

# POLICIES & PROCEDURES

**CATHOLIC FUNERAL & CEMETERY SERVICES**

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CATHOLIC FUNERAL & CEMETERY SERVICES  
A MINISTRY OF THE DIOCESE OF RICHMOND



## RIGHTS OF BURIAL

When a person purchases a location/lot, plot or above ground burial space, they are not buying the real estate or property on which the burial space is located. The cemetery retains title to the land and the property. The purchaser acquires the right of burial. Along with the right of burial is the right to place a memorial per the rules and regulations of the cemetery. Purchase and ownership documents should clearly refer to burial rights and not spaces or property. That is why a Certificate of Ownership of Burial Rights is preferable to a deed as a document of ownership.

Who is entitled to burial rights, when there are multiple graves on a lot, is a frequent question. Virginia State law and most state laws are very specific on this. In Virginia, Catholic cemeteries are governed Section 54.1-2312 of the statute governing cemeteries. That law addresses **burial rights** and the **principle of lots being indivisible**.

Today most burial rights are sold in groups of 1 to 4 spaces. The rights are typically purchased specifically for individuals, couples or couples and one or more other individuals. When such sales are made, purchasers should be advised to purchase rights for specific persons and designate who has the right to be buried, thus avoiding issues of inherited rights at a later date. However, family situations change, and cemeteries need to deal with these and with multiple grave rights.

The rights are inherited as follows:

1. The purchaser(s).
2. The spouse of the purchaser(s).
3. The children of the purchaser(s) according to the sequence of death.

Virginia law does not specify the level to which inheritance of burial rights must go. If there are no surviving children, rights should pass to grandchildren, great-grandchildren and follow what is often referred to as the "bloodline."

If there are spaces remaining, the person(s) inheriting the rights according to the above sequence may designate rights to another person in writing. (An example of a transfer letter is in the appendix) If there are no surviving heirs according to the above sequence, then the rights should pass to collateral relatives in order to parents, brothers and sisters, nephews and nieces.

There are some cautions which cemeteries should be aware of when determining burial rights.

1. Possession of a certificate or deed does not imply ownership.
2. **Rights of burial do not pass as residual property in a will.** However, rights may be passed in a will by a **specific device**. The will must specifically name the person(s) and the identification of the spaces to be left to the person(s).

3. When several persons equally inherit burial rights, it becomes difficult at times to get agreement or to contact all the persons involved. The law demands that in such situations that the persons designate in writing to the cemetery a person who will represent the location/lot. A form entitled *Designation of Representative of Cemetery Location/ Lot* is provided in the Appendix of this Handbook for that purpose. If the heirs fail to designate who will represent the location/lot, the cemetery board or directors may designate a spokesperson that will represent the location/lot.
4. The principle of location/**lots held indivisible** applies once a burial is made on a location/lot. Upon the death of the purchaser of burial rights, the rights to the entire location/lot pass to the heirs. The original owner(s) may return all or a portion of a location/lot according to local cemetery rules. This right exists only with the original owner(s) and the rights to sub-divide ceases with the owner(s)' death.

## INTERMENT PROCEDURES

Parish cemeteries will either contract with someone to open graves using a small backhoe or excavator or open the graves by cemetery's employees using owned or leased equipment. In some cases, graves may be opened using hand tools. The types of equipment will vary widely as will the digging conditions depending on soil type and topography. There are no universal rules or procedures as to how to open the grave as the methods will be at the expertise and discretion of the contractor or operator.

**Cemetery Responsibilities** – Grave location, layout, and conditions of the gravesite are the responsibility of the cemetery and are very important from the standpoint of safety and assurance that the grave is in the correct location.

- a. **Locating the grave** – Every cemetery should have a map showing the location of the graves and a numbering system. Cemetery personnel are responsible for locating the grave. When accurately located the limits of the grave opening should be delineated with some form of marker starting with the grave marker at one corner of the grave.
- b. **Excavation** – The equipment operator is responsible for safely setting up the equipment in a manner that minimizes damage to adjoining graves and will allow for placing the spoil at least 2 feet from the opening (OSHA rule) and will allow easy access for the vault truck, funeral attendants and visitors. In some situations, it may be advisable to move the spoil by truck and bring it back for backfilling. Excavations should be under 60" (5 feet) unless shoring is provided (OSHA rule). However, it must be deep enough to allow at least 18" of top soil above the vault or casket in order to permit a healthy turf after the grave is closed.

- c. **Adverse Conditions** – If the ground is wet plywood or some type of protection must be provided to prevent the excavator from leaving ruts in the turf. If the ground has frozen, a jackhammer or hydraulic spike may be needed to cut the turf and subsoil. If snow covered, a path needs to be cleared for the funeral attendants and visitors.
- d. **Other considerations** – Equipment should never be driven over flat grave markers. If a monument or gravestone is present, it may have to be removed or secured in a manner that will prevent it from tipping or falling into the grave. Open graves should never be left unattended without a covering or clear marking with safety cones or temporary security tape or fencing. Special caution should be taken to insure that the excavation does not infringe on adjoining graves and that there has not been a previous burial, perhaps of a child that may not have been properly recorded. If the grave has water in it, it must be pumped before the funeral. If a vault is used, the vault company will usually set the vault and place the cover on it after the casket is placed.
- e. **Grave Setup** – Planking should be placed around the grave opening in order to allow proper placement of the lowering device and to insure the safety of the people attending the funeral. If available, artificial greens should be placed around the grave and soil pile to improve the appearance of the site. Only qualified persons should be permitted to lower the casket and place the vault cover.
- f. **Backfilling** – Backfilling may be done by hand or machine. In either case, it should be done slowly and cautiously to prevent displacement of the vault cover. Backfilling should be done in steps or “lifts” of no more than 18” and compacted at each step.
- g. **Re-seeding** – The gravesite should be re-seeded as soon as possible after the burial. The seed mixture should be limited to species of the grasses in the surrounding turf. The uses of a biodegradable mulch with starter fertilizer will help to insure a quick start for the new seeding. Adequate water must be available in order to get a quick germination and growth of the new seeding.
- h. **Record Keeping** – After the burial and backfilling is complete, it is very important that all of the relevant facts of the burial (dates, names, funeral director, church, funeral presider, excavator and any other unique or relevant facts regarding the burial) be recorded along with the funeral order and kept as part of the cemetery’s permanent records.

rights. They also require routine cleaning, maintenance and should be appropriately landscaped.

### **Entombments**

1. On the day of the entombment, after the site of the crypt has been correctly located and verified, certain procedures should be followed. The marble or granite shutter must be removed. Crypt fronts should always be placed in an upright position and never laid flat. Marble and granite are heavy and can be extremely brittle. It is very strong but is not flexible. If a casket is already entombed in the crypt, the crypt opening should never be left unattended.
2. The crypt for the entombment should be swept and cleaned. Vents and/or drain plugs at the rear of the crypt must be removed.
3. A crypt drape should be placed in front of the crypt opening. The crypt front should be placed near the crypt location or somewhere within the view of those attending the funeral.
4. Families and visitors should not be allowed to view the entombment. Entombment may require some rough handling and tipping of the casket that could be disturbing to family members. The funeral director may witness the entombment as a representative of the family if requested by the family. Families and visitors may return to view the casket in the crypt before it is sealed.
5. A hydraulic lift should be used for placement of the casket in tiers 3 and above. All safety devices supplied with the lift must be used. The hydraulic lift should be operated only by experienced personnel. All caskets should be placed in the proper crypt location immediately following the committal service.
6. At no time should a casket or casket in an unsealed crypt be left unattended.
7. Crypts should be sealed as soon after committal services as possible using the inner crypt front. All outer crypt fronts should be replaced and properly. Proper caulking, creating an airtight seal, is critical in the entombment process. The caulk must be smooth and even.
8. If a lettered crypt front is not available before the end of the day, the crypt front should be lettered with a temporary label giving the deceased’s name.

### **Private Mausoleum Entombments**

1. Prior to accepting an entombment order for a private mausoleum, a visual inspection should be performed to ascertain the overall condition of the building. Any unsafe or deteriorating condition should be noted and essential repairs performed as needed.

## **COMMUNITY MAUSOLEUM ENTOMBMENTS**

Community mausoleums are not common in parish cemeteries. They are expensive to build, but crypts and niches (for cremated remains) command much higher revenues than in-ground burial

2. If the crypt front for a designated entombment is warped or does not move freely, a qualified monument dealer may be needed to correct or handle the situation.
3. Once a crypt front has been removed, the interior of the crypt and the interior of the mausoleum must be swept. In some instances on mausoleums not under annual care, the family may authorize a more thorough cleaning to be done by assigned personnel.
4. The family may choose either chapel or crypt-side committal. On crypt-side committals, when feasible, the area for committal should be directly in front or along side the family mausoleum.
5. On tiers 3 and above, a mausoleum lift or scaffolding will be needed.
6. If there is an inner crypt front, it must be completely sealed. If no inner front, outer front must be properly sealed using masking tape to protect the surrounding edges and the appropriate caulk as determined by the mausoleum design. Caulk joint should be a minimum of 1/4-inch thick.
7. After entombment is complete, the surrounding area should be cleaned and family items replaced. The door should be locked, and the key returned to the appropriate location.

### **Niche Entombment or Inurnment**

Placing cremated remain in a niche is far less complicated than full casket entombment. Here are a few pointers.

1. Niche fronts usually cover up to 4 niches. The fronts are heavy and brittle and need to be handled carefully as with crypt fronts.
2. Prior to inurnment, the niche should be cleaned of any debris or dust.
3. Placement of the urn is relatively simple, and the presence of those attending the funeral is usually not an issue.
4. The niche front is replaced and aligned.

## **DISINTERMENT**

### **Authority to Disinter**

1. Disinterment or removal of a body may be permitted with the request and consent of a surviving spouse, children, and parents. Next of kin or a designated person responsible for the deceased person may also request a disinterment if all surviving next of kin agree to the removal.
2. The cemetery has the right to allow or deny a disinterment. The cemetery should only deny a disinterment when there is question as to the validity of the requestor(s), or there is danger of denigration of adjoining graves.
3. A court order to disinter can override the authority of the cemetery and can be used if there are conflicts among the responsible family members. However, getting a court order can be very expensive, and the cemetery should work directly with the requesters to the extent possible if there are no family conflicts and the removal is physically possible.

### **Documentation**

1. When a disinterment request is made, a *Disinterment Request Form* should be completed to determine who are the responsible persons and other relevant facts. A suggested *Disinterment Request Form* follows this section. The information included on the request form should serve as checklist of all the information and factors regarding the feasibility of the removal.
2. After the determination is made by the cemetery that the removal is feasible and relevant facts gathered, a *Letter of Disinterment* should be prepared with the appropriate words and space provided for the signatures of all the persons who must agree to the disinterment. A sample letter follows for reference. Only after all signatures are in place should the cemetery approve the removal by signing the document.

### **Other Considerations**

1. The cemetery the family obtain a disinterment permit pursuant to Virginia Code 32.1-265. This requires as well a funeral director to be assigned the permit.
2. The family should not be allowed to be present while the disinterment. Natural decomposition and deterioration can result in very unsightly conditions to be present.
3. For the same reasons, never allow the casket to be opened to view the remains.
4. If the casket is to be removed from the vault, the vault must be destroyed and the cost included in the removal fee.
5. If there is a memorial on the grave or lot, the memorial may have to be removed or the name of the person removed.
6. Families should be counseled to consider the implications of a removal seriously. Is the decision consistent with the intent of the deceased? Are all family members in favor of the removal? What is real reason for wanting to move a deceased person and are there better alternatives available?
7. For these reasons, the price to do a removal should be high enough to insure that not only out of pocket costs are covered but the administrative time and expense is included. The intent is not to overcharge but insure that the cost is not so low that removal is encouraged to merely satisfy what may be an impulse decision.

## DISINTERMENT REQUEST FORM

**Person requesting disinterment:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**Name of Deceased:**

Name: \_\_\_\_\_ Location: \_\_\_\_\_

Date of Burial: \_\_\_\_\_

**New Location:**

Location: \_\_\_\_\_

Owner of Lot: \_\_\_\_\_ Deceased: Yes  No

Will burial space be returned to cemetery? Yes  No

Funeral home and contact person: \_\_\_\_\_

**Names of relevant surviving family members and relationship:** (Spouse, children, parent(s), or designated person responsible for the deceased)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Memorial Type: \_\_\_\_\_ Moved  Destroyed

Vault Type: \_\_\_\_\_ Moved  Destroyed

**Notes:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Cemetery Approval:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## LETTER OF DISINTERMENT

I (We), the undersigned, (spouse) (sole-surviving nearest of kin) (children) of (name of deceased), who was interred on (date), in (location, section, grave number) in (name of cemetery, hereby apply for the removal of their remains from the above grave to (identify new location within or outside of cemetery).

The above removal will be made in a timely manner at the convenience of the cemetery.

We also agree to indemnify the authorities of (name of cemetery) against any and all claims arising from this action.

### **Signatures:**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Notary Public: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

### **Cemetery Approval:**

Name of Cemetery: \_\_\_\_\_

Name of appropriate authority: \_\_\_\_\_ Signature: \_\_\_\_\_

## INTERMENTS

### ***Burial Service Order***

When a burial occurs in the cemetery, a burial service order will be prepared. This service order ensures that the funeral director, the cemetery, the person or firm doing the location opening are all aware of the exact location as well as other important information about the burial. In the event there is an issue with plot location or any circumstance regarding the burial, this document serves as a written record of what took place in arranging for the burial.

The burial service orders will include the following information.

- The day and date of the funeral
- The exact name of the deceased including any a.k.a. (also known as) names
- The name of the church or other location that the funeral is coming from. Usually, this is the parish church, but it can be different.
- Adult or child
- Full body or cremated human remains
- The exact location including section, lot, tier according to location as designated on cemetery maps and records
- The relationship of the deceased to the location/lot owner
- The size, type, and model of the vault including the vault dealer's name
- The name of the funeral home
- The name of the person who located the plot location
- The name of the person writing the order
- The signature of a person, either a family member or their representative, who has reviewed the information and approved the opening of the grave as identified on the funeral order. In many cases, this will be the funeral director since typically arrangements are handled by the funeral director.

## RECORD KEEPING

### ***Confidentiality***

**Civil:** Generally, cemetery records are public information. This applies only to burial information. Financial information and proceedings or minutes of advisory or committee meetings are not public records. Cemetery records regarding ownership of burial rights and interments should be limited to names, addresses, and dates, transfer of rights and relationship of deceased to owners of the rights. Information as to cause of death, and other personal information, should not be included in cemetery records.

**Church:** Canon 535, Section 1 states: "Each parish is to possess a set of parish books including baptismal, marriage and death registers as well as other registers prescribed by the conference of bishops or the diocesan bishop; the pastor is to see to it that these registers are accurately inscribed and carefully preserved." Section 4 of Canon 535 states in part: "Each parish is to have a registry or archive in which the parish books are kept along with the Episcopal letters and other documents which ought to be preserved due to necessity or usefulness; ...; the pastor is to take care that they do not come into the hands of outsiders."

In summary, cemetery records are limited only to essential patron information and are placed in a secured location and are accessible to appropriate cemetery personnel.

### ***Standardization and Form of Records***

Cemeteries choose many methods and formats to keep records such as cemetery maps, burial location cards, and cemetery software systems.

## SALES CONTRACTS

Sales of rights to burial space should be documented in the form of a retail sales contract. The contract should be very specific as to

1. who the purchaser is
2. what is being purchased and for whom the rights are being purchased
3. the terms of payment
4. the conditions of sale as explained in the form, using plain and simple English standard legal terms, on the back and/or front of the contract

Contracts may seem superfluous in a small parish or cemetery but contracts for sale of perpetual burial rights will be around for a long time and will pass to future generations. In these times when litigation is viewed as a means of redistribution of wealth, the sales contract provides some legal protection as well as being a professional way of conducting business. Sales contracts should be signed by both the buyer and the seller. The buyer should be given a copy for their permanent records.

## CERTIFICATES

The purchaser of burial rights cannot take them along when they complete the transaction. Therefore, a certificate of burial rights should be given to the purchaser. The certificate provides physical evidence that the purchaser owns the rights. This document should be kept in a safe place by the purchaser and a copy kept by the cemetery. The document is a permanent record of ownership of rights and may be needed for many future generations.

Certificates should be given a unique number for control purchases, and that number should appear on all other documents pertaining to the sale and ownership of the rights of burial including the Sales Contract, the lot card, and interment record. The certificate should bear the signature and title of a responsible person representing the cemetery.

The description of the burial rights on the certificate must be very specific as to the number of spaces and their exact location as described on cemetery maps and other documents.

Sometimes the term deed or easement is used to describe documents which prove ownership to burial rights. However, deed is a term used to describe real estate which implies far broader rights to its use. Easement is also a real estate term meaning to allow access to real estate owned by someone else. While burial rights are a form of easement, the rights acquired are very specific. Therefore, a Certificate of Burial Rights is very specific as to what the buyer has acquired.

A Sample Retail Installment Contract document and a Certificate of Burial Rights follow this page. These documents may be prepared by computer and printed or prepared in paper form.

The name(s) of the original purchaser(s), the lot and section will always be clearly stated. The transfer will also state whether the person making the transfer is allowing the right of transfer to be or not be re-transferred.

This document will be prepared by the cemetery and the completed; signed document kept as a permanent cemetery record. The transfer information will also be recorded on the Lot Card and cross-referenced to the transfer file.

## **TRANSFER OF BURIAL RIGHTS**

The right of burial may be transferred to other persons with the permission of

- the person(s) that owns or inherits the rights from the purchaser and
- the permission of the cemetery.

The cemetery will not deny a transfer unless the transfer would bring public scandal to the Church in some manner or if the transfer is not valid for some other reason such as not all owners or heirs consenting to the transfer.

The right to transfer burial rights follows the same lineage as burial. The rights begin with the purchaser(s) if they are alive. The rights then pass to surviving spouses and children, then to grandchildren and so on.

Transfer authority will always be in the form of a written consent document with all the purchasers or heirs signing the transfer document. The signatures must be notarized to insure their validity. Transfers can get very complicated if the rights have descended beyond the first generation. There can be several children or grandchildren etc. as each generation passes and the numbers of heirs expand. It is important to remember that rights do not pass to the next generation unless all the previous generation is deceased. Thus, a surviving spouse has exclusive rights until his or her death. Then all living children have equal rights. It is not necessary to get consent for a transfer from heirs beyond the oldest living generation.

**LETTER OF TRANSFER**

I (we), the undersigned, original purchaser(s) of (show lot number and section location), in (name of cemetery), hereby transfer the right of burial in (number of graves or specific grave numbers) location(s) on the above location/lot to (name(s) of transferee's and relationship if appropriate) for their (his or her) interment at the time of their decease.

This transfer is subject to the rules and regulations of (name of cemetery). The above location(s) (are) (are not) re-transferable.

I (we) also agree to indemnify the authorities of (name of cemetery) against any and all claims arising from this action.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Notary Public: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Notary Public: \_\_\_\_\_

## LETTER OF TRANSFER

I (we), the undersigned, sole surviving nearest of kin (relationship to owner may be added) of (name(s) of original purchaser(s) of (show lot number and section location)), in (name of cemetery), hereby transfer the right of burial in (number of graves or specific grave numbers) location(s) on the above location/lot to (name(s) of transferee's and relationship if appropriate) for their (his or her) interment at the time of their decease.

This transfer is subject to the rules and regulations of (name of cemetery). The above location(s) (are) (are not) re-transferable.

I (we) also agree to indemnify the authorities of (name of cemetery) against any and all claims arising from this action.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Notary Public: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Notary Public: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Notary Public: \_\_\_\_\_

## REVENUE SOURCES

Cemeteries receive revenue primarily from four sources,

- sales of burial rights
- earned income from burials, other services
- interest, dividends and capital gains from investments
- gifts, donations, and bequests

### **Sales of Burial Rights**

Revenue from sales of burial rights should be the major source of income for an active cemetery. The money received from sales buys the purchaser(s) perpetual right of burial in a specific location and a guarantee for the maintenance of the space for the life of the space. Some cemeteries will specifically identify the price of the rights to the space and the price of the maintenance. However, the cemetery has an obligation to maintain the space and selling the burial right without a provision for the long cost of maintenance is not the best option. Therefore there should be one overall price thus not limiting how much is set aside for maintenance.

Sales revenues should not be viewed as just a source of income to cover operating costs. Burial space is limited and must be replaced in order to have an on-going revenue stream from sales. Prices need to be set to include the replacement cost of the space, the development cost of the space and an amount sufficient to insure adequacy of the permanent maintenance fund. In addition, prices should include a markup to cover cemetery administrative expenses.

### **Earned Income**

**Burial fees** - Fees for interments/entombments (grave openings) are the major source of earned income. In many parish cemeteries, this work is handled by outside contractors. The price charged by the cemetery should not be simply the price charged by the contractor. Clearly, all of the expense incurred in grave preparation, closing and repairs to the turf and landscape, both on the part of the contractor and cemetery personnel need to be included. In addition, the administrative cost of making arrangements on the part of the cemetery, record preparation, processing and archiving involve staff time and expense that need to be included in the charges.

**Foundations** - The same rule applies to foundations as to burials. A proper application for a foundation needs to be prepared and processed and a permanent record of the foundation kept by the cemetery. Thus all contractor charges, cemetery field work, and the administrative costs need to be included in this service fee.

**Investment Income** - Investments earn income for the cemetery in the form of interest, dividends and capital gains and losses. Interest, dividends and capital gains from operating funds may be used at the discretion of the cemetery. However, caution must be applied in using capital gains. There may be future capital losses to contend with. Only long term excess capital gains, over and above the growth necessary to keep up with inflation, should be considered as available to fund operations.

For Permanent Maintenance funds, only interest and dividend income can be used. Capital gains, both realized and unrealized, must remain as principal in the portfolio. Furthermore, the interest and dividends used from permanent maintenance should not exceed the maintenance cost of the cemetery. The same rules apply to Perpetual Care income except that the interest and dividends can only be used to care for the specific spaces(s) for which the funds were designated by the donor(s).

An adequate Permanent Maintenance Fund is critical because when the cemetery no longer has burial rights available to sell and there are no burials, the cemetery must still be maintained. At that point, the income generated from Permanent Maintenance investments will be the only source of funds to pay for maintenance of the cemetery.

### **Gifts, donations, and bequests**

People sometimes leave bequests in their wills to care for the cemetery in which they are buried. Others will donate gifts in memory of person(s) or simply make gifts out of generosity. Such gifts should be placed in the cemetery Permanent Maintenance Fund unless designated for care of specific space, in which it becomes a Perpetual Care account.

If people inquire about making bequests, they should be encouraged to make an unrestricted gift to Permanent Maintenance using the rationale that upkeep of a cemetery goes beyond a specific space. Trees, flower beds, roads, paths, fences, and gates are also part of the beauty of the cemetery and funds are needed to care for the entire cemetery including individual burial spaces.

### **Collections and Fund Raisers**

Another source of income is collections or fund raisers. Collections are never desirable but can be used if the cemetery is significantly under funded. **Collections for such purposes must have the approval of the Diocese before implementation.**

Funds raisers such as bake sales, rummage sales, raffles or other special events are another option. Such events to be successful require extensive planning, time and preparation and should not be attempted without experienced persons leading the event. They may also require special permits, local code approval and approval of the Diocese. If a group of dedicated parishioners and/or space holders are willing to put on such an event and commit to the time and effort required, the opportunity to raise needed funds can be very attractive.

## CEMETERY FUNDS

**Separation of Cemetery Funds from Parish Funds** – The funds of the cemetery must not be commingled or combined with parish funds. The cemetery, although in most cases legally part of the parish, is a clear and distinct unit. The funds should be separated both by accounting records and held in separate bank and investment accounts specifically identified by the name of the cemetery.

The rationale for this is that funds received by the cemetery, either from sales, service income or contributions are earmarked exclusively for the cemetery by the customer or donor. Therefore, the customer or donor has provided these funds for cemetery spaces, services or exclusive use in the case of contributions. Therefore, these funds are restricted for the exclusive use of the cemetery and cannot be used for any other purpose.

### Types of Cemetery Funds

There are several cemetery funds which have clear and distinctive purposes. It is very important that pastoral leaders, cemetery administrators and persons responsible for the oversight of cemeteries understand the purpose and distinctions of each fund. The various funds most commonly used include:

1. Operating Fund
2. Perpetual Care Fund
3. Other funds such as Capital fund or other special purpose funds.

### Operating Fund

The Operating Fund is used for the day to day operations of the cemetery. The fund includes the monies received from burial and other cemetery services, the portion of sales of burial rights *that is not designated for Permanent Maintenance* and other unrestricted sources of income. Cemetery operating expenses are paid out of this fund. Although the fund is essentially unrestricted, it should be managed separately from the parish operating funds.

The Operating Fund may consist of simply a checking account. If there are sufficient funds available, amounts above and beyond day to day needs should be invested in money market funds or some form of longer range securities to generate greater rates of return. (See Guidelines for Investing Cemetery Funds)

### Perpetual Care Fund

The Perpetual Care Fund is the long-range care fund of the cemetery. The purpose of the fund is to generate sufficient income to maintain the cemetery in “perpetuity.”

This fund is set up as a trust fund. The principal in the trust fund must remain and only the income used to maintain the cemetery. ***The funds in the Perpetual Care Fund can not be used for any other purpose than to generate income to maintain the cemetery. In no case can the parish borrow from these funds, use them as collateral for a loan or encumber them in any manner.***

## CEMETERY LANDSCAPING

Attractive landscaping provides beauty and tranquility to the cemetery. Careful planning, plant selection, and grouping can enhance the cemetery’s natural terrain, as well as its manmade features. This section discusses basic landscape design and offers suggestions for maintenance.

### Landscape Design

Cemetery landscaping involves arranging or modifying natural scenery to provide the best aesthetic effect, considering the eventual use of the land. Landscape design should:

1. Preserve and enhance the cemetery’s sacred character
2. Maintain a sense of order and beauty
3. Provide economy in future maintenance

Nature is the greatest landscaper. Although nature’s own plants sizes, shapes, textures, and colors are irregular, they blend beautifully. In groupings, one plant usually dominates, while others act as a backdrop. Following nature’s lead in the cemetery, landscape helps produce a well-designed, attractive overall view.

Here are some guidelines for establishing a new or revised landscape design:

1. Establish a focal point and build the landscape design around it.
2. Select plantings, whether formal or informal, for initial and future appearance.
3. Allow for the most efficient use of space.
4. Consider geographical location, topography, and soil conditions within the cemetery.
5. Do not overplant. Trees and shrubs will grow and should not be crowded.
6. Vary and blend colors attractively.
7. Include annuals/perennials/ornamental grasses for color and texture.
8. Consider any local animal browsing (deer, rabbits, etc.)

Tree selection depends on the desired effect. Shade trees take up more space than small ornamental trees. When planting in sections, reserve at least four grave spaces around each shade tree. Consider future tree size, root structures, and fall leaf clean-up when selecting quantity and type.

Consider where trees will most enhance the beauty of the cemetery and present the most natural appearance. Trees need not be confined to walkways or other areas unsuitable for graves.

Evergreens provide excellent wind barriers and screening along fences. Allow room for growth and keep them trimmed away from fences and power lines.

Consider growing conditions and eventual maintenance requirements when selecting shrubs, since pruning and weeding can be expensive and time-consuming. Use shrubs as screening around structures, features, and entrances.

Annual or perennial flowers can add highlights of color to the cemetery landscape. However, because these plants require considerable maintenance, limited use may be desirable.

### **Landscape Maintenance**

Landscape maintenance often falls to low-priority status, though it is the task that most directly affects the cemetery's overall appearance. Keeping lawns, gardens, shrubs and trees in top condition enhances the cemetery's grace, and provides an environment that fosters prayerful remembrance.

Regular care guarantees that the cemetery's landscaped grounds retain their appearance throughout the year. These guidelines are designed to help establish landscape maintenance routines.

### **Bed Maintenance**

Tree and shrub beds should be prepared and mulched to a depth of two inches. Preparation consists of loosening the existing layer of topsoil and amending the soil as required. If organic mulch is present, cultivate the mulch into the top layer of soil, then add a two-inch layer of new mulch. Avoid mounding mulch around plant stems and compacting new mulch. Occasional weeding and loosening mulch will keep plant beds neat throughout the growing season. Use of pre-emergent herbicides with mulch will reduce weeding during the growing season. When non-organic mulch such as stone chips is used, place landscape fabric between the existing layer of top soil and new mulch. This limits weed and grass growth. Maintaining manicured edges gives a finished appearance, and prevents grass from encroaching into plant beds.

### **Shrub and Tree Pruning**

Except in the case of formal hedges, pruning should retain the natural shape of a tree or shrub. To maintain the look and health of shrubs and trees, remove dead limbs as soon as possible.

This suggested timetable useful in deciding when to prune ornamental trees and shrubs.

1. Summer-flowering trees and shrubs should be pruned in late winter.
2. Spring-flowering trees and shrubs should be trimmed after blooms have faded.
3. Evergreen shrubs should be pruned after new growth in spring, mid-summer, and fall.
4. Non-flowering, leaf-bearing trees should be pruned in late autumn after leaves have fallen.

Periodic inspection and maintenance of mature leaf-bearing trees enhances their appearance and reduces safety hazards from broken or fallen branches. During regular inspections look for the tree conditions listed below. If these conditions exist and cannot be remedied by cemetery staff, a professional tree service company should be consulted:

1. Broken or dead limbs or branches
2. Low-hanging branches
3. Overgrown tree crown (the crown of a mature tree should be periodically thinned and shaped to allow the wind to pass through the tree, and to stimulate new growth)
4. Broken or split tree crotch where the main trunk branches off

Cemeteries with a proliferation of mature trees may wish to consider engaging the services of an arborist to inventory and inspect trees and recommend appropriate care. Establishing a maintenance plan will improve tree health, and help estimate future tree care costs. For larger operations with many trees, computer software programs are beneficial in managing tree maintenance programs.

## **CEMETERY GROUNDS MAINTENANCE**

A well-maintained Catholic cemetery creates a positive impression on visitors, lot owners, and can be a source of pride for the parish. A well-groomed attractive cemetery can be attained by regular, general maintenance, complemented by seasonal care.

### **Regular, General Care**

A regular care program includes periodic inspection of buildings and grounds for problems that need correction. Most cemeteries assign their first priority to interments, followed by foundations, maintenance operations, grass cutting, and special projects.

It is important to the cemetery's image that entrances, exits, and feature areas, are neat, clean, and well maintained.

### **Spring Cleanup Program**

Spring is an ideal time to create a favorable impression for visitors because it is the season of greatest visitation to the cemetery.

Spring maintenance will begin as soon as conditions permit. A typical spring/summer maintenance program starts with an early grounds clean-up to remove excess leaves, left over winter decorations and other debris that may have accumulated over winter. Some families may wish to keep their decorations so a notice will be posted on the grounds and in the church bulletin of the removal dates so that people are aware of the dates and can retrieve their decorations before cleanup begins.

### **Grass Cutting/Weed Control**

Regularly scheduled Grass cutting and weed control may be performed with paid cemetery workers, volunteers or contractors.

### **Tree and Shrub Maintenance**

From time to time, the cemetery, at its sole discretion, will evaluate and maintain trees and shrubs in the cemetery. CFCS Richmond reserves the right to plant and or remove trees and shrubs at anytime.

## **MAUSOLEUM MAINTENANCE**

A program of regularly scheduled maintenance is the key to retaining the clean and orderly appearance of a mausoleum, thus retaining its value as an attractive asset to the entire cemetery. The frequency and extent of efforts will depend on the number of visitors, the size and type of building, and policies regarding flowers and ornamentation.

Following is an example of possible a routine, and may be altered to fit the cemetery's needs.

**DAILY** - Check for unsightly flowers or unapproved decorations, spills, fingerprints, dirty or damp floors, trash or debris not disposed of, burnt out or broken lights. Check for odors, seepage, and any signs of infestation – investigate and correct immediately.

**WEEKLY** - Vacuum interior carpets including cobwebs along ceilings and walls, clean bathrooms and flower sinks.

**MONTHLY** - Check windows, doors, and entryways for unsightly dirt and smudges as well as tripping hazards such as heaved or loose tiles, frayed or upturned rugs, sticking doors, check clogged or slow-running plumbing, loose or missing caulking.

**ANNUALLY SPRING** - Thoroughly clean the building inside and out; check the condition of summer-use items such as fountains, air conditioning or ventilating systems; check roofs, windows, sheetmetal flashing, skylight, etc., for winter damage.

**SUMMER** - Construction, repair and replacement work, check drainage and plantings. Check for insect infestations and make appropriate corrections as soon as possible.

**FALL** - Clean roofs, gutters, and downspouts. Check heat tapes in internal roof drains for proper operation. Turn off and blow out outside hosebibbs.

## **MAUSOLEUM PROBLEMS**

There are three main problems which may exist within crypt chambers. These problems are bodily fluid leakage, decomposition odors, and insect infestation. These problems demand a broad, integrated system of controls. The approach recommended by entomologists is an Integrated Pest Management Program. For mausoleums, this Integrated Pest Management Program involves four inter related approaches:

1. Cultural Controls – provide proper drainage and landscaping; prohibiting the use of fresh flowers; performing proper janitorial follow-up; and controlling temperature and humidity.
2. Mechanical Controls – include sealing and screening out insects. This approach prevents insects from getting into areas where they can breed.
3. Physical Controls – focus on monitoring the proliferation of insects.
4. Chemical Controls – focus on the application of pesticides to reduce the infestation. Pesticides can be applied as dust or liquid to crypt interior areas.

Any dis-interments from the ground should be placed in a casket enclosure. The casket enclosure is designed to control and contain bodily fluid leakage and decomposition odors.

Cemetery workers should be alert for tell-tale odors and staining. All suspect areas should be noted for follow-up and correction.

## **MEMORIALIZATION GUIDELINES**

### **Right of Memorialization**

Lot holders or their successors in burial rights have the right to erect a memorial subject to the space on the lot and in accordance with the rules of the Cemetery as to dimensions and styles which vary by section.

### **A Catholic Cemetery is a Sacred Place**

As a Catholic cemetery, its lot and crypt holders have a responsibility for maintaining the religious character of the Cemetery. In the Canon Law of the Catholic Church, a Catholic Cemetery is identified as a “sacred place.” Just as a church is consecrated, so is a cemetery consecrated by a bishop as “sacred ground.” Canon #1210 states that “in a sacred place, only those things are to be permitted which serve to exercise or promote worship, piety and religion. Anything out of harmony with the holiness of the place is forbidden.”

- Therefore, individual memorials and memorialization inscriptions should fundamentally and primarily reflect these truths and complement the sacred nature of the cemetery. The cemetery as a whole, as well as individual memorials, should seek to edify, encourage and build up the body of Christ.

The Church also proclaims that each person is someone, unique and unrepeatable. (Christifidelis Laici, #136) The universal and unchanging nature of our faith does not ignore the individuality of human beings, nor is it opposed to the absolute uniqueness of each person.

- Therefore, expressions of the uniqueness of the individual can also be a part of acceptable memorialization.

Both the location/lot holder and the Cemetery share this responsibility. The location/lot holder in concert with a CFCS employee through a professional monument dealer will typically design a memorial which reflects the style and design desired by the location/lot holder, within the dimensions and material requirements specified by the rules and regulations pertinent to the section in the Cemetery. Representatives of the Cemetery will review and approve the design before a permit is issued to erect the memorial. In addition to meeting the dimensional and material requirements, these three criteria will determine the final approval as to inscriptions and graphics.

- 1. The design, inscriptions and overall appearance must maintain the sacred nature of the cemetery.** The dominant theme must be of a religious nature, as characterized by a Christian cross or other readily recognized religious theme.
- 2. The design must edify and encourage those who view it.** Names should be clearly visible. Designs must be in good taste and should have positive meaning for persons who knew the deceased in his or her life time.
- 3. The design must not detract from the sacred nature of the cemetery.** Designs and inscriptions can reflect the human spirit and character of the deceased but must have no negative connotations which can be construed by anyone, whether acquainted or not, as other than complimentary and charitable. Likewise, depictions of hobbies, pets, sports or other such elements of the persons life are properly reflected in memorabilia and pictures passed on to descendants and are not something to be inscribed on monuments since they can detract from the sacred nature of the cemetery.

### **Memorial Application**

Memorials will only be placed on plot locations once it has been verified by the cemetery that the location has been paid in full and no outstanding monies are owed. In order to insure compliance with the design criteria established by the cemetery, all memorials ordered through an outside professional monument dealer will require an application that identifies the material including color, dimensions, and inscriptions. A dimensional sketch should be provided by the memorial dealer showing the all inscriptions, designs and lettering that will be included in the final design. The sketch should be a part of the application.

The cemetery has the right to refuse permission to place a marker or monument that does not meet CFCS Richmond standards.

The Cemetery, lot owner, their heir or agent must approve the application and final memorial sketch prior to placement of memorial.

The monument dealer must agree to abide by the rules of the cemetery and to prepare and set the monument per the terms of the application by signing the application.

And finally, a cemetery representative should approve the application in writing thereby reserving the right to reject a memorial that does not comply with cemetery design criteria.

### **Memorial Location**

Memorial types such as flat memorials, pillow top and upright memorials are designated throughout the cemetery, and only certain types of memorials may be allowed in certain plot locations throughout the cemetery. CFCS Richmond reserves the right to reject a memorial based that does not comply with the designated memorial type based on plot locations throughout the cemetery.

### **Foundation Construction**

All memorials will require a memorial foundation to secure the memorial.

### **Crypt and Niche Memorialization**

Crypt and Niche memorialization will be in the format of one of the following, bronze lettering, bronze plate or inscription within the granite or marble. Font types and sizes are determined by CFCS Richmond, based on the crypt and or niche location within the cemetery to keep the appearance of the cemetery. CFCS Reserves the right to reject any non-approved memorials that do not comply with memorial regulations. Photo tiles and emblems are allowed and available for purchase through the cemetery.

## RULES AND REGULATIONS OVERVIEW

Rules and regulations may vary widely among parish cemeteries depending on location, size, activity and any number of factors which make cemeteries unique. The attached document beginning with **Preface** and continuing through **Memorialization** are taken from the Rules and Regulation for CFCS Richmond Cemetery which covers both diocesan and parish cemeteries in the Diocese of Richmond. Therefore, the Rules and Regulations are extensive, comprehensive and relatively complex to maintain order in that sort of setting. They are published in this Handbook with the intent to be a guide to the areas that should be considered when determining parish and regional cemetery rules.

Typical parish Rules and Regulations may only pertain to visitation and planting rules for example. They may also include rules regarding parish affiliation. Typically, parish cemetery rules will be an abbreviated version of what is detailed here. The most common rules on a quick reference one or two-sided brochure and as a sign near the entrance of a cemetery.

Parish cemetery rules may include only

- conduct while on cemetery grounds
- hours and seasons of operations
- where to obtain information

Rules and regulations regarding, purchases of burial rights, making funeral arrangements, memorials or grave decorations, owners' rights and responsibilities may be limited to personal contact with parish or CFCS Richmond.

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