

# St. Patrick Cemeteries Rules & Regulations

January 1, 2018

## Calvary Cemetery

(Cressona Road & Calvary Streets – Pottsville, PA)

## St. Joseph Cemetery

(Hillside Road – Pottsville, PA)

## St. Patrick Cemetery #3

(Centre & Temple Streets – Pottsville, PA)

## St. Patrick Cemetery #2

(Fourth & Schuylkill Streets)



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For the protection and benefit of plot holders in Allentown Diocesan Cemeteries, the Bishop of the Roman Catholic Diocese of Allentown hereby adopts the following rules and regulations. All plot holders and persons within the cemeteries, and all plots, shall be subject to said rules and regulations and such amendments or alterations thereof or additions thereto as shall be adopted by the Bishop of the Roman Catholic Diocese of Allentown from time to time; and the reference to these rules and regulations in the document conveying the right of interment shall have the same force and effect as if set forth in full therein.

Note: These rules and regulations for the Diocesan Cemeteries are meant to serve as a model of cemetery rules and regulations for local parish cemeteries. St. Patrick Cemeteries has chosen to adopt these rules and regulations as they are.

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## **Article 1 – Definitions**

1. The term “Cemetery Authorities” shall mean the person or persons duly appointed to conduct and administer the cemeteries owned and operated by the Diocese of Allentown.
2. The term “Cemetery” as used herein shall mean all the property for earth burials and public mausolea for crypt entombments. Private of Family mausolea shall be specifically mentioned.
3. The term “Plot Holder” shall include the person or persons who have purchased interment or entombment rights or who hold same by right of inheritance or transfer.
4. The term “interment” shall herein mean earth burial, burial in an underground vault or entombment in a crypt.
5. “Grave” shall mean a space of ground in the cemetery used or intended to be used, for the burial of human remains.
6. “Crypt” shall mean a part of a mausoleum used, or intended to be used for the burial of human remains.
7. The term “Plot” shall include and apply to one or more than one adjoining grave or to one or more than one adjoining crypt.
8. The term “Burial privilege” (once called Deed) shall mean only the grant of the privilege of interment and not a conveyance of any ownership or tenancy. It does not convey any ownership or other interest in the grave or graves or crypt or crypts to which it refers.
9. The term “Memorial” shall include monument, tombstone, headstone, grave marker or tables, or inscription on crypt front or fronts, for one or more deceased persons.
10. The term “Care” shall mean the general care of the cemetery as herein defined.
11. The term “Foundation” shall mean the base on which a memorial or mausoleum is erected.

## **Article II – Purpose of Cemetery**

The purpose of the Diocesan Cemeteries is to provide for the burial of the Faithful according to the rules and discipline of the Catholic Church. Questions regarding the interpretation of canons of the Catholic Church, its rules and discipline as they relate to the burial privileges of a plot holder and members of his or her family, shall be decided exclusively by the Ordinary of the Diocese and such decision shall be final.

## **Article III – Admission to Cemetery**

1. The cemetery Authorities reserve the right to refuse admission to a cemetery and to refuse the use of any of the cemetery’s equipment or facilities at any time to any person or persons as the rules and judgment may dictate.
2. The body of a deceased person or cremated remains will not be accepted for entombment or interment unless it is encased in a suitable container approved by the Cemetery Authorities.
3. The remains of any person who has died of an infectious or contagious disease shall be permitted to be entombed in a public mausoleum only with the express consent of the Cemetery Authorities and provided that there be no prohibition against such entombment by any public health authority.

