



## Rules and Regulations

For the mutual protection of lot owners and the cemetery as a whole, the following rules and regulations have been adopted by the Proprietors of Harmony Grove Cemetery (hereinafter, "the Cemetery" or "Harmony Grove Cemetery") as its Rules and Regulations. All lot owners and visitors within the cemetery shall be subject to said rules and regulations, amendments, or alterations as shall be adopted by the Cemetery from time to time and the reference to these rules and regulations in the deed of ownership to a lot shall have the same force and effect as if set forth in full therein.

Special cases may arise in which the literal enforcement of these Rules & Regulations may impose a hardship. Harmony Grove Cemetery reserves the right, without prior notice, to make exceptions, suspension or modifications to any of these rules and regulations, when in their judgment the same appears advisable. Such temporary exceptions, suspension or modifications shall in no way be construed as affecting the general application of these rules and regulations.

### **General Rules**

- The cemetery shall be open from sunrise to sunset.
- Persons within the cemetery shall use only the avenues, roads, and paths, and no one is permitted to walk upon or across lots or lawns unless it is necessary to do so to gain access to one's own lot.
- The cemetery expressly disclaims liability for any injuries sustained by anyone violating this rule.
- Persons visiting the cemetery or attending funerals are prohibited from picking flowers, wild or cultivated, breaking or injuring any tree, shrub or plant.
- No person shall mark upon, deface, or damage any memorials, fence or other structure within the cemetery grounds.
- No alcoholic beverages are allowed on cemetery grounds at any time.
- No dogs or other pets are permitted at any time on cemetery grounds.
- Speed limit is 10 mph throughout the cemetery. The driving of motor cars or other vehicles through the gates or in the cemetery at excessive speeds is prohibited.

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- The use of other implements calculated to annoy or destroy wildlife is strictly forbidden.
- Photographing of any sort is strictly forbidden except for personal use.
- Gravestone rubbing is forbidden and strictly enforced.
- No recreational activities are permitted. This includes but not limited to, bicycle riding, skateboard, rollerblading, roller skating, any winter sport etc. Walking and nature observations are encouraged.
- No recreational vehicles, registered or unregistered, may be operated in the cemetery, i.e. skimobiles, ATV's, motorbikes, etc.
- Children under fourteen (14) years of age are not permitted within the cemetery or its buildings, unless accompanied by an adult.
- It is of the utmost importance that there should be strict observance of the proprieties in the cemetery. Hence, all persons within the cemetery should avoid conduct unbecoming a sacred place, including:
  - (a) Loud or boisterous talking or profanities;
  - (b) Loitering on the grounds or in any of the buildings;
  - (c) Bringing lunches or refreshments into the cemetery or consuming them on the grounds;
  - (d) Peddling or soliciting the sale of any commodity within the cemetery;
  - (e) Placing signs, notices or advertisements of any kind within the cemetery;
  - (f) Bringing dogs, horses or other animals into the cemetery or any of its buildings.
- The throwing of rubbish on roadways and paths, or any part of the grounds or in the buildings, is prohibited. Receptacles for waste material are located at convenient places.
- The Cemetery will not be responsible for acts of vandalism on cemetery property.
- The Cemetery reserves to itself and to those lawfully entitled thereto a perpetual right of ingress and egress over plots for the purpose of passing to and from other plots.
- Cemetery personnel shall have the right to enter upon any lot or other part of the cemetery to perform regular duties.
- Rocks, loam, sod, or other materials, including granite of any kind, shall not be taken from the Cemetery without authorization.
- Desecration of any cemetery property will not be tolerated.
- No scattering of cremated remains is allowed except by cemetery personnel in a designated area. Violation will result in possible prosecution.

- Perpetual care of lots, also known as general care of lots, is assumed by the Cemetery and is the cutting of grass at reasonable intervals, raking and cleaning of the grounds, and the pruning of shrubs and trees that have been placed by the Cemetery.

- The above "general care" assumed by the Cemetery shall in no case mean the maintenance, repair, or replacement of any memorial, tomb, or mausoleum placed or erected on lots; nor the doing of any special or unusual work in the Cemetery. Nor does it mean the reconstruction of any marble or granite work on any section or plot, or any portion or portions thereof in the Cemetery, caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.

