



VINE LAKE CEMETERY

**TOWN OF MEDFIELD
CEMETERY AND COLUMBARIUM
RULES AND REGULATIONS**

The Town of Medfield, Board of Cemetery Commissioners, has designed this booklet as a guide to the proper use of the Town Cemetery. These rules may be adjusted by the Commissioners, as needed, to carry out their duties. The general cemetery rules are listed first, followed by specific areas and ending with a glossary of cemetery terms.

The Commissioners and the Superintendent stand ready, at all times, to answer any questions you may have pertaining to any of our cemetery.

Adopted by the Commissioners on this 5th day of October, 1987

Amended by the Commissioners on this 8th day of May, 2012

Amended by the Commissioners on this 21st day of October 2014

Amended by the Commissioners on this 28th day of May, 2015

Amended by the Commissioners on this 22nd day of September, 2015

Thomas Sweeney, Chairman

Francis Iafolla

Albert Manganello

Kenneth Feeney, Superintendent

GENERAL REGULATIONS

1. The cemetery shall be open from dawn to dusk. No person should be on premises outside these hours.
2. Person should not consume or possess alcoholic beverages, illegal substances, tobacco products or marijuana on Cemetery grounds.
3. No Dogs Allowed, at any time, on Cemetery property
4. Motorized vehicles are only allowed to enter through the regularly established entrances.
5. Damage or destruction of property is prohibited.
6. The following are not allowed in the cemetery: Roller-skating and skateboarding, the use of motorized recreation vehicles, horseback riding, a display and or sale of goods, wares or merchandise, instructing persons in the use and operation of a motor vehicle or the use of cemetery roadways for pleasure driving.

7. No cemetery lot should be used for any other purpose than a place of burial for the human dead.
8. No lot owner shall allow the remains of any person to be deposited within the bounds of his lot for profit.

SALE OF LOTS

1. Sale of lots to be made only by the Cemetery Commission or its agent.
2. Only residents, or former residents, of Medfield, Massachusetts will be allowed to purchase a lot or grave.
3. Reservation of a lot or grave space for future use is not allowed. Purchase price of lot(s) must be paid in full.
4. Where a lot is sold to two or more persons, they shall take title as tenants in common.
5. Perpetual care of a lot includes care of grass, bushes, shrubs and trees.
6. When a deed is issued for a lot, it conveys only the right to burial in and access to that lot. It shall be the duty of the Commission, or its agent, to enter thereon and remove or modify any object or adornment or work done in violation of the rules, which may be judged objectionable or injurious to the lot, adjoining lot or cemetery.
7. The Cemetery Commission, or its agent, may impose specific restrictions on a given lot for sale, or withhold any lot or grave from sale, if in their discretion such action is in the best interest of the Town of Medfield or the Cemetery.
8. The Cemetery Commission, or its agent, may reacquire lots or graves from owners who wish to relinquish ownership of said lots or graves. Payment will be at the discretion of the Commission, and will not include a reimbursement for Perpetual Care. Payments will not be more than the original price paid for the burial rights to the lot.
9. No lot or portion of a lot may be sold except by or through the hands of the Commissioners or their agents, and no division of any lot be made unless expressly authorized by them, and on the death of the person having charge of a lot, the survivors shall arrange with the Commissioners as to who will succeed to the charge of the lot as provided in Massachusetts General Laws, chapter 114, section 28-33.

10. If a lot owner wishes to assure burial privileges to another individual in said lot, he may do so by notifying the Cemetery Commission in writing. This must be signed, dated and notarized

TRAFFIC

1. All deeded lots or graves give access to the cemetery and convey rights to the use of the cemetery roadways where consistent with other rules contained herein.
2. The speed limit in the cemetery shall be no more than five (5) miles per hour.
3. Any person causing damage with any type of motorized vehicle in the cemetery shall be held liable for the cost of any damage
4. Horses are specifically prohibited from the cemetery unless they are a part of a funeral procession or other authorized activity.