## **Article IV – Arrangement for Funerals and Interments**

1. The Cemetery Authorities shall have the right to request those wishing to make a selection of a plot or crypt, or to arrange for an interment to call at the cemetery office in ample time to complete arrangements before closing time of such cemetery office. A minimum of not less than 48 hours is required in placing of an order for a grave opening for an interment. This does not include Sunday or legal holidays. Emergency cases will receive proper consideration.
2. All arrangements for burials and purchases of burial privileges shall be completed at the Cemetery Office. Publication of the time and day of an interment before completing interment arrangements with the Cemetery Office is not permitted.
3. All arrangements for interment or purchase of interment privileges made by a plot holder through a funeral director or other agent shall be binding on said plot holder. Charges for interment and blasting rock from grave if necessary, are to be paid before interment is completed.
4. Funerals shall not be admitted to the cemeteries when they are escorted or accompanied by regalia or banners of societies, organizations, or lodges which are banned by Ecclesiastical Law. Certain fraternal or lodge services not otherwise forbidden by Church Law may be permitted by the Cemetery Authorities provided specific permission is obtained a reasonable time in advance.
5. The cemetery Authorities may accept a request for an interment or opening of a plot for any purpose on proper written authorization from any plot holder or record, unless there are written instructions to the contrary on file in the main office of the cemeteries. To avoid serious inconvenience, the Cemetery Authorities may accept from the plot holder a telegraphed interment authorization.
6. The Cemetery Authorities shall not be responsible for any order given by telephone or any mistake occurring from the lack of proper instructions as to the size of the vault, for as to the particular grave or crypt location where interment is to be made. The Cemetery Authorities reserve the right to make an equitable charge whenever additional labor results from such mistakes.
7. The Cemetery Authorities shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made, or where the rules and regulations have not been complied with, or where said rules and regulations shall forbid such interment and further, said Cemetery Authorities reserve the right under such circumstances to have the body placed in a receiving vault until full rights have been determined. Any protest may be required to be in writing and filed in the main office of the cemeteries.
8. Cement vaults are required for all in ground casket burials.
9. Cremated remains may not be entombed in a crypt in a public mausoleum unless the cemetery Authorities specifically designates special niches for such entombment. All caskets which are to be placed in a public mausolea must have a nameplate or the inscription of the name of the deceased on the top.

## **Article V – Interment/Disinterment Procedures**

1. All funerals on entering the cemeteries shall be under the exclusive charge and the sole direction of the Cemetery Authorities.
2. A burial permit for each funeral is required by the local government or public authority having jurisdiction of the matter must be presented to the Cemetery Authorities before interment is completed.
3. The Cemetery Authorities shall not be liable for the burial permit or responsible for the accuracy of the data contained in said permit or for the identity of the person to be interred.
4. The Cemetery Authorities reserve the right to demand written evidence of eligibility for Catholic burial according to the norms of Canon Law.
5. The casket may not be opened at any time within the cemetery without the expressed permission (and in the presence) of the Cemetery Authorities. The Cemetery Authorities reserve the right to refuse permission to anyone to open the casket or to touch the body without the consent of the legal representative of the deceased or without a court order. This representative would be either the next of kin or the executive of the decedent's estate.
6. If the body is already interred, it may be disinterred only if a permit is issued by the local registrar. Permission is obtained after a funeral director or Cemetery Official gives the registrar the name of the deceased, the date and cause of death and written consent of the legal representative. A court order is required in order to have the casket opened. In the event necessity requires, the Cemetery Authorities may take appropriate steps to correct any improper condition.
7. Disinterments will be permitted after the completion of the Petition for Removal of Remains Form is reviewed by the Cemetery Authorities.
8. The Cemetery Authorities shall exercise due caution in making a disinterment and removal, but they shall assume no liability for the damage to any casket or burial case incurred in making the disinterment and removal.
9. The Cemetery Authorities shall have the right to designate the hour and manner in which interments, disinterments, and removals will or will not be permitted. All interments, disinterments, and removals shall be subject to the payment of such charges as shall be fixed by the cemetery Authorities.
10. All interments and removals subject to these rules and regulations shall also be subject to the orders and laws of the properly constituted civil authorities whether of the local, county, state, or federal government.
11. Flowers may be arranged at the site of an interment, but must be delivered in sufficient time before the arrival of a funeral. Floral designs shall conform to Catholic thought and practice. No floral arrangements, banners, candles or other decorations may remain at a crypt in a public mausoleum after interment.

## **Article VI – Correction of Errors**

The Cemetery Authorities reserve the right to correct errors made by them in the sale or description of interment rights or plots, or in making interments or disinterments. The Cemetery Authorities may either cancel such transfer or substitute in lieu thereof other interment rights or plot selected by them in their discretion they may refund any monies paid for the purchase of interment privileges. If such error also involves the interment of the remains of any person, the cemetery Authorities reserve the right to reinter the remains in another plot of equal value in a new location selected as above provided.