### **Décor and Planting**

- No ornamental hangers of any type will be allowed.
- Planting of seasonal flowers must be in front of the monument or stone unless the owners own graves that are front to back. All plantings must be contained within 1 foot of the monument front.
- The Cemetery will not be responsible for flags, flag holders, flowers or other decorations placed on grave sites.
- Cemetery personnel shall remove any tree, shrub or planting that becomes detrimental to a lot or to adjacent lots, avenues, paths, etc.
- The placing of ornaments, chairs, benches, metal or iron objects is prohibited.
- Flowers on a new burial will remain for at least 5 working days, but may be removed earlier if deemed necessary.
- The Cemetery will undertake to maintain, as may be practicable, the planting of trees and shrubs, to preserve and maintain landscape features, but does not undertake to maintain individual planting/planters.
- The Cemetery reserves the right to trim, cut back or remove any shrub that seems overgrown, diseased, covering a monument or stone or not maintained by lot owner.
- Plantings that encroach on other lots or behind monument are subject to removal by Cemetery personnel.
- Planters should be sufficiently durable to withstand ground maintenance equipment without serious deformation or disintegration.
- Lot owners are expected to maintain their plantings/planters.

- There shall be no glass containers used on the premises for the holding of floral bouquets.
- The Cemetery shall not be liable for floral pieces, baskets, or frames in which, or to which, such floral pieces are attached.
- The Cemetery reserves the right to prevent the removal of any flowers, floral designs, trees, shrubs, plants, or herbage of any kind.
- The Management shall not be responsible for any kinds of plantings damaged by the elements, vandals, thieves, or by other causes beyond its control. The Management shall have further authority to remove all floral designs, flowers, weeds, trees, shrubs, plants, herbage, or ornamentation of any kind from the Cemetery as soon as in the judgment of the Cemetery, they become unsightly, dangerous, detrimental, or diseased, or when they do not conform to the standard maintained.
- The Cemetery reserves the right to remove any and all Holiday decorations at a time they deem suitable. Christmas decorations may be removed anytime from mid-February through April 15 without notice.

### **Interments/Funerals**

- The Cemetery will be open for interments as follows:
  - a) During regular business hours Monday thru Friday up to 3:00 PM; Saturdays up to 1 PM.
  - b) No burials allowed on Sundays or the following holidays: New Years Day, Good Friday, Easter, Memorial Day, Fourth of July, Labor Day, Thanksgiving or Christmas.
- The Cemetery requires at least forty eight (48) hours' notice prior to any interment and at least one week's notice prior to any disinterment or removal.
- Funeral directors, upon arrival at the Cemetery, must present the necessary permits and fees for interment or services in connection therewith, prior to interment.
- Payment of any and all indebtedness on grave lots due to the Cemetery must be made before interment will be made.
- It is required that all burials must be made in a vault made of natural stone, metal, or of reinforced concrete, in order to maintain a high standard of care and to eliminate sunken graves caused by the collapse of wooden caskets.
- The Cemetery will not be liable for the interment permit nor for the identity of the person sought to be interred.
- The location of an interment in a lot shall be designated by the Cemetery staff.
- The Cemetery will not be responsible for any order given by telephone or for any mistake occurring from the want of precise and proper instructions as to the particular space, size of grave, and location in the plot, where interment is desired.

- 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 legal representative of the deceased or an order signed by a court of competent jurisdiction.
- Where immediate burial is required by the laws of the State of Massachusetts or under the rules and regulations of the Board of Health, interments may be made on Sundays and holidays but an additional fee will be added to the regular interment charge and entrance to the cemetery will be allowed only to the hearse and vehicles in the funeral procession.
- Lot owners shall not allow interments in their lots in return for remuneration of any kind.
- No interment of two or more bodies (double depth burial) shall be made in one plot. Removals are made subject to the orders and laws of the properly constituted public authorities.
- A maximum of one body and the cremated remains of two (2) persons may be interred in one single grave.
- The Cemetery and its employees are the only persons who will be permitted to open graves with the following exceptions:
  - (a) When the Cemetery is directed to make a disinterment by order of a court of competent jurisdiction and a certified copy of such order has been filed with the Management.
  - (b) When the coroner directs the disinterment for the purpose of holding an inquest and has filed with the Cemetery his signed authorization to release the body to himself and his lawful agents. In such case the disinterment must be made by the coroner or his lawful agents. Cemetery employees will not be permitted to assist the coroner or his agents.
- All interments, disinterment, and removals must be made at the time, and in the manner, and upon the charges fixed by the Cemetery.
- Besides being subject to these Rules and Regulations all interments, disinterment, and removals are made subject to the orders and laws of the properly constituted public authorities.
- Cremated remains must be buried in a non-biodegradable container.
- No person who has died of an infectious disease such as smallpox or typhoid fever will ever be disinterred.
- Harmony Grove Cemetery reserves the right to refuse a funeral when, in their best judgment, the conditions within the cemetery make the burial unsafe and/or impossible.
- Any request for an interment without a 48-hour notice, will incur an additional charge. This charge is in addition to any overtime charge currently in effect.
- A "frost fee" may be charged on winter burials. Please check with the cemetery office.

