

TOWN OF CHATHAM CEMETERY COMMISSION RULES AND REGULATIONS



Approved at Annual Town Meeting - May 9, 2005 - Article 20
Amended at Annual Town Meeting - May 9, 2011 - Article 13
Revised by the Cemetery Commission – March 9, 2018

1) General:

In the Town of Chatham the cemetery grounds, both public and private are maintained and controlled by the Cemetery Commission. All visitors are reminded that the cemeteries are consecrated to the memories of those who are buried within. Dignified behavior is expected and will be required. In the many years of cemetery operation, it has been shown that it is necessary to adopt and enforce regulations to govern the conduct of visitors, to ensure respect for the dead, protect the grounds, and assure the safety of visitors. These rules and regulations have been adopted to advance and secure these public interests.

2) Rules for Visiting a Cemetery:

- The speed limit on all cemetery property is 15 MPH
- Parking is allowed on roads only
- Walk on roads and paths only.
- Do not trespass on private lots and graves.
- Sunbathing, picnicking, drinking of alcoholic beverages, and playing in cemeteries are prohibited. Any person found to be intoxicated shall be reported to, and removed from the cemetery, by the Chatham Police.
- Ball playing, roller-skating, sledding, the riding of bicycles, mini-bikes, go-carts, skateboards, and/or any other types of similar recreational sports are strictly forbidden.
- Loud boisterous or undignified behavior is prohibited.
- Dogs and other pets are not permitted on the grounds.
- Picking of blossoms, flowers or foliage is prohibited.
- Gravestone repairs or rubbings are allowed only upon prior authorization of the Cemetery Commission, or it's Coordinator.
- No household trash shall be disposed of in the rubbish containers.
- Cemeteries are closed at sunset to sunrise.

3) Cemetery Regulations:

- All work performed on graves or lots by the owner, or by their order, shall be performed only with prior written authorization of the Cemetery Commission, in order to preserve as much as possible the natural appearance of the cemetery.
- The use of lawn sprinklers is not permitted in any cemetery. No permitted watering devices are to be left unattended. Only hand held hoses and nozzles, which are attended, may be used. Any such device left on and unattended shall be turned off, by any member of the Cemetery Commission, staff members, or the Chatham Police Department.

- There shall be no glass or any other breakable containers for flowers or any type receptacles used for any purpose in a cemetery.
- Potted plants, baskets and floral arrangements placed on a lot shall be removed by the lot owner/family member when the arrangements have served their useful life.
- Christmas wreathes and greens will be allowed to remain on a burial lot from the last week in November through February 1st of the following year.
- The condition and security of flag or standard placed on a lot are *not* the responsibility of the Cemetery Commission. In the event that a flag or standard is removed or missing from a lot, it is the responsibility of the lot owner/family member to contact the proper organization to have it replaced. If a member of the family is a Veteran, the family may contact the V.F.W. or Legion @ 508-945-0554. The Cemetery Commission does collect and properly dispose of all damaged and broken flags.

Any person found in violation of the above subsections shall be deemed a trespasser and subject to prosecution therefore.

The Town of Chatham Cemetery Commission reserves the right to enforce these Rules and Regulations, and to cause a person or persons who have knowingly violated a Rule or Regulation shall attend a hearing before the Commission. In the event there is evidence presented at such a hearing to confirm a violation, the Cemetery Commission may impose a fine of \$50.00 dollars for each such violation of these Rules and Regulations.

4) Seaside Cemetery: “SECTION A”

Every effort is being made to keep Section “A” as natural as possible, and to not distract attention from the Old Methodist Cemetery or the Veterans War Memorial which are adjacent to this new section. In Section “A” of Seaside Cemetery the above requirements shall apply and shall be strictly enforced by the Commission and its employees.

- Only flat markers made of bronze, granite, marble or slate will be allowed in Section "A". All markers shall be centered on the lot at either the head of the lot, or at the mid-line. No upright markers shall be permitted in this Section "A".
- Corner markers maybe placed in the corners of the lots, and must be set flush to the ground.
- Fences, borders, curbing, hedges, trees, invasive plantings, crushed stone, shells, or any material other than grass shall be prohibited.
- No signs, lettered boards, Sheppard hooks, wind chimes, novelty items, votive candles will be permitted at any grave site in section "A".
- No more than four single lots shall be sold to any one resident listed on the registered voting list, or a real estate owner in the Town of Chatham. For this rule, a parent or parents, and their children living at the same address will be considered as one residence. This rule includes South Chatham Cemetery (Block A), as well.

