

CHAPTER 310

CEMETERY RULES and REGULATIONS

As per Section 3-5(b) of the Charter for the Town of Lunenburg, the Cemetery Commissioners have the following Powers and Duties: "The Board of cemetery commissioners shall have the *sole* responsibility to make regulations governing the care, superintendence and management of all public burial grounds in Lunenburg and to lay out existing public burial grounds and may lot out in lots or other suitable subdivision with property paths, lanes and ways appropriate for burial use any other land acquired by the town for burial purposes." It is expected for Town employees, under the supervision of the Town Manager, to ensure that the "day-to-day care and maintenance of the cemeteries," is conducted in a manner that is consistent with the following rules, regulations, standards, and definitions.

(History: Adopted by the Board of Cemetery Commissioners of the Town of Lunenburg as amended 10-1-2004. Amended 10-19-2023. Amended 10-31-2023.)

Definitions

Day-to-day care and Maintenance: *includes activities such as grass cutting; minor tree/shrub trimming that ensures pathways, roads, and gravesites are accessible; litter/debris clean-up; snow removal; cleaning and maintaining water supplies; and all necessary actions that ensure that burial grounds and cemeteries are accessible to the public.*

Superintendence and management: *is the act or function of superintending. This includes authoritative control over the administration, process, and arrangement of the cemeteries and burial grounds. Actions or activities not otherwise defined as "routine maintenance," and those actions that permanently, or for more than 30 days, affect the design or appearance of cemeteries and burial grounds are subject to the "superintendence and management" authority of the Cemetery Commissioners.*

310-1 Fees and Charges.

- A. The Board of Cemetery Commissioners may, by deed made and executed in such manner and form as it may prescribe, convey to any person the sole and exclusive right of burial in any lot in the Town Cemeteries, in accordance with the following schedule of prices provided.
 1. Price per grave - \$800 (includes Perpetual Care)
 - a. 2 grave minimum, for a total of \$1,600
 - b. 10 cremation internments are permitted on a grave that has a full body internment
 2. Grave opening for internment
 - a. No fee for first internment (cremation or full body)
 - b. \$200 for the second opening
 - c. \$100 for cremated remains
 - d. \$100 for stillborn remains

3. Columbarium
 - a. 2 urn minimum, for a total of \$1000
 - b. No opening fee for first interment
 - c. \$100 for the second opening
4. Engraving costs are separate and not included in provided services. All engravings on gravestones, markers, and the columbarium are to be done by Leominster Monument Company, adhering to an approved list of lettering and symbols. Any variations from this list, must be approved by the Cemetery Commission.
5. Full and cremated ground service burials conducted outside of regular business hours or during conditions in which the cemetery is otherwise closed, shall incur an additional cost of at least \$500 when the service is Monday – Friday, and \$1000 on Saturdays. Additional fees may apply due to the actual cost of snow plowing, snow removal, and excavation of frozen ground.

310-2 Burial Regulations.

- A. All full body interments shall be made in a concrete vault.
- B. Ground or Columbarium interments shall not take place on Sundays or legal holidays. Saturday burials and Columbarium services may take place with prior approval of the Superintendent.
- C. The opening and closing of the Cemeteries for burials, as well as for vehicular traffic will be determined by the seasonal weather and ground conditions as determined by the Superintendent and Cemetery Commission.
- D. Columbarium services may be available year-around, weather permitting.
- E. The Cemetery Superintendent is available from Monday thru Friday (except holidays) and as needed on Saturdays, year-round, to assist those who seek assistance in the purchasing of lots or Columbarium niches or to conduct funeral or memorial services.

310-3 Use of Cemetery Grounds.

- A. Artificial flowers and artificial plants are not permitted.
- B. Any decorative adornments and plantings shall be confined to a 12-inch area in front of and behind the headstone that has been cleared of grass.
- C. Nothing may be placed on, around, or planted at flush/foot markers.
- D. Dogs are allowed only if they are leashed and kept on the paved roads. Dog owners must pick up dog waste in bags and deposit the bags in trash barrels located throughout the cemeteries.
- E. Members of the public may not remove items found within any cemetery or burial ground.

