

1. DEFINITIONS

- a. Local Ordinary – The Roman Catholic Bishop of Norwich.
- b. Director – The person appointed by the Bishop of Norwich for the purpose of administering Diocesan Cemeteries.
- c. Cemetery Authorities – The Board of Directors of the Norwich Diocesan Cemetery Corporation.
- d. Manager – The person appointed by the Director, to be responsible for the conduct of Cemetery operations and services.
- e. Cemetery – All the property for earth burials, and mausoleum for crypt entombment.
- f. Mausoleum – A building of sufficient size used for above ground burial; crypt is a space within the Mausoleum.
- g. Columbarium – A building containing niches; niche is a space within the Columbarium for cremated remains. Often a Columbarium is part of a Mausoleum.
- h. Grave – A certain space of ground within the Cemetery, used and to be used only for the burial of human remains.
- i. Lot – A numbered division as shown on the record plot and which consists of two or more adjoining graves.
- j. Interment – Shall mean either earth burial or entombment.
- k. Entombment – Burial in a mausoleum crypt.
- l. Lot Owner – Person who originally purchased burial or entombment rights.
- m. Lot Holder – Person or persons who have purchased interment or entombment rights or who hold by same right of inheritance or assignment.
- n. Certificate of Burial Rights (commonly called a “deed”) – Document which grants to the purchaser and his heirs, the exclusive right of burial or entombment in a specific grave, lot, crypt or niche. It does NOT convey an ownership of land.
- o. Annual Care – Yearly fee levied on older lots not under Endowed Care, used for the proper upkeep and maintenance of the burial lot and its general surroundings.

- p. Endowed Care – Also called Perpetual Care: a certain sum of money placed in a special trust fund, which will be used, in the amount of the interest income available there from, for the care of the crypt/niche or the lawn of the lot and the proper maintenance of its general surroundings.
- q. Memorial – Any monument, marker or inscription on crypt/niche front for one or more deceased persons.

2. PURPOSE OF THE CEMETERY

- a. The cemetery is intended for the interment of Catholics who are entitled to Christian burial according to the rules and discipline of the Roman Catholic Church. Any questions of the burial of a non-Catholic member of a Lot Holder's family or of any person not entitled to Christian burial according to the rules and discipline of the Roman Catholic Church shall be decided exclusively by the management or Local Ordinary and such decision shall be final.

3. ADMISSION TO THE CEMETERY

- a. The management reserves the right to refuse admission to the cemetery and refuse the use of any of the Cemetery's equipment or facilities at any time to any person or persons as the rules, judgment and tradition may dictate.

4. BURIAL AND ENTOMBMENT RIGHTS

- a. A sale does not transfer any title or interest in land or in a crypt/niche. The Cemetery will continue to own the land and crypt/niche at all times. You are only buying the privilege of burial or entombment in a lot or crypt/niche at the cemetery.
- b. The Cemetery reserves the right to specify the terms of purchase of all interment rights in graves, lots or crypts/niches and to fix the number of interments allocated to a grave, lot or crypt/niche.
- c. If the purchaser fails to carry out the terms of the purchase agreement, the Cemetery may declare said agreement canceled and all rights of the purchaser in and to the grave, lot or crypt/niche are forfeited. Notice of such forfeiture mailed to the last address of such purchaser appearing on the cemetery records shall be sufficient.
- d. In the event any error shall occur in the Certificate of Right of Burial, the Cemetery shall have the right to correct the same by canceling such certificate and substituting a Certificate of Right of Burial in such other grave, lot or crypt/niche of as nearly equal value and similar location as may be possible, to be selected by the Cemetery, or in the sole discretion of said

Cemetery, by refunding the sum paid on account. In the event any such error shall involve interments, disinterments or removal of the remains of any person in any grave, plot or crypt/niche, the Cemetery reserves, and shall have, the right to remove and reinter the remains in such other grave, lot or crypt/niche of equal value and similar locations as may be substituted therefore.

