

ST. ROSE OF LIMA CATHOLIC CEMETERY

LEWISTON, MINNESOTA 55952



RULES AND REGULATIONS

July 1, 2016

1.0 INTRODUCTION:

For the mutual protection and benefit of grave owners, the following RULES AND REGULATIONS have been adopted by St. Rose of Lima Catholic Church Cemetery located at Lewiston, Minnesota. All grave owners and visitors within the Cemetery and all graves sold shall be subject to said RULES AND REGULATIONS, and subject further to such other RULES AND REGULATIONS, amendments or alterations as shall be adopted from time to time.

2.0 DEFINITIONS:

The terms “Lot”, “Plot” or “Burial place” shall be used interchangeably and shall apply with like effect to one or more adjoining graves.

The term “interment” shall mean the permanent disposition of the remains of a deceased person by burial.

The term “inurnment” shall mean the permanent disposition of the cremated remains of a deceased person by burial.

The term “memorial” shall include a monument or “marker when placed at the head of the grave”.

A monument is above the ground and is placed at the head of the grave.

A marker is level with the ground and is placed at the foot of the grave.

The term “management” shall comprise the person constituting St. Rose of Lima Catholic Cemetery Association duly appointed by the Parish Pastoral Council in conjunction with the Pastor.

The term “care” shall apply to the entire Cemetery provided by either a permanent care fund or by St. Rose of Lima Catholic Church.

3.0 GENERAL RULES AND REGULATIONS:

St. Rose of Lima Catholic Church Cemetery is owned and operated in accordance with the laws of the State of Minnesota and the rules and discipline of the Roman Catholic Church. It reserves the right to refuse admission to the Cemetery and to refuse the use of any of the Cemetery’s facilities at any time, to any person or persons whom the Management may deem objectionable to the best interests of the Cemetery.

The Cemetery is intended for the burial of Catholics and members of their families who are entitled to Christian burial according to the rules and discipline of the Roman Catholic Church. The Pastor shall decide any question of the burial of a non-Catholic member of a lot owner’s family or of any person not entitled to Christian burial.

Religious ceremonies other than those of the Roman Catholic Church are not permitted in the Cemetery without prior consent of the Pastor.

4.0 LOT AND LOT OWNERS:

No grave will be sold in common ownership or joint ownership. The Title must stand in one name.

No grave shall be used for any other purpose than for the burial of deceased human beings. The burial of pets or any other animal is never permitted.

The Cemetery disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, explosions, insurrections, or order of any military

or civil authority, whether the damage be direct or collateral, other than as herein provided.

Grave owners are granted only the right of interment or inurnment in their graves. The Cemetery reserves the right to refuse to permit the interment or inurnment of anyone who was not at the time of death the owner of the grave or a relative of the owner by blood or marriage. All graves or lots must have monuments or markers placed on them within one year from the date of Interment or Inurnment.

5.0 CORRECTION OF ERRORS:

The Cemetery reserves and shall have, the right to correct any errors that may have been made by it either in making interments, disinterment's or removals, or in the description, transfer or conveyance of any interment property.

6.0 CARE OF GRAVES:

The Cemetery will give such care as it can, the care to consist of cutting the grass and general preservation of the grounds.

The general care assumed by the Cemetery shall in no case mean maintenance, repair or replacement of any vase, basket, memorial, flowers, or other objects placed upon a grave.

BURIALS

7.0 INTERMENTS:

No "Interment" of a body will be made in a grave that is not paid in full.

Only those persons approved by the pastor may excavate soil for the grave.

The Funeral Director, upon arrival at the Cemetery, must present a burial permit from the local Health Office.

Once a casket containing a body is within the confines of the Cemetery, no funeral director nor his embalmer, assistant, employee or agent shall be permitted to open the casket, or to touch the body without the consent of the next of kin or of the legal representative of the deceased, or of an order signed by a court of competent jurisdiction.

No interment of two or more bodies shall be made in one grave except in the case of a parent and infant or two infants buried in one casket. Special care must be taken to properly mark the grave with the individual's names when 2 bodies such as a parent and infant or 2 infants are interred in the same grave.

No interment of a body may be made unless the remains are contained in a casket and vault.

8.0 INURNMENTS:

The inurnment or burial of a set of cremated remains must be contained in an approved container or urn and is allowed under certain other conditions, which must receive prior approval by the Pastor.

Only those persons approved by the pastor may excavate soil for the grave. For safety reasons, private parties are not permitted to do so.

No inurnment will be made in a grave not paid in full.

A "Certificate of Cremation" must be provided to the cemetery representative prior to the inurnment of any cremains.

Once a container containing the cremated remains of a body is within the confines of the Cemetery, the container shall not be opened without the consent of the next of kin or of the legal

representative of the deceased, or of an order signed by a court of competent jurisdiction.

Inurnment of a set of cremated remains into a grave where a body has been buried or of two sets of cremated remains in one grave is permitted. When this occurs special care must be taken to properly mark the graves with the individual's names. See regulations for monuments and markers when single lots are used for two burials in one lot.

Unless placed directly upon a vault, any container containing cremains must be placed on a stone or concrete platform, no less than 18 inches square. The entire container must rest at least 18 inches below the surface of the ground.

9.0 CEMETERY DECORATIONS:

Natural decorations such as potted plants in an approved plant stand are permitted from May 1 to October 15 and pots must be removed after these dates. Fresh cut flowers are allowed in approved containers, no glass containers are allowed. Artificial flowers are allowed in vases and urns that are on approved stands only. Maximum of two plant stands per site. Time and weatherworn artificial flowers shall be removed and replaced by lot owner or will be removed by cemetery staff.

The use of any flag or flag holder on a lot is permitted only for the Memorial Day holiday. Veteran and other approved issued flags and flag holders will be allowed one week before Memorial Day until one week after. Grounds level artificial flowers and decorations are allowed from May 16th to June 1st and **will be removed by cemetery staff** after that period.

It is not permissible to plant flowers, trees, shrubs or bushes of any kind on cemetery property. The use of any other forms of artificial decorations is not permitted without permission of the management. Christmas wreaths are permitted from November 15 to February 1.

No breakable decorations are allowed.

The placing of boxes, toys, stuffed animals, metal designs, chairs, wind socks, lawn edging, gravel, shells, hats, crushed rock, and similar articles upon lots **are not** permitted. Only one solar powered light will be permitted per grave site (2-3-4 grave lots are considered one grave site) and may not be placed in the grass area around the base of the monument.

The Cemetery management has the right to remove any or all decorations when deemed necessary.

10.0 PLANTING ON GRAVES:

The Cemetery reserves the right to remove all decorations or plants when they do not conform to the Rules and Regulations.

11.0 MEMORIAL WORK:

Memorials may not be placed upon any grave until it is paid in full.

Lot owners may erect proper memorial work on their respective lots subject to the approval of the Management. All monuments shall be set on foundations built of concrete and of the size and depth prescribed by the management in paragraph 12.0 and 13.0.

All memorials shall be constructed of natural stone. No artificial stone of any kind is permitted.

At least two (2) side-by-side adjoining graves are necessary for erecting a large monument. Only one central or family monument shall be allowed on a two-grave or a three-grave combination which permits the construction of a monument. Single lots may only erect a small size monument.

Memorials may be placed only in the designated areas. All monuments will be placed on the West end of the lot facing the West. Markers may be placed at the foot of the lot and must be flush with the ground. They may not obstruct or infringe on the lot behind the marker.

No coping, curbing, fencing, hedging, borders or enclosures of any kind shall be allowed around any grave (s) and no walks of brick, cinders, tile, terra cotta, sand, cement, gravel or wood shall be allowed on any grave (s). St. Rose of Lima Catholic Cemetery reserves the right to remove the same if so erected, planted or placed.

The most suitable ornament on a memorial in a Catholic cemetery is the cross, which accordingly, should be found on every memorial. Epitaphs, symbols and every other aspect of the design and text of the monument and any memorialization shall not conflict, in any way, with Catholic teaching and/or the sensibilities of the Catholic faithful, as determined by the pastor.

Workmen employed in placing or erecting memorials and other structures or materials shall operate as independent contractors, but must do so under permission from the pastor.

The right is reserved to the pastor to refuse to permit such work, unless the grounds are thoroughly settled and in good condition.

No memorials may be delivered or installed between November 1 and April 15 without permission from the pastor.

St. Rose of Lima Catholic Church Cemetery reserves the right to stop all work of any nature, whenever, in its opinion,

— proper preparations have not been made;

— or when tools and machinery are insufficient or defective;

- or when work is being executed in such a manner as to threaten life or property;
- Or when the monument dealer has been guilty of misrepresentation;
- or when any reasonable request on the part of the pastor is disregarded;
- or when work is not being executed according to specifications;
- or when any person employed on the work violates any rule of the Cemetery.

Crosses, statues or other grave markers of wood, iron, cement or any like material are strictly prohibited except the standard bronze insignia provided for the graves of veterans and other approved organizations.

When any memorial work has been set in place, it shall not be removed without due process of law or written permission of the management.

12.0 MARKERS:

At each grave one singlewide marker is permitted or on two adjacent graves a double wide marker is permitted.

- Singlewide makers shall be 24 inches long, 12 inches wide and flush with the ground.
- Doublewide markers shall be 42 inches long, 12 inches wide and flush with the ground.

The marker shall be at the foot end of the grave. The marker may not extend into the grave of another owner. The marker must rest in a concrete foundation. The foundation shall extend at least 4 inches

beyond the perimeter of the marker. No decorations may be placed at the foot of the grave.

A marker shall be readable from the foot of the grave.

13.0 MONUMENTS

The monument shall rest on a base. The overall size of the monument and base shall be defined as follows:

UPRIGHT MONUMENT SIZES INCLUDES BASE *(See definition of base below)*

1 grave lot minimum *base* 24” maximum 40” (*Small*)

2 grave lots minimum *base* 40”, maximum 60” (*Large*)

3 grave lots minimum *base* 40”, maximum 78” (*Large*)

4 grave lots minimum *base* 40”, maximum 84” (*Large*)

BASE: *The bottom portion of the upright monument (same material and color), which is placed on the concrete foundation.*

A Marker may be used in place of a monument; however, it then must meet all the size requirements of a monument.

The monument and base shall rest on a concrete foundation. The foundation shall extend 4 - 6 inches beyond the perimeter of the base. A large monument will have a foundation that is at least 18 inches deep; a small monument will have a foundation that is at least 10 inches deep. The foundation may not extend into the grave of another owner. Each foundation will have one PVC sleeve on each end and a minimum of 2” from the end for the placement of flowerpot stands.

A monument shall be readable from the head of the grave.

14.0 TRANSFER OF TITLE

Written consent from the Church of St. Rose of Lima is required for any sale, transfer or assignment of lots.

The St. Rose of Lima Cemetery will consider the repurchase of unused lots. The transfer of ownership to any party is strictly prohibited without the expressed approval of the St. Rose of Lima Cemetery.

Title to graves descends by Will, Trust Agreement or Statutes of the State of Minnesota.

15.0 CEMETERY LOT COST AND FEES

1. Each cemetery lot will be 4' X 12'. The price of the lots will be set by the Cemetery Committee and subject to change. The lot price effective September 1, 2014 will be \$400.00.
2. There will be a staking fee of \$150.00 payable at the time of the opening of the grave for both interment and inurnment.
3. The cost of opening and closing the grave is the responsibility of the lot owner.

St. Rose of Lima Catholic Cemetery
180 South Fremont Street
Lewiston, Minnesota