

*Mashpee Town Cemetery*  
**MASHPEE MASSACHUSETTS**

**Rules of Operation**

*February 2002*

*Amended June 2003, November 2015, July 2019*

## **CONTENTS**

<i>SECTION</i>	<i>PAGE</i>
TERMS	1
PURPOSE OF CEMETERY	1
CEMETERY ADMISSION	1
INTERMENT PROCEDURE	1
ARRANGEMENT FOR INTERMENTS	3
CORRECTION OF ERRORS	3
LOT HOLDER RIGHTS	4
SERVICE CHARGES AND PAYMENTS	5
RIGHT TO REPLACE	6
EASEMENTS	6
USE OF CEMETERY	6
CONDUCT IN CEMETERY	8
GRADING AND IMPROVEMENTS	9
CEMETERY HOURS	9
EMPLOYEES	9
OUTSIDE WORK	10
LOSS OR DAMAGE	10
CHANGE OF ADDRESS	10
CARE	10
MEMORIALS	11
MAUSOLEUMS AND TOMBS	14
GENERAL	14
APPENDIX 1 - INTERMENT ORDER	17
- PERMIT TO PERFORM MEMORIAL WORK	18

## **SECTION I TERMS**

The term "Grave" shall mean a space of ground in the Cemetery used or intended to be used for burial of remains of one human being.

The term "Lot holders" shall include person or persons who have purchased interment rights or entombment rights in a privately owned mausoleum or who hold same by right of inheritance or transfer.

The term "Memorial" shall include monument, tombstone, headstone or flat marker.

The term "Care" shall mean that general care of the cemetery as herein defined.

*Any term in this document can be appealed to the Board of Selectmen.*

## **SECTION II PURPOSE OF CEMETERY**

The cemetery is intended for the interment of persons who are entitled to burial according to the rules and regulations of the Town of Mashpee Cemetery Commission. Determination of the issue of propriety of burial of a Mashpee resident or of any Non-Mashpee resident not entitled to burial in the town cemetery are contained in the rules and regulations of the Mashpee Cemetery Rules of Operation and shall remain at the sole discretion of the Town of Mashpee Cemetery Commission, an agency of the Town of Mashpee, and such decisions when rendered shall be final.

## **SECTION III CEMETERY ADMISSION**

The Cemetery Commission reserves the right to refuse admission to the Cemetery or to refuse the use of any cemetery equipment or facilities at any time to any person or persons whom the Cemetery Commission may deem objectionable to the best interests and norms of the Community. Final review of any such decision rests with the Board of Selectmen.

## **SECTION IV INTERMENT PROCEDURE**

- A. All funerals on entering the Cemetery shall be under the exclusive charge and sole direction of the Cemetery Superintendent.
- B. A Burial Permit for each funeral as required by M.G.L. Chapter 114, Sections 45, 46 and 47, must be presented to the Cemetery Superintendent before the interment. In addition, an

Interment Order must be completed and submitted to the Cemetery Superintendent a minimum of 48 hours prior to the scheduled burial, except under extenuating circumstances, in which case a shorter time period shall be allowed. The Interment Order is included in Appendix I of these regulations.

