

ST. JOSEPH CEMETERY

Rules and Regulations

Revised October 2016

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PREAMBLE

Ever since the Sacred Body of our Crucified Savior was reverently laid in the tomb, there to await the hour of its glorious Resurrection, the Church has been most solicitous to surround the burial of those who hope to rise with Christ with an atmosphere of deep Christian faith and profound reverence. In the Mass and burial prayers, the Church gives voice to her belief in the Resurrection of the Body, the Communion of Saints and Life Everlasting; but as a further seal and symbol of that faith, she sets apart and solemnly blesses the place in which the bodies of her faithful departed await the day of Resurrection.

In the very earliest days, Mother Church found it necessary to make rules and regulations that would protect the sacred places and the relics laid therein. She would not allow anything within the holy precincts that could desecrate them, lessen their beauty or dishonor the dead. To insure the sacred character of our Cemetery in accord with the mind and traditional practice of the Church, and to establish and maintain good order, the rules and regulations found in this book are in effect.

The Cemetery is intended for the interments of Catholics who are entitled to Christian burial according to the rules of the Roman Catholic Church.

Interment of non-Catholic members of a Catholic family will be permitted under most conditions, as the Church does not wish to separate in death those who were united in life, but some interments shall be subject to permission from Management.

THE RULES AND REGULATIONS OF ST. JOSEPH CEMETERY, CIRCLEVILLE, OHIO

For the mutual protection and benefits of lot holders in Saint Joseph Cemetery, Circleville, Ohio, the Administration of St. Joseph Parish, hereby adopts the following rules and regulations. All lot holders and persons within this Cemetery, and all lots, shall be subject to said rules and regulations and such amendments or alterations thereof or additions thereto as shall be adopted by the Administration of St. Joseph Parish; and the references to these rules and regulations in documents conveying the right of interment/inurnment shall have the same force and effect as if set forth in full therein.

When you purchase a lot, or gravesite you have purchased the right to be buried there, the land and care of the land still belongs to St. Joseph Cemetery, Circleville, Ohio, which belongs to the Diocese of Columbus.

USE OF CEMETERY

Cemetery Hours: The Cemetery is open daily from sunrise to sunset, unless otherwise posted at the Cemetery entrance.

Conduct in the Cemetery: Management reserves the right to refuse admission to the Cemetery to any persons whose presence is deemed disruptive or disrespectful. Idling, loafing, loitering or boisterous demonstrations within the Cemetery or any of its buildings are prohibited. Throwing of trash on any part of the grounds is prohibited.

Weapons/Alcohol: No alcohol or illegal drugs are permitted on Cemetery premises. Pursuant to the Ohio Revised Code, unless otherwise authorized by law, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance onto these premises. A valid concealed carry permit does not authorize you to carry a concealed weapon onto these premises.

Flowers/Decorations: No one shall pick flowers or break branches from any plants in the Cemetery.

Grading/Improvements: All grading, landscaping, and improvements to the Cemetery will be done by and under the supervision of Management. No workers other than Management and/or those with whom Management contracts, will be permitted to level or fill in graves.

Loss/Damage: Management disclaims all responsibility for loss or damage from causes beyond its reasonable control, especially damage by acts of God, the elements, thieves, vandalism, or accidents beyond the control of Management.

Visitors: Visitors within the Cemetery shall use only the avenues, roads and walk ways, unless it is necessary to walk on the grass to gain access to a lot. Administration disclaims liability for any injuries sustained by anyone not using the most direct route of access to a grave. Children under the age of fifteen years of age are not permitted within the Cemetery unless accompanied by adults responsible for them.

Animals: Pets are permitted as long as they are on a leash and with the owner. The owner must clean up after the pet. We have provided “pet stations” for your convenience. The owner is to ensure that the pet is under close supervision and no destruction of property or landscaping occurs.

Speed Limit/Parking: Vehicles shall obey the marked speed limit of 15 mph. Vehicles may not be left in a position to block others from passing

Maintenance: The care and maintenance of graves, necessitated by natural growth of grass, trees, shrubs and flowers, will be the responsibility of the Management. Since the property is owned by St. Joseph Cemetery, care includes planting, cutting of trees and shrubs, the mowing and leaf mulching of lawns and cleaning of roadways.

INTERMENTS & INURNMENTS

General

Management shall have the right to request those wishing to make a selection of a lot/niche for arrangement of an interment/inurnment, to call the Cemetery/Church office in ample time to complete arrangements.

Entrance to the Cemetery for an interment/inurnment shall be under the exclusive direction of Management. Fraternal or lodge services, provided they are not forbidden by Church Law, may be permitted to the Cemetery, provided specific permission is obtained in advance.

Management may accept a request for an interment/inurnment with proper authorization from any grave/niche holder of record, unless there are written instructions to the contrary on file.

Management shall not be responsible for any interment/inurnment information or instructions given by telephone or any mistake occurring from the lack of proper instructions as to size of the casket or grave/niche location where interment/inurnment is to be made.

Management shall be in no way liable for any delay in the interment of a body or inurnment of ashes where a protest to the interment/inurnment has been made, or the rules and regulations have not been complied with. Any protest must be in writing and filed in the Cemetery/Church office.

Management shall not be responsible for lack of notification by the funeral home or family that a interment/inurnment is to take place.

A Burial Permit or Certificate of Cremation for each interment/inurnment is required by local Government and/or Health Department, and must be presented before interment/inurnment is completed.

Management shall not be liable for the Burial Permit/Cremation Certificate or accuracy of the data contained in the permit/certificate or the identity of the person to be interred/inurned.

Management reserves the right to request evidence of eligibility for Catholic Burial according to the norms of Church Law.

The casket or urn may not be opened at any time within the Cemetery without express permission and in the presence of Management and only by a funeral director.

No disinterment, disinurnment, or removal shall be allowed without permission of Management. Written authorization of the lot/niche holder or the person who was financially responsible at the time of the burial is required. All disinterments/disinurnments must follow proper legal procedure. All requests for disinterment/disinurnment must be made through the Cemetery/Church office, and all permits and paper work will be processed through the Cemetery Office. Management has the right to designate the hour and manner in which interments/disinterments and inurnments/disinurnments will or will not be permitted.

Besides being subject to these rules, all interments/inurnments or disinterments/disinurnments shall be subject to orders and laws of the properly constituted authorities of the city, county, and state.

Only equipment owned and operated by the Cemetery Management shall be used at any time, or those hired by Management.

Management reserves the right to correct any errors made by interments/inurnments or disinterments/ disinurnments.

Grave Information

The remains of one human being only shall be interred in one grave, unless permission is granted by written consent by Management.

In the case of cremation, the state allows the remains of one cremation and one human body in one grave, or two cremated remains in one grave.

The use of the grave(s) is for the grave holder or grave holder's relatives, subject to consent of the grave holder, for interment purpose only and not for resale or profit.

In cases where the lot holder lives in another city, permission for interment on the grave may be made over the telephone, by a funeral director. This is permitted to avoid undue hardship or delays. Management will not accept responsibility for any errors that occur as a result of such telephone calls.

In the event of the death of a grave holder, any and all privileges of the grave holder shall pass to the grave holder's family in the following manner:

The spouse of a holder of any lot containing more than one interment space has a vested right of interment of his/her remains in the grave.

If the grave holder has filed written instructions that are legally sufficient at the Cemetery Office as to which member(s) shall succeed to the easement rights of the grave, the instructions will be recognized by Management and will be followed.

If no valid or legally sufficient written instructions have been filed in the office or if valid and legally sufficient instructions are in conflict with a later will, such instructions shall control, provided they are not in conflict with the Cemetery Rules and Regulations then in force.

In the absence of valid and legally sufficient written instructions filed at the office by the grave holder or a probated will, the rights of interment shall devolve upon those entitled to succeed thereto by the laws of succession of the State of Ohio.

In a conveyance to two or more persons as joint tenants, each joint tenant has a vested easement right of interment in the grave conveyed. Upon the death of a joint tenant, the title vests to the survivors, subject to vested rights of interment of the remains of the deceased joint tenant. A vested right of interment may be waived and is terminated upon the interment elsewhere of the remains of the person in whom vested. An affidavit by a person having knowledge of facts setting forth the fact of the death of the owner and the name of the person(s) entitled to the use of the lot is complete authorization to Management to permit the use of the unoccupied portion of the grave by the person entitled to the use of it.

When a grave is purchased, the “right” to be buried there is purchased, the land itself remains the property of St. Joseph Cemetery, Circleville, Ohio, which in turn belongs to the Diocese of Columbus.