- e. No coping, curbing, fencing, hedging, borders or enclosures of any kind shall be allowed around the grave or lot. The Cemetery reserves the right without prior notice to remove the same if so erected, planted or placed.
- f. In the event the owner of the Certificate of Burial Rights wishes to return a grave, lot or crypt/niche to the Cemetery and it is acceptable to the Cemetery, only the original purchase price shall be reimbursed less an administrative fee and any other required service charge.
- g. The privilege of burial or entombment at the cemetery is subject to all present and future rules of the Diocese of Norwich, the laws of the State of Connecticut, and rules and regulations of the town in which the Cemetery is located. It is also subject to those laws and disciplines of the Roman Catholic Church, which concerns rules and ceremonies.
- h. There shall be no removal from any lot or crypt/niche without the prior written consent of the Director or his agent.
- i. The privilege of a burial or entombment may not be sold, transferred or given to anyone else without written consent; provided, however, upon your death, burial or entombment, rights in the lot(s) or crypt(s)/niches(s) may be transferred to someone else, if the transfer is made by a valid last Will and Testament, specifying the name of the Cemetery and location, or by an Assignment of Burial or Entombment Rights on file with the Cemetery.
- j. The lot shall be indivisible. If you die without transferring the burial or entombment rights by one of these two ways (4-i) or if a person to whom you have properly transferred your rights dies without transferring any remaining burial or entombment rights by one of the two ways listed in paragraph (4-i), then any unused burial or entombment rights will devolve as follows: the surviving spouse of the owner has a prior right of one burial space. If there is more than one heir, they shall designate in writing to the Cemetery which of their number shall represent said lot and on failure to so designate, the heir holding the Certificate shall be presumed to have the best claim, all other things being equal.

5. INTERMENT/ENTOMBMENT

- a. Once a funeral has entered the cemetery, it shall be under the exclusive direction of the Cemetery Management.

- b. All care charges and other charges against a lot are due and payable before a grave will be opened.
- c. An outside container constructed of approved material is required on all in-ground burials.
- d. No interments/entombments will take place on Sundays and Holidays.
- e. The Cemetery Authorities shall not be responsible for any mistake resulting from improper or erroneous instructions given at the time of a burial order by the family or their representative. Additional charges may be levied whenever additional labor results from such mistakes.
- f. Should there be any delay in the interment of a body, where rules and regulations have not been complied or where said rules and regulations shall forbid such interment, or where a protest to the interment has been made, the Cemetery Authorities shall in no way be responsible for such delay.
- g. The Cemetery Management shall not be responsible for providing a grave opening on lots where such impediments as curbing and other enclosures, steps, corner posts and memorialization infringe on burial space, should the Lot Owner and family insist on retaining these impediments as they are.
- h. All arrangements for interments, purchase of burial rights or removals made by a Lot Holder through a funeral director or other agent shall be binding on said Lot Holder.
- i. The Cemetery reserves the right to refuse permission to anyone to open the casket or to touch the body without the permission of a court order.
- j. Entombments will be made in family and companion crypts in order of death and we will not undertake to reposition caskets. You will not be permitted to specify a particular entombment location within a family or companion crypt.

6. DISINTERMENT/DISENTOMBMENT

- a. No disinterment/disentombment or removal shall be allowed except with the permission of the Director or his agent with written authorization of the Lot Owner and the next of kin.
- b. The Management shall exercise due care in making a disinterment/disentombment and removal, but it shall assume no liability for the damage to any casket or burial case incurred in making the disinterment and removal.

- c. The Management shall have the right to designate the hour and manner in which the interment, disinterment and removals will be permitted.

7. CREMAINS

- a. The scattering of cremains in the cemetery is prohibited. The Cemetery provides burial service for cremated remains. The cremains must be accompanied by certification that the remains are those of the deceased person for whom the burial or entombment is requested.
- b. The interment/entombment of cremains is subject to the same rules and regulations as are other interments.
- c. The Cemetery does allow up to one cremain to be buried with an existing burial if the necessary 12 inches of ground cover can be achieved. Two cremains can be interred in a single grave with no existing burial.
- d. The Cemetery does allow up to 2 cremains to be placed in a crypt with existing entombment(s), if space allows.
- e. Niche space is also available for cremains. Only one cremain is available for niche.

8. REGULATIONS OF MEMORIAL WORK

- a. Memorial work may be erected only on lots under Perpetual Care. All foundation work will be done by the Cemetery.
- b. Before any memorial work will be considered, an application complete in duplicate and signed by owner of burial rights in said lot and the contractor must be filed at the Cemetery office.
- c. A completely executed application must be filed for any contemplated changes, inscriptions or additions to memorials already set. These applications will be handled in exactly the same way as applications for new work.
- d. Pictures, as well as the words "Perpetual Care" and similar phrases, are not permitted on memorial work. Benches, corner posts and planting baskets are not allowed. No new vases may be placed in the cemetery. Said certification must unconditionally guarantee against checking, cracking and disintegration due to natural causes. Generally, work showing knots, evidence of doctoring, or with a tendency to create dirt pockets is not acceptable. Artificial coloring of any type is prohibited. No machine marks to show.