- It is the duty of the Management to see that the rules and regulations are complied with and its duty to see that order is maintained and to protect and promote the best interests of the cemetery. To that end they are authorized to make temporary additional rules which may be needed, from time to time, to meet emergencies which are not covered by these rules and regulations.

A maximum of two cremations are allowed in one 3 feet by 3 feet plot.

A maximum of four cremations is allowed in each 3 feet by 4 feet cremation lot

Purchase of Lots and Lot Owners:

- Currently, all burial spaces are sold at need.
- The Cemetery has a "buy-back" policy of cemetery plots. The Cemetery will buy-back any cemetery plot for the original sale amount, on the following conditions:
  - a) there are no burials in the lot;
  - b) monument/marker, etc. has been removed;
  - c) any foundations have been removed; and all
  - d) Fees for such removals have been paid in full.
- NO burial space designated for a full earth burial will be allowed for cremation burials. (There are areas specifically allocated for cremation/urn burials.)
- Persons desiring to purchase lots should visit the Cemetery Office where they will be assisted.
- All grave lots in Harmony Grove Cemetery are designated as single graves measuring 3 feet wide by 10 feet long. Price lists are available in the office.
- You need not be a resident to purchase a burial space in Harmony Grove Cemetery
- Complete payment for the plot must be made to the Cemetery before any burial is made in a plot.
- No lot shall be used for any other purpose than for the burial of the human dead, (i.e. no land surrounding a plot will be sold to be used as a "buffer zone.")
- Description of lots will be in accordance with the Cemetery lots which are kept on file in the Cemetery Office on maps and otherwise.
- Lots sold are designed to allow up-right monuments or flat markers only. No up-right monument shall be allowed on a gravesite designed for a flat marker.
- No easement or right of interment is granted to any plot owner in any roadway or path within the Cemetery, but such roadway or path may be used as a means of access to the Cemetery or buildings, as long as the Management designates it to that purpose.

- The rights to enlarge, reduce, re-plot or change the boundaries or grading of the cemetery, or a section or sections, from time to time, including the right to modify or change the locations of or remove or re-grade roadways, pathways, or walkways or any part thereof is hereby reserved. The right to lay, maintain and operate, or alter or change pipe lines or gutters for sprinkling systems, drainage, et cetera, is also expressly reserved, as well as is the right to use cemetery property not sold to individual plot owners for cemetery purposes, including interment of the dead, or for anything necessary incidental or convenient thereto.
- It is the duty and responsibility of the plot owner to notify the Cemetery of any change in his mailing address.
- The Cemetery will take all reasonable precautions to protect owners, and those with property rights, within the cemetery from loss or damage; but the cemetery disclaims all responsibility from 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, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.
- The Deed of Ownership, these Rules and Regulations, and any amendments thereto constitute the sole agreement between the Cemetery and the plot owner. The statement of any employee or agent, unless confirmed in writing by the Cemetery shall in no way bind the Cemetery.
- Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Cemetery therefore, reserves the right to make exceptions, suspensions, or modifications of any of these rules and regulations, without notice, when in the judgment of the management such action appears necessary; and such temporary exception, suspensions or modification shall in no way be construed as affecting the general application of such Rules and Regulations
- The Cemetery hereby expressly reserves the rights to adopt additional Rules and Regulations or to amend, alter or appeal any rule, regulation, article, section, paragraph or sentence in these Rules and Regulations, at any time. Sufficient notice will be given by the cemetery of any rule change that will create expense, hardship or inconvenience to lot owners or other individuals having business with the Cemetery.