- C. The Cemetery Commission, Cemetery Superintendent, agents, and employees shall not be liable for the burial permit or for the identity of the person to be interred or entombed.
- D. The casket may not be opened at any time within the cemetery without the express permission, and in the presence of the Cemetery Superintendent. The Management reserves the right to refuse permission to anyone to open the casket or to touch the body without the consent of the legal representative of the deceased or without a Court order; provided that in the event necessity requires, the Cemetery Superintendent may take appropriate steps to correct any obnoxious or improper condition.
- E. The interment of cremated remains shall be as directed by the Town of Mashpee Cemetery Commission.
- F. No disinterment or removal shall be allowed except with the permission of the Cemetery Commission and only when permanent interment is to take place outside of the Town of Mashpee with written authorization of lot holder and nearest of kin and with proper legal procedure.
- G. The Cemetery Superintendent shall exercise due care in making a disinterment and removal, but neither the Cemetery Commission, Cemetery Superintendent, agents or employees shall assume liability for the damage to any casket or burial case incurred in making the disinterment and removal.
- H. The Cemetery Commission shall have the right to designate the time and manner in which interments, disinterments and removals will or will not be permitted. All interments, disinterment and removals shall be subject to the payment of such charges as shall be fixed by the Cemetery Commission.
- I. Besides being subject to these rules and regulations, all interments and removals shall be subject to the orders and laws of the properly constituted authorities of the city, county and state.
- J. Equipment owned or leased by the Cemetery Commission and/or the Town of Mashpee shall be used exclusively in making interments, disinterments and removals.
- K. Flowers must be delivered at the grave in sufficient time to permit arrangement before the funeral procession arrives. Designs shall not offend against any religious disciplines.

- L. Flags of appropriate size and holder, determined by the Cemetery Commission, will be allowed on a year round basis. The Town shall finance the replacement of American flags when necessary.

## **SECTION V ARRANGEMENTS FOR FUNERALS AND INTERMENTS**

- A. The Cemetery Commission shall have the right to request those wishing to make a selection of a lot or arrange for a funeral or an interment, to call at the Cemetery Superintendent's office in ample time to complete arrangements. On those occasions when a non-Mashpee resident is permitted by the Cemetery Commission to be interred in a Mashpee cemetery, the officiating religious authority may conduct the interment service in accordance with the precepts of the deceased person's religion subject to the rules of operation of the cemetery. For those involved in civic organizations and those with additional affiliations, if requested, patriotic or fraternal services may also be conducted.
- B. The Cemetery Superintendent may order an interment or opening of a lot for any purpose on proper written authorization by any lot holder of record made out on forms approved by the Cemetery Superintendent and duly filed in its office, unless there are written instructions to the contrary on file in the cemetery office. To avoid serious inconvenience, the Cemetery Commission reserves the right to accept from the lot holder written documentation.
- C. The Cemetery Commission, Cemetery Superintendent, agents and employees, shall not be responsible for any order given by telephone or any mistake occurring from the want of proper instructions as to the size of the casket or as to the particular grave location where interment is to be made. The Cemetery Commission reserves the right to make an equitable charge whenever additional labor costs result from such mistakes.
- D. INTERMENT DELAY. The Cemetery Commission, Cemetery Superintendent, agents and employees, shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made, or where the rules and regulations have not been complied with, or where said rules and regulations shall forbid such interments; and further, said Cemetery Commission reserves the right, under such circumstances, to place the body in a receiving vault until full rights have been determined. Any protest may be required to be in writing and filed in the Cemetery Superintendent's office.

## **SECTION VI CORRECTION OF ERRORS**

The Cemetery Commission reserves, and shall have, the right to correct any errors that may be made by it, its Cemetery Superintendent, agents and employees, either in making interments, disinterment or removals, or in the description, or conveyance of any interment rights or lot, either by canceling such conveyance and substituting and conveying in lieu thereof other

interment rights or lot of equal value and similar location as far as possible, as may be selected by the Cemetery Superintendent, or, in the sole discretion of the Cemetery Commission, by refunding the amount of money paid on account of said purchase. In the event any such error shall involve the interment of the remains of any person in any lot, the Cemetery Commission reserves, and shall have, the right to remove and re-inter the remains in such other lot of equal value and similar location as may be substituted and conveyed in lieu thereof.