## **Article VII – Instructions to Plot Holders and Plot Holders’ Rights**

1. Persons arranging for interments must visit the cemetery where the Cemetery Authorities will aid them in making necessary arrangements.
2. The Cemetery Authorities reserve the right to specify the terms of purchase of all interment rights in plots and to fix the number of interments allocated to a plot. A maximum of two casket interments or two cremated remains are permitted in a grave space.
3. If the purchaser fails to carry out the terms of the purchase agreement, the Cemetery Authorities may declare said agreement cancelled and all rights of the purchaser in and to the plot forfeited.
4. No coping, curbing, fencing, hedging, borders, or enclosures of any kind shall be allowed around the plot. The Cemetery Authorities reserves the right without prior notice to remove same if so erected, planted, or placed.
5. The Cemetery Authorities reserve the right to remove without prior notice enclosures previously erected which have become unsightly or dangerous.
6. If the Burial Privilege Form of the plot has been lost or mislaid, an affidavit sworn to before a Notary Public must be presented in which the person claiming rights to interment privileges in said plot must identify himself, establish his rights to said plot and state that no other party has prior or equal rights to said plot.
7. In case of the loss of a Burial Privilege Form to a plot, a duplicate Burial Privilege Form may be issued to the person who has established legal right to it after satisfactory proof of said loss has been presented to the cemetery.
8. Interment of non-Catholic relatives of an interfaith marriage may be buried in a Catholic Cemetery along side the Catholic member of the family.
9. The use of a plot is for the plot holder or plot holder’s relatives for interment purposes only and subject to the provisions of Article II hereof and not for resale or profit. By special permission of the Ordinary, a person not a member of the plot holder’s family may be interred in said plot, but in no case shall a plot holder have any right to sell, transfer, exchange, or in any manner dispose of said plot or any part thereof or any right or interest therein or any use of said plot without written permission of the Ordinary.
10. The transferal of a body kept in a vault or interred in a Catholic Cemetery to a not-Catholic Cemetery or other non-Catholic place or receptacle may not be done without the written permission of the Director of Cemeteries.
11. Bodies interred in one of our Catholic Cemeteries may not be removed without the written permission of the Director of Cemeteries.
12. In the event of death of a plot holder, any and all privileges of the plot holder shall pass to the plot holder’s family in the following manner:
  - a. The spouse of an owner of any plot containing more than one interment space has a vested right of interment of his (or her) remains in the plot subject to the provisions of Article II hereof and number 9 of this Article.
  - b. If the plot holder shall have filed written instructions at the main office of the cemeteries as to which member or members of his (or her) family shall succeed to the right of said plot, said instructions shall be recognized by the Cemetery Authorities and will be followed if in the sole

judgement of said Cemetery Authorities such instructions are definite, reasonable, and practicable, subject, however, to a vested right of interment of the surviving spouse.

- c. If no valid or sufficient written instruction shall have been filed in such office, or if valid and sufficient instructions are in conflict with a later will and the plot holder has left instructions in said will, duly admitted to a probate, in a court having jurisdiction thereof, subject, however, to a vested right of interment of a surviving spouse, such instructions shall control providing they are not conflict with the cemeteries' rules and regulations then in force and provided the main office of the cemeteries is furnished with proof of the same.
- d. In the absence of valid and sufficient written instruction filed at said office by the plot holder or duly probated will, the rights of interment shall devolve upon those entitled to succeed thereto by the interstate laws of the State of Pennsylvania.

### **Article VIII – Service Charges and Payments**

1. The Cemetery Authorities shall have the right to fix a charge and time of payment for each interment, disinterment, removal, plot transferred or returned, and for the performance of any other service rendered by the Cemetery Authorities; and all work in connection with such service shall be subject to the determination and supervision of the Cemetery Authorities.
2. Permits for free or reduced cost interment in a grave will not be issued unless the application is accompanied by the certificate of Christian burial with the seal of the parish church affixed, together with a letter from the pastor of the deceased stating that the latter is deserving of free or reduced interment cost.
3. Application of free or reduced cost service charges or for special consideration in service charges must be accompanied with a letter from the pastor of the deceased stating that the family is deserving of special consideration.

