

RULES and REGULATIONS
FOR THE
GOVERNMENT
OF THE
CEMETERIES IN ASHBY
MASSACHUSETTS

Adopted 1909 – Amended 2007

RULES AND REGULATIONS

Subject to the following rules and regulations, and to such rules and regulations as may from time to time be adopted by the town, the care and management of the Cemeteries shall be vested in a Board of three Commissioners chosen by the town and in conformity to the revised laws of the Commonwealth governing Cemeteries, Chapter 114, sections 21-27 inclusive.

Article I

Care and Management – Said Board shall have the sole care, superintendence and management of all public burial grounds in this town.

Article II

Annual Meeting – An annual meeting of the commission shall be held upon the first Saturday in May of each year, at which meeting shall be chosen by ballot a Chairman and Clerk who shall be members of said committee, and a superintendent, all of whom shall serve for a term of one year, and until their successors are appointed and qualified.

Special meetings may be called at any time by the Chairman.

Article III

Chairman – The Chairman shall preside at all meetings of said Commissioners. He shall determine the hour and place for such meetings: he shall sign all deeds of conveyance of lots in the name of the inhabitants of Ashby; he shall submit an

annual report to the town to be published in the town report: said report shall show the amount of fund for each lot having perpetual care, including accumulations of income, amount expended during the year on each lot, and the balance to the credit of the lot at the close of each year, and shall perform such other as are or may be required by vote of the town.

Article IV

Clerk – The Clerk shall notify and attend all meetings, and record the doings of said commissioners: he shall have charge of the plans belonging to the cemeteries, and all legal instruments, reports, catalogues and other publications of the commissioners: he shall prepare, countersign, and record, in a book kept for the purpose, all deeds of conveyance of lots.

Article V

Superintendent – The Superintendent may be one of the Commissioners or otherwise as they may determine. He shall have general supervision and custody of said Cemeteries: shall see that all work is done in a neat and satisfactory manner: and, as Agent for the Commissioners, shall have the power to engage and discharge workmen, also to order and arrange their duties.

He shall see that all regulations with regards to interments, the grading of lots, erection of headstones, monuments, etc. are complied with: he shall see that the rights of the town and regulations of the commissioners are respected by artists, mechanics and laborers employed on the ground by individual proprietors.

He shall fulfill all contracts made with proprietors for the repair of lots or for their permanent care, and perform such other duties as the commissioners may require: he shall have power to remove from the cemeteries improper and disorderly persons, to abate nuisances, remove rubbish and unnecessary encumbrances.

He shall keep, in books provided for the purpose, regular and accurate records of all interments, including the names and ages of all persons interred, and the place and date of their interment: also of all monuments erected and lots improved: he shall also make an annual report to the commissioners, if they so desire, and he may be removed at any time by a majority vote of the Commissioners.

Article VI

Commissioners – The commissioners shall have the general charge of the grounds, trees, avenues and paths in the cemeteries, with power to make such alterations, repairs and improvements therein as they shall deem expedient. They shall have the general supervision of all sales, locations and laying out of lots; also of all questions of right between individual proprietors, or between proprietors and officers of the cemeteries. They shall have the power to contract with any proprietor for the repair of his lot. They shall also have the power to contract with any proprietor for the perpetual care of their lots, agreeing to give such care as the income on the amount paid for such perpetual care will warrant.

All bills of account pertaining to said Cemeteries shall be approved by two Commissioners before payment thereof by the Treasurer of the Town. They shall superintend the general subject of interments, and see that they are made in conformity with the laws of the Commonwealth and the rules and regulations of the Cemeteries : they shall from time to time inspect the records of the superintendent relating to interments, and see that the same are properly kept.

Article VII

Sales and Conveyances – Lots applied for by purchasers may be laid out and graded by the superintendent, such work being paid for by the purchaser, subject to the approval of the commissioners. If the sale is approved by the commissioners the purchaser shall then pay to the Treasurer of the Town, before any interments are made in the lot, the customary or stipulated price of the lot sold to them, together with the amount for perpetual care of said lot, provided such lot is sold with perpetual care, and shall receive a certificate thereof, which shall be returned to the treasurer when the deed is delivered. No deed of any lot shall be issued to more than two grantees, or to any person as Trustee, Executor, or Administrator, except by vote of the commissioners. Nor shall any person hold more than two lots in the same right. No lot shall be conveyed from one person to another without the consent of the commissioners, nor shall any such conveyance be made when the apparent motive is to evade the payment of the full price charged to the non- residents of this town.

Article VIII

Trees – Trees standing within the lots can be removed if desired by an application by the proprietor to the superintendent, subject to the approval of the commissioners. The Commissioners also have charge of the general subject of introducing and cultivating, trimming and removing trees and shrubs in other parts of the Cemetery.

No new trees or shrubs shall be introduced without the permission of the commission.

No artificial trees or flowers will be permitted.

Plantings shall be allowed around markers but should not exceed one foot in any direction from the marker.

The commission and /or workers in its employ shall make reasonable efforts to protect flowers, trees, shrubs and mementos left at the grave; however they shall not be held responsible for care/ replacement of such items.

Article IX

Interments – No interment shall be made in said Cemetery until such a permit as may be required by the laws of the state, or of the city or town from which the deceased may be brought, together with an order from the proprietor of the lot in which the interment is to be made, or from his legal representative, shall be presented to the superintendent.

Rules and regulations regarding interments are made for the protection of Lot Owners and the people of the town of Ashby, in accordance with state laws and town by-laws.

Burial interments must be enclosed in a permanent type, sealed outside box or container.

No interments will be allowed in a wooden or other temporary type container. No “draining” vaults will be allowed.

All orders for interments must be received 48 hrs. in advance, orders received less than 48 hrs. in advance may incur additional fee. (See fees schedule)

Interments performed on Saturday or after 2pm will be subject to additional fees. (See fees schedule)

Should the need arise remains may be kept in the receiving vault until services can be performed, No remains will be kept in the vault for more than seven days during the months of April-October.

All fees and appropriate permits must be presented **before** the interment.

No interments shall be conducted on Sunday or any of the following days: New Year’s day, Memorial day, Independence day, Labor day, Thanksgiving day, Christmas, except by special permission of the superintendent.

Interments (winter)

It is the intention of the commission to perform interments throughout the year however...

Winter interments will be at the discretion of the superintendent, weather and roadway conditions typically dictate when burials and services can be performed. Graveside Funeral services may be restricted to minimize safety concerns and impact on cemetery landscape. Additional costs may apply to winter interments. (See fees schedule)

Should conditions not warrant interment, the deceased may reside in the town vault (space providing) until a time when the services can be performed.

Article X

Receiving Tomb – The receiving tomb is for the use of citizens of the town, and of proprietors of lots. All bodies must be removed there from on or before May 15th

of each year, and no body shall be allowed to remain in the tomb more than one week during the months of April through October.

Article XI

No grave or tomb shall be opened for an interment or removal by any person except by order of the commissioners or superintendent.

Article XII

Omnibuses, Teams, Carts, etc. - No teams or carts (except those used on the grounds) will be allowed to drive into the cemetery without the permission of the commissioners.

Article XIII: Fees

Item	Price
Burial Plot	\$300 per lot
Perpetual Care Fee	\$200 per lot
Burial fee (casket)	\$500
Burial Fee (cremains)	\$250
Monument foundations 1'x3'x3' (2' long stone) Over 1'x3'x3'	\$150 \$50/sq.ft.
Marker installation (Flush Type)	\$25
Saturday or after 2pm service	\$100
Winter interment (weather permitting)	Call for price
Under 48 hrs. notice for burial	\$250

Fees subject to change at the discretion of the commission.

Article XIV

Monuments -All monuments are subject to prior approval by the commission.

Foundations for monuments shall be erected only by the commission or its employees.

Foundation orders should be placed on or before May 1st, Aug 1st or Nov 1st yearly.

Veterans markers should be delivered to the shed at Glenwood Cemetery and will be installed upon receipt, weather permitting.

Only one upright monument shall be allowed per lot.
All other markers on a lot should be the flush type and mounted at ground level.
Flush markers should be at least 4” thick.

Article XV

Decoration - With the exception of flags and Veterans Day plantings: All flowers, decorations, and mementos left at graveside services or in observation of special holidays or birthday shall be removed 10 days after said services or holiday or when they become unsightly.

The cemetery will not be responsible for, or damage to, any flowers, decorations, holders, statues, or any mementos left at the grave. The cemetery recommends not leaving any items of actual or personal worth at the grave. Anyone wishing to keep a memorializing item is encouraged to return within the appropriate amount of time to retrieve these items.

No artificial flowers, shrubs, or trees are permitted.

Article XVI: *General rules for conduct within the cemeteries*

The Cemeteries shall be open to visitors from dawn until dusk.

After sunset all unauthorized persons should leave the grounds.

All visitors shall observe the rules of the cemeteries.

Speed limit inside the cemetery gates = **5mph**

The Following shall **not** be allowed in the cemeteries:

Alcoholic beverages

Horses (unless part of a funeral procession)

Dogs

Riding of bicycles, Atvs, snowmobiles, go-karts, mini bikes, or any similar vehicle

Use of cemetery roadways for instructional driving, pleasure driving, pass-through driving, or any use other than visitation or approved activity is prohibited.