INTERMENTS

1. Only human remains or cremated human remains may be interred within the cemetery.
2. All graves shall be opened and closed under the supervision of the Cemetery Commission or his agent. No interment or disinterment will be allowed without the consent of the Commission or its agent.
3. Interments or disinterments will be made only by the designated employees of the Town of Medfield, or others authorized by the Cemetery Commission or its agent.
4. Forty-eight hours' notice, upon confirmation from the town shall be required for opening a grave.
5. No interment or disinterment will take place Saturday afternoons or Sundays and holidays that are observed by the Town of Medfield, with the exception of religious customs.
6. All earth interment burials shall be in a rigid box or vault of concrete, steel, copper, or other proven material normally used in the construction of vaults, the acceptance of such will be at the discretion of the Cemetery Commission or its agent. No wooden boxes or sectional concrete liners will be permitted.

7. Funeral Directors must have all orders for interment signed by the lot owner(s) or legal representative of said lot prior to burial and must be accompanied by the necessary burial permit and fees.
8. A grave will not be opened unless all fees (cost of lot and perpetual care) are current.
9. All interments will be single depth. Double depth interments will be allowed only under unusual conditions and extenuating circumstances and then at the discretion of the Cemetery Commission.
10. Interments of up to six (6) cremated remains (ashes) are permitted in a single grave, with or without a prior earth burial. However, once cremains have been interred there will be no earth burial in said grave.
11. Workmen engaged in the installation of vaults, interments and monuments shall be under the control of the Cemetery Commission or his agent.

MEMORIALS (MONUMENTS)

1. Workers engaged in the erection of memorials, monuments and markers of any description shall be subject to the control of the Cemetery Commission or his agent. Any workman failing to conform to this rule will not be allowed to continue his work.
2. No monument or other memorial may be brought into the cemetery until an order showing a sketch of the design, material, finish, size and inscription thereon, signed by the owner or representative is approved by the Cemetery Commission or its agent.
3. After monument work has been completed, a dealer or lot owner wishing to remove same from the lot must first obtain permission from the Cemetery Commission or its agent.
4. The lower base of all monuments must be dressed to a true level on the bottom, so as to bear evenly at all points upon the foundation.
5. No monument can be erected on a lot until the perpetual care is paid in full.
6. Upright monument will **only** be allowed on a lot of 4 or more graves, all other memorials to be markers, and installed with the top at ground level.

7. The lot owner of said lot shall have the right to erect monuments, cenotaphs, or stones commemorative of the dead, but the foundations of all monuments and boulders must have the approval of the Cemetery Commissioners, or their agent.
8. No tomb, mausoleum, crypt, or other structure may be constructed within the bounds of the cemetery without the written approval of the Board of Cemetery Commissioners.
9. The Commission or its agent has the right to remove any improper monument, cenotaph, effigy, or other structure determined to be offensive.
10. Temporary grave markers shall be removed within six (6) months following interments or at the time of installation of a permanent memorial, if before six months.
11. Maximum size for base of monuments permitted:

10 or more grave lot	=	10 ft. x 4 ft.
8 grave lot	=	6 ft. x 1 ft. 4 inches
6 grave lot	=	5 ft. x 1 ft. 2 inches
4 grave lot	=	3 ft. x 1 ft.
1, 2 & 3 grave lot	=	flat marker/memorial only
12. Overall height of monuments, not to exceed 3 feet – 0 inches (36 inches), except in a lot larger than 4 graves, the maximum height not to exceed the length.
13. All monument bases must be squared by a sawed or rock pitch finish and may not exceed 8 inches thickness with sawed bottoms.
14. All flat grass (flush) markers of granite or marble not to be less than 4 inches, nor more than 6 inches in thickness with sawed bottoms.
15. Height of the upright portion of a monument is not to exceed the length or width of the base.
16. Foundations must be constructed to full size of the base of the monument, and to a depth of 5 feet, except for Colonial Tablets or Monoliths, which will be determined on an individual basis.
17. Upright monuments, slant face and level top shall be installed in the center portion of a lot at the head end of said lot in the area provided for same.

PLANTING

1. Owners of lots, having four (4) or more graves may plant, subject to rules set forth, dwarf evergreen shrubs, plants and flower beds.
2. The Cemetery Commission, or his agents has the right to remove plants, flowers and shrubs , if in his judgment they become unsightly, or in any way detrimental to the adjacent lots, avenues or paths.
3. The cutting of grass in any lot is prohibited.
4. The placing of potted plants on lots is permitted, but after they have ceased to bloom, they will be removed by the owner and disposed of. No glass or crockery containers for cut flowers allowed.
5. The planting or removal of trees shall not be allowed, except with the prior written permission of the Cemetery Commission.
6. The planting of shrubs of any description on lots consisting of less than four (4) graves is not permitted.
7. No person shall erect any mound within any lot or border or change the grade of any lot.
8. The spreading of fertilizer, lime, ashes, or other material on lots to stimulate the growth of grass will not be permitted.
9. The planting of rose bushes, rhododendrons, azaleas, twiggy bushes, vines or spreading perennials, etc. is not permitted without prior written permission of the Cemetery Commission.
10. One dwarf evergreen shrub on each side of an upright monument is permitted. Flush markers are not allowed planting privileges of any type, unless the said marker is installed in the area for upright monuments.
11. To make possible the mowing and the care of the lot, it is required that the planting of flowers and plants be restricted to a space not to exceed 12 inches around the monument or gravestone.
12. Planting of evergreen shrubs must have the approval of the Cemetery Commission or his agent. Shrubs shall not exceed half the height of the monument.

13. Winter covering of any nature (wreaths, plastic and fake flowers) must be removed from the grave by March 1st.
14. If a monument is to be installed, no permanent planting or shrub is allowed until the installation of the monument.
15. Planting desired on lots with no markers of any type may only be done with prior approval of the Cemetery Commission or his agents.

ENFORCEMENT OF RULES

The Cemetery Commission is hereby empowered to enforce all Rules and Regulations and to exclude from the Cemetery any person violating the same.

DEFINITIONS

LOT - The term lot shall apply to numbered divisions as shown on the record and may consist of two or more graves.

GRAVE - The term grave applies to a space of sufficient size to accommodate one full size interment and/or up to six cremated remains.

INTERMENT - The term interment applies to the permanent disposition of the remains of a deceased person by burial.

CREMATION - The term cremation means the technical process by which human remains are reduced to bone fragments.

DEED - The term deed applies to the original conveyance document given by the Cemetery Commission to the original purchaser.

MEMORIAL - The term memorial shall include a monument or marker used for identification on a cemetery lot.

MONUMENT - The term monument shall include a tombstone or memorial of granite, marble or slate which shall extend above the surface of the ground.

MARKER - The term marker means a memorial flush with the ground usually located at a particular grave.

CENOTAPH - A monument or empty tomb honoring a dead person whose body is buried elsewhere.

CORRECTION OF ERRORS

The Commission reserves, and shall have, the right to correct any errors that may be made by it either in making interments, disinterment's, property or removals, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as far as possible, or as may be selected by the Commission, 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 person in such property, the Commission reserves, and shall have the right to remove or transfer such remains so interred to such other property of equal value or similar location as may be substituted and conveyed in lieu thereof.

VINE LAKE CEMETERY COLUMBARIUM REGULATIONS

Definitions:

Columbarium – A permanent structure, owned by the Town of Medfield, containing niches or other suitable spaces for the permanent memorialization of cremated human remains.

Cremation Niche – see Niche

Inurnment – The permanent placement of cremated human remains in a niche, space in columbarium, or ground burial.

Niche – A discrete chamber designed, constructed, and intended for use as a permanent repository, for the inurnment of cremated human remains, encased in an urn.

Perpetual Care – An arrangement made by the cemetery whereby restricted funds are set aside, the income of which is used to maintain the cemetery indefinitely.

Urn – A durable container to hold human cremated remains. An urn can be placed in a columbarium niche or buried in the ground.

Rules Pertaining to Placement of Remains

1. The columbarium in Vine Lake Cemetery contains 12x12x15 inch niches that may be used to house the cremated remains of one or two persons. No non-human remains may be placed in the columbarium.

2. Placement of cremated remains within a niche is called inurnment. No inurnments will be made in any niche except upon written order of the rights-holder of that niche, or if the rights-holder be deceased or otherwise unavailable, upon the presentation of such appropriate evidence of the rights-holder's intentions as may be required by the Cemetery Commission.
3. No inurnments can be permitted in any niche in the columbarium until all applicable payments have been made.
4. The grant of inurnment-right in a niche gives only a right of placement of cremated remains; the ownership of the land and structure remains always with the Town of Medfield. A grant of inurnment-right is not a deed.
5. Cremated remains to be placed in a niche must be housed in a durable container (an urn) approved by the Cemetery Commission. Information on acceptable urn types and sizes is available from the Cemetery Office.
6. Inurnments will take place during normal cemetery operating hours, and will be conducted under the direction of the Cemetery Commission or his representative. Saturday inurnments are available for an additional fee.
7. The Cemetery Commission shall not be liable for the identity of remains being inurned.
8. To insure uniformity of appearance, the inscription on the front panel of each niche will be made by the Cemetery Commission or its agents. Inscriptions will typically consist of the deceased's name and dates only, and an optional religious or military symbol. Forms are available in the Cemetery Office that details these options.
9. No floral memorials, decorations, or other ornamentation may be physically attached to the columbarium. Funeral decorations placed in the vicinity of the columbarium will be removed after an inurnment at the discretion of the Cemetery Commission or his representative. The Cemetery Commission will assume no responsibility for the safekeeping of any floral memorial or container, and it reserves the right to remove any such ornamentation without being deemed guilty of any manner of trespass.
10. When cremated remains have been placed in a niche and the niche has been sealed, the niche is ordinarily considered to be sealed in perpetuity. Only rarely are sealed niches opened, most often for re-inurnment at another location or for placement of a second urn in the niche.

11. No cremated remains will be removed from the columbarium except upon written order of both the rights-holder of the niche and appropriate heirs of the person whose remains are to be removed, or upon order of a court of competent jurisdiction.

12. All removals of cremated remains shall be done by or under the supervision of the Cemetery Commission and shall be fully documented. The Cemetery Commission will exercise reasonable care when making such a removal, but it assumes no liability for damage to any urn in the process of making removal.

Cemetery Responsibilities

1. If a niche is destroyed or damaged for any reason the Cemetery Commission may cause any remains inurned therein to be either promptly interred elsewhere in the cemetery or delivered on written request to the rights-holder of the niche, or temporarily placed in a secure location pending restoration of the niche.

2. All inurnments will be made in accordance with applicable federal, state and local laws, ordinances, and regulations.

3. The Trustees of the Public Burial Grounds may amend these regulations at any time as deemed necessary.

Chapter 115. Cemetery Areas

(HISTORY: Adopted by the Town of Medfield 4-27-2015 ATM by Art.30.
Amendments noted where applicable)

Article I. Use of Cemetery Land and Facilities

- 115-1 Use and control of cemetery land and facilities

The Cemetery Commission is hereby authorized to promulgate written rules and regulations, subject to the approval of the Board of Selectmen, for the proper conduct of persons while on Town cemetery land and facilities under its control. Said Rules and regulations, once promulgated, and after public hearing and approval of the Board of Selectmen, shall be filed with the Town Clerk and posted in a conspicuous place in or at each Town cemetery facility under the Commission's control to which general public has access.

- 115-2. Violations and Penalties

Any person who engages in conduct prohibited by said rules and regulations and not otherwise prohibited by Massachusetts General Laws or these Bylaws shall be subject to a fine of \$100 for the first offense, \$200 for the second offense, \$300 for the third offense and \$300 for each subsequent offense. In addition, repeated violations may result in suspension or termination of access privileges. The Cemetery Commission or its designee and the Medfield Police Department shall each have the authority to enforce the provisions of this Bylaw.