### **Article IX – Right to Replat**

1. The following rights and privileges are hereby expressly reserved to the Cemetery Authorities to be exercised at any time or from time to time for the erection of buildings, or for any purpose or use connected with, incident to, or convenient for the care of, preservation of, or preparation for the disposal of interment of human bodies or other cemetery purpose:
  - a. To resurvey, enlarge, diminish, replat, alter in shape or size, or otherwise to change all or any part or portion of the cemeteries.
  - b. To lay out, establish, close, eliminate, or otherwise modify or change the location of roads, walks or drives, provided ingress and egress to and from any plot is preserved or is allocated to the plot holder.
2. The following rights and privileges are hereby expressly reserved to the Cemetery Authorities to be exercised at any time or from time to time:
  - a. Easements and right of way over and through all of said cemetery premises for the purpose of installing, maintaining and operating, pipe lines, conduits, or drains for sprinklers, drainage, electric or communication lines or for any purpose deemed admissible by Cemetery Authorities.



## **Article X – No Burial Privilege Granted**

No Burial Privilege or right of interment is granted to any plot holder in any road, drive, or walk within the cemeteries, but such road, drive, or walk may be used during regular cemetery hours, as a means of access to the cemeteries and their buildings as long as the Cemetery Authorities devote such road, drive, or walk to that purpose.

## **Article XI – Use of Cemeteries**

1. *Visitors:* Visitors within the cemeteries shall use only the avenues, roads, and walks, unless it be necessary to walk on the grass to gain access to one's own plot. The Cemetery Authorities expressly disclaim liability for any injuries sustained by anyone violating this rule.
2. *Trespassers:* Only the plot holder and his relatives or friends shall be permitted on the cemetery plot or in the public mausolea. Any other person thereon or therein shall be considered a trespasser.
3. *Children:* Children under fifteen years of age are not permitted within the cemeteries unless accompanied by a responsible adult.
4. *Animals:* Animals shall not be allowed in the cemeteries or in any buildings in the cemeteries.
5. *Lawns:* Lawns shall not be disturbed for any purpose except under the supervision of the Cemetery Authorities. Planting of any kind including trees, shrubs, and plants is prohibited.
6. *Ornaments and Flower Vases:* The right is reserved to regulate the method of decorations of plots so that uniform beauty may be maintained. The use of shells, toys, metal designs, ornaments, glass, plastics, crockery jars and containers, metal cases, barriers, pebbles, wooden crosses, foot stones, iron furniture, arbor, concrete urns, pedestals, images, statues shall not be permitted at any plot or crypt and such articles shall be removed by the Cemetery Authorities.
7. *Ornaments in Public Mausolea:* No decoration, floral display, or other article may be affixed to the crypts in a public mausoleum. Pictures, banners, candles or other decorations are not permitted in public mausolea in the cemeteries.
8. *Not liable for Floral Pieces or Vases:* The Cemetery Authorities shall not be liable for vases, floral pieces, baskets of flowers in which or to which such floral pieces are attached.
9. *Trees and Shrubbery:* The Cemetery Authorities reserve the right to remove or prune any trees or shrubbery previously planted in the cemeteries which may mar the beauty of the cemeteries or which may encroach upon or interfere with other lots or which have been previously placed without written permission. Placing of trees or shrubs on a plot is prohibited.
10. *Plants-Flowers-Wreaths:* Plants, flowers and wreaths are permitted on plots at the head of the grave but may be removed when unsightly or within the reasonable discretion of the cemetery Authorities. Any person placing baskets or other flower holders on a grave are cautioned not to use nails or wire to support the holder. Such objects when left in the lawn cause damage to mowers and may cause serious injury to Cemetery Personnel. There are two general times for cleanup of the entire cemetery during the year on or about the following dates: March 15th & November 15th. If a lot holder wishes to retain their decoration or container, they should be removed before these dates. New decorations or containers may be placed one week after the cleanup dates.

