



MOUNT ST. MARY'S CEMETERY POLICIES

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MOUNT ST. MARY'S UNIVERSITY
16330 Grotto Road, Emmitsburg, MD 21727

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Mission Statement

We acknowledge that Mount St. Mary's Cemetery is established to carry out the sacred religious function of the burial and care for the resting-places of the deceased. We accept the responsibility of implementing this religious function under the direction and supervision of the local Church Authority. We believe in and are firmly committed to the teachings and rich tradition of the Catholic Church with regard to the deceased and the sacredness of the cemetery in which their bodies rest. We recognize the deep religious significance of the Corporal Work of Mercy involved in the burial of the dead and the reverence for the deceased. We are dedicated to the respectful care of the people of God who even in death remain a part of the whole Christian community. We are committed to encouraging Catholic prayer and devotion for our deceased brothers and sisters, especially in our cemetery. We oppose any effort to minimize or destroy any of the Catholic teachings that relate to death, burial and devotion to the departed souls. We will proclaim through our words, work and the example the sacredness of the human body, the belief in the resurrection and the Christian virtue of hope.

Rules And Policies of Mount St. Mary's Cemetery

In order to promote a safe and reverent environment for the families and friends of the deceased and for the mutual protection and benefit of the Owners and/or Purchasers of the Right of Sepulture and Mount St. Mary's Cemetery, the following Rules and Regulations for Cemetery interments have been adopted. All Owners, Purchasers and visitors on the property owned by Mount St. Mary's Cemetery shall be subject to these Rules and Regulations. The reference to these Rules and Regulations in the Certificate of Right of Sepulture shall have the same effect as if set forth in full therein. All determinations as to interpretation of these Rules and Regulations of Mount St. Mary's Cemetery shall be at the sole and final discretion of Mount St. Mary's Cemetery.

THE CERTIFICATION OF RIGHT OF SEPULTURE, THE PURCHASE AGREEMENT, THESE RULES AND REGULATIONS AND ANY AMENDMENT THERETO SHALL BE THE SOLE AGREEMENT BETWEEN MOUNT ST. MARY'S CEMETERY AND THE OWNER/PURCHASER OF THE RIGHT OF SEPULTURE. ANY ORAL OR WRITTEN STATEMENTS OF ANY SALES AGENT OR OTHER EMPLOYEE SHALL IN NO WAY BIND MOUNT ST. MARY'S CEMETERY. MOUNT ST. MARY'S CEMETERY IS PERMITTED AND RESERVES THE RIGHT TO MAKE MODIFICATION OR AMENDMENTS TO THESE RULES AND REGULATION WITHOUT NOTICE AND ALL OWNERS, PURCHASERS AND VISITORS WILL BE SUBJECT TO THE RULES AND REGULATIONS OF MOUNT ST. MARY'S CEMETERY IN PLACE AT THE TIME.

I

Definitions

1. “Catholic Cemetery” is the cemetery created and set aside by the Roman Catholic Church as a sacred place in compliance with Canons 1205 through 1213 of the Code of Canon Law.
2. “Certificate of Right of Sepulture” is the document which is provided to the Purchaser of the right of burial, entombment or inurnment upon payment in full of the purchase contract and shall denote any interment rights or restrictions. The Certificate of Right of Sepulture is the Purchasers’ proof to the use of the specified space for burial, entombment or inurnment. It may be referred to as the Certificate of Ownership, Certificate of Right of Burial or Certificate of Right of Entombment.
3. “Cemetery” is defined as a place or area set apart for interment of the dead by burial in the earth, columbaria and grounds set aside for meditation gardens and for other natural ornamentation.
4. “Columbarium” is defined as an arrangement of niches which are above ground, used for the interment of cremains.
5. “Niche Fronts” are the granite covers which are fastened to the place of interment in a columbarium after an interment is completed and upon which the memorialization is carried out.
6. “Disinterment” is defined as “...the recovery of human remains by exhumation, disentombment, or inurnment. “Disinterment” does not include the raising and lowering of remains to accommodate two interments within a single grave and does not include repositioning of an outside outer burial container that encroaches an adjoining burial space.
7. “Marker” also referred to as a “Flat Markers” is defined as a memorial made of granite, marble or bronzed faced which is used on graves and is level with the ground.
8. “Grave” is an excavation in the earth in which a deceased person is buried or to be buried.

9. “Interment” is defined as the act or process of burying a deceased person in a grave, or inurning the cremains of a deceased person in a niche or cremains grave.
10. “Monument” is defined as a memorial made of granite which is placed on a family plot. A monument stands above ground in an upright position.
11. “Niche” is defined as a space in a columbarium sufficient in size for the inurnment of the cremains of one or two deceased person(s).
12. “Vault” is defined as any container which is designed for the placement in the grave around the casket.
13. “Owner” and “Purchasers” are defined as persons who have purchased a Right of Sepulture from Mount St. Mary’s Cemetery.
14. “Place of interment” is defined as the grave, or niche columbarium, or any other space set aside for the interment of a deceased person.
15. “Plot” is a space within the cemetery used or intended to be used for earth burial and containing only one grave.
16. “Right of Sepulture” is defined as an individual’s right to inurnment or burial arising out of the purchase of that right in accordance with Mount St. Mary’s Cemetery’s policies and procedures.
17. “Sacred Places” is defined as “Those which have been designated for the worship or for burial of the faithful through a dedication or blessing which the liturgical books prescribe for this purpose” Canon 1205 of the Code of Canon Law.

