

SACRED HEART CATHOLIC CHURCH
WILTON, NORTH DAKOTA

CEMETERY POLICY

1. RULES AND REGULATIONS

- 1.1 For the mutual protection and benefit of Burial Right owners and the Cemetery, the following Policy, Rules and Regulations have been adopted by Sacred Heart Church. Sacred Heart's cemetery is the property of Sacred Heart Church. All Burial Right owners and visitors within the cemetery and all Burial Rights sold shall be subject to these rules and regulations, amendments, and alterations that may be adopted by Sacred Heart Church.
- 1.2 Title to the land of any burial space in Sacred Heart's cemetery, shall always remain the property of Sacred Heart Church. Burial Rights alone are purchased in any lot.
- 1.3 All rules in this policy are outlined for a general understanding. Interpretations of these rules and resolution of conflicts are subject to the Sacred Heart Catholic Church pastor's discernment and discretion.

2. DEFINITIONS

- 2.1 The term Lot, Grave, or Burial Space shall be used interchangeably and shall be apply with like effect to one or more adjoining graves.
- 2.2 The term Interment shall mean the permanent disposition of the remains of a Deceased person by entombment or burial.
- 2.3 The term Memorial shall include monument, tombstone, marker, footstone, tablet, headstone, cover, or corner post for individual family use.
- 2.4 The term Lot Owner shall mean the person who has purchased or inherited Burial Rights in Sacred Heart's cemetery.

3. GENERAL RULES

- 3.1 The cemetery is intended for the burial of catholic persons, their spouses and their relatives.
- 3.2 The cemetery reserves the right to refuse admission to the cemetery and refuse the use of any of the cemetery's facilities, at any time, to any person or persons determined to not be in keeping with the best interest of the cemetery.
- 3.3 In the case of Catholics, the CODE OF CANON LAW of the Roman Catholic church governs those to whom ecclesiastical funeral rites are to be granted or to be denied (Cc. 1183-1184)

- 3.4 All fees or charges for payment of burial rights, interments or other work and services are payable when due.
- 3.5 The hours for cemetery work and for interments shall be set by the parish council. There will be no work allowed on Sundays, Holy Days, Easter Triduum, or holidays.
- 3.6 The right is reserved by the cemetery to insist upon at least 36 hours' notice prior to an interment and to at least one week's notice prior to any disinterment or removal.
- 3.7 It is of the utmost importance that there is strict observance of the proprieties of the cemetery. All person within the cemetery should avoid conduct unbecoming a sacred place. Acts such as the following are expressly forbidden:
 - (a) Loud or boisterous talking
 - (b) Idling or loafing within the cemetery
 - (c) Peddling, soliciting or the placing of any advertisements within the cemetery
 - (d) Bringing dogs or other pets into the cemetery is forbidden.
 - (e) Bringing firearms into the cemetery except by a military escort accompanying a veteran's funeral or attending a memorial service.
- 3.8 All persons visiting the cemetery are prohibited from picking flowers, breaking or injuring any tree or plant, or from writing upon, defacing or injuring any memorial, fence or other structure within the cemetery grounds.
- 3.9 Planting of flowers, shrubs, trees, or any other plants is prohibited. Cutting up of grounds for any purpose is forbidden. No curbing, fencing, hedging, borders, or enclosures of any kind will be allowed around a lot.
- 3.10 Only grass will be allowed to cover a grave.
- 3.11 All graves must be marked with a permanent marker (approved by the parish council).

4. LOTS AND BURIAL RIGHTS HOLDERS

- 4.1 Persons desiring to purchase Burial Rights must make arrangements with the parish administrator.
- 4.2 No burial rights will be sold in common ownership. Title shall stand in one name or joint husband/wife ownership
- 4.3 The price of a burial lot is \$100.00 for registered parishioners and blood relatives and \$400.00 for non-parishioners.
- 4.4 No monuments are allowed on lots until full purchase price is paid.
- 4.5 No lot shall be used for any other purpose than for burial of human dead.
- 4.6 The parish council shall have the right to enlarge, reduce, re-plot, or change the boundaries of the cemetery or a section or sections of the cemetery, to change locations of roads, ditches, waterways, etc., with notice to holders of burial rights. The parish council reserves to itself and to those legally entitled, thereto a perpetual right of ingress and egress over plots for conducting cemetery business.
- 4.7 Description of lots will be in accordance with the cemetery plat on file in the parish office.
- 4.8 The receipt and these rules and regulations will constitute the agreement between the cemetery and the holder of burial rights.
- 4.9 Only burial rights holders are granted the right of interment on their lots. The parish council reserves the right to refuse permission for the interment of anyone who was not at the time of death the holder of burial rights or a relative of the holder of burial rights

by blood or marriage. In all other cases written permission of the holder of burial rights shall be required by the parish council before interment will be made.

5. CORRECTION OF ERRORS

- 5.1 The parish council shall have the right to correct any error made during interment, disinterment, or removal of a body.

6. DESCENT OF TITLE AND TRANSFERS

- 6.1 The laws of the state of North Dakota, and these rules govern the descent of burial rights to cemetery lots.
- 6.2 Burial rights are not transferable or assignable by act of law or otherwise, without the consent in writing of the parish council.

7. INTERMENTS

- 7.1 The cemetery will be open for interments every day except for Sundays, Holy Days, Easter Triduum, or holidays.
- 7.2 All funerals upon entering the cemetery will be bound by these rules and regulations.
- 7.3 Once in the cemetery a casket may not be opened by anyone except with the legal consent of the representative of the deceased or an order signed by a court of competent jurisdiction.
- 7.4 Funerals will not be admitted to the cemetery when escorted or accompanied by regalia or banners of societies not allowed by laws of the Roman Catholic Church.
- 7.5 No interment will be made unless the body is contained in a casket.
- 7.6 Cremation burials will be the only multiple burial allowed in one grave
 - A. Once a single cremation remains is buried on a plot, there will be no further burial on that lot, unless the first cremains are well marked.
 - B. Depth - Cremated remains will be buried at a minimum depth of 30 inches.
 - C. Marker – Cremated remains burials must be marked with an approved marker, directly over the cremains.

8. MONUMENTS

- 8.1 Holders of burial rights may erect proper monument work on their respective lots subject to approval of the parish council. Monuments will not be allowed on lots for which charges and fees due the cemetery have not been paid.
- 8.2 All monuments shall be set on or in a concrete base which is a minimum of 2 inch thickness and extends 4 inches beyond all edges of the monument. Official Veteran's Monuments will be exempt from this requirement.
- 8.3 Designs (unusual) of all monumental works of any kind shall first be submitted to the parish council for approval before foundation work shall be permitted.

9. MEMORIALS AND MEMORIAL DAY

9.1 Cut flowers, (no glass, porcelain or tin can containers allowed) and wreaths may be placed two days before Memorial Day. Flowers left after June 15th will be disposed of, except for those flowers in vases attached to monuments with vase inserts.

10. INCLEMENT WEATHER AND WINTER BURIALS

10.1 Interments during inclement weather or excessive moisture may be postponed in order to eliminate the expense of snow removal, excavation of frozen earth and prevent damage to cemetery grounds, monuments and roads. The decision as to when burials may be postponed is left to the discretion of the parish counsel.

Published by
Sacred Heart Parish Council
November 1, 2011

Revision date 1/21/2014