

**St. Mary of the Annunciation Catholic Church, Navilleton**  
**Cemetery Rules and Regulations**  
*(Effective October 2017)*

The policies, guidelines and regulations set forth hereafter are established by St. Mary of the Annunciation Catholic Church, to provide for the proper management and appearance of its cemetery. These Rules and Regulations are established for the mutual protection and benefit of Owners of Cemetery Plots rights as a group and the Cemetery as a whole. Their enforcement will help protect your Cemetery and create and preserve its beauty.

**DEFINITIONS OF TERMS**

The following definitions shall govern, when used in the Rules & Regulations:

1. **OWNER**: The term "Owner" refers to the Owner of burial rights, officially recorded in the records of the Cemetery. A Certificate of Ownership shall be given to the Owner of record. This term shall also be applied to his or her heirs, legal representatives and assignees that are documented in writing and on file in the parish office or by will.
2. **GRAVE**: The term "Grave Site or Plot" refers to a space of ground 4' X 11' for the in-ground burial of the remains of one person.
3. **CREMAINS**: The term "Cremains" refers to cremated human remains.
4. **CREMAINS PLOT**: The term "Cremains Plot" refers to a space of ground 4' X 5.5' for the burial of one cremains.
5. **ASSIGNMENT**: is a written order by the owner of a plot to allow the use of a space by a particular individual. Assignments must be honored by the cemetery as a directive of the original owner and cannot be changed by anyone except the owner. Such assignment by an owner may not be changed by the assignee or anyone else. In a case where the plot owner has deceased after making an assignment, and the assignee has no interest in the space, no re-assignment can be made, as an assignment is for exclusive use, rescindable only by the original lot owner.
6. **MANAGEMENT**: The term "Management" refers to the Pastor of St. Mary of the Annunciation Catholic Church and /or cemetery committee.
7. **FOUNDATION**: The concrete base on which the monument rests.

**A. GENERAL**

1. Registered members of the parish may purchase a grave plot or cremains plot prior to a person's death. For purposes hereunder, registered members of the parish include the immediate family of then registered Catholic members (i.e., husband, wife, significant other, and children), regardless of religious affiliation.
2. A maximum of three graves or cremains plots may be purchased, according to the need: one for self, one for spouse/significant other, and one for a dependent child. Such plots shall be used for the sole and express purpose of burial of human remains only. All purchases must be approved by the management. St. Mary of the Annunciation Catholic Church reserves the right to refuse the sale of plots to any person or persons whom the Pastor and/or Cemetery Committee deem objectionable to the best interests of the cemetery.

3. Grave and cremains plots will be sold and assigned in consecutive order.

4. From this day forward the fee for grave or cremains plot and the Perpetual Care Fee must be paid in full at the time of purchase. If not previously paid, the decedent's family will be assessed a Perpetual Care Fee at the time of death. The Perpetual Care Fee is used for restoration of plots after burial and future maintenance of the cemetery.

5. St. Mary of the Annunciation Catholic Church reserves the right to change or amend any rule, regulation, or fee at any time.

6. All grave and cremains plots within the cemetery shall be subject to the guidelines of the Roman Catholic Archdiocese of Indianapolis and St. Mary of the Annunciation Catholic Church.

#### **B. OPENING AND CLOSING OF GRAVE PLOTS AND CREMAIN PLOTS**

1. The opening and closing of all grave and cremains plots in the cemetery must be performed by a parish approved contractor. The family members will assume responsibility for any fee owed to the contractor to cover the opening and closing of a grave plot.

2. The Cemetery will not be liable for the interment permit for cremains nor the identity of the person sought to be interred. A burial permit is always required and is the family's responsibility to provide such permit to management the day the burial takes place.

3. The Cemetery will not be liable for the interment permit for burial of remains in a casket nor the identity of the person sought to be interred. A burial permit is always required and is the funeral homes responsibility to provide such permit to management the day the burial takes place.

#### **C OWNERSHIP, TRANSFERS AND ASSIGNMENTS**

For the protection of plot owners of the cemetery, and to prevent unauthorized transfers and interments, the management must have complete records of the ownership of all plots in the cemetery. Therefore the following restrictions are necessary and mandatory concerning sales, transfers, and assignment of all plots.

1. Right of burial may be purchased only for the expected use of the owner, his/her family, or assignee designated at the time of sale, and may not be purchased for resale.

2. Once a purchase is recorded, it can only be changed in writing by the original owner. You may not re-sell or reassign any plot.

3. In the case of joint owners, each owner has a vested right of interment in the plots purchased.

4. If the plot owner filed written instructions at the cemetery office or legally specified in a will as to which member or members of his/her family shall succeed to the rights of said plot, said instruction will be recognized by management and will be followed if, in judgement of the management, such instructions are definite, reasonable, and practical, subject however to a vested right of interment of surviving spouse.