5) Purchase of a Cemetery Lot:

The sale of any lot may be made to any resident listed on the Town registered voter list, or to an individual listed as a real property owner in the Town of Chatham for tax assessment purposes.

For purposes of this Regulation, a parent or parents, and their children living at the same address will be considered as one residence. In the event a resident for a continuous period of ten years or more has been forced to live outside of Chatham due to health conditions beyond his or her control, he/she may purchase a lot as an exception to this Regulation upon the Cemetery Commission's approval. A person seeking to purchase a lot or his/her estate must show evidence of residency or tax assessment status to qualify.

In any case, not more than two grave lots will be conveyed to any one person, and for the purpose of this Regulation, a married couple will be considered as one entity in the Chatham Cemeteries where there are single lots, not more than four grave lots may be sold as a group to any one person. All single lots may be used in the following manner. One full size earth burial and one cremation urn will be permitted or up to four cremations per lot.

The sale of any lot will in no case include any part of a roadway, path or walkway, and in no case may a lot be purchased for the sole purpose of resale for profit, or to circumvent the residency rule. In the event that the purchaser of a lot is unable to use the lot, or wishes to dispose of a lot(s), the lot must be returned to the Town of Chatham. The owner of any lot(s) being returned shall be paid at the current price for an equal size lot. Any portion of the original fee that was indicated to be put into a perpetual care fund will not be refunded. The original fee including the perpetual care fees may be refunded if the lot has not been used and the current owner has owned the lot for two years or less, from the date of purchase.

The title of the owner of a lot may not be transferred, assigned or changed without the written permission of the Cemetery Commission. All such requests must be made in writing to the Cemetery Commission.

6) Use of a Burial Lot(s):

No earth burials or the burial of cremated remains may be made in any cemetery or burial ground in the Town of Chatham without the prior approval of the Cemetery Commission. All requests for burial must be made in writing with a minimum forty-eight hour prior to burial notice. A separate burial permit is required for each individual burial in accordance with M.G.L. Chapter 114, Sections 45, 46 and 47.

No grave may be opened or re-opened without a written request to the Cemetery Commission, and all such activity must be conducted with a licensed funeral director present from beginning to end.

Only a lot owner, a relative, or an heir thereof may be buried in a lot, unless written permission of the Cemetery Commission authorizes another person to be buried in such lot.

No lot may be used for any other purpose than the burial of human remains. The use of a burial vault or a concrete burial box is required for all burials. No ashes shall be spread on the surface of any lot, and all ashes being buried on any lot shall be in an urn or a similar container.

Following a burial in any cemetery or burial ground, the funeral residue must be removed from the lot within two weeks of the burial. Any residue found on any lot after two weeks from the time of the burial may be removed at the discretion of the Cemetery Commission.

Items of personal remembrance may be left on any burial plot between November 15th and April 15th. At any other time of the year such items must be removed within two weeks of the burial for the care and maintenance of the cemetery. In the event the items of personal remembrance have not been removed within the two week period after the date of the burial, the items may be removed and disposed of at the discretion of the Cemetery Commission.

7) Cemetery Commission Liability:

The Cemetery Commission will exercise reasonable care to protect the monuments, markers, and plantings on all burial sites. The Commission will not be responsible for any damage caused by routine maintenance or vandals/ trespassers in any cemetery or burial ground in the Town of Chatham.

Any personal injuries sustained by anyone violating the rules and regulations of the Cemetery Commission will not be the responsibility of the Commission or of the Town of Chatham.

Any damage to a lot or grave markers caused by a private contractor working in the Cemetery or burial ground shall be the sole responsibility of the contractor, the burial company, or the burial vault company which caused the damage. No responsibility will be attributed to the Commission or the Town of Chatham.