II

Restrictions and Disclaimers

1. Religious Restrictions: A Catholic Cemetery is intended for, and restricted to, interment of Catholics and their family members who are entitled to such interment in accordance with applicable Canon Law and discipline of the Roman Catholic Church. The burden of proving that

the deceased is Catholic or a proper relative thereof and entitled to such interment shall rest upon the Owner of the Right of Sepulture or other person applying for interment of the deceased. All determinations with regard to the Right of Sepulture shall be within the sole discretion of Mount St. Mary's Cemetery.

2. Admission to Cemetery: Mount St. Mary's Cemetery is open to the public for visitation; however, Mount St. Mary's Cemetery reserves the right to refuse admission to the Cemetery and to refuse the use of any Cemetery facilities at any time, to any person or persons whom Mount St. Mary's Cemetery may deem objectionable to the best interests of the Cemetery.
3. Mount St. Mary's Cemetery is intended for the interment of the Mount St. Mary's University and the National Shrine Grotto of Lourdes extended "family." This includes Mount alumni and any current students. As well as all current and former staff, administration, and faculty. Patrons and friends of the National Shrine Grotto of Lourdes are also permitted to be interred.
4. Burial of Non-Catholic Christian/Burial of Non-Christians: Catechumens are entitled to full rite of Christian Burial. Though they are not baptized as Catholics, they are members of the household of the Church. Canon 1183 - 1 of the Code of Canon Law. In the prudent judgment of the local Ordinary, ecclesiastical funeral rites can be granted to baptized members of a non-Catholic Church or ecclesiastical community unless it is evidently contrary to their will and provided their own minister is unavailable. Canon 1183 - 3 of the Code of Canon Law. To avoid breaking family ties, non-Catholic members of Catholic families may be interred in a Catholic cemetery.
 - a. Mount St. Mary's Cemetery reserves the right to demand that a Christian burial permit be provided prior to any interment.
 - b. Clergy of other religious communities, vested if they desire, may conduct the cemetery Rites if the family so desire, or it was the express wish of the deceased.

5. Religious Ceremonies: Religious ceremonies within the cemetery other than those of the Roman Catholic Church are not permitted without first obtaining written permission from Mount St. Mary's Cemetery.
6. Mount St. Mary's Cemetery is for the interment of human remains only.
7. Purchase of lots/niches must be for actual use and are not for investment purposes. Resale is only permitted back to Mount St. Mary's Cemetery at 80% of the original price paid.
8. General Liability of Mount St. Mary's Cemetery: OWNERS AND PURCHASERS HEREBY ACKNOWLEDGE THAT MOUNT ST. MARY'S CEMETERY SHALL TAKE ALL REASONABLE PRECAUTIONS TO PROTECT EACH PLACE OF INTERMENT AND THE REMAINS PLACED THEREIN FROM LOSS OR DAMAGE, HOWEVER, MOUNT ST. MARY'S CEMETERY HEREBY DISCLAIMS ALL RESPONSIBILITY FOR LOSS OR DAMAGE FROM CAUSES BEYOND ITS REASONABLE CONTROL, including, but not limited to, outer burial containers or memorials caused by general outdoor elements, acts of God, common enemies, thieves, vandals, strikes, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, orders of any military or civil authority, or through normal and extended wear and tear to such outer burial containers and memorials, whether the damage be direct or collateral. OWNERS AND PURCHASERS FURTHER ACKNOWLEDGE THAT MOUNT ST. MARY'S CEMETERY SHALL BE HELD ONLY TO THE EXERCISE OF REASONABLE CARE AND DILIGENCE IN THE MAINTENANCE OF THE CEMETERY AND THE PLACES OF INTERMENT AND SHALL NOT BE HELD LIABLE FOR ANY OBLIGATION NOT EXPRESSLY SET FORTH WITHIN THESE RULES AND REGULATIONS.

- 9. No Special Care of the Place of Interment:** Mount St. Mary's Cemetery shall not be responsible, nor shall it provide any additional or special care for an Owner's place of interment other than the general care and maintenance expressed herein.
- 10. Rights of Mount St. Mary's Cemetery for purposes of Cemetery Operation:** The following rights and privileges are hereby expressly reserved by Mount St. Mary's Cemetery: To at any time and from time to time resurvey, enlarge, diminish, replant, alter in shape or size or otherwise change all or any part, portion or sub-division of the Cemetery hereby mapped and platted (including the right to lay out, establish, close, eliminate or otherwise modify or change the location of roads, walks, or drives) and to file amended maps or plats thereof without providing copies of the same to the lot or plot Owners, to use the same for the erection of buildings, or for any purposes or uses connected with, incident to , or convenient for the care, preservation, or preparation for the proper disposition or interment of the remains of a deceased person, or other Cemetery purposes, together with easements and rights of way over and through said premises for, and the right and privilege of, installing, maintaining and operating pipelines, conduits or rains for sprinklers, drainage, electric or communications lines, or for any other purposes in furtherance of Mount St. Mary's Cemetery and/or the Roman Catholic Church and/or its teachings.
- 11. All interments must be accompanied by either a memorial, a marker, or a monument which identifies the deceased. No unmarked graves or niches are permitted.**
- 12. Non- Mount St. Mary's Cemetery vehicles on Cemetery property:**
- i.** Vehicles must proceed slowly and quietly within the Cemetery.
 - ii.** No vehicle may pass a funeral procession going in the same direction
 - iii.** Vehicles are not permitted to back up or turn around on avenues or roads within the Cemetery, except at the proper intersections.
 - iv.** Vehicles should not be parked with the engine running. Parked vehicles should be locked. Mount St. Mary's Cemetery is not responsible for lost, stolen or missing property.

- v. It is absolutely prohibited to drive any vehicle across or upon any grave, lot or lawn, or park or leave the same thereon. Exceptions apply to the gravedigger.
- vi. No vehicle is to be parked or left on a road or driveway within the cemetery in such a position as to prevent another vehicle from ingress, egress, and/or right of way.
- vii. No un-licensed drivers may operate any vehicles within the Cemetery.
- viii. No vehicle is to be parked or come to a full stop in front of an open grave unless such vehicle's occupants are attendees of a funeral.

13. Additional Rules: All Owners, Purchasers and visitors within the Cemetery are subject to the Rules and Regulations set forth herein and any amendments to the Rules and Regulations as may be promulgated from time to time.

14. Unsafe Conditions: Mount St. Mary's Cemetery uses its best efforts to maintain the Cemetery in a safe and hazard free manner. Due to general outdoor conditions, ground settling, soft ground resulting from either weather conditions or recent burials, flush markers and any number of conditions over which Mount St. Mary's Cemetery has no control, visitors to the Cemetery assume all risks when coming onto properties maintained and operated by Mount St. Mary's Cemetery.

III

Visitation

1. In order to promote the safety and comfort of all visitors to Mount St. Mary's Cemetery, Mount St. Mary's Cemetery requires that visitors comply with all the rules and regulations contained herein and any amendments to the rules and regulations as may be promulgated from time to time.

2. Hours: The Cemetery shall be open during the hours of 9:00am-4:30pm November to March, 9:00am-7:00pm April to October, subject to change.

3. Visitation Policies and Procedures:

- a.** Persons not otherwise refused admission to the Cemetery shall be invitees of the Cemetery to whom Mount St. Mary's Cemetery only owes a duty to maintain, in a reasonably safe condition, those portions of the Cemetery open to visitors, including portions used for travel.
- b.** Persons visiting the Cemetery should exercise caution while walking over the grounds, as circumstances beyond the control of Mount St. Mary's Cemetery may affect the conditions of the grounds. It should always be presumed that the ground is uneven and the granite markers are slippery.
- c.** Persons within the Cemetery grounds shall use only the avenues, roads, walks, and paths therein designated for public use. Anyone who shall leave these designated passageways and enter a portion of the Cemetery restricted to use by Mount St. Mary's Cemetery or its employees shall be considered trespassing.
- d. Children:** Children under sixteen (16) years of age are not permitted within the Cemetery unless accompanied by an adult.
- e. Prohibited Conduct:** All Persons within the Cemetery shall avoid conduct unbecoming a Sacred Place, including but not limited to:
 - i.** Boisterous demonstrations of any kind.
 - ii.** Idling, loafing or lounging.
 - iii.** Bringing or consuming refreshments, including alcohol.
 - iv.** Talking in a manner which is offensive to other visitors.
 - v.** Littering.
 - vi.** Unauthorized soliciting or peddling of any commodity.

- vii.** Bringing firearms onto the premises, except by a military or public safety escort accompanying a veteran's funeral or attending memorial services.
- viii.** Unauthorized placing of signs, notices or advertisements.
- ix.** Removing or damaging any property belonging to Mount St. Mary's Cemetery.
- x.** Moving, relocating, altering or adjusting any items laid out or required for interment.
- xi.** Interfering with or obstructing an interment.
- xii.** Removing or altering any grave accessory located on a place of interment, in violation of the rights of the person who owns the Right of Sepulture or violation of these Rules and Regulations.
- xiii.** Entering upon the service areas without authorization. Visitors requiring information or assistance must report to the Visitor's Center.
- xiv.** Disturbing other visitors.

The forgoing list is not all inclusive and shall serve as a guide. Mount St. Mary's Cemetery requires that all visitors conduct themselves in a manner which is respectful of these sacred places.

IV

Burial

- 1.** **Applicable Laws:** In addition to being subject to these rules and regulations, all interments are expressly made subject to the laws and regulations of any governmental authority having appropriate jurisdiction and the laws of the Roman Catholic Church.
- 2.** **Time and Manner of Interment:** All interments must be made at a time designated by Mount St. Mary's Cemetery and in the manner described within these rules and regulations or as otherwise defined or communicated by Mount St. Mary's Cemetery. No interments will take place after closing hours (4:30pm), except in the event of an emergency as determined by Mount St. Mary's

Cemetery. Mount St. Mary's Cemetery requires one week's notice prior to the desired date of interment.