5 The owner, as defined in 'a definition of terms' has the sole right to transfer to another person. Such transfer must be completed by written assignment as set forth in 'definition of terms' of assignee. Unless the cemetery has written notice of the existence of a will, it may assume that the owner has not effectively disposed of his or her burial rights by will and the deceased burial rights shall be conveyed in accordance with the Indiana General Assembly Act

6. The owner of the plot is responsible for notifying the office of St. Mary of the Annunciation Catholic Church of any change of his/her address. Any notices sent to last the address on file in parish office shall be considered sufficient and proper legal notification.

7. Only one vault on a 4' x 11' grave plot or one cremains on a 4' x 11' grave plot is permitted. A burial vault is required for a casket.

8. No cremains interment above an existing vault is permitted.

9. The Archdiocese's Liturgical Norms for the Celebration of Funeral Rites does not allow the scattering of cremated human remains. Furthermore, urns containing cremated human remains cannot be placed in a casket already containing a human body nor can the remains of two persons be combined in one urn. Therefore, as an additional option, the cemetery has a designated area for cremains interments with 4' x 5.5' grave plots. An in-ground cremains interment fee for opening and closing the grave will be assessed to the family at the time of death.

#### D. FOUNDATIONS AND MONUMENTS

##### 1. General Guidelines

a. All grave plots must be marked with some type of permanent monument. Flat or upright monuments may be used. Only a flat monument is allowed to be used in the cremains section of the cemetery. Each grave plot is limited to one monument. (If a military marker is used in addition to the monument, it must be level with the ground.) All monuments are the property of the grave plot family. St. Mary of the Annunciation Catholic Church assumes no responsibility for the upkeep of the monument (or any loss or damage to monument).

b. In the event it is necessary to move a monument in order to dig an adjacent grave, the grave plot owner of the monument needing to be moved, or their family, will be responsible for any expense incurred for such moving and replacing of the monument.

c. If a monument is set without the approval of the Pastor of St. Mary of the Annunciation Catholic Church or an appointed representative of the cemetery, the grave plot owner will be responsible for any expenses incurred in moving or replacing the monument.

##### 2. Monument Specifications:

a. For a single grave plot, the monument must be centered in the width of the grave plot. The height of a monument may not exceed 36 inches. The width of a monument may not exceed 36 inches.

b. For a double grave plot, the monument must be centered in the width of the two grave plots. The height of a monument may not exceed 36 inches. The width of one monument for two adjacent grave plots may not exceed 48 inches.

c. For a triple grave plot, the monument must be centered in the middle of the three grave plots. The height of the monument may not exceed 36 inches. The width of one monument for three adjacent grave plots may not exceed 60 inches.

d. For cremains plots, the flat monument cannot exceed 24" X 12" and must be installed flush with the ground for mowing purposes.

e. If these specifications are not followed, any expense incurred to move the monument (to open adjacent graves or to re-set to specifications) will be the sole responsibility of the family of the owner of the monument not meeting specifications.

3. Foundation Specifications:

a. The foundations must be placed by the Monument Company. The foundation of all monuments shall be constructed of poured concrete, set to a minimum depth of two feet and may not come closer than 6 inches of the edge of the gravesite. It is prohibited for any dirt to be added to any other existing grave site.

E. DECORATIONS AND GREENERY

1. No shrubs, trees, glass vases, or any permanent objects such as benches, are permitted to be planted or installed upon any grave plot.

2. The cemetery will not be responsible for any floral arrangements. However, it has the authority to remove any unsightly or dangerous items. It is recommended that any floral arrangements placed at grave plots have the name of the deceased marked on the bottom of the arrangement so they may be replaced, if possible, on the proper plot in case of wind blowing them away.

3. St. Mary of the Annunciation Catholic Church Cemetery is not responsible for any loose items left at the grave plot which may be damaged, lost, stolen or removed for any reason. The cemetery grounds keeper reserves the right to remove any loose objects that interfere with mowing.

F. MAINTENANCE OF CEMETERY GROUNDS

1. The Cemetery will be responsible for maintaining the grounds.

2. A Perpetual Care Fee is assessed to help offset the costs of maintaining the cemetery. The amount of the perpetual care fee may be increased at the discretion of St. Mary of the Annunciation Catholic Church Finance Council.

G. COUNCIL APPROVALS

The Finance Committee and Parish Council have approved the following fees to be assessed individuals at the time of purchase a grave site.

**One 4' x 11' grave site (Upright Monument or Flat Monument allowed):**

<b>Parishioner</b>	<b>\$300 + \$200 Perpetual Care Fee</b>
<b>Former Parishioner</b>	<b>\$1,200 + \$200 Perpetual Care Fee</b>
<b>Non-Parishioner</b>	<b>\$2,000 + \$200 Perpetual Care Fee</b>

**One 4' x 5.5' Cremains grave site (Flat Monument only allowed):**

<b>Parishioner</b>	<b>\$200 + \$200 Perpetual Care Fee</b>
<b>Former Parishioner</b>	<b>\$600 + \$200 Perpetual Care Fee</b>
<b>Non-Parishioner</b>	<b>\$1,000 + \$200 Perpetual Care Fee</b>