## **SECTION VII INSTRUCTIONS TO LOT HOLDERS AND LOT HOLDERS' RIGHTS**

- A. Persons desiring to purchase interment rights should visit the cemetery where the Cemetery Superintendent will aid them in making a selection and in effecting the necessary arrangements.
- B. The Cemetery Commission reserves the right to specify the terms of purchase of all interment rights in lots.
- C. Should the lot purchaser fail to carry out the terms of a multiple lot purchase agreement, the Cemetery Commission may declare said agreement cancelled and all rights of the purchaser in and to the unpaid lots forfeited. In the event of such default the Cemetery Commission reserves, and shall have the right immediately, or at any time thereafter, at its discretion, return all monies on any paid lots or offer a suitable replacement single lot to be chosen by the Cemetery Commission. The Cemetery Commission further, shall have the right to remove any memorial that may have been placed on said lots.
- D. No coping, curbing, fencing, hedging, borders, plantings or enclosures of any kind shall be allowed around any lot. The Cemetery Commission reserves the right to remove it if is so erected, planted or placed.
- E. All grave interments shall be made with outside container or burial vault.
- F. The number of interments allowed in one "casket" grave are one casket burial and one cremation or two cremations. One interment is allowed in a designated cremation grave.
- G. Non-resident immediate family members of a Mashpee resident or property owner may be interred in the cemetery and shall be considered "residents" when purchasing a plot. Immediate family members are defined as children and parents. Other non-residents may be interred at the cemetery, but shall be considered "non-residents" when purchasing a plot.
- H. The use of the lot is for lot holder or lot holder's relatives for interment purposes only. By special permission of the Cemetery Commission a person not a member of the lot holder's family may be interred in said lot, but in no case shall a lot holder have any right to sell, transfer, exchange or in any manner dispose of said lot or any part thereof, or any right or interest therein or any use of said lot. In the event of death of a lot holder any and all

privileges of the lot holder shall pass to the lot holder's family as prescribed by General Laws, Commonwealth of Massachusetts Chapter 114, Sections 29, 31, 32 and 33 and also Chapter 150, Section 3.

- I. If in a will no express disposition or other mention is made of a cemetery lot owned by the testator at his demise, the ownership of the lot shall not pass from the lawful heirs by any residuary or other general clause of the will, but shall descend to his heirs, as if he died in testate.
- J. The spouse of an owner of any lot containing more than one interment space has a vested right of interment of his/her remains in the lot.
- K. If the lot holder shall have filed written instructions at the Cemetery office as to which member or members of his/her family shall succeed to the right of said lot, said instructions will be recognized by the Cemetery Commission and will be followed if in the judgment of said Cemetery Commission such instructions are clear, practicable and not manifestly unjust.
- L. If no valid or sufficient written instructions shall have been filed in such office, or if valid and sufficient instructions are in conflict with a later will, and the lot holder has left instructions in said will, duly allowed to probate in a court having jurisdiction thereof, subject, however, to a vested right of interment of a surviving spouse, such instructions shall control, provided they are not in conflict with the Cemetery rules and regulations then in force and provided the cemetery office is furnished with proof of the same.
- M. In the absence of valid and sufficient written instructions filed at said office by the lot holder or duly probated will, the rights of interment shall devolve upon those entitled to succeed thereto by the laws of succession of the Commonwealth of Massachusetts.
- N. In a conveyance to two or more persons as joint tenants, each joint tenant has a vested right of interment in the lot conveyed. Upon the death of a joint tenant, the title to the lot held in joint tenancy immediately vests in the survivors, subject to the vested right of interment of the remains of the deceased joint tenant. A vested right of interment may be waived by a writing document acknowledged by a Notary Public and delivered to the Cemetery Commission or the Cemetery Superintendent and is terminated upon the interment elsewhere of the remains of the person in whom vested. A person having knowledge of the facts that attest to the death of one joint tenant and establishing the identity of the surviving joint tenant(s) must sign the notarized affidavit.
- O. Cemetery Commission is to permit the use of the unoccupied portion of the lot in accordance with the directions of the surviving joint tenant(s) or their successors' interests.
- P. A lot holder may not resell a lot to which he has title, except back to the Town of Mashpee for the same price paid, less twenty-five percent (25%) for administrative and maintenance costs.