3. **Charges and Fees:** Cemetery charges and fees must be paid prior to or on the day of interment unless other arrangements have been made in compliance with other policies and procedures as may from time to time be put forth by Mount St. Mary's Cemetery.
4. **Days Interments Not Permitted:** Interments shall not be permitted on the following days:
 - a. Any Sunday
 - b. Holy Thursday after 12:00 p.m.
 - c. Good Friday
 - d. Easter Monday
 - e. Thanksgiving Day
 - f. Day after Thanksgiving
 - g. Christmas Day
5. Interments performed on any National Holiday or any Saturday may result in higher gravedigger prices.
6. **Prior Notice:** In order to arrange for a proper interment service and to maintain consistency of service, Mount St. Mary's Cemetery requires no less than one week's notice be provided prior to any interment within the Cemetery. The Owner of the Right of Sepulture or other authorized persons must provide notice by calling the Cemetery Manager. Mount St. Mary's Cemetery reserves the right to refuse any interment that has not provided proper notification as outlined above.
7. **Full Payment:** No interment will be permitted and no rights shall be acquired by the Purchaser or Purchasers of the Right of Sepulture until the price is paid in full under the terms embodied in the contract between the Purchaser and Mount St. Mary's Cemetery.
8. **Interment Errors:** Mount St. Mary's Cemetery has the right to disinter a deceased person to correct an interment error. Owners and Purchasers acknowledge on behalf of themselves, their

heirs, successors and assigns that Mount St. Mary's Cemetery has the right to correct any errors that involve the interment of a deceased person. Pursuant to Mount St. Mary's Cemetery policy, notice of the actions to be taken by Mount St. Mary's Cemetery will be provided to the decedent's last known next of kin prior to the correction.

9. Delay in interment: Mount St. Mary's Cemetery shall not be liable for any delay in an interment where a protest to such interment has been made, or where these Rules and Regulations have not been complied with. The remains/cremains must be held at the funeral home as Mount St. Mary's Cemetery has no appropriate storage facility.
10. Vault: A concrete vault which seals shall be required for each interment in a grave. The vault must have at least five thousand (5,000), PSI compressive strength. The vault must not exceed the dimensions of 37in x 92in. It is the responsibility of the purchaser to acquire an appropriate vault.
11. No grave liners are permitted, a vault must be used.
12. Mount St. Mary's Cemetery does not coordinate funeral/burial services. Please make arrangements with your funeral director.
13. No funeral services may be performed at the National Shrine Grotto of Lourdes.
14. Funeral directors should be instructed to contact Mount St. Mary's Cemetery to make arrangements for opening/closing of grave sites or columbarium niches.
15. A BURIAL-TRANSIT PERMIT OR CREMATION CERTIFICATE IS REQUIRED.
16. Opening and closing of burial lots are handled by Mr. Jeff Coyle of Coyle Brothers Excavating who determines the cost at the time of burial. Mount St. Mary's Cemetery will contact him and make all arrangements, however, we do NOT make payment to him. Payment is the duty of the owner of the Right of Sepulture.
17. Columbarium niches are opened and closed by cemetery personnel and do not incur an additional fee.
18. Number of burials per plot/niche are restricted to the following:

- a.** Full burial sites can accommodate: one (1) full burial/interment, OR two (2) cremation interments, OR one (1) full burial/interment and one (1) cremation interment.
 - b.** Cremation burial plots can accommodate up to two (2) cremation interments. Contact us when you know the urn size so we can coordinate with the grave digger.
 - c.** Columbarium niches are for one or two cremated human remains as indicated by niche size.
- 19.** It is part of this agreement that neither Mount St. Mary's Cemetery, nor any of its personnel shall be held responsible for the care, safety, or repair of any headstone. The buyer(s) agree that unattended and dangerous situations may be corrected by Mount St. Mary's Cemetery personnel without liability on the part of Mount St. Mary's Cemetery. Mount St. Mary's Cemetery shall have the right to place a lien against the buyer(s) and their estate to recover costs incurred in connection with rectifying any such situations if buyer was given reasonable notice and failed to take corrective action.

V

Property Rights and Obligations of Lot or Plot Owners

- 1.** Right of Burial Only: The Owner or Purchaser of a Right of Sepulture does not acquire a fee interest in the property purchased from Mount St. Mary's Cemetery. All fee interest in the property and the place of interment remains with Mount St. Mary's Cemetery.
- 2.** Number of burials per plot/niche are restricted to the following:
 - a.** Full burial sites can accommodate: one (1) full burial/interment, OR two (2) cremation interments, OR one (1) full burial/interment and one (1) cremation interment.
 - b.** Cremation burial plots can accommodate up to two (2) cremation interments. Contact us when you know the urn size so we can coordinate with the grave digger.