8) Correction of Errors:

The Cemetery Commission reserves, and shall have, the right to correct any errors that may be made by it, the Cemetery Coordinator, or employees of the Commission or the Town of Chatham, either in making interments, disinterment or removals, or in the description, or conveyance of any interment rights, or lots. Such corrective action may include canceling a conveyance and substituting and conveying in lieu thereof other interment rights or a lot of equal value and similar location as far as possible, as may be selected by the Cemetery Coordinator, or, in the sole discretion of the Cemetery Commission, refund original purchase price or current value. In the event such error involves the interment of the remains of a person in a lot, the Cemetery Commission reserves, and shall have the right to remove and re-inter the remains in another lot of equal value and similar location, and it may substitute and convey such lot accordingly.

9) Monuments, Markers, and Permanent Amenities:

No monuments, markers, headstones, or borders shall be placed on any lot without prior approval of the Cemetery Commission. This rule shall apply to any type of bench, fence, or curbing. All monuments, markers and headstones shall be placed on concrete footings, which are adequate to support the weight of said amenities. No borders or curbing shall be permitted on any lot or lots which hinder the maintenance of the cemetery grounds.

Markers for cremation plots shall be limited to flat markers, approximately 1' by 2' set flush to the ground on a concrete footing.

Any markers, headstones, or corner markers improperly set shall be moved and placed in the proper location on a concrete foundation by the Commission or its agents at the expense of the lot owner.

The maintenance, repair, and cleaning of any headstone or grave marker is the responsibility of the owner. In the event that the lot owner is deceased, and there are no known heirs of the owner, the Cemetery Commission shall have the right to maintain repair and clean any headstones or graves markers, as funds allow.

When corner markers are installed, they are to be set flush with the grounds and the corner markers must be left in place. Original lot markers are usually pipe.

10) Use of Lots Regarding Plantings and Ground Cover:

No type of ground cover or plantings shall be permitted on any lot or within any cemetery in the Town of Chatham without the prior approval of the Cemetery Commission. Approved plantings and trees shall be of such size, variety, and located in such a manner as to not hinder the general maintenance of the cemetery grounds. This regulation shall also cover sodding and seeding of cemetery lots. Existing plantings in cemeteries which have become overgrown and obstruct the use of any ways, roadways, paths, or interfere with the use of adjoining lots, or which are deemed to be causing damage to adjoining lots, shall be removed or trimmed by the Cemetery Commission. The Cemetery Commission shall have the sole right to determine if plantings or trees are causing such an obstruction or are interfering with the use of adjoining lots.

APPENDIX 1

PROPERTY UNDER THE CARE OF THE CHATHAM CEMETERY COMMISSION

No.	Name	Street Address	Remarks
1.	William Nickerson	A. Leonard Way	At the end on right
2.	Dr. Samuel Lord	Training Field Rd.	On right side.
3.	Smallpox Cemetery	South off Old Comers	In Golden Triangle
4.	Old South Cemetery	Geo. Ryder Rd	At end on Left
5.	Old North Cemetery	Old Queen Anne Road	Int. with G. Ryder
6.	Old Baptist Cemetery	Old Queen Anne Road	West side
7.	Eldridge-Pratt Cem.	Bar Cliff Ave	Behind Cod Lane
8.	Seaside Cemetery	Crowell Road	Old Methodist
9.	Union Cemetery	Route 28	On right
10.	Seamen's Cemetery	Main Street	In back of McMack
11.	Clark Cemetery	Cockle Cove Rd.	On West side.
12.	Eldredge Cemetery	Juniper Lane	On East side
13.	Eldridge Cemetery	Bay View Road	On West side
14.	So. Chatham Cemetery	Route 28	On South side
15.	People Cemetery	Crowell Road	On West side.



Town of Chatham
Department of

CEMETERY COMMISSION



221 CROWELL ROAD CHATHAM, MA 02633
TELEPHONE (508) 945-5117 FAX (508) 945-5152

INTERMENT FORM

The original "Disposition, Removal or Transportation Permit", and/or the Certificate of Cremation Permit are requested prior to the burial.

Name of Deceased: _____ Date of Birth: ____/____/____

Location of Death: _____ Date of Death: ____/____/____

Funeral Home: _____ Contact Person: _____ Tel.# _____

Date of Scheduled Burial: ____/____/____ Full Burial: _____ Cremation: _____

Permits and check attached: _____

Name of Cemetery: _____ Lot # _____ Section: _____

Special Burial Instructions: _____

FAMILY INFORMATION MUST BE COMPLETED PRIOR TO BURIAL

I CERTIFY THAT I AM THE LEGAL REPRESENTATIVE TO THE ABOVE NAMED DECEASED.

NAME OF FAMILY MEMBER OR LEGAL REPRESENTATIVE: _____

MAILING ADDRESS: _____ EMAIL : _____

CITY: _____ STATE: _____ ZIP CODE: _____

RELATIONSHIP TO THE DECEASED: _____ TELEPHONE #: _____ - _____ - _____

I HEREBY CERTIFY AND REPRESENT THAT I HAVE ALL RIGHTS TO AUTHORIZE THIS BURIAL, AND AGREE TO HOLD THE TOWN OF CHATHAM HARMLESS FROM ANY AND ALL LIABILITIES ON ACCOUNT OF SAID AUTHORIZATION OF INTERMENT.

SIGNATURE OF LEGAL REPRESENTATIVE: _____ DATE: ____/____/____



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Department of

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BUY BACK OF CEMETERY LOT BY THE TOWN

We/I _____ of _____

_____ County: grant to the Town of Chatham, by and through the

Board of Commissioners, in consideration at the current rate of \$ _____

_____ # of Lots Cemetery Name situated in Chatham Ma., in the County of Barnstable.

Said Lot (s) is located in Section _____, Lot (s) # _____, and is shown on the plan

of said Cemetery. The Lot (s) contains a superficial area of _____ square feet.

The above named grantor _____ hereby warrants with
The Town of Chatham, that lot(s) are seized in fee simple, and that the granted premises are
free from all encumbrances, and that the grantor has a good right to
sell and convey the same to the Town of Chatham and will warrant and defend the same unto
the Town of Chatham forever against the lawful claims and demands of all other persons.

In witness whereof, we/I _____

Hereunto set our/my hand and seal(s) this _____ day of _____, 201__

_____ ss _____
County Date

On this _____ day of _____, 201__, before me, the undersigned notary public, personally appeared _____, provided to me through satisfactory evidence of identification, which were _____, to be the person who's named is signed hereon.

Notary Public: _____

My commission expires on: _____

SEAL





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PRIOR TO THE BURIAL

We have been notified by: _____ a burial is scheduled, in Chatham.

Funeral Home

Name of Cemetery: _____ Lot # _____

Name of Deceased: _____ Date of Death: _____

Date of Burial: _____ Full Burial _____ or Cremation _____

Print Name of Family Member/Legal Representative Relationship to the deceased

Telephone #: _____ Email Address: _____

Signature of Family Member or Legal Representative Date

Prior to the burial, the family or their agent will meet a member of the Cemetery Department for the purpose of marking the placement of the burial, on said lot. If the family member or legal representative of the deceased cannot be present, a sketch of the proposed interment must be provided to the Cemetery Department. This includes previous interments within the designated lot, along with the relationship (s) between them and the above. If the family cannot be present during the markings, or a sketch is not provided prior to the staking, the Commissioners will take the liberty of staking the lot. Once the burial is completed, and if the family is not satisfied with the placement of the deceased, it will be the financial responsibility of the family to relocate the remains. Please mail or email to: cemetery@chatham-ma.gov. You may also deliver them to the Cemetery Dept., located in the DPW building, at the above address.

Please list all interments related to the above lot along with the relationship to the above deceased:



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PERMISSION SLIP

On behalf of the Cemetery Commissioners, we would like to preserve the natural appearance in our cemeteries, but we need your help!

If you would like to make changes on the graves or lots, please complete and submit this request slip and return by mail, fax, or email: cemetery@chatham-ma.gov.

Please explain the changes you would like to make on the grounds, and we shall contact you after reviewing your request at the next monthly meeting.

Thank you, for your cooperation.

_____	_____
<i>Cemetery Name</i>	<i>Lot #/Location</i>
_____	_____
<i>Family Member</i>	<i>Relationship to the deceased</i>
_____	_____
<i>Address</i>	<i>Telephone #</i>
_____	_____
<i>Zip Code</i>	<i>Email Address</i>

<i>Description of Request</i>	

Signature _____
Date