## **SECTION VIII SERVICE CHARGES AND PAYMENTS**

The Cemetery Commission has the right to fix a charge and time of payment for each interment, disinterment, and removal and for the performance of any other service rendered by the Cemetery Commission and all work in connection with such service shall be subject to the determination and supervision of said Cemetery Commission.

## **SECTION IX RIGHT TO REPLACE**

- A. The following rights and privileges are hereby expressly reserved, but without limitation, to the Cemetery Commission to be exercised at any time or from time to time for the erection of buildings, or for any purpose or use connected with, incident to, or convenient for, the care of, preservation of, or preparation for the disposal or interment of deceased human remains or other cemetery purpose.
- B. To resurvey, enlarge, diminish, replace, alter in shape or size, or otherwise to change all or any part or portion of the cemetery.
- C. To lay out, establish, close, eliminate, or otherwise modify or change, the location of roads, walks or drives, provided ingress and egress to and from any lot is preserved.
- D. To take easements and rights of way over and through all of said cemetery premises for the purpose of installing, maintaining and operating pipe lines, conduits or drains for sprinklers, drainage, electric or communication lines or for any other cemetery purpose.
- E. To alter, remove, or add to the landscaping or grading of lots within the cemetery when, in its sole discretion, it is necessary and desirable to do so.

## **SECTION X NO EASEMENTS GRANTED**

No easement or right of interment is granted to any lot holder in any road, drive or walk within the Cemetery; but any such road, drive or walk may be used as a means of access to the cemetery and its buildings as long as the Cemetery Commission devotes such road, drive or walk to that purpose. This clause includes but is not limited to any "green zones" or other set aside lands within the cemetery.



## SECTION XI USE OF CEMETERY

- A. Visitors within the cemetery shall only use avenues and roads laid out by the Cemetery Commission and only those portions of the lawn necessary to gain immediate access to the lot visited. The Cemetery Commission expressly disclaims liability for any injuries sustained by anyone violating this rule.
- B. Strangers are not permitted to sit or lounge on any of the grounds, graves or monuments in the cemetery, or in any of the buildings.
- C. Only the lot holder and his relatives or friends shall be permitted on a Cemetery lot. Any other person thereon shall be considered a trespasser. This does not preclude the placing of memorial markers by civic organizations or those with affiliations with patriotic and fraternal organizations.
- D. Children under fifteen years of age are not permitted within the Cemetery unless accompanied by an adult.
- E. Animals shall not be allowed in the Cemetery or in any buildings in the Cemetery.
- F. Lawns shall not be disturbed for any purpose except upon the express written permission of the Cemetery Commission.
- G. Decoration of Plots
  - 1. Annual/perennial flowers or shrubs may be planted around the base of a monument as shown in Figure 1a or 1b. The depth of the planting area shall not exceed eighteen inches (18") in front and eighteen inches (18") to each side or the width of the plot if a cremation plot/single grave, so as not to interfere with maintenance of the cemetery. The Town shall not be responsible for damage to any plantings caused during interment.

