave, and location of a grave where interment is desired.
15. The Town will not be liable for the identity of the person sought to be interred.

PLANTS AND SHRUBS

1. Shrubs, plantings, pea stone, or bark mulch are not permitted.
2. The Cemetery Commissioner shall not be responsible for any kind of plantings or lot decorations damaged by the elements, vandals, thieves, or other causes beyond its control.
3. The Town shall have the authority to remove all floral designs, flowers, weeds, trees, plants, herbage, or decorations of any kind from the cemetery as soon as, in the judgement of the Town, they become unsightly, dangerous, detrimental or diseased, or do not conform to the standard and will be removed.
4. The Town shall not be liable for floral pieces, baskets, or frames in which, or to which, such pieces are attached, nor for such floral pieces for memorial services held in the cemetery.
5. Flowers (artificial or real) may be used to decorate lots but may be removed or discarded by the Town when, in the sole opinion of the Town cemetery employees, they become faded or unsightly.

Enforcement of Rules

The Town is empowered to enforce all Rules and Regulations, and to exclude from the cemeteries, any person violating the same. The Town shall have charge of the grounds and buildings, including the conduct of funerals, traffic, employees, grave owners, and visitors, and at all times shall have supervision and control of all persons in the cemeteries.

Funeral Directors

The Cemetery Commissioner of Northfield is empowered to enforce all Roles and



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Responsibilities. The Cemetery Commissioner reserves the right to insist upon thirty-six hours (36) notice prior to any interment and at least one-week notice prior to any disinterment or removal.

Fees and Charges

Effective: April 1, 2016

Interments:

Full Vault and Casket Burials \$600.00
Monday – Saturday

Cremations:

Burials \$250.00
Monday – Saturday