### **Monuments, Stones and Foundations**

- Only one upright monument may be placed on each single grave. The size may be no larger than 2 feet in length and 3 feet in height, including the base. If a monument is going on more than one single grave, the height will remain the same at 3 feet including the base, but the length may be greater, depending upon the number of graves involved.
- All upright monument sketches and outlines shall be submitted to the Cemetery for approval prior to installation.
- The Cemetery exercises the right to reject a design, inscription, or style of monument.

- No monument may be placed on a lot without the consent of the owner.
- Curbing, stairways, chains or fences are no longer allowed around lots.
- No grave marker or upright monument shall be executed until the lot is paid for in full.
- No large rocks or boulders will be used for monuments without first checking with the Cemetery. The Cemetery reserves the right to reject any or all rocks/boulders for such usage, if application is not reasonable for that location.
- Veteran's markers will be allowed at the foot of a grave. A standard fee will be paid for a 2x1 foundation. Please check with Cemetery office of the current rate.
- All foundations must be ordered by a Monument company and will be constructed by cemetery staff as soon as possible, weather permitting. Foundations will not be poured during a period established by the cemetery which is approximately the first week of November until the following April. Times may vary depending on the weather.

### **Corrections of Errors**

The Cemetery reserves, and shall have, the right to correct any errors that may be made by it either in making interments, disinterment or removals, or the description, transfer or conveyance of any interment consent of the lot owner property, either by canceling such conveyance and substituting any conveying in lieu thereof other interment property of equal value and similar location as far as possible, or as, may be selected by the Cemetery, or, in the sole discretion of the Cemetery, by refunding the amount of money paid on said purchase. In the event such error shall involve the interment of the remains of any person in such property, the Cemetery reserves, and shall have the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

### **Descent of Titles**

The laws of the State of Massachusetts govern the descent of title to those cemetery lots, as well as other matters pertaining to assignments, conveyances, devises, trust deeds and inalienability.

### **Investment Responsibilities**

The Cemetery has the following responsibility: To manage and control the investments, securities, and other properties held and received by the Cemetery now and from time to time; to change such investment securities and other properties and in such event to invest and reinvest the proceeds thereof in securities investments and other property authorized for the investment of trust funds by the laws of the State of Massachusetts.

### **Flags**

U.S. flags and Armed Services flags are to be no longer than 12" by 18". Flags must be placed on the left of the grave in a suitable holder, and located against the front of the gravestone.



### **Enforcement of Rules**

The Cemetery is hereby empowered to enforce all Rules and Regulations and to exclude from the Cemetery any person violating the same. The Cemetery shall have charge of the grounds and buildings including the conduct of funerals, traffic, employees, plot owners and visitors and at all times shall have supervision and control of all persons on Cemetery grounds and/or property.

### **Definitions**

1. Cemetery: The term cemetery is hereby defined to include a burial park for earth interments, a community mausoleum for vault or crypt interments, a crematory or crematorium and columbarium for cinerary interments, or a combination of one or more than one thereof.
2. Plot: The term plot shall apply to a single space of sufficient size to accommodate one adult interment approximately three by ten feet.
  - b. The term cremation plot shall be three feet by four feet.
3. Lot: The term lot shall apply to numbered divisions as shown on the record lot which consists of two plots.
4. Interment: The term interment shall mean the permanent disposition of the remains of a deceased person by cremation and interment, entombment, or burial.
5. Memorial: The term memorial shall include a monument, marker, tablet, headstone, private mausoleum or tomb for family or individual use, tombstone, um and crypt and niche place.
6. Monument: The term monument shall include a tombstone or memorial of granite which shall extend above the surface of the ground.
7. Marker: The term means a flat stone flush with the ground.
8. Lot Marker: The term lot marker refers to any means used by the cemetery to locate comers of the lot or plot.
9. Burial Lot Deed: The term shall mean the right to burial of the deceased.
10. Management: The term management shall mean the Cemetery staff and other persons duly appointed, by the Board of Trustees for the purpose of conducting and administering the cemetery.
11. Proprietor or Lot Owner: The term shall mean the purchaser of any burial space.