11. *Motor Vehicles:* Automobiles, funeral coaches, and trucks must be kept under control at all times and at no time shall such vehicles drive through the gates or within the cemetery at a speed in excess of fifteen (15) miles per hour. Automobiles are not allowed to part or to come to a full stop in front of an open grave unless such automobiles are in attendance at the funeral. It is prohibited to park or leave any motor vehicle on any road or driveway within the cemeteries at such location or in such position as to prevent any other vehicle from passing, and if is parked or left, the Cemetery Authorities may remove said vehicle.
12. *Other Vehicles:* The Cemetery Authorities reserve the right to refuse admission to the cemeteries of bicycles or motorcycles. Snowmobiles, trail bikes and other such vehicles are not permitted.
13. *Photographs:* Etching and Engraving of a photograph of the person interred is permitted.
14. *Emblems:* Emblems of organizations will be permitted on graves with consent of the Cemetery Authorities.
15. *Crypt Ornamentation:* No ornamentation other than crypt identification may be placed on a crypt front.

## **Article XII – Conduct in Cemeteries and Mausolea**

1. *Prohibited Conduct:* Idling, loading, loitering, or any boisterous demonstration within the cemeteries or any of their buildings is prohibited.
2. *Rubbish:* Throwing rubbish on roads, driveways, paths, walks, or any part of the grounds or in the buildings is prohibited.
3. *Picnicking:* Picnicking or partaking of any refreshments by visitors within the cemeteries is prohibited.
4. *Flowers and Shrubs:* No one shall pluck any flower or break any branches, or remove, injure, or cut any tree, plant, or shrub without specific permission of the Cemetery Authorities.
5. *Peddling or Soliciting:* No one shall be permitted to peddle flowers, plants, or any other article or item, or to solicit the sale of any commodity whatsoever within the cemeteries without the prior written permission of the Cemetery Authorities.
6. *Signs and Advertising:* No signs, notices or advertising of any kind shall be allowed within the cemeteries or cemetery buildings, except those placed by the Cemetery Authorities.
7. *Improper Assemblages:* The Cemetery Authorities reserve the right to prohibit and prevent assemblages which they deem improper.
8. *Weapons:* Firearms and all other weapons are not permitted in any cemetery, except for military funerals, approved memorial services or by duly constituted authorities.
9. *Hunting:* Hunting is strictly prohibited on cemetery grounds.

## **Article XIII – Crypt Identification**

1. All crypt identification work will be performed in the manner prescribed by the Cemetery Authorities by cemetery employees or by a person or persons approved by the cemeteries.
2. Crypt identification shall be restricted to the names and birth and death dates of those entombed or to be entombed.

## **Article XIV – Grading and Improvements**

1. All grading, landscape work, and improvements of any kind, and all care of plots shall be done, and all trees, shrubs, and herbage of any kind shall be planted, trimmed, cut or removed solely by the Cemetery Authorities.
2. All improvements or alterations of plots in the cemeteries shall be under the direction of, and subject to the approval of the Cemetery Authorities; and should they be made without written consent, said Cemetery Authorities reserve the right to remove, alter, or change such improvements or alterations at the expense of the plot holder.

## **Article XV – Cemetery Hours**

The Cemetery Authorities shall fix the opening and closing hours of the cemeteries, cemetery offices, and buildings.

## **Article XVI – Outside Workers**

No workmen other than employees of the cemeteries will be permitted to work in the cemeteries unless authorized by the Cemetery Authorities. However, plot holders may have certain work done in accordance with the cemetery rules and regulations at their own expense upon application to the Cemetery Authorities. A Certificate of Insurance should be on file with the Diocese of Allentown for any vendor providing services to the cemetery.

## **Article XVII – Employees**

1. Cemetery employees are not permitted to do any work for plot holders except upon the order of the Cemetery Authorities, but are required to be civil and courteous to all visitors.
2. Under penalty of immediate dismissal, no cemetery employee shall receive any fee, gratuity, or commission, directly or indirectly, except from the Cemetery Authorities.
3. The Cemetery Authorities shall have the right to maintain guards, if in their discretion they deem it necessary, but are under no legal obligation to do so.