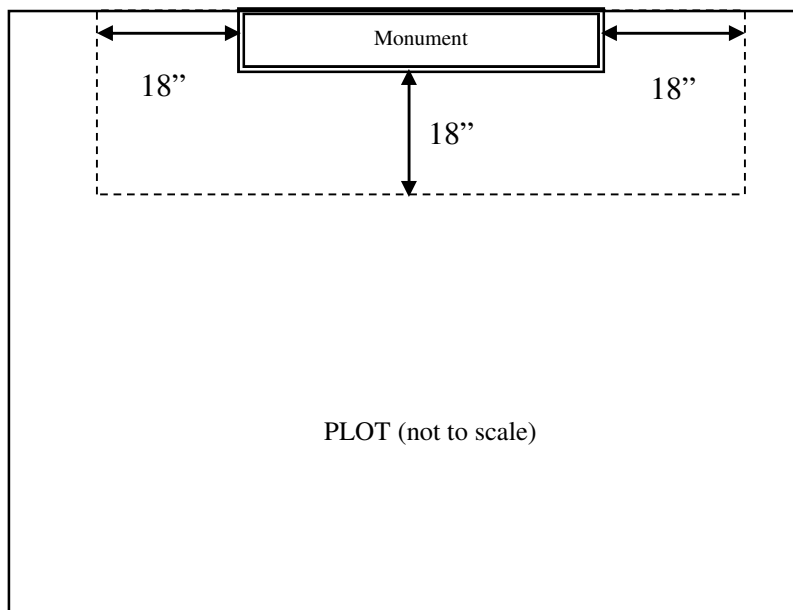


Figure 1a

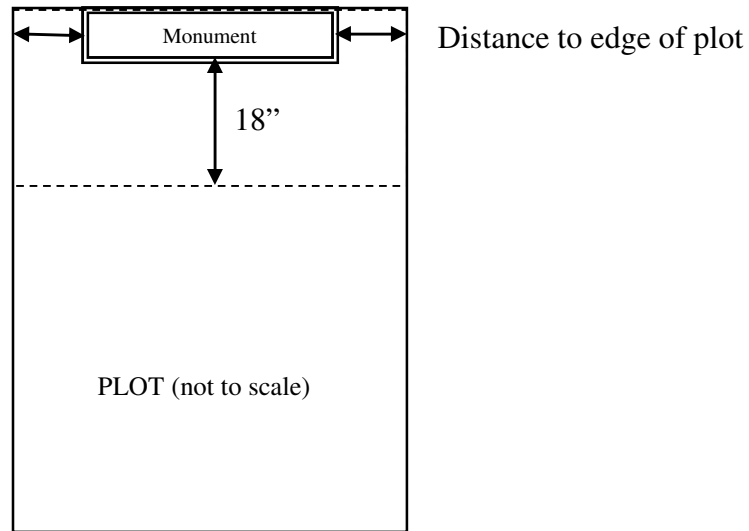


Figure 1b

2. Plantings allowed by (1) above shall be contained entirely within a plot, that is, they shall not encroach on any adjacent plot (side or rear). In addition, all flowers and shrubs shall be restricted to the height of the monument and shall not obstruct a monument. Plot owners shall be responsible for edging around planting as well as trimming flowers and shrubs to ensure compliance with these regulations.
3. Flowers and shrubs may not be placed anywhere else on a plot. For plots without a monument, planting of flowers or shrubs shall be prohibited.
4. The planting of trees on a plot shall be prohibited.
5. Potted plants may be placed immediately adjacent a monument, within the edged planting area described in (1) above. For plots without a monument, a single plotted plant (maximum twelve (12) inch diameter) may be placed at the head of the plot.
6. Metal, ground level or half-exposed vases are allowed, provided they are placed within six inches of the base of the monument.
7. Wreaths and Christmas greens shall be allowed from December 1<sup>st</sup> to February 1<sup>st</sup>.

