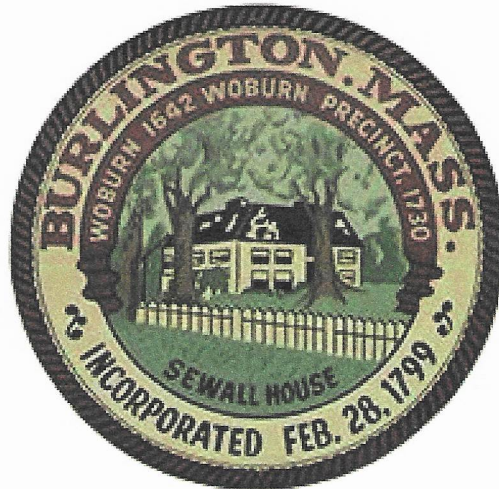


# **Town of Burlington Cemeteries Rules & Regulations**



## **BURLINGTON CEMETERIES**

The Town of Burlington maintains three cemeteries within the Town: (1) the historical, colonial era cemetery known as the Second Parish Burial Ground established in 1732 on Forest Field, near the corner of Bedford and Lexington Streets; (2) the Chestnut Hill Cemetery located on Bedford Street, near its intersection with Terrace Hall Avenue, established 1851; and (3) Pine Haven Cemetery, also located on Bedford Street, established in 1993. While Chestnut Hill Cemetery is still a very active cemetery, it is completely sold. Pine Haven Cemetery is the only cemetery which has graves available for purchase.

The operation of the Burlington cemeteries is directly supervised by the Superintendent of Buildings and Cemeteries, under the direction of the Director of Public Works and the Town Administrator, and under the jurisdiction of the Board of Selectmen, with the advice of the Cemeteries Oversight Committee.

The Burlington Board of Selectmen has adopted rules and regulations governing the operation of the cemeteries to provide equity and control of the use and maintenance of the two active cemeteries, to preserve the historic second Parish Burial Ground, to enhance all Town cemeteries and to ensure the perpetual care of graves.

All inquiries concerning the purchase of graves, burials, maintenance of graves, or cemetery operations are to be directed to the Superintendent of Buildings and Cemeteries during normal business hours.

### **OFFICE HOURS**

Monday through Friday 7:00 AM through 3:00 PM  
~ *After-hours & Saturdays by Appointment Only* ~

(781) 229-1879 - Chestnut Hill

(781) 270-1982 - Pine Haven

[cemetery@burlington.org](mailto:cemetery@burlington.org)

## ***BURLINGTON CEMETERIES RULES & REGULATIONS***

### **GENERAL USE OF CEMETERIES**

1. Cemeteries are owned by the citizens of the Town of Burlington and are to be used only for burial of residents of the Town, their immediate families and former residents of the Town at the discretion of the Superintendent of Buildings and Cemeteries, who is the primary person responsible for the day-to-day enforcement of these rules and regulations.
2. Lots and graves may be purchased only upon immediate need by current residents of the Town, having lived in the Town for a minimum of one year. Resident also includes someone who lived in Burlington for at least one year and left Burlington to reside in a Care Facility.
3. The owners of lots and graves, and their heirs, may sell or transfer any right of burial only to the Town of Burlington at a cost no greater than the present value of a grave.
4. Cemeteries are restricted to human burial.
5. One grave, or one half of a double grave, may be used for the interment of one adult, one adult and one infant child or two infant children.
6. A concrete vault, as specified by the Superintendent of Buildings and Cemeteries, is required for each interment and grave site at the time of burial.
7. Up to six cremated remains may be interred in one single grave.
8. Sections of cemeteries have been set aside for the burial of U.S. military Veterans only.
9. Each lot and grave site shall be identified by a numbered marker.

### **INTERMENTS, REMOVALS AND WORK ON LOTS AND GRAVES**

10. Interments may be made Monday through Friday between the hours of 8:00 AM and 2:00 PM; and on Saturdays, Sundays and Holidays when authorized by the Superintendent of Buildings and Cemeteries between the hours of 8:00 AM and 12:00 Noon.
11. Notice of interment or disinterment shall be provided to the Superintendent of Buildings and Cemeteries not less than forty-eight business hours prior to the date of the intended activity, excluding weekends and holidays, via email at [cemetery@burlington.org](mailto:cemetery@burlington.org). Such notice shall include the name and age of the deceased, the lot or grave number and owner's name, the size of the container, and the name of the funeral director/undertaker. All persons requesting work on any lot or grave must present proof of ownership or authority with such request.
12. No interment or disinterment shall be made until the Superintendent of Buildings and Cemeteries has received a legal permit, together with an order from the owner or his agent, and a receipt for the payment of all appropriate fees.
13. When authorized by the Superintendent of Buildings and Cemeteries, an interment or disinterment, without payment charge or with payment delayed, shall be made in the same manner as all others.

14. The Superintendent of Buildings and Cemeteries shall be in full charge of funeral activities within the cemeteries.
15. Funeral director/undertakers must provide at least three able persons to assist with a burial container.
16. No responsibility is assumed by the Town, or by Town employees, for errors made due to lack of correct and complete information as to the ownership, number or locations of a lot or grave where an interment or disinterment is to take place, or for any orders or instructions by telephone.

#### **MONUMENTS, FOUNDATIONS AND MARKERS**

17. One monument and foundation and one bronze Veterans marker and foundation, and one bronze number marker may be erected or placed on each lot or grave site. Other materials may be permitted as part of a specific authorization by the Superintendent of Buildings and Cemeteries. Markers shall not exceed 24 inches overall in height, including the base for all headstones. Foundations may not exceed:

Number of Lots	Stone Size	Number of Lots	Stone Size
1	2' x 1'	2	3' x 1'
3	4' x 1'	4	5' x 1'

On flat marker sections, only one flat marker may be placed on each lot or gravesite. Flat marker size shall not exceed 1' x 2'.

18. No freestanding crosses, statues, cement vases or urn boxes of any kind are permitted on graves or lots, except as part of a monument specifically authorized by the Superintendent of Buildings and Cemeteries.
19. Vigil lights are permitted. No open flames or fires of any kind are allowed.
20. No monument or marker may be set except during regular working hours.
21. All monument foundations will be constructed by cemetery employees and no foundation will be set more than ten days prior to Memorial Day or after frost is in the ground.
22. If a monument, marker or plaque to be erected or installed is purchased by a non-owner, authorization from the owner must be provided to the Superintendent of Buildings and Cemeteries prior to the installation.
23. The Town and its officials and employees shall not be liable for damage from any source to monuments, markers, or any other privately owned articles or materials within the cemeteries.
24. The Town is not responsible for maintenance or cleaning of headstones or other monuments.

#### **OWNERSHIP, FEES AND PAYMENTS**

25. The Board of Selectmen shall establish the fees to be charged for all activities in the cemeteries and the price to be charged for lots, graves, and construction



- within such lots and graves. These fees, charges and prices shall be published and available at the Town Hall and the cemetery office.
26. All fees, charges and costs for lot and grave purchases and interment shall be paid in full prior to an interment, disinterment or work activity in a lot or grave.
  27. Payment for single and two grave lots shall be made at the time of purchase, and after any required Veteran's documents are received, a deed will then be issued to the purchaser.
  28. Purchase of graves is limited to two burials (two single sites or one double deep site).
  29. If payment is not received, the Town may repossess any lots or graves that have not been used for interments. Public notice must be given, and a reasonable attempt made to notify the owners of any such lots or graves prior to such repossession.
  30. No monument may be erected, planting done or other improvement made to any lot or grave site until a deed has been issued.
  31. Non-residents and former residents who have resided elsewhere for a year or more shall pay an additional fee for an interment for perpetual care.
  32. An additional fee will be charged and billed to a funeral director/undertaker who does not provide the required three able persons to assist with the burial containers.
  33. There will be an additional overtime fee charged and billed for any funeral that enters a cemetery after 2:00 PM or remains in a cemetery after 2:30 PM.
  34. Upon the death of the owner of a lot or grave title shall pass in accordance with Massachusetts General Laws. Heirs of the deceased owner shall designate a custodian for the lot or grave, on an approved form.
  35. A Veteran buried outside the Veterans' Sections, but within a cemetery shall be given the same financial consideration due all Veterans.

#### **VETERANS' SECTIONS**

36. Interment in the Veterans' Sections shall be restricted to U.S. military Veterans discharged from or released from active duty in the U.S. Armed Forces under conditions other than dishonorable, with approval by the Veterans' Services Director and the Buildings & Cemeteries Superintendent. Before interment is made in all Veterans' Sections, a copy of the Veteran's discharge papers must be in the possession of the Director of Veterans' Services and the Superintendent of Buildings and Cemeteries. No deed will be issued until such discharge papers are submitted.
37. All Monuments in Pine Haven's Veterans' Section must be the same size and color. The monuments must be not more than 3 feet long, no more than 1 foot wide and a height of 24 inches. The stones must be in a rectangular shape. Also, these stones must be gray or of a mottled gray color. There will be no exceptions to this requirement.

## **PINE HAVEN CEMETERY COLUMBARIUM**

38. The Pine Haven Cemetery Columbarium contains 10<sup>1/2</sup>" high x 10<sup>1/2</sup>" wide x 14" deep Niches. Each Niche will accommodate two (2) standard-size urns specifically for ashes with human cremains only.

## **ELIGIBILITY TO PURCHASE NICHE(S)**

39. A limit of two (2) Niches per family may be purchased Pre-Need or Immediate-Need by residents and former residents of the Town of Burlington. A resident is someone who has lived in the Town for a minimum of one (1) year and is named on the current List of Residents. A former resident is someone who lived in the Town for five (5) or more years. Niche sales are conducted by appointment only made with the Cemetery Office.
40. The Columbarium structure and all Niches remain the property of the Town of Burlington. The agreement by the Town shall assign the Privilege of Use of the Columbarium Niche to the Purchaser. In the case where the Purchaser dies or becomes incapacitated, their heirs will assume Columbarium Privileges pursuant to Mass General Laws Chapter 114 Sections 29, 31, 32, 33 and also Chapter 150 Section 3. Columbarium privileges are subject to the provisions of the Pine Haven Cemetery and any subsequent updates and new cemetery regulations.

## **DISINURNMENTS AND OTHER OPENINGS**

41. Disinurnments shall require legal permit, together with a Disinurnment Order from the Purchaser or Designee. A Niche may be opened only for good cause as determined by the Superintendent of Buildings and Cemeteries.

## **FLOWERS AND OTHER DECORATIONS**

42. Funeral Flowers may be placed in the Columbarium area at the time of inurnment and will be removed within twenty-four (24) hours following the inurnment.
43. No fastening or adhering of any objects including flower holders, solar lights, emblems, decorations, etc. on or around Columbarium, Niche panels, doors walls or surface.

## **ENGRAVING**

44. All Engraving will be on the Niche Panel only with three (3) lines of text containing first name, last name and year of birth and year of death for each urn using the approved font and size. All Engraving shall be performed by the Town approved Monument Company only. Veterans shall be allowed an engraved star next to the last name. All Engraving costs are the responsibility of the Niche Purchaser or Designee.