## **Article XVIII – Loss or Damage**

The Cemetery Authorities disclaim all responsibility for loss or damage from cause beyond their reasonable control, and especially from damage by an act of God, the elements, earthquakes, flood, war, common enemy, air raids, invasions, insurrection, riots, order of any military or civil authority, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, or any cause similar or dissimilar beyond control of the Cemetery Authorities whether the damage be direct or collateral. In the event it becomes necessary to reconstruct or repair any section or plot, including graves or crypts, or any portion or portions thereof in the Cemetery, which have been damaged by such causes, the Cemetery Authorities shall give a ten-day written notice of the necessity for such repair to the plot holder of record. The notice shall be given by depositing the same in the United States mail with postage thereon duly prepaid, addressed to the plot holder of record at his or her address stated on the books of the Cemetery Authorities. In the event the plot holder fails to repair the damage within a reasonable time, the Cemetery Authorities may direct that the repairs be made and charge the expense against the plot and to the plot holder of record.

## **Article XIX – Plot Holder’s Change of Address**

It shall be the duty of the plot holder to notify the Cemetery Authorities of any change in his or her post office address. Notice sent to a plot holder at the last address in the Cemetery Authorities record shall be considered sufficient and proper legal notification.

## **Article XX – Care**

1. Care to be understood as that care and maintenance of plots necessitated by natural growth and ordinary wear, the cleaning and maintenance of roadways, walks, and mausolea, provided there are sufficient care funds for that purpose.
2. The term “care” shall in no case mean the maintenance, repair or replacement of any memorial placed or erected upon any plot; nor the planting of flowers or ornamental plants; nor the doing of any special or unusual work in the cemeteries including work caused by improvements nor does it mean the reconstruction of any marker, granite, bronze or concrete work on any section or plot, or any portion or portions thereof in the cemeteries injured or damaged by any cause direct or indirect beyond the Cemetery Authorities reasonable control, including work caused by impoverishment of the soil or disruption of water supply or facilities; nor does it mean the reconstruction of any marker, granite, bronze or concrete work on any section of plot, or any portion or portions thereof in the cemeteries injured or damaged by any cause direct or indirect beyond the Cemetery Authorities reasonable control.

## **Article XXI – Memorials and Rules for Memorial Work**

1. Memorial dealers and foundation installers shall abide by all the rules and regulations of the cemeteries. A Certificate of Insurance should be on file with the Diocese of Allentown prior to any work being performed in the cemetery.
2. Each monument, or flat marker shall have an acceptable Catholic symbol upon it.
3. The Cemetery Authorities reserve the right at all times to approve and prescribe the kind, size, design, symbolism, craftsmanship, quality and material of memorials, inscriptions, monuments, or markers placed or to be placed in the cemeteries. All memorials are subject to the approval of the Cemetery Authorities prior to placement. Acceptance or rejection shall be based upon such prior approval.
4. The Cemetery Authorities also reserve the right to issue under separate cover detailed regulations and instructions pertaining to the kind, size, design, symbolism craftsmanship, quality and material of memorials, inscriptions, monuments, or markers to be placed in the cemeteries. Said detailed regulations and instructions and all amendments thereto are hereby made a part of these rules and regulations.
5. The Cemetery Authorities reserve the right to fix the days and hours when a permit may be obtained and when any memorial may be delivered to the cemeteries and when foundations may be installed.
6. All memorial work or placement or removal of any memorial or foundation work shall be on the written orders of the plot holder, and with a permit issued by the Cemetery Authorities. Endowed Care must be paid in full on the plot where the memorial or inscription is to be placed.

7. The Cemetery Authorities reserve the right to approve all foundations whether installed by cemetery personnel or by authorized foundation installers. The Cemetery Authorities also reserve the right to fix charges for memorial foundations when installed by cemetery personnel. When memorial foundations are approved for installation by authorized foundation installers, the approved foundation installer will be required to pay a charge for the presence of a cemetery employee who must be present at the time the foundation is installed. A performance bond may also be required at the discretion of the Cemetery Authorities, to insure the satisfactory completion of work to be done by approved monument companies and foundation installers.
8. Inscriptions and art on memorials from Sacred Scripture and Catholic tradition are appropriate. Inscriptions should not be offensive to the Catholic faith. Personal emblems will be considered by the Cemetery Office. If approved, it is recommended that personal emblems be restricted to a four inch square. Memorials must not offend religious proprieties, church discipline or good taste.
9. The cemetery Authorities shall charge for memorial permits, foundation permits, placements or removals, and have the right to require that said charge be paid in advance. The Cemetery Authorities also have the right to charge a fee for any memorial left and the cemetery before cemetery permits have been issued.
10. A detailed plan and design of all memorials must be submitted to the Cemetery Authorities for approval before a permit will be issued, and no memorial shall be erected or placed until checked, approved, and accepted by the Cemetery Authorities. A detailed plan, design, and specifications for a foundation must also be submitted to the Cemetery Authorities when such foundation is to be installed by an approved foundation installer. If the memorial or foundation does not conform in every detail to the approved design, it shall be the sole responsibility of the dealer to correct any errors or deficiencies in workmanship and material.
11. The location and position in which a memorial or foundation is to be placed or erected on a plot shall be entirely subject to the approval and under the supervision of the Cemetery Authorities.
12. No monument extending above the surface of the ground shall be erected on plots not specifically set apart for such monument privilege.
13. Only one flat marker will be permitted on each grave. The lot must be at least two or more graves and must be in the area for said lots. The stone must be in the center of the lot. The overall size is determined by the size of the lot purchased.
14. Government markers on all lots must be placed at the head of the grave. Government markers on a single grave lot can only be used if there is no other marker there and must be at the head of the grave.
15. Non-cemetery employees in placing or erecting monuments and other structures, bringing in materials in regard to such work, or installing foundations, shall operate as independent contractors, but must do so under permission from the cemetery Authorities and under their supervision.
16. Non-cemetery workers engaged in placing or erecting monuments, foundations or other structures are prohibited from scattering their material over adjoining plots, or from blocking roads or walks, or from leaving their material on the grounds longer than is absolutely necessary.
17. Damage done to plots, walks, drives, trees, shrubs, or other property by non-cemetery workers, dealers or contractors, or their agents shall be repaired by the Cemetery Authorities, and cost for such repair shall be charged to the dealer or contractor or to his principal.

18. The Cemetery Authorities reserve the right to stop all work of any nature whenever, in their opinion, proper preparations therefor have not been made; or when work is being done in such a manner as to endanger life or property; or when any reasonable request on the part of the Cemetery Authorities is disregarded; or when any person employed on the work violates any rules of the Cemetery Authorities.
19. While the Cemetery Authorities will exercise due care to protect raised lettering, carving, or ornaments on any memorial or other structure on any plot, public or private mausolea, they disclaim responsibility for damage or injury thereto.
20. The Cemetery Authorities reserve the right to correct any error that may be made by their employees or by any other person or persons in the location or placing of a memorial or foundation in the cemetery.
21. Should any memorial, or tomb become unsightly, dilapidated, or a menace to the safety of persons within the cemeteries, the Cemetery Authorities shall have the right either to correct the condition or to remove the same without notice in either case at the expense of the plot holder.
22. Soliciting memorial sales, the installation of memorial foundations, or other memorial work within the cemeteries is not permitted.
23. No foundation work or memorial placement may be performed at times other than during cemetery hours as set in Section XV hereof.
24. Listed below are the proper marker and monument sizes for our graves.

Each lot sold has either an upright or flush marker restriction. All monuments and markers must be PRE-Approved by Cemetery Authorities prior to being ordered.