Grave Usage

Appropriate usage of graves is determined at the discretion of the Cemetery Board. The following rules apply:

Lawns and Graves: Lawns and graves shall not be disturbed for any purpose except under the supervision and by permission of Management. This includes adding of dirt, sod or grass seed.

Decorations/Flowers: The right is reserved by Management to regulate the method of decorating graves so that beauty may be maintained, and to prohibit or remove decorations not in accord with the following guidelines:

- No shepherd hooks for hanging baskets or flags will be permitted, no metal borders, large gravel or course bark mulch may be placed on gravesites. Fine mulch and plastic borders are acceptable.

- Vases/pots must be placed to the front or to the side of the monument and filled with live flowers. No glass vases are permitted.
- Flowers may be planted on monument gravesites. The flowers can be planted at the front and sides of the monument and no more than 10 inches away from the monument. No flower plantings may be extended to the rear of the monument (unless the monument is at the foot of the grave). No plantings as borders are permitted. Plants of any kind with thorns are NOT permitted in specified burial areas.
- No artificial flowers or wreaths are permitted in the Cemetery from March 15th to November 1st.
- Flowers left after a funeral will be removed by Management when they begin to look bad. Management will not be liable for any flowers or vases placed on the grave at any time.
- Grave blankets and wreaths may be placed on gravesites after November 1st and must be removed by March 15th.
- No votive candles are permitted on graves. Glass containers, of any kind, are not permitted in the Cemetery.
- No individuals will be permitted to place benches in Cemetery.
- One statue per grave is permissible, providing the statue is on the left or right side and does not extend higher than 24 inches.

Grave Monuments

Monuments are not Cemetery property but remain personal property of the grave holder. Therefore, monuments should be insured under the grave holder's homeowners insurance. Monument companies must abide by Cemetery rules and regulations. They should contact Management with questions concerning placement of a monument. Location and position of a monument shall be under the direction of Management.

The grave must be fully paid for before a Monument may be placed.

Foundation & Monument Request Forms must be submitted in advance to the St. Joseph Cemetery office. Monument companies may obtain the Foundation & Monument Request Form from the Cemetery Office. All requests must be approved by the Cemetery prior to installation.

The Cemetery will not be held responsible for the monuments ordered and cut before the Cemetery approves the application.

St. Joseph Cemetery is responsible for the lay out and the pouring of all foundations on our premise, unless the Cemetery Board approves otherwise.

St. Joseph Cemetery requires a 2 inch lip on each foundation (excepting ledger monuments).

All photos on monuments must be in "Cameo" style photos.

All monuments installed in St. Joseph Cemetery must have a Christian symbol (cross, prayer, etc.) taken from the Bible, Mass Prayers, or book of religious symbols.

Sizes for Monuments

Note: Dimensions do not include required 2-inch foundation lip extending beyond the base of monument. Measurements refer to width x depth x height of monument base.

One Grave Monument Lot

Maximum 3-0 x 1-0 x 0-6 (36" x 12" x 6")

Two Grave Monument Lot

Minimum 3-0 x 1-0 x 0-6 (36" x 12" x 6")

Maximum 4-0 x 1-2 x 0-8 (48" x 14" x 8")

Three Grave Monument Lot

Minimum 3-0 x 1-0 x 0-6 (36" x 12" x 6")

Maximum 5-0 x 1-2 x 0-8 (60" x 14" x 8")

Four Grave Monument Lot

Minimum 3-0 x 1-0 x 0-6 (36" x 12" x 6")

Maximum 7-0 x 1-4 x 0-8 (84" x 16" x 8")

Five Grave Monument Lot

Minimum 3-0 x 1-0 x 0-6 (36" x 12" x 6")

Maximum 8-0 x 1-4 x 0-8 (96" x 16" x 8")

Six Grave Monument Lot

Minimum 3-0 x 1-0 x 0-6 (36" x 12" x 6")

Maximum 10-0 x 1-4 x 0-8 (120" x 16" x 8")

Niches (Columbarium)

The remains of one human being only shall be inurned in each niche.

The use of the niche is for the niche holder or niche holder's relatives, subject to consent of the niche holder, for inurnment purpose only and not for resale or profit. In cases where the niche

holder lives in another city, permission for inurnment in the niche may be made over the telephone, by a funeral director. This is permitted to avoid undue hardship or delays. Management will not accept responsibility for any errors that occurs as a result of such phone call.