## **LOT AND GRAVE IMPROVEMENTS AND PLANTINGS**

45. No lot or grave shall have an enclosure of any type, such as a fence, hedge, ditch or curbing. Landscaping edging may be allowed with written approval by the Superintendent of Buildings and Cemeteries.
46. Decorations and ornaments, such as Christmas trees, pumpkins, balloons, and spin wheel toys, are not permitted in the cemeteries. Small decorations during holidays may be allowed for up to two (2) weeks prior to the holiday. These holiday decorations must be placed in the area within twelve (12) inches in front of the monument by the width of the monument. All decorations will be removed and disposed of by cemetery personnel starting two (2) weeks after the holiday.
47. Planting in the cemetery single lots and graves is limited to annual plants and flowers placed in an area in front of a monument that is not more than twelve inches deep by the width of the monument. The Town and Cemetery Division accept no responsibility for such flowers or plants.
48. Cut flowers and/or potted plants may be placed on a grave in the area in front of a monument that is not more than twelve (12) inches deep by the width of the monument, but will be removed by cemetery personnel after two weeks, or sooner, if such flowers or plants have become unsightly or unattractive. No schedule of removal will be posted in the case of unmaintained or unsightly items.
49. Flat Marker Section: The Flat Marker Sections are subject to all rules and regulations of the Town of Burlington Cemeteries with the following exceptions: No plantings of any kind allowed. Flower Pot Dimensions: One flower pot per lot is allowed with dimensions not to exceed 6" wide (square or round) and overall height (with plantings) not to exceed 12" high. Flag Holders and/or Vigil Lights: one flag holder and/or one vigil standard vigil light per lot is allowed with flag dimensions not to exceed 12" by 18" with a maximum height of 24". All other items and decorations will be removed on a weekly basis - no schedule of removal will be posted due to the removal of unmaintained or unsightly items.
50. Anything that is hazardous to maintenance workers, cemetery employees, or machines, such as marble chips, gravel, rocks, wire pot holders, glass or ceramic items, or other "breakable" items etc. is prohibited on lots and grave sites in the cemeteries.
51. Metal or plastic flower holders may be hung from, or placed on monuments.
52. The Superintendent of Buildings and Cemeteries may authorize the removal, transfer, cutting, or pruning of any previously approved tree, plant or shrub, after a reasonable attempt has been made to notify the owner of any such proposed removal or transfer from a lot or grave site. All unauthorized plantings, decorations and prohibited items may be removed or altered at any time with the Superintendent's authorization and without notification.



### **USE AND TRAFFIC REGULATIONS**

53. Trespassing on private or ornamental areas, or placing anything on the same, or taking anything therefrom, without the consent of the owner or the Superintendent of Buildings & Cemeteries is prohibited.
54. Recreation uses and activities such as sledding, skiing, sliding, snowboarding, ball playing, and the like, and vehicles such as snowmobiles, mini bikes, dirt bikes, bicycles, motorcycles, skateboards, and the like, and leashed and unleashed dogs or other domestic animals, are not permitted in the cemeteries, with the exception of dogs or animals that assist persons with sight, hearing, or other impairments, or dogs that are part of an authorized ceremony.
55. The sale of refreshments, food, novelties, and similar items are prohibited in the cemeteries.
56. No person, unless specifically authorized by the Superintendent of Buildings and Cemeteries, shall gather flowers, nor remove, cut or otherwise deface any tree, plant, shrub, structure or monument within a cemetery.
57. Loitering and public drinking is prohibited in a cemetery.
58. No firearms are permitted in a cemetery, with the exception of those to be used in an authorized military or memorial service or ceremony. The Superintendent of Buildings and Cemeteries shall be notified at least twenty-four hours in advance if firearms are to be brought into and used in a cemetery. This prohibition does not apply to a police officer, on or off duty.
59. Through vehicular traffic is prohibited in a cemetery unless specifically authorized by the Superintendent of Buildings and Cemeteries.
60. No person shall operate a motor vehicle at speeds in excess of the posted limits in a cemetery.

### **GENERAL REGULATIONS, EXCEPTIONS AND APPEALS**

61. No Town employee or official shall receive any gift or gratuity from any person for, or in consideration of, any cemetery use or activity, except for standard charges or fees which are to be paid to the Town of Burlington.
62. In special instances, when the spirit and intent of these rules and regulations will not be violated, the Superintendent of Buildings and Cemeteries may authorize exceptions to these rules and regulations. If appropriate, general and special notices will be issued, and a public hearing may be held, prior to the authorization of any such exception. In any event, no exception shall be authorized, unless and until ten days have passed, following written notice given to the DPW Director and the Cemetery Oversight Committee of the proposed exception requested.
63. Any lot or grave owner, or person of interest, who is aggrieved by any action of the Superintendent of Buildings and Cemeteries, may appeal such action to the DPW Director, who may concur with or reject the authorization of such exception. If the matter has not then been resolved, the exception request may be further appealed to the Town Administrator, who may concur with or reject the authorization of such exception, and whose decision in the matter shall be final and binding on all parties.