- All bases must be 8" thick.
- All **Single Graves** are restricted to Flush Markers only, maximum size 24" x 12", must be no less than 4" thick.
- **Two Grave Lot** – One upright monument on center of lot, maximum size 36" x 14" x 28" tall, OR One Flush Marker on Center of lot, maximum size 44" x 14".
- **Two Grave Lot in Section 3B**– One upright monument on center of lot, maximum size 54" x 14" x 28" tall, OR One Flush Marker on Center of lot, maximum size 44" x 14".
- **Three Grave Lot** – One upright monument on center of the lot, maximum size 42' x 14" x 28" tall, OR One Flush Marker on Center of lot, maximum size 54" x 14".
- **Four Grave Lot** – One upright monument on center of the lot, maximum size 48" x 14" x 32" tall, OR One Flush Marker on Center of lot, maximum size 56" x 14".
- **Six and Eight Grave Lots** – One upright monument on center of the lot. Size is dependent on exact location.

## **Article XXII – Private Mausolea and Tombs**

1. Mausolea or tombs either wholly or partially above ground shall be constructed only in plots so designated. Plans, specifications, material, and location in the plot of such mausolea or tomb shall be subject to the approval of the Cemetery Authorities.
2. When entombment is made in a private mausoleum, the crypt shall be properly sealed as directed by the Cemetery Authorities.

## **Article XXIII – Receiving Vaults**

1. The receiving vaults, if available, may be used only when final interment is to follow in a Catholic cemetery.
2. The receiving vaults are available for temporary use only and are subject to a monthly rental. Under no circumstances shall a body be considered as interred or entombed by reason of being placed therein.
3. The remains of any person who has died of an infectious or contagious disease shall not be allowed to be placed in a receiving vault.
4. The Cemetery Authorities reserve the right without notice to remove from their vaults at once and inter any remains when same are not in a good state of preservation, or when the condition of the body renders its interment necessary.
5. The amount of the deposit, handling charges, and monthly rental rate shall be determined by the Cemetery Authorities.
6. No Body shall remain in the receiving vault more than thirty days. At the expiration of thirty days, and at the discretion of the Cemetery Authorities, a renewal permit must be obtained from the Board of Health and presented to the Cemetery Authorities.
7. Upon failure to pay rental or to make suitable arrangements for the final interment of the remains within a reasonable time, the Cemetery Authorities may remove the remains from the receiving vault and cause same to be interred in any plot they may select after first giving seven days written notice by deposit of a letter in the United States Post Office with postage prepaid to the person making the placement at the address stated on the cemetery records. In the event of such failure or default, the Cemetery Authorities are empowered to act as duly appointed agent in obtaining any and all necessary interment or health permits for said removal and interment. As long as the remains are with said Cemetery Authorities, this agency shall be coupled with an interest and this power shall be irrevocable. Any deposit made shall be applied by the Cemetery Authorities against expenses incurred by them.
8. The Cemetery Authorities will exercise due care in making a removal but shall assume no responsibility for damage to any casket or burial case incurred in making the removal.
9. The Cemetery Authorities reserve the right to issues under separate cover detailed regulations and instructions pertaining to the cemeteries' receiving vaults. Said detailed regulations and all amendments thereto are hereby made a part of these rules and regulations.

## Article XXIV – In General

1. The statement of any employee of the cemeteries shall not be binding upon the Cemetery Authorities except as such statement coincides with a document conveying the right of interment and these rules and regulations.
2. These rules and regulations shall apply to any mausoleum, whether public or private, not in existence or which may hereafter be erected in the cemeteries.
3. The Cemetery Authorities reserve the right without notice to make temporary exceptions, suspensions, or modifications in any of these rules or regulations when in their judgement the same appear advisable; and such temporary exception, suspension, or modification shall in no way be considered as affecting the general application of such rule.
4. In all matters, not specifically covered by these rules and regulations, the Cemetery Authorities reserve the right to do anything which in their judgement is deemed reasonable under the circumstances and such decision shall be binding upon the plot holder and all parties concerned.
5. The Cemetery Authorities reserve the right at any time and from time to time to change, amend, alter, repeal, rescind, or add to these rules and regulations or any part thereof, or to adopt any new rule or regulation with respect to said cemeteries or anything pertaining thereto.
6. New or changed rules will be posted in the Cemetery Office for a period of thirty days prior to their adoption and such notice shall be considered complete and sufficient announcement of said change.

The above rules and regulations were revised  
at Pottsville, Pennsylvania  
on this 1st day of January 2018

**Rev. Msgr. Edward J. O'Connor, Pastor**