310-4 Landscaping Standards for Perpetual Care:

- A. Grass: All cemeteries and burial grounds shall use grass as the primary ground covering. Grass shall generally be kept at a height of 3 – 4 inches and shall always be no less than 2 inches and no more than 5 inches.
- B. Trees and Shrubs: All existing trees and shrubs shall be routinely maintained to ensure public access and the health of the specie(s). Tree and/or shrub installations and/or removals affect the permanent design or appearance of the cemeteries and burial grounds. No removal or installation of any tree or shrub shall occur without 30 days' advance notice to, and approval by, the Commission.
- C. Annual Maintenance Plan: Prior to March 15 of each calendar year, the Cemetery Superintendent will provide a maintenance plan to the Cemetery Commissioners that identifies how the cemeteries and burial grounds will be maintained for the year, consistent with the rules, regulations, and standards of the Cemetery Commissioners.
- D. Improvements and Permanent Modifications: The Cemetery Commissioners shall work collaboratively with the Cemetery Superintendent and DPW personnel to identify and plan for modifications and improvements to cemeteries and burial grounds. Capital improvement requests shall be compiled no later than October 1 of any given year so that funding may be pursued.

310-5 Application for grave or burial.

- A. All individuals purchasing a grave must fill out and sign an application and submit it to the Superintendent before a grave is opened. Such forms shall be entitled, "Burial Rights Agreement", and are obtained from the Superintendent.

310-6 Payments.

- A. All payments due on a grave lot shall be paid before opening a grave, unless satisfactory arrangements have been made with the Superintendent and Cemetery Commission.
- B. In the event of a default in the payment of agreed charges, the Cemetery Commission reserves the right to reassign any unoccupied grave lot.

310-7 Monuments and Markers.

- A. Two grave lots may have a headstone whose maximum size is 3' x 1' x 40" in height. Each grave may have a 2' x 1' flush marker.
- B. Gravestones, markers, and the columbarium are not public forums for free speech, and engraved messages are subject to review and approval by the Cemetery Commissioners or their designee(s).

310-8 Setting of Stones.

- A. All fees due to the Cemetery Department must be paid before the setting of grave stones.

310-9 Non-Residents.

- A. The Superintendent and/or Cemetery Commission shall have the right to refuse to assign or convey a burial lot to any person not an inhabitant of the Town of Lunenburg.

310-10 Hours of Operation.

- A. Cemeteries are open from dawn to dusk.

310-11 Removal of Decorations.

- A. Fall and Winter holiday decorations should be removed with a two-week period following the opening of the Cemeteries in the Spring, and no later than April 30th.
- B. Summer decorations shall be removed within a two-week period time-frame after Veteran's Day.
- C. Planted flowers may only be disposed of by the Superintendent, with notice to the Cemetery Commission.
- D. Unauthorized personal and seasonal items left at grave sites may remain in place for up to 10 days, while attempts are made to contact relatives of the deceased to remove unauthorized items. After 10 days have passed, during which two documented attempts to contact relatives are made, items shall be removed from gravesites and stored for at least 45 days, prior to permanent disposal, to allow family members and friends the opportunity to retrieve such items. Items may be removed prior to 10 days and temporarily stored if items interfere with the routine maintenance of the cemetery or burial ground.

310-12 Automobiles.

- A. Automobiles shall only be driven on paved roadways in the cemeteries. Drivers must exercise caution and abide by all signage.
- B. The speed limit in all cemeteries is 5 mph.

310-13 Gifts and Donations.

- A. The Cemetery Commissioners may accept donations and gifts, including monuments that will be permanently or temporarily placed within cemeteries. Such acceptance, including dimensions, final placement, and material, is at the sole discretion of the Commission. The acceptance of donations/gifts will be evaluated on a case-by-case basis.
- B. The Commission shall seek the approval of the Select Board to accept or erect permanent gifts/donations within the Cemetery.