

# Regulations of Cemeteries

## **Town of Dunstable, Massachusetts**



Adopted 1985

Amended 1997

Amended 2022

## Dunstable Cemeteries

### 1. Meeting House Hill Cemetery

Main Street

Earliest Date 1754, some stones without dates.

### 2. Central Cemetery

Main & Westford Streets

Earliest Date 1754, some stones without dates.

### 3. Blood Cemetery

River Street

Earliest Date 1821 which was on a tomb entrance.

### 4. Swallow Cemetery

Brook Street

Earliest Date 1766, some stones without dates.

### 5. Rideout Cemetery

Fletcher Street

Earliest Date 1844.

CEMETERY HOURS: Sunrise to Sunset

## **Ownership**

The right to be granted to the owner of any lot or grave is a sole and exclusive right of burial and the erection of monuments or markers subject to the terms, conditions and regulations of the Town of Dunstable Cemetery Department as they may exist from time to time. The premises in which such rights are granted shall be used only for the purpose of a place of burial for the dead.

The proprietors of rights of burial in the cemeteries, or their heirs, shall not grant, sell, alienate or convey the said exclusive rights of burial, to a person or persons, without having obtained the written approval and consent of the Commissioners, but it shall be optional with the Commissioners to grant or withhold such approval and consent. A statement should be filed with the Cemetery commission or superintendent and a majority of heirs must designate one of their number to be the representative. If no such statement is filed, the Commissioners may designate one of the heirs as representative.

Any owner of a right of burial who wishes to sell a lot shall so advise the Commissioners who may repurchase the lot or unused portion of said lot for the same sum that was paid by the owner or a proportional rate for the unused grave.

All burials in said graves or lots shall be under the personal charge of the Superintendent of Cemeteries. All work shall be suspended within the immediate vicinity of a funeral until the conclusion of the burial services.

No interments shall be made until the Superintendent shall have been furnished with a permit such as may be required by the laws of the Commonwealth, together with an order from the owner of the right of burial in the lot in which the interment is to be made, or from a legal representative. No interment shall be made until the fees provided for in the schedule adopted by the Commissioners shall have been paid.

The Cemetery Department shall not be held responsible or any order given, or mistakes occurring, due to the lack of precise and proper information or instructions as to the particular space, size and location in a plot where an interment or disinterment is desired.

The Cemetery Department reserves the right to correct any errors that may be made by it, either in making interments, disinterments, or removals, and shall not be held liable due to the failure of any devices to operate normally or conditions beyond their control which may develop without their knowledge.

## **Interment**

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Every earth interment shall be made in a concrete box, or in an outer container of stone, concrete, or a combination thereof of sufficient strength and durability to constitute a reasonably permanent support for the weight above it.

An exception may be made for “green burial” on a case-by-case determination to be made with the Cemetery Superintendent and the Cemetery Commission.

All fees for opening or preparing a grave shall be paid to the office of the Town Treasurer or the Cemetery Superintendent.

No grave shall be opened for interment by any person not in the employ of the Cemetery Department.

## **Perpetual Care**

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Fifty percent of the purchase price of a lot shall be dedicated to the perpetual care fund according to the schedule adopted by the Commissioners, the income of which is to be used forever to fill, level, top, dress, cut, and take care of the grass on said lot or grave. Any remaining income from the fund is to be used by the Commissioners as they deem to be for the best interest of the lot, grave or cemetery.

## Monuments

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No monuments shall be erected without the approval of the Superintendent and according to the specifications adopted by the Commissioners.

A monument installation permit, available from the Superintendent, must be submitted to the Superintendent and approved prior to any monument installation work. The finished monument must conform to the description on the approved form.

Only one central or family upright memorial shall be allowed on a family lot. No above ground corner markers are permitted on lots. The Cemetery Commissioners reserve the right to remove corner posts and curbing if such removal is deemed necessary for the benefit of the cemetery.

All foundations for monuments must be installed by employees of the Cemetery Department or a monument company. A foundation for a memorial shall not be built on any lot without permission from the Cemetery Superintendent or Cemetery Commissioners, or on any lot on which there is a claim for an indebtedness.

All Dunstable cemeteries are publicly owned and maintained; all are non-sectarian. Therefore, any monument, or any inscription placed upon any monument which shall be determined by the Commissioners to be offensive or improper, shall be removed by the Commissioners or the Cemetery Superintendent. No paint, portraits, statues, urns, electric lights or devices, or lamination, shall be allowed on the monuments or graves.

When any permanent memorial is to be removed, cleaned, repaired or any inscription made thereon, a written request must be made to the Superintendent giving the owner's address and also giving the name and address of the person who is to do the work.

## **Monument Size**

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- Maximum length shall not exceed 4 feet (48 inches)
- Maximum width 18"
- Maximum overall height 4 feet including any foundation

On a lot with one (1) grave site, maximum monument size is three (3) feet by three (3) feet.

In addition to a central, upright monument, not more than one flat marker per interment shall be allowed, not to exceed 1 foot by 2 feet in size.

Any waivers of these size limits must be approved by the Superintendent and the Cemetery Commissioners.

## **Corner bounds**

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Corner bounds are to be purchased by the lot owner and installed by the Cemetery Superintendent at the time of the purchase of a lot. No above ground corner boundary markers are permitted on lots.

## **Work on Lots**

No other person than the proprietor himself, except the superintendent or his employees, shall be allowed to perform any work on any lot or parcel of ground without a permit from the superintendent, obtained upon application from the Superintendent, and all persons so employed shall be under the control and supervision of the Superintendent.

The grounds must be left in good order. All work must be done between the hours of dawn and dusk. The cemetery is closed between dusk and dawn.



Workers employed in the construction of vaults, the erection of monuments, etc. shall be subject to the control and direction of the Superintendent, and any workers failing to conform with these regulations will not afterwards be permitted to work on the grounds.

## **General Care**

On graves and lots where no monuments have been erected, the sod, under no condition, shall be allowed to be broken or removed.

No artificial flowers or decorations are permitted. No urns, hangers, markers, boxed wreaths, fences, curbing, hedges, bushes or other ornaments or memorials of a permanent nature shall be placed or planted upon the graves or lots without the prior approval of the Superintendent or the Cemetery Commissioners.

No tree within a lot or upon a grave shall be cut down or removed without the consent of the Cemetery Commissioners.

If any tree or shrub, situated in any lot, or upon a grave, shall by means of its roots or branches or otherwise become detrimental to said lot, or to the adjacent lots, avenues or paths, or be dangerous or inconvenient, it shall be the duty of the Superintendent and he shall have the right to enter upon said lot or grave and remove any of the above. No planting is allowed on the grave sites and the turf must not be disturbed. It is not allowable to outline a plot or grave with evergreens, curbing, flowers, etc.

When proprietors perform any work on their lots or graves, they must remove all refuse material to such places as are provided.

Baskets or other containers, not of a permanent nature, should be removed by the owners, if they wish to preserve them, otherwise they shall be removed by the cemetery caretakers, when in their judgement the plants or flowers have decayed.

The Cemetery Department is not responsible for any flowers or any other decorations placed on graves or lots by the owners.

Articles left at gravesites may be removed by the Superintendent at his discretion after 2 weeks.

The Cemetery Commissioners, by unanimous vote, shall have the authority to grant permission to proprietors to depart in special instances from the provisions of the foregoing regulations in, and only in, cases where it clearly appears that the spirit and intent of the regulations will not thereby be violated.

May 2022