- e. Raised monuments are permitted on certain lots. Other lots and areas are entirely restricted to flush markers. Only one monument may be set in a lot. Only one marker may be set on a grave.
- f. Regulations on the size of memorials permitted on monument lots vary between cemeteries. The details of these regulations may be obtained at the local cemetery offices.
- g. Markers are restricted to the "flush" type. Granite markers must be 4-inches thick with a beveled top edge and sawed sides and bottom. Markers on adult graves have a standard size of 12 inches by 24 inches, except in certain limited areas where other specific sizes are permitted. In children's sections the marker sizes vary between cemeteries. Details of specific sizes may be obtained at the local cemetery offices. Marble markers are prohibited. The carving or lettering on stone markers may not come closer than 1" (one inch) to any edge.
- h. All monuments and markers set in the cemetery shall have as their principle feature a carving of evident religious significance. This regulation excepts those memorials which are cruciform. The cemetery reserves the right to forbid any monument or marker with symbolism which is not in keeping with religious tradition.
- i. The working hours for setting, cleaning or inscribing memorials shall be the same as the cemetery workday, and in all case work must end at the same time as the cemetery workday. Trucks are not allowed on any grass area. The repair of any damage to turf or plantings caused by any memorial dealer will be charge to his account.
- j. The use of marble statues, which are relatively short-lived in our New England climate, is prohibited in all cemeteries.
- k. Contractors working in the vicinity of an interment must suspend their work until the conclusion of the service.
- l. Neither the individual cemeteries nor the corporation itself assumes responsibility for the care of the monuments or markers or any damage to them by accident or willful action. In the event any memorial is damaged, the Cemetery reserves the right to remove the damaged memorial if not repaired or contracted to be repaired within 10 days notice sent to the lot owner at his last known address. Repairs must be approved by the Cemetery.
- m. Any violation of these rules and regulations by the contractor is his sole responsibility, even though he has received a duplicate (pink) copy back from the Cemetery.
- n. Any dealer who violates the rules of the Cemetery may be denied the privilege of installing memorials in the cemetery.

- o. No monument or marker shall be removed from the cemetery, except by the corporation, unless a written order executed by the Lot Owner is presented at the Cemetery office and written permission is granted by the corporation.
- p. All lettering on any crypt/niche must be in a standard form approved by the Cemetery. Only Cemetery staff or someone approved by the Cemetery may place lettering on a crypt or niche. Lettering shall be limited to name, date of birth and death, and appropriate abbreviated professional titles legally and professionally carried through life.

9. VETERAN MEMORIALS – GOVERNMENT FURNISHED

- a. On December 27, 2001, President Bush signed Public Law 107-103, the Veterans Education and Benefits Expansion Act of 2001. This law includes a provision that allows the Department of Veterans Affairs (VA) to furnish an appropriate headstone or marker for the graves of eligible veterans buried in private cemeteries, whose deaths occur on or after December 27, 2001, regardless of whether the grave is already marked with a non-government marker. This new provision will be codified at 38 U.S.C § 2306(d).

The National Cemetery Administration (NCA) is preparing a regulation to describe how to implement the new law. Until the regulation is published, the following instructions are in effect.

- i) VA will furnish, when requested, an appropriate Government headstone or marker at the expense of the United States for the grave of an eligible veteran or eligible reservist who is buried in a private cemetery regardless of whether the grave is already marked by a headstone or marker purchased at private expense.
- ii) The veteran's death must have occurred on or after December 27, 2001, which is the law's enactment date. For those veterans who died before this date, VA is unable to provide a Government headstone or marker for already marked veteran gravesites.
- iii) VA may provide any headstone or marker available, as listed on the application form.
- iv) A Government headstone or marker may be furnished only if the individual making the request certifies that the marker will be placed on the grave, if feasible, otherwise, as close to the grave as possible within the grounds of a private cemetery.
- v) VA shall deliver any headstone or marker furnished under this law directly to the cemetery where the grave is located or to a receiving agent for delivery to the cemetery, i.e., funeral home, Veterans' Service Officer, etc.