8. The following are not permitted at any time:
- Metal stands and hooks
  - Glass or ceramic items
  - Concrete urns
  - Wind chimes, balloons
  - Bird baths or feeders
  - Statues greater than 12 inches in height
  - Signs/banners
  - Alcohol bottles
  - Fencing
  - Loose items not contained within the edged planting area described in (1), including golf balls, stones, shells, etc.
9. Religious artifacts and vigil candles shall be allowed on a plot, provided they are placed within the edged planting area described in (1) above and they are not made of glass or ceramic material.
10. Personal mementos or keepsakes, including, but not limited to, stuffed animals, toys, decorative flags, and photographs, shall be removed after a suitable time period at the discretion of the Cemetery Commission or Cemetery Superintendent. Plot owners wishing to keep any such item should contact the Cemetery Superintendent to make the necessary arrangements.
11. Veterans' flags and holders shall be allowed throughout the year provided they are installed flush with the front base of the monument. Flags which become faded, frayed or torn shall be removed and disposed of by the Department of Public Works.
12. Funeral flower arrangements shall be removed by the Department of Public Works seven (7) days following their placement. Plot owners wishing to keep an arrangement or any part thereof should remove the arrangement within this seven-day period.
13. All items subject to restricted dates shall be removed by the lot owner on or before the specified removal date.
14. Maintenance of all planting shall be the responsibility of the plot owner.
15. The Cemetery Commission, at the discretion of the Cemetery Superintendent or his/her designee, reserves the right to remove any plantings or other items which become unsightly, dangerous, deteriorated or diseased or which interfere with the maintenance of the cemetery.
16. The Town shall not be responsible for damage to plantings or other items left on a grave due to weather, vandalism, theft or general maintenance.

- H. Motor Vehicles - Automobiles, funeral coaches and trucks must be kept under control at all times and at no time shall such vehicles drive through the gates or within the Cemetery at a speeds in excess of 20 miles an hour. Automobiles are not allowed to park or to come to a full stop in front of an open grave unless such automobiles are in attendance at the funeral. It is prohibited to park or leave any motor vehicle on any road or driveway within the Cemetery at such location or in such position as to prevent any other vehicle from passing, and if so parked or left, the Cemetery Commission may remove said vehicle.
- I. Bicycles and Motorcycles - The Cemetery Commission reserves the right to refuse admission to bicycles or motorcycles to the Cemetery.

## **SECTION XII CONDUCT IN CEMETERY**

- A. Idling, loafing or any boisterous demonstrations within the cemetery or any of its buildings is prohibited.
- B. Trash and Rubbish - Throwing of trash and rubbish on roads, driveways, and paths, walks, on any part of the grounds or in the buildings are prohibited. Receptacles for waste material are located at convenient places. Disposal of household trash in these receptacles is prohibited. Any persons violating the provisions of this section shall be punished by a fine of three hundred dollars (\$300). Any such violation shall constitute a separate offense on each successive occasion.
- C. Picnicking - Picnicking or partaking of any refreshment within the Cemetery is prohibited.
- D. Flowers and Shrubs - No one shall pluck any flower or break any branches, or remove, injure or cut any tree, plant, or shrub without specific permission of the Cemetery Commission.
- E. Peddling or Soliciting - No one shall be permitted to peddle flowers, plants, or any other article or item, or to solicit the sale of any commodity whatsoever within the cemetery unless authorized by the Cemetery Commission and under its direct supervision.
- F. Signs and Advertising - No signs, notices or advertising of any kind shall be allowed within the cemetery except those placed by the Cemetery Commission.
- G. Improper Assemblages - The Cemetery Commission shall have the power to prevent improper assemblages.

## **SECTION XIII GRADING AND IMPROVEMENTS**

- A. All grading, landscape work and improvement of any kind and all care of lots, shall be done,

and all trees, shrubs and herbage of any kind shall be planted, trimmed, cut or removed by the Cemetery Commission.

- B. All improvements or alterations of lots in the Cemetery shall be under the direction of and subject to the approval of the Cemetery Commission, and should they be made without its prior written consent, said Cemetery Commission reserves the right to remove, alter or change such improvements or alterations at the expense of the lot owner.

#### **SECTION XIV CEMETERY HOURS**

The Cemetery Commission shall have the right to fix the opening and closing hours of the cemetery, cemetery office and buildings.

#### **SECTION XV EMPLOYEES**

Cemetery employees are not permitted to do any work for lot holders except upon the order of the Cemetery Commission, but are required to be civil and courteous to all visitors.