In the event of the death of a niche holder, any and all privileges of the niche holder shall pass to the niche holder's family in the following manner.

If the niche holder has filed written instructions that are legally sufficient at the Cemetery/Church office as to which member(s) shall succeed to the inurnment rights of the niche. The instructions will be recognized by Management and will be followed.

If no valid or legally sufficient written instructions have been filed in the office or if valid and legally sufficient instructions are in conflict with a later will, the latter instructions shall control, provided they are not in conflict with the Cemetery Rules and Regulations then in force.

In the absence of valid and legally sufficient written instructions filed at the office by the niche holder or a probated will, the rights of inurnment shall devolve upon those entitled to succeed thereto by the laws of succession of the State of Ohio.

A vested right of inurnment may be waived and is terminated upon the inurnment or interment elsewhere of the remains of the person in whom vested.

An affidavit by a person having knowledge of facts setting forth, the fact of the death of the owner and the name of the person(s) entitled to the use of the niche is complete authorization to Management to permit the use of the unoccupied niche lot by the person entitled to the use of it.

When a niche is purchased, the "right" to be inurned there is purchased; the niche itself remains the property of St.

Joseph Cemetery, Circleville, Ohio, which in return belongs to the Catholic Diocese of Columbus.

Appropriate usage of niches is determined at the discretion of the Cemetery Board. The following rules apply:

No flowers or mementos of any kind are permitted either at the base of the columbarium or hanging from the niche.

Engraving of niche door panels is standardized, including only name, dates, and optional military insignia. No further engraving is permitted.

FEES & RETURNS

Management shall have the right to establish a charge and time of payment for each interment, disinterment, disinurnment, lot purchase or transfer, and for any performance of any other service rendered by Management. All work in connection with such service shall be subject to the determination and supervision of Management.

The purchase of a grave or niche should be paid in full at the time of purchase. If this is an extreme hardship for the family, arrangements may be discussed.

Should the grave or niche purchaser fail to carry out the terms of the purchase agreement, Management may declare the agreement cancelled and all easement rights of the purchaser in and to the grave/niche forfeited.

Open and closing for interment/inurnment or disinterment/disinurnment must be paid in full at the time of the arrangement.

Graves/niches may be returned to the Cemetery with a full refund ONLY within seven days of purchase. After day seven, the return of graves/niches is considered an extreme and extraordinary circumstance. Under normal circumstances, the Cemetery does not buy back graves/niches. Previously purchased graves cannot

be exchanged for the purchase of niches. In extraordinary circumstances, the Cemetery Board may, at their discretion, agree to the return of grave(s) or niche(s) under the following conditions:

A formal written request must be submitted to the Cemetery Board, describing the extreme and extraordinary circumstance. An administrative fee will be deducted from the original purchase price of each grave/niche if determined to be bought back:

- a. \$100 for each grave
- b. \$1,000 for each niche

A lot/niche holder may donate the grave(s)/niche(s) back to the Cemetery. Such a donation must be submitted to the Cemetery Board in writing. A receipt of the value of the grave(s)/niche(s) as a tax-deductible donation to the Cemetery will be issued, minus the administration fee. Donated grave(s) will be used for a person who cannot afford a grave.

GLOSSARY OF TERMS

Columbarium – a building for the housing of cremated remains.

Interment – the burial of a deceased person’s body in the ground, including the burial of an urn.

Inurnment – the placing of an urn containing the cremated remains of an individual in a niche

Monument – a grave marker denoting who is buried in a particular grave, usually including the name and dates of the individual(s) buried in that location

Niche – an above-ground compartment in a columbarium or other area for the placement of cremated remains

Opening/closing fees – the cost of opening and closing a grave or niche for the interment/inurnment of human remains

FIND QUICK ANSWERS

Who may be buried in St. Joseph Cemetery? Catholics and their family members, including non-Catholic family members (Preamble, p. 2)

What flowers/decorations are permitted on graves? p. 8-9.

When are artificial flowers, wreaths, and grave blankets permitted on graves? only from November 1 through March 15 (p. 9)

What are the size guidelines for monuments? p. 11.

Are pets permitted in the cemetery? Yes, provided they are on a leash at all times and the owner cleans up after the pet (p. 4).



“For if we live, we live for the Lord, and if we die, we die for the Lord’s; so then, whether we live or die we are the Lord’s.”

(Romans 14:8)