- vi) NCA will revise its headstone and marker application (VA Form 40-1330) to remove language indicating markers will only be provided for unmarked graves. Until this form is revised, applicants should ignore references to “unmarked graves, footstones, and supplement” and should note in Box 27 “Remarks” that this will be a second marker to mark a veteran’s gravesite.
- b. VA Form 40-1330 Block #22 and Block #24 must be signed by an official of the Cemetery or an official of the Norwich Diocesan Cemetery Corporation. If a VA Marker is received by the Cemetery which has not been signed by an official of the Cemetery, the Cemetery reserves the right to refuse the installation of said marker.

10. DECORATION ON GRAVES, LOTS, CRYPTS, AND NICHES

- a. Decorations are limited to one display per lot, in a plastic or metal portable rectangular box, not to extend more than ten inches from the monument. The box may not be more than twenty-four inches long. On flush marker lots, the box may not be more than eighteen inches long.
- b. Decorations, other than flags and flag-holders (see 10-h) are prohibited from being placed or driven into the ground.
- c. Displays in containers placed on the base of the monument constitute the decoration for the lot.
- d. When there is more than one display on the lot, the extra containers will be removed by the Cemetery staff without prior notice. Decorations will also be removed when their condition warrants.
- e. The schedule for decoration is:
 - i) March 1 – November 1 – live flowers preferred
 - ii) November 1 – March 1 – greens, artificial flowers appropriate to the season
- f. For public safety and to maintain orderly good looks of the cemetery, certain articles are prohibited and will be removed without notice: glass jars or vases, water cans, palms, seats, statues, bric-a-brac, any item of fragmental material.
- g. The installation of vigil lights is not allowed because of their susceptibility to vandalism and the danger of broken glass to personnel and visitors.
- h. Flags and flag holders must be kept up near the monument, or on a flush marker lot, near the stone. The Cemetery is not responsible for the condition of flags and flag holders placed

in the cemetery by veteran organizations or individuals. When the flags become unsightly, they should promptly be replaced or removed by those who are responsible for them. Should neglected flags continue to remain, the Management reserves the right to remove and dispose of them. Only a flag of the United States is allowed to be displayed on a grave of a U.S. veteran. Flags of other countries, organizations, clubs, etc. are not allowed.

- i. Trees, shrubs, flowers, etc. planted directly in the ground will be removed without notice.
- j. No adornments other than a single approved vase can be affixed to mausoleum crypt/niche fronts. Installation must be approved and completed by Cemetery personnel only. Only dried or silk flowers will be permitted in vases. Live flowers and water cause staining on fronts. Urns, vigil lights, porcelain pictures and any other objects will not be permitted.
- k. The right is reserved by the Cemetery to regulate the method of decorating graves, lots, crypts/niches so that uniform beauty may be maintained.
- l. The Cemetery will remove all floral pieces three days following the interment service.

11. PERPETUAL CARE

- a. To retain a sense of reverence and an atmosphere of peace and beauty in the cemetery, lawn care and general maintenance are a necessity.
- b. For lots which have Endowed Care (also called Perpetual Care), a certain sum of money has been placed in a special trust fund, which is used in the amount of the interest income available there from, for the lawn care of the burial lot and the proper maintenance of its general surroundings. It shall not include the care and maintenance of the Lot Holder's private planting.
- c. Older lots were purchased only with Burial Rights. For these lots which have not yet been established in Endowed Care, it is the responsibility of the family to provide for the care of a family lot. Therefore, the Cemetery levies an Annual Care Fee. The money received is used during the year for the lawn care of the burial lot and the proper maintenance of its general surroundings.
- d. However, Endowed Care is obligatory for all lots, and arrangements for paying this care, in full or in installments, can be made at the Cemetery Office. Otherwise, arrangements for Endowed Care must be made at the time of the next burial; prior to any alterations to memorials on the lot; or prior to the placement of new memorial work on the lot.
- e. The term "maintenance" shall in no case mean the doing of any special or unusual work in the cemeteries, including work caused by impoverishment of the soil, disruption of water

supply or facilities, nor does it mean the reconstruction of any memorial, granite, bronze, or concrete work on any section of a grave or lot, or any portion or portions thereof in the cemetery, injured or damaged by any cause, direct or indirect, beyond reasonable control of the Cemetery.

12. CONDUCT IN THE CEMETERY

- a. Visitors to the cemetery are reminded that the cemetery is a sacred place. Therefore, pets are not allowed; receptacles should be used for the disposal of rubbish, and peddling, soliciting, signs or advertising are prohibited.
- b. Improper assemblage is prohibited and the Management has the right to forbid and prevent these on Cemetery property.
- c. Drivers of vehicles are requested to observe the following: grant all funerals the right of way; use moderate speed; drive on paved roads only; park on paved roads only. Motorists will be responsible for damages.

13. LIABILITY

- a. The Cemetery Authorities disclaim all responsibility for loss or damage beyond their reasonable control, and especially from damage from an Act of God, the elements, earthquake, war, common enemy, air raids, invasions, insurrections, 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 said authorities, whether the damage be directed or collateral.

14. IN GENERAL

- a. Statements of employees of the Cemetery Authorities shall not be binding on such Authority, except as such statements coincide with the document conveying the right of interment and these rules and regulations.
- b. These rules shall apply to any grave, lot, memorial, or mausoleum now in existence and to any future grave, lot, memorial, or mausoleum.
- c. In all matters not specifically covered by these rules and regulations, the Cemetery Authorities reserve the right to do anything, which in their judgment is deemed reasonable in the premises, and such determination shall be binding upon the Lot Owner and all parties concerned.

- d. The Director reserves the right at any time or from time to time to change, amend, alter, rescind, or add to these Rules and Regulations or any part thereof, or to adopt to any new Rule or Regulation with respect to said Cemetery or anything pertaining thereto.
- e. The Cemetery reserves the right to remove any tree, shrub, or any structure upon any lot which has or shall become, by any reason of age or otherwise, unsightly or detrimental to the lot upon which it is situated or any adjoining lot or avenue; and if, by reason of the absence or neglect of a Lot Owner, any plant or structure thereon shall become unsightly, hazardous or otherwise detrimental, the Corporation shall have the right to cause the same to be put in safe and proper condition, according to the discretion of the Manager.
- f. The Cemetery reserves the right to resurvey, enlarge, diminish, alter in shape or size, or otherwise to change all or any part or portion of the cemetery.
- g. The Cemetery reserves the right to layout, establish, close, eliminate or otherwise modify or change the location of roads, walks or drives providing ingress and egress to said lots.

15. DISPUTE RESOLUTION PROCEDURE

PUBLIC ACT 95-184 “An Act Concerning Cemeteries” mandates that each town, ecclesiastical society or cemetery association which owns, manages or controls a cemetery shall disclose to each consumer in writing at the time of the sale of any item or service, any Dispute Resolution Procedure of such town, ecclesiastical society or Cemetery Association. The written disclosure shall also indicate that the consumer may contact the State Department of Public Health and Addiction Services or the Local Public Health Director if he/she has any complaints which concern violations of Sections 7-64 to 7-72, inclusive, 19A-310 and 19A-311 of the General Statutes.

- a. Verbally discuss your complaint with Cemetery Office that handles that cemetery.
- b. If your complaint is not taken care of at Step A, contact the Manager of Cemeteries, Diocese of Norwich, 815 Boswell Avenue, Norwich, CT 06360 by letter or phone – telephone # (860) 887-1019.
- c. If your complaint is not resolved at Step B, you may submit your written complaint to the Director of Diocesan Cemeteries – St. Joseph Church, 99 Jackson Street, Willimantic, CT 06226.
- d. If your complaint is not resolved at Step C, you may submit your written complaint to the Chancery Office, 201 Broadway, Norwich, CT 06360.

There are four levels of authority in our procedure. We ask that you do not approach the higher level until you have sought a resolution from the lower level.

St. Michael Cemetery, Pawcatuck	Office: (860) 599-5580
St. Mary Cemetery, Norwich	Office: (860) 887-1019
St. Joseph Cemetery, Norwich	Office: (860) 887-1019
Sacred Heart Cemetery, Norwich	Office: (860) 887-1019
St. Patrick Cemetery, Uncasville	Office: (860) 887-1019
St. Mary Cemetery, New London	Office: (860) 443-3465
Resurrection Cemetery, Westbrook	Office: (860) 399-6503
Norwich Diocesan Cemetery Corporation	Office: (860) 887-1019