- c. Columbarium niches are for one or two cremated human remains as indicated by niche size.
- 3. Cremation: In the event of a cremation, Mount St. Mary's Cemetery's policy is as follows:
 - a. A single grave may be used for the interment of the cremains of two (2) deceased persons within the same family.
 - b. In a full burial plot, the first cremains interred is placed in a grave dug eighteen (18) inches down from the headstone. If there is a second cremains interred in the same plot, the second grave is dug six (6) feet down from the headstone.
 - c. See Part VIII regarding memorialization
- 4. No Easement Rights: No easement is granted to any Owner of a Right of Sepulture on any property of Mount St. Mary's Cemetery, any drive, road, alley, or walk used as a means of access through or to the Cemetery or to the buildings as long as Mount St. Mary's Cemetery devotes it to the purpose.
- 5. Individual Rights: All interment rights purchased shall be presumed to be the sole property of the person named as grantee in the Certificate of Right of Sepulture; PROVIDED, however, that a legal spouse shall have vested Right of Sepulture of his/her body in any unused place of interment conveyed to the other, which right shall continue as long as he/she shall remain the legal spouse of the Owner or shall be his or her spouse at the time of such Owner's demise. NO CONVEYANCE OR OTHER ACTION, WITHOUT JOINDER THEREIN OR WRITTEN CONSENT ATTACHED THERETO SHALL DIVEST SUCH LEGAL SPOUSE OF HIS/HER VESTED RIGHT OF SEPULTURE. A VESTED Right of Sepulture as herein provided may be waived and shall be terminated upon disposition elsewhere of the remains of the person entitled thereto.
- 6. Interred Casket: Once a casket containing a body is within the confines of the place of interment, no funeral director, embalmer, assistant, employee or agent of a funeral director or embalmer

shall be permitted to open such casket or touch the body or remains therein without prior written consent of the legal spouse or an order from a court of competent jurisdiction. Mount St. Mary's Cemetery MUST be consulted no less than one week in advance.

- 7. Order of descent and distribution:** If after the death of the Owner no interment is made in a place of interment which has been transferred by Certificate of Right of Sepulture to such individual Owner, or if no burial has been made in a place of interment other than of the Owner and his or her surviving spouse, and in the absence of a specified disposition by the Owner's last will or other written declaration of record, then the individual grave or niche, subject only to the surviving spouse's vested Right of Sepulture, descends from the interest Owner in the order of descendent and distribution as set forth in the Maryland code. Those descendants claiming Right of Sepulture are entitled to such internment if the requirements set forth in applicable Canon Law, these Rules and Regulations and applicable Maryland law are satisfied. Should an Owner of the Right of Sepulture die without a devise or any known kindred, the Right of Sepulture shall revert to Mount St. Mary's Cemetery. If the heirs wish to sell the Right of Sepulture, then Mount St. Mary's Cemetery has the first rights to buy back the Right of Sepulture at 80% of the price originally paid.
- 8. Transfer of Right of Sepulture Prohibited:** The transfer or subdivision of the Right of Sepulture described above is not permitted, except back to Mount St. Mary's Cemetery for 80% of the original price paid. No one shall be interred in any place of interment not having any interest therein, except by written consent of all parties interested in such place of interment and of Mount St. Mary's Cemetery, provided, however, a relative or friend of the lot Owner may be buried in such a lot as provided in these Rules and Regulations or the laws of this State.
- 9. Certificate of Ownership:** Certificate of ownership of the Right of Sepulture must be issued in an individual's name eligible for burial under the rules and regulations set forth herein. No inanimate person or ineligible person may own the Right of Sepulture.

VI

Purchase and Transfer of Lots and Plots

1. Selection: Persons desiring to purchase a place of interment must contact Mount St. Mary's Cemetery. Prices and method of payments are determined by Mount St. Mary's Cemetery.
2. Availability: Please contact Mount St. Mary's Cemetery for up to date availability of plots and niches.
3. Payment Plans: Various payment options are available for the purchase of a plot or niche at Mount St. Mary's Cemetery.
4. Certification of Right of Sepulture: A certificate of Right of Sepulture shall be issued to each Purchaser of a place of interment upon full payment of the purchase price of the same.

Presentation of the certificate may be required at the time the arrangements are to be made for interment or whenever any other rights are to be exercised. When such certificate is not presented or when presented by someone other than the original Owner, Mount St. Mary's Cemetery will be bound by the rights of the Owner and sequence of inheritance expressed in Part V in allowing the interment of any deceased person.
5. The certificate of Right of Sepulture to a lot or niche gives only a right or privilege of interment of human remains only; the ownership in fee to the land remains with Mount St. Mary's Cemetery
6. Change of Address: It shall be the duty of the Owner of the place of interment and/or their surviving spouse or next of kin to notify Mount St. Mary's Cemetery of any change in his or her post office address. Any and all notices sent to the Owner's last known address shall be deemed proper and legal notification.
7. No Transfer without Consent: No transfer or assignment of any Right of Sepulture or interest therein shall be valid without the prior written consent of Mount St. Mary's Cemetery properly endorsed thereon, and subsequently recorded on the permanent section books of Mount St.

Mary's Cemetery. Any transfer or assignment which is made is subject to these rules and regulations and as they may be amended from time to time.

8. **Speculation Prohibited:** Mount St. Mary's Cemetery prohibits the purchase of Right of Sepulture for the purpose of speculative investment.
9. **Indebtedness:** Mount St. Mary's Cemetery reserves the right to refuse consent of the transfer or assignment of a Right of Sepulture as long as there is any indebtedness due Mount St. Mary's Cemetery from its record Owner or if the transfer shall violate the rules and regulations set forth herein, the laws of the Roman Catholic Church or the laws and regulations of any governmental authority having jurisdiction over the matter.
10. **Refund Policy:** Upon issuance of a Right of Sepulture, if Owner or Purchaser seeks to return the Right of Sepulture and any items purchased in connection with the Right of Sepulture, and receive a refund of 80% of the original purchase price. Mount St. Mary's Cemetery's will buy back the Right of Sepulture for 80% of the original price paid.

VII

Disinterment of Deceased Remains

1. When a disinterment is requested, Mount St. Mary's Cemetery is obligated by law to follow certain procedures. Prior to proceeding with a disinterment, all legal requirements and cemetery procedures must be satisfied and all appropriate fees and charges must be paid. In most cases, the request for disinterment comes from a surviving family member and, overwhelmingly, the request seeks reinternment in another section of Mount St. Mary's Cemetery. Often, the reason for the request is to unite spouses, parents, and other family members in contiguous plots. Because the disinterment/reinternment process often results in a renewal of the grieving process, Mount St. Mary's Cemetery makes every effort to provide caring, sensitive assistance to each applicant. Unfortunately, Mount St. Mary's Cemetery has no reasonable avenue available to it to verify the

information provided by the applicant that he/she/they is/are the sole surviving family member(s) or that no other equally affected family member objects to the disinterment and interment. Even though family relationships may be otherwise harmonious, some persons have strong feelings about disturbing what was thought to be a final resting place for the remains/cremains of a loved one. In addition, family structure may be such that it is not always possible to determine that important family members have been consulted and concur. For example, it is not uncommon for widows and widowers with children to remarry. Children whose parents are both deceased may not appreciate the impact of disinterment upon the surviving spouse of subsequent marriages. Mount St. Mary's Cemetery will, except under unusual circumstances, grant without further administrative or legal action a written request to disinter and reinter which is made by the surviving spouse of the decedent. In order for Mount St. Mary's Cemetery to grant a request for disinterment made by anyone other than the surviving spouse, a court order is required. Any family member can obtain a court order from the probate court of the county in which the cemetery is located to command Mount St. Mary's Cemetery to disinter a body. Ordinarily, this procedure is not adversarial in nature but does require that the applicant finish certain required information set forth in the law. It is advisable to contact an attorney to assist you in this process.

2. All interments are completed in a manner which facilitates the permanent disposition of the remains of the deceased person. When a family requests a disinterment, it is a complicated project because of the inherent permanence of all interments. A disinterment can result in damage to the outer burial container regardless of the care used in the process. Mount St. Mary's Cemetery is not responsible for any damage to the outer burial container or its contents resulting from a disinterment. Owner agrees to bear the full cost of replacing a damaged outer burial container/vault.

VIII

Decorations and Memorials

1. **General Policy:** From the earliest times in the Church's tradition, believers have decorated the places of interment of their loved ones with words and symbols reflecting their strong faith in the continuing presence of the Lord in life and death and their firm hope in the resurrection and the promise of everlasting life. The Cemetery property maintained by Mount St. Mary's Cemetery is a Sacred Place and as such must be maintained in a manner which is respectful of all those who have entrusted their loved ones to us. In order to maintain the condition of the Cemetery and to be considerate of one another, it is necessary to limit the nature and type of decorations permitted throughout this Sacred Place. It is the policy of Mount St. Mary's Cemetery that any item or object other than a flush bouquet holder, marker or monument is considered a decoration or grave accessory (hereinafter collectively "Decoration"). It is imperative that all decorations be placed in compliance with these Rules and Regulations and any amendments thereto promulgated by Mount St. Mary's Cemetery from time to time.
2. Veteran markers are permitted.
3. **Flowers at the time of Interment:** Immediately following an interment, the flowers from the funeral may be placed on or near the place of interment. Placement and removal of flowers shall be as follows:
 - a. In the case of an interment in a grave, the funeral flowers may be placed directly on the grave, the flowers will be removed and discarded within five (5) days.
 - b. In the case of a columbarium, due to the small area, not more than three (3) bouquets may be placed near the place of interment and they will be removed and discarded within (5) days.
4. **Decorations:**
 - a. Live floral arrangements in a disposable container are permitted year round.

- b.** Artificial Flowers or Decorations: Artificial flowers and decorations are not permitted.
- c.** Grave blankets, mounds, cones and other similar grave accessories are not permitted, because they become shelter for animals.
- d.** Statues, candles, lights of any kind, glass vases, banners, chimes, wind catchers, balloons, stuffed animals, shepherds' staffs, or any other decorations are NOT permitted.
- e.** Decorations which are in glass or metal cans are subject to immediate removal, because of the danger they present to persons and property. Only approved bouquet holders may be used for decorations. Federal Law requires us to make working conditions as safe as possible for Mount St. Mary's Cemetery employees.
- f.** Glass: All glass decorations and any lights, such as Christmas lights, are never permitted and will be removed and discarded.
- g.** Candles or Flame Decorations: Votive candles of any kind and any decorations which include a flame, either live or battery operated, are prohibited on places of interment and will be removed.
- h.** Planting of any kind in any area of the cemetery is prohibited and will be removed.
- i.** Decorations, including but not limited to, marble chips, stones, wood chips, bricks, lucky stones, etc., are not permitted around the place of interment.
- j.** Mount St. Mary's Cemetery shall not be responsible for any decorations or personal effects left on any part of the cemetery property, including but limited to any place of interment.
- k.** Trees and shrubs are for the beautification of the entire cemetery and for the benefit of all of the families, therefore, decorations placed on any tree, shrubs or cemetery structures will be removed. Mount St. Mary's Cemetery reserves the right to decorate trees and shrubs as seen fit.
- l.** Small American flags are permitted four days before and after Memorial Day, July 4 and Veterans Day.

- m.** Niche Decorations: As Niche fronts are part of the building structure, only Mount St. Mary's Cemetery approved and installed niche front decorations are permitted. The use of non-approved adhesives or tape can cause damage to granite niche fronts. Moreover, non-approved decorations, which may cause discoloration and other damage, can diminish the beauty of the entire building, affecting the rights of others. Items attached to the niche fronts will be removed and the cost of repair may be assessed to the Owner of the place of interment or their surviving heirs.
 - n.** Cemetery personnel will dispose of decorations on plots that interfere with the care and maintenance of the grounds.
 - o.** All items which are deemed by Mount St. Mary's Cemetery to be in violation of the rules and regulations will be removed and discarded. Mount St. Mary's Cemetery is not responsible for any item which is discarded. Further, neither Mount St. Mary's Cemetery nor the Roman Catholic Archdiocese of Baltimore is responsible for any item placed on a place of interment and/or removed from a place of interment.
 - p.** Graves's accessories not covered by these rules and regulations are subject to removal.
- 5. Inscriptions and Symbol Policy and Specifications:** A Catholic cemetery is a Sacred Place that should raise to God the minds and hearts of all who visit. Among its most distinctive features are the memorials and tombstones contained within it. These have a unique ability to create a holy atmosphere. The following guidelines are provided by Mount St. Mary's Cemetery to aid in the choice of appropriate inscriptions and symbols in order to maintain the ancient traditions that Christian Burial places be surrounded with prayerfulness and signs of hope.

Symbols:

- a.** All markers and monuments ought to contain a Christian symbol, non-Christian symbols are permitted. However, not ALL non-Christian symbols are permitted. The approval of Mount St. Mary's Cemetery is required for all non-Christian symbols prior to the installment of the monument or marker in Mount St. Mary's Cemetery.

- b.** The names of all deceased persons interred in the place of interment must be inscribed on any marker, monument, niche front or other form of memorialization.
 - c.** As the cemetery is a Sacred Place, a Christian symbol on any marker or monument ought to be predominant. Recognized Christian symbols are those depicting God, Jesus, resurrection, the sacraments (especially the sacraments of initiation: Baptism, Confirmation, Eucharist), Mary, the Saints, hope, faith, love, etc.
 - d.** Other signs or symbols of particular meaning to the family or deceased may be included. They must all be approved in advance by Mount St. Mary's Cemetery.
- 6.** Inscriptions: Formal titles of family relationships are acceptable, e.g. "Mother," "Father," "Sister," etc. A marker or monument which is not approved prior to manufacture or delivery may be rejected by Mount St. Mary's Cemetery. Mount St. Mary's Cemetery will not be responsible for any marker or monument which is manufactured or delivered without such prior written approval. Sources for inscriptions are in the following order of preference:
 - a.** Sacred Scripture.
 - b.** The Liturgy of the Church.
 - c.** Approved and published prayers, hymns and spiritual writings.
 - d.** Personally authored sayings which have significant meaning to the family or nicknames are permitted. In consideration of the cemetery as a Sacred Place, any personally authored saying must observe a level of decorum which is appropriate. Mount St. Mary's Cemetery has sole discretion with regard to personally authored sayings. Prior approval from Mount St. Mary's Cemetery of such a saying is necessary to avoid any errors or unnecessary expense in the event that the saying is rejected.
- 7.** Etchings: Mount St. Mary's Cemetery permits a bust to be etched onto the Marker or Monument with prior approval from Mount St. Mary's Cemetery. It should be expressly understood by the memorial dealer that although his/her sketch has been approved, Mount St. Mary's Cemetery reserves the right at the time of inspection to reject the memorial due to inferior workmanship.

- 8. Specifications for Granite or Marble Markers and Monuments: Mount St. Mary's Cemetery** accepts only guaranteed first grade, clear stone for all memorial purposes. In order to protect the families, Mount St. Mary's Cemetery has established certain minimum quality standards for all markers and monuments. Markers and monuments which do not meet the minimum requirements set forth herein may be rejected by Mount St. Mary's Cemetery and prohibited from being set. In the event that a stone is set and it is later discovered that the marker or monument did not comply with Mount St. Mary's Cemetery requirements, Mount St. Mary's Cemetery reserves the right to have the marker or monument removed by the manufacturer, and demand of the manufacturer that the marker and/or monument be replaced in compliance with the requirements set forth herein. The Owner and monument manufacturer shall be solely responsible for failing to meet the standards set forth herein.
- 9. Marker and Monument Requirements: In Mount St. Mary's Cemetery's efforts to give some assurance to the families that the granite or marble stone used for memorial purposes shall be of the highest quality, all Markers and Monuments, must comply with the following requirements:**
- a)** Mount St. Mary's Cemetery Office must be notified before any foundation or monuments are placed in the cemetery so that we can have the grave marked for placement.
 - b)** All monuments except for brass flat markers must be made of granite.
 - c)** Monuments on a single plot may not be larger than 30 inches in length and 20 inches in depth.
 - d)** Monuments on a double lot may not be larger than 60 inches in length and 20 inches in depth.
 - e)** All monuments, upright or flat must be put on a cement foundation.
 - f)** Margins on markers and monuments are not to exceed the dimensions of the marker or monument itself.
 - g)** Foundations must be uniform leaving a level bottom no smaller than the top. Cement used must be at least a 3000 psi mix and must be troweled level at top. No stones or

other fill should be placed in foundation. Top of foundation should be kept one (1) inch below ground level.

- h) Foundations for monuments less than 48 inches in length must be 24 to 30 inches deep.
- i) Foundations for monuments more than 48 inches must be 36 inches deep.
- j) Foundations for all flat monuments or markers must be 16 inches deep unless hitting the vault.
- k) If a monument is to be placed among several plots, we need to know this prior to marking the grave for placement purposes.
- l) Monuments and Markers will be procured from Codori Memorials, LLC. (717-334-1413, 400@codorimemorials.comcastbiz.net). The National Shrine Grotto is happy to provide recommendations upon request.
- m) It is the duty of the Owner of the Right of Sepulture or the Owner's family to procure and to fund any and all monuments and markers. The plot or niche must be paid in full before a monument is added to a plot or the columbarium niche cover is engraved.
- n) Owner acknowledges that his/her Marker or Monument is set in the ground and is subjected to a combination of forces, both natural and manmade, which can damage the granite or alter its appearance. Mount St. Mary's Cemetery shall not be responsible for markers and/or monuments which are damaged or broken regardless of cause.

****There is a layout fee of \$50.00 for each monument placed. Mount St. Mary's Cemetery is not responsible for this fee. It can be paid by the Owner of the Right of Sepulture, the Owner's family, or the memorial company. Checks must be made payable to Coyle Brothers and sent to:**

Jeff Coyle

14704 Harbaugh Road Cascade, MD 21719

IX

Columbarium Niches

1. Common Area: In consideration of other families and to maintain the stateliness of the columbarium, all areas beyond the place of interment are not included as part of the Right of Sepulture.
2. Columbarium Memorialization: Due to the limited amount of space on a niche front and in consideration of the community setting of the columbaria, memorialization is limited to name plates, which can be purchased either pre-need or at-need from Codori Memorials, LLC. (717-334-1413, 400@codorimemorials.comcastbiz.net). These plates can include: birth date, name, and death date. In addition, please refer to the decorations policy for niche fronts as set forth in Part VIII.
3. Urn Requirements: Maximum Urn size for cremains not to exceed 11" X 11" X 11". No paper products can be used as Urn material.

X

Catholic Cremation Guidelines

1. The church recommends that the pious custom of burying the bodies of the dead be observed. The Church does not, however, forbid cremation unless it has been chosen for reasons which are contrary to Christian teaching (Canon 1176, #3).
2. Cremated remains are to be placed in an urn.
3. Cremated remains must be placed in an urn and not divided among several containers so that family members each receive a portion of the cremated remains.
4. Cremated remains of a body may be entombed in a mausoleum or columbarium above ground.
5. Cremated remains may be buried in an urn in a grave in a cemetery.

6. Cremated remains may be buried at sea, as long as they are buried in an urn, coffin, or other appropriate and worthy container (heavy enough that when dropped into the sea will be sent to its final resting place -c.f., *OCF 406.4*).
7. Cremated remains may never be divided so that some of the remains are interred at one location and some interred at another location.
8. Cremated remains may never be scattered, either on land, from the air, or at sea.
9. Cremated remains may never be kept in a private home.
10. Cremated remains may never be buried on private property, i.e., in the backyard of a relative or friend, on a farm, at a vacation home, in the woods, on the beach, etc.
11. Cremated remains may never be placed into or become part of any kind of jewelry, dishes, statuary, or other types of remembrances.
12. Cremated remains may never, in normal circumstances, be co-mingled with other cremated remains.
13. Cremated remains must always be treated with the same care and respect that would be given to a deceased body.

XI

Employees

1. **Care and Maintenance:** The care and maintenance of the cemetery and that of the individual graves shall be performed only by employees of Mount St. Mary's Cemetery. No persons, other than employees, are permitted to perform work within the cemetery unless written permission is granted by Mount St. Mary's Cemetery.
2. **No Gratuities:** All fees or charges for services are payable to Mount St. Mary's Cemetery. Patrons of the cemetery are requested not to pay any fee or gratuity to any employee. Any acceptance of such a payment by an employee will render the employee liable to immediate dismissal.

XII

Modifications and Amendments

1. Exceptions and Modifications: Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. Mount St. Mary's Cemetery, therefore, reserves the right, without notice, to make exceptions, suspensions or modifications in any of the rules and regulations when, in its judgment, the same appear advisable; and such temporary exception, suspension or modification shall in no way be construed as affecting the general application of such rule.
2. Amendments: Mount St. Mary's Cemetery may, and it hereby expressly reserves the right, at any time, or from time to time, adopt new rules and regulations or to amend or alter any rule, regulation or article, section, paragraph or sentence in these rules and regulations.

XIII

Questions

Anyone having questions regarding the foregoing Rules and Regulations are encouraged to contact Mount St. Mary's Cemetery.

Lisa Rush – Administrative Assistant

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