#### **SECTION XVI OUTSIDE WORK**

No workmen other than employees of the Cemetery Commission will be permitted to work in the cemetery unless authorized by said Cemetery Commission. Lot holders may have certain work done in accordance with the Cemetery Rules and Regulations at their own expense upon application to the Cemetery Commission; price to be agreed upon and paid before said work is done.

#### **SECTION XVII. LOSS OR DAMAGE**

The Cemetery Commission disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage caused by an act of God, the elements, insurrections, riots, order of any military or civil administration, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents or any cause similar or dissimilar beyond control of the Cemetery Commission whether the damage be direct or collateral. In the event it becomes necessary to reconstruct or repair any section or lot, including graves or crypts, or any portion or portions thereof in the cemetery, which has been damaged by such causes, the Cemetery Commission shall give a 10 day written notice of the necessity for such repair to the lot holder of record. The notice shall be given by depositing the same in the United States mail, with postage thereon duly prepaid, addressed to the lot holder of record at his or her address

stated on the books of the Cemetery Commission. In the event the lot holder fails to repair the damage within a reasonable time, the Cemetery Commission may direct that the repairs be made and charge the expense against the lot and to the lot holder of record.

### **SECTION XVIII PLOT HOLDERS CHANGE IN ADDRESS**

It shall be the duty of the lot holder to notify the Cemetery Commission of any change in his post office address. Notice that is sent to a lot holder at the last address in the Cemetery Commission's records shall be considered sufficient and proper legal notification.

### **SECTION XIX CARE**

- A. This section shall apply only to those where care has been provided for. Care is to be understood as that care and maintenance of lots necessitated by natural growth and ordinary wear and includes planting, cutting, and care of lawns, trees and shrubs. The cleaning and maintenance of roadways and walks shall be accomplished provided there are sufficient cemetery funds for that purpose.
- B. Care Exceptions - The term Care shall in no case mean the maintenance, repair, replacement of any memorial placed or erected upon any lot; nor the planting of flowers or ornamental plants; nor the doing of any special or unusual work in the cemetery, including work caused by impoverishment of the soil or disruption of water supply or facilities; nor does it mean the reconstruction of any marker, granite, bronze or concrete work on any section or lot or any portion or portions thereof in the cemetery, injured or damaged by any cause, direct or indirect, beyond the Cemetery Commission's reasonable control.
- C. Special Care - Special Care shall include only those specific services set forth in Special Care agreements with the lot holders, provided said services are not inconsistent with the purpose for which the Cemetery was established or is being maintained.

### **SECTION XX MEMORIALS AND RULES FOR MEMORIAL WORK**

- A. A plot owner shall have the right to erect a memorial monument and/or flush marker on his plot, as allowed in the deed for the plot, provided all such memorials do not exceed the dimensions specified in these regulations.
- B. Except for those plots located in sections designated for flush markers only, one upright monument shall be allowed per plot. For plots with multiple graves, a flush marker shall also be allowed on each grave. Corner stones or foot markers shall not be permitted.

- C. A permit must be applied for and approved by the Cemetery Superintendent a minimum of 72 hours prior to any memorial work commencing. The permit application is included in Appendix I of these regulations. Upon approval of the permit, the Superintendent shall mark or confirm the location for the memorial.
- D. Memorial work shall be performed only by an individual or company licensed and insured to perform such work.
- E. All plots shall be under Perpetual Care before any memorial work may be performed.
- F. All monuments shall be placed on a foundation made of poured concrete. Foundations shall have a minimum depth of three feet (3') and shall match the horizontal dimensions of the monument base.
- G. Foundations and/or memorials may be set only as weather and frost conditions permit. The Cemetery Commission shall not be responsible for problems which arise as a result of the improper setting of foundations or memorials. The individual or company who installed the memorial shall correct any problem.
- H. All monuments shall be made of good quality Granite. All flush markers shall be made of bronze, granite or marble.
- I. Veterans' markers may be permitted on lots where a monument has previously been erected.
- J. Memorials shall not exceed the following maximum dimensions:

Flush Markers or Monument Bases

<i>Infant Grave</i>	<i>18 inches long by 10 inches wide</i>
<i>Cremation Grave</i>	<i>24 inches long by 14 inches wide</i>
<i>Single Grave</i>	<i>24 inches long by 14 inches wide</i>
<i>Double Grave</i>	<i>36 inches long by 14 inches wide</i>
<i>Triple Grave</i>	<i>48 inches long by 16 inches wide</i>
<i>Quadruple Grave</i>	<i>60 inches long by 16 inches wide</i>

Monument Headstone

<i>Infant Grave</i>	<i>12 inches long by 6 inches wide</i>
<i>Cremation Grave</i>	<i>18 inches long by 10 inches wide</i>
<i>Single Grave</i>	<i>18 inches long by 10 inches wide</i>
<i>Double Grave</i>	<i>30 inches long by 10 inches wide</i>
<i>Triple Grave</i>	<i>42 inches long by 12 inches wide</i>
<i>Quadruple Grave</i>	<i>54 inches long by 12 inches wide</i>

Flush markers shall be a minimum of four inches (4") thick.

Monument bases shall be a minimum of eight inches (8") thick.

All monument bases shall have an exposed edge of two inches (2") at the sides and three inches (3") at the length as shown in Figure 2 below.

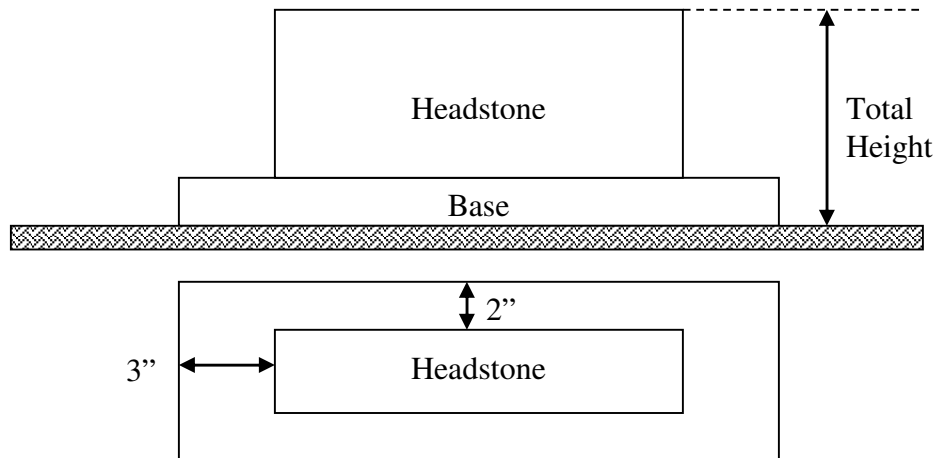


Figure 2

The maximum overall height of a monument, including the base, shall be:

<i>Infant Grave</i>	<i>18 inches</i>
<i>Cremation Grave</i>	<i>24 inches</i>
<i>Single Grave</i>	<i>30 inches</i>
<i>Double Grave</i>	<i>36 inches</i>
<i>Triple Grave</i>	<i>36 inches</i>
<i>Quadruple Grave</i>	<i>36 inches</i>

Memorials shall be centered at the top of a plot.

- K. A plot owner may request approval from the Cemetery Commission to erect a memorial which varies from these maximum dimensions. Any plot owner wishing to make such a request shall submit to the Cemetery Superintendent a letter specifying the variance requested along with a sketch drawn to scale of the proposed memorial. The Cemetery Commission will then consider the variance at their next scheduled public meeting.
- L. Workers engaged in placing or erecting memorials are prohibited from scattering their material over adjoining lots or from blocking roads or walks, or from leaving their material on the grounds longer than is absolutely necessary.
- M. Damage done to lots, walks, drives, trees, shrubs or other property by workers, dealers or contractors or their agents, shