

**PROPOSED COPY
OF
ST. JOHN THE
BAPTIST CEMETERY
RULES AND
REGULATIONS**

AS OF OCTOBER 15, 2015

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A. Purpose of Cemetery

The Catholic Cemetery is intended for the interment, entombment, or inurnment of Catholics who are entitled to Christian burial according to the rules of the Roman Catholic Church.

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

The interment of other non-Catholics may be allowed on rare occasions on recommendation of the Cemetery Committee and approval of the Pastor of St. John the Baptist Church.

The term "Management" in this document refers to the Pastor and Cemetery Committee of St. John the Baptist Church, Marietta, Ohio.

B. Admission to Cemetery

The Management reserves the right to refuse admission to the Cemetery to any persons who are not there for the sole purpose of burying the dead, visiting a grave, or paying respects to the memory of the dead.

C. Purchase of an Interment Deed

Lots in the Catholic cemetery are not sold in the sense that the title to the soil passes to the purchaser. What is granted is the exclusive and perpetual right to burial in these lots as long as the rules and regulations of the cemetery are met.

D. Grave Sizes and Restrictions

NOTE: Prices are subject to change and are in a separate document. Check with the Parish Office to confirm the latest values.

- a. The monument is to be located at the head end of the casket (typically the west end of the plot) and can be an above ground monument. It can be used for a single body burial, a body plus a cremated remain (close family member), or up to four cremated remains (immediate family members). Any monument beyond the one at the end (which can have multiple names) must be level with the ground.

The casket must be enclosed in a concrete vault or concrete liner with lid. Infant burials must be in a combination casket and vault. Cremated remains must be in a crush resistant container (examples: wood box, metal urn) or vault.

When cremated remains are shipped in from out of state for burial with no ceremony or involvement of a funeral home, the ashes should be shipped directly the Parish Office has been notified and agreement has been reached with the grave digger for the burial.

The casket may not be opened at any time within the Cemetery without the express permission and in the presence of the Management. The Management reserves 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. In the event necessity requires, the Management may take appropriate steps to correct any obnoxious or improper conditions. When it has been approved by the Management, a casket may be opened by a funeral director.

Besides being subject to these rules and regulations, all interments and removals shall be subject to the orders and laws of the properly constituted authorities of the city, county, state, and federal, including the Regulations of the Department of Health.

E. Disinterment and Removals

Any disinterment or removal will be handled by a funeral director. However, the cemetery Management must be notified prior to such action. The funeral director will provide Management with copies of the legal documents authorizing the disinterment or removal.

The Management shall assume no liability for the damage incurred to any casket or vault during the disinterment and removal.

The cost of interment, disinterment, and removals will be borne by those requiring the action – for example: the legal representative of the deceased or the court ordering the disinterment. The Management shall have the right to designate the hour and manner in which interments, disinterment's and removals will or will not be permitted.

F. Service Charges and Payments

The Management shall have the right to establish a charge and time of payment for each interment, disinterment, removal, and for the performance of any other service rendered by the Management; and all work in connection with such service as shall be subject to the determination and supervision of the Management. Fee must be paid in full before the interment or other action proceeds.

The Management reserves the right to review and adjust the fees and fee schedule as needed.

G. Right to Replat

The following rights and privileges are hereby expressly reserved to the Management to be exercised at any 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 or interment of, human dead bodies or other Cemetery purpose:

1. To resurvey, enlarge, diminish, replat, alter in shape or size, or otherwise to change all or any part or portion of the Cemetery.

2. To layout, establish, close, eliminate, or otherwise modify or change the location of roads, walks or drives, provided that ingress and egress to and from any burial space is preserved or is allocated to the easement rights holder.

The following rights and privileges are hereby expressly reserved to the Management, to be exercised at any time:

Easements and rights of way over and through all of the Cemetery premises for the purpose of installing, maintaining and operating pipelines, conduits, or drains for sprinklers, drainage, electric or communication lines or for any other Cemetery purpose.

H. Use of Cemetery – Ornaments, Flowers, and Related

To meet both cemetery maintenance needs and the desire of relatives to decorate graves:

1. The use of coping, curbing, fencing, hedging, stone or wood chips, planted flowers, and votive lights are forbidden.
2. Use of temporary flowers (cut or artificial) is permitted. Where containers for the flowers are not part of the monument, they should be in a cone shaped container immediately adjacent to the monument or mounted on top of above ground monument with a bracket. Wreaths on free- standing frames are not permitted during the grass cutting season (April through October). Flowers are to be removed when they have deteriorated. 3. Planted flowers, shrubs or trees are not permitted.
4. American Flags: Deceased who were veterans may have a small American flag immediately adjacent to the above ground monument. Metal flag holders are permitted. Management reserves the right to remove flags that have deteriorated.
5. Solar powered lights are discouraged, but a single unit per grave is permitted when it is placed immediately adjacent to the monument.
6. Special restrictions apply for the “cremation only” or “cremation above a body burial” graves. Since there is only a ground level monument, the only decorations permitted during the grass cutting season are:
 - a. A container of flowers from three days before to seven days after Memorial Day.
 - b. If the deceased was a veteran, a small American Flag from three days before to seven days after Memorial Day, the Fourth of July, and Veterans Day.
7. Glass is not permitted.

The Cemetery shall not be liable for any flowers or floral containers placed at the grave on the day of the funeral nor for any other flowers or floral containers placed for the memorialization of a burial space at any time after the interment.

The Management reserves the right to remove any flowers, vases or floral designs, or any other items when they detract from the beauty of the Cemetery or violate the cemetery rules and regulations.

I. Grading and Improvements

All grading, landscaping and improvements of the Cemetery will be made by the Management.

The Management reserves the right to use legally approved chemical applications to beautify the Cemetery properties.

J. Cemetery Hours

The Management shall have the right to establish the opening and closing hours of the Cemetery

K. Loss or Damage

The Management disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage by an act of God, the elements, earthquakes, war, common enemy, air raids, invasions, insurrections, riots, order of any military or civil authority, thieves, vandalism, malicious mischief, explosions, unavoidable accidents, or any cause similar or dissimilar beyond the control of the Management whether the damage be direct or collateral. In the event it becomes necessary to reconstruct or repair any section of a burial space, including graves or crypts or niches or any portion or portions thereof in the Cemetery, which has been damaged by such causes

Easement rights holders are advised that memorials are not Cemetery property, but remain the personal property of the holder. Therefore, the memorial should be insured through the holder's homeowner's insurance policy.

L. Easement Rights Holder's Change of Address

It shall be the duty of the easement rights holder to notify the Management of any change in his post office address. Notice sent to a holder at the last address in the Management's records shall be considered sufficient and proper legal notification.

M. Care

"Care" is to be understood as that care and maintenance necessitated by natural growth of grass owned by the Cemetery, and includes planting, cutting, and care of lawns, and the cleaning and maintenance of roadways, and walks.

The term "Care" shall in no case mean the maintenance, repair or replacement of any memorial placed or erected upon any burial space, nor the planting of flowers or ornamental plants; nor does it mean the reconstruction of any marker, granite, bronze or concrete on any burial space or any damage beyond the Management's reasonable control.

N. Memorials and Rules for Memorial Work

For the purposes of these rules and regulations, the terms "memorial", "tombstone", "headstone", "monument" refer to the same thing. "Above Ground" means that the monument is upright. "Ground Level" means that the monument is flush with the ground.

A monument must be installed within one year of a burial. Minimum requirement is a granite or stone monument flush with the ground, at least 4 inches thick, that displays at least the deceased's name and years of birth and death.

All monuments must have a concrete foundation to minimize the chance of monument movement and damage as the ground settles or equipment runs over it.

The following maximum size restrictions apply to new monuments:

- Standard grave –single grave (4 feet): 36 inches long
- Standard graves – double grave (8 feet): 72 inches long
- Cremation-only or infant (3 feet): 24 inches long
- Contact Parish Office for monuments spanning more than two graves.

Memorial dealers shall abide by all the rules and regulations of the Cemetery.

The location and position in which a memorial is to be placed or erected on a burial space shall be entirely subject to the approval and under the supervision of the Management. Management should be contacted to mark the exact grave site before a tombstone is set.

Non-Cemetery workers engaged in placing or erecting monuments or other structures, are prohibited from scattering their material over adjoining burial spaces, or from blocking roads, or walks, or from leaving their material on the grounds longer than is absolutely necessary.

While the Management will exercise all possible care to protect raised lettering, carving, or ornaments on any memorial or other structure on any burial spaces, it disclaims responsibility for damage or injury beyond its reasonable control.

Should any memorial, mausoleum or tomb become unsightly, dilapidated, or a menace to the safety of persons within the Cemetery, the Management shall have the right to correct the condition or to remove the same, without prior notice if the Management deems necessary, in either case at the expense of the easement rights holder.

Soliciting memorial sales or memorial work within the Cemetery is not permitted.

Only the easement holder or those responsible for the funeral have the right to place a memorial.

No alterations, with the exception of engraving of names and dates as properly authorized, may be made to any monument or memorial once placed in the cemetery.

O. Parents/Children

When a parishioner turns 22 or gets married, he/she is no longer covered under his/her parents' membership plan. That person should contact the Rectory to update their registration and receive their contribution envelopes.

P. In General

The Management reserves the right, without notice, to make temporary exceptions, suspensions or modifications in any of these rules or regulations when, in its judgment, the same appear advisable and such temporary exceptions, suspension or modification shall in no way be considered as affecting the general application of such rule. In all matters not specifically covered by these rules and regulations the Management reserves the right to do anything which in its judgment is deemed reasonable and consistent with the welfare of all easement rights holders, and such determination shall be binding upon the holder and all parties concerned.

The Management reserves the right at any 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 the Cemetery or anything pertaining thereto.

From time to time as current rules and regulations may be amended or deleted, or as new rules and regulations may be added, a notice will be published in the parish bulletin. The notice should summarize the changes and refer to the regulations at the Parish Office for details. Such publication shall constitute the promulgation of new rules and regulations and will be binding upon all easement rights holders and visitors to the Cemetery effective on the date of publication.

A copy of the Rules and Regulations will be posted on the Parish web-site – www.stjohnchurchtown.com.

October 15, 2015

ST. JOHN THE BAPTIST CEMETERY MEMBERSHIP PLANS
As of October 15, 2015

INDIVIDUAL PLAN - Parishioner Status Rate \$450

Annual dues of \$20 per year shall be made until a cap of \$450 is reached. This membership plan covers the current cost of opening and closing a grave (\$250*) and an addition \$200 for cemetery maintenance. The status of an Individual Plan changes to the non-parishioner status rate when an individual moves away from the parish. Individual plans at the parishioner status rate can be reinstated if the person regains parishioner status.

FAMILY PLAN – Parishioner Status Rate \$900

Annual dues of \$20 shall be paid until a cap of \$900 is reached. This amount covers the current cost of opening and closing at least 2 graves (\$500 for 2 graves at the current rate*) and an additional \$200 per grave (\$400 for 2 graves) for cemetery maintenance. This plan covers the burial of both spouses and all children up to the age of 22 (unless a child has married before the age of 22) as well as cemetery maintenance. The status of a Family plan changes to the non-parishioner rate when a family moves away from the parish. Family plan at the parishioner rate can be reinstated if the family regains parishioner status.

INDIVIDUAL PLAN – Past Parishioner Status Rate \$650

Individuals who at one time belonged to St. John's Parish but no longer have parishioner status are covered under this clause. Annual dues of \$20 per year shall be made until a cap of \$650 is reached. This amount covers current cost of opening and closing a grave (\$250 at the current rate*) and an additional \$400 for cemetery maintenance.

FAMILY PLAN – Past Parishioner Status Rate \$1,300

Families which at one time belonged to St. John's Parish but no longer have parishioner status are covered under this clause. Annual dues of \$20 per year shall be made until a cap of \$1,300 is reached. This amount covers the current cost of opening and closing at least 2 graves (\$500 for 2 graves at the current rate*) and an additional \$400 per grave (\$800 for 2 graves) for cemetery maintenance. Under normal circumstances this amount covers the burial of both spouses. This plan covers the burial of both spouses and all children up to the age of 22 (unless a child has married before the age of 22 at which time they will need to create their own membership) as well as cemetery maintenance.

BURIAL COSTS FOR NON-MEMBER OF THE CHURCH (per individual):

1. Registered member of the Parish, but non-member of Cemetery membership: \$400 + \$250 (opening/closing grave*) + \$250 cemetery maintenance. Total \$850.
2. Not a member of the Parish: \$1,000 + \$250 (opening/closing grave*) + \$400 for cemetery maintenance. Total \$1,650.

*Should the cost of opening and closing a grave go above the current amount of \$250, the difference shall be paid at the time of burial. Prices are subject to change unless membership is paid in full.

Parishioner is defined as a person who is recognized by the Church/Pastor as a regular member. Please use at least one envelope in your yearly packet to help us maintain your status.

All monies collected by the membership are non-refundable.