

# Rules & Regulations for Athol Cemeteries Athol, MA



Issued 1997

## Introduction

To properly manage a first class Cemetery, certain rules and regulations are a necessity for the protection of every lot and grave owner. Some of the rules may appear arbitrary, they are however, no more so than those adopted and strictly enforced by the best Cemeteries.

The Department of Public Works - Cemetery Division, earnestly request everyone, whether a lot owner or interested in the single graves, to aid them in enforcing these rules. Please report to the Superintendent or any of the Board Members, any violation, with names of the offenders, if known.

Cemetery grounds shall not be used as a thru-way for vehicles, pedestrians, bicycles, horses, etc.. No dogs are allowed unless confined to a vehicle.

Any pond, stream or brook, which is in or flows through Cemetery property, shall be deemed ornamental only. There shall be no fishing, swimming, skating or any other activity on said waters.

All persons and vehicles are prohibited from Cemetery grounds unless they are there for reasons exclusively connected with the function of the Cemetery; funeral mourning, lot care, etc..

All sections laid out shall be supervised by the Superintendent and/or the Board of Public Works with regards to lot size, slopes, roadways, plantings and overall design.

All material on Cemetery property, such as loam, sand, gravel, etc., will be used exclusively for Cemetery upkeep, unless deemed in excess by the Board of Public Works<sup>1</sup>.

These Cemeteries are consecrated to the burial of the human dead and may not be desecrated by any other use.

The following are the names of the Cemeteries owned by the Town of Athol, Massachusetts and governed by the Department of Public Works:

Silver Lake Cemetery	Silver Lake Street
Highland Cemetery	Hillside Terrace
Mt. Pleasant Cemetery	Mt. Pleasant Street and North Orange Road
Chestnut Hill Cemetery	Chestnut Hill Avenue
Old Indian Cemetery	Hapgood Street
Old Pleasant Street Cemetery	rear 96 Pleasant Street
Ellinwood/Doe Valley Cemetery	Doe Valley Road
Gage Farm Cemetery	Gage Road

## Rules and Regulations

### Purchase of Lots

Those desiring to purchase lots in any of the Cemeteries should apply to the Board of Public Works, through the Department of Public Works, who will furnish all necessary information.

No deed will be issued or internment allowed until the lot is fully paid for.

Eligibility to Purchase Lots in Town Cemeteries: - individual must be born in

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<sup>1</sup> The Board of Public Works was dissolved by the acceptance of the Town Charter, effective July 1, 2000.

Athol or currently residing in Athol.

A new deed cannot be issued to replace a deed which is lost, stolen or destroyed. A certificate of Ownership will be issued if necessary.

The subdivision of lots and the joint purchase of a lot is not allowed except by consent by the Board of Public Works.

It is very important that on the decease of an owner of a lot, the heirs or devisees of such descendant file, in the office of the Department of Public Works, full proof of their ownership, for the purpose of being recorded in the Board of Public Works. Without such proof and record, the right of such person cannot be recognized.

Single graves may be secured in sections designated for that purpose. In this section there can be no choice of location, as grave spaces will be filled in regular order, nor can grave spaces be secured for future internment, except for husband or wife where one or the other is now buried, without permission of the Board of Public Works

## Transfer of Lots

A deed, issued by the Board of Public Works, and its record on the books in the office of the Department of Public Works is the only evidence of title recognized by the Board of Public Works. Therefore, sales or transfers of lots by holders shall not be valid without the consent and approval of the Board of Public Works, in writing. There may be a small fee.

## Perpetual Care

Perpetual Care is included in the price of the lot. Perpetual Care shall include keeping the turf even and in good condition and top dressing the land when necessary. No person shall be permitted to perform any work on their lots unless by special permission of the Board of Public Works, under the supervision of the Cemetery Personnel.

## Trees, Shrubs and Flowers on Lots

Planting within the limits of lots, to avoid crowding or encroachment by branch or root on adjoining lots, requires knowledge of the habits and growth of trees and shrubs. To protect the interest of each separate purchaser and to secure the best results, the Board of Public Works requires that the planting of trees, flowers or shrubs shall be under the direction of the Superintendent of Public Works. To prevent injury to adjoining lots and to preserve the beauty of the grounds, no tree or shrub shall be planted on lots or graves or any tree or shrub cut down, removed, or trimmed without permission by the Board of Public Works, in writing. Removal of shrubs can be done only by employees of the Department of Public Works - Cemetery Division, under the direction of the Superintendent, for a fee. Shrubs are the property of the lot owners and must be trimmed by the owner. Any shrub that is deemed overgrown, unkempt or is encroaching another lot will be considered undesirable. The Department of Public Works will attempt to contact the lot owner in regards to having the shrubs trimmed. If, after thirty days, the shrubs have not been trimmed, they will be removed by the Department of Public Works. The planting of flowers will be permitted only on the front side of the monument, not to exceed the length of the monument and only one foot in width. Planting in the ground near flat markers is prohibited - only potted plants, urns or vases are allowed.

## Permits and Requests, in Writing

No person will be allowed to remove the sod from any portion of a perpetual care lot for the purpose of planting, without first making provision with the Superintendent. Planting flowers on graves or otherwise disturbing or destroying the sod, releases the Town from all obligation of resodding the lot without charge. Lot owners who plant flowers and then fail to have them properly watered and trimmed and free from weeds, are hereby notified that the Board of Public Works reserves the right to remove the neglected plants from beds and graves, vases or urns as soon as they become objectionable.

All instructions respecting lots or work to be done thereon must be done in writing, signed by the lot owners or their legal representatives and filed in the office of the Department of Public Works. No verbal notice will be regarded.

Faded flowers, racks, boxes or any objectionable articles, which are considered injurious to the beauty and dignity of the Cemetery, will not be permitted and will be removed at once.

## Interments

Notice of interments must be given to the Department of Public Works as far in advance of burial as possible. The following information is required: name of deceased, age, lot number, grave to be used, lot owner, name of undertaker (if from outside Athol, address and telephone number), size of vault and day, date and time of interment.

The Department of Public Works or the Board of Public Works cannot be held responsible for any mistake occurring from the want of precise and proper instructions for the particular space in a lot where an interment is desired. The Board of Public Works will not be responsible for orders given over the telephone.

## Disinterments

Removal from other Cemeteries or cities must be accompanied by the proper papers prescribed by law. No removal or disinterment will be allowed from any lot, without a permit from the owners thereof or their representative and the nearest relative of the body interred.

## Funeral Processions - How Controlled

All funeral processions, while in the Cemeteries, will be subject to the direction and control of the Department of Public Works.

## Receiving Tomb Charges

The receiving tomb is for the free use of the Citizens or Owners of lots in the Town Cemeteries or Town Residents who are to be buried out of Town or State. All bodies must be removed from the tomb not later than May 15<sup>th</sup>. The remains of persons dying of any contagious disease may not be deposited in the Receiving Tomb unless the casket is properly sealed.

## Removal from Receiving Tomb for Sanitary Reasons

The Board of Public Works reserves the right of interment of any remains whenever it may be necessary for sanitary reasons, upon twenty-four hour notice to the undertaker or nearest relative.

## Objectionable Objects

The Board of Public Works, in justice to the best interests of the Cemetery, reserve the right to prevent the erection of any objects which they shall deem injurious to the Cemetery and particularly to adjoining lots.

## Monuments and Markers

Only one (1) monument shall be allowed upon a lot. The placing of such monument shall be under the direction of the Superintendent of Public Works. Only lots containing four (4) graves or more are allowed a monument. Less than four graves, only flush-in ground markers may be used.

Headstones in lots, which already contain a monument, are undesirable and are allowed only in the older sections of the Cemeteries. Markers flush with the ground are sufficient and must be used in the new sections. Lot Owners should consult the Board of Public Works in regard to these matters, before placing orders. No monument or grave marker may be erected except upon a proper cement foundation extending to the depth of the grave or not less than 4  $\frac{1}{2}$  feet.

No monuments will be permitted on a single grave, only flush in-ground markers, one (1) per grave. NOTE: Only one (1) individual marker is allowed per grave, no matter how many graves are in the lot.

## Fences, Etc.

No lot or grave shall be defined by fence, railing, hedge, trees or shrubs to describe its corners or boundaries. To enhance the beauty of the grounds, the grade of all lots has been determined by the Department of Public Works and its decision is final. No mound or raised graves will be permitted in any part of the Cemeteries.

## Damage

All persons, while in the Cemetery, will be held responsible for any damage done by them or by the children or vehicles in their charge and the Cemetery Personnel are authorized to report such damage, with the name of the person involved, to the Board of Public Works who will render a bill for said damage.

## Workmen in Cemeteries

All workmen in any capacity within the confines of the Cemetery whether as masons, stonecutters, erectors, carters or helpers are subject to the direction and control of the Board of Public Works. Workmen who do not regard the regulations and properties of the place cannot, in the future, be permitted to work in the Cemetery.

## Charges

Cost schedules for purchasing graves, opening graves or other related services performed by the Department of Public Works are available at the office of the Department of Public Works. Prices subject to change without notice.

Your cooperation in assisting us to maintain the Town Cemeteries is greatly appreciated.

Regulations adopted on Monday, April 28, 1997.

BOARD OF PUBLIC WORKS/DEPARTMENT OF PUBLIC WORKS

Robert A. Muzzy, Chairman

Richard C. Phillips, Jr.

Michael A. Edson

Paul O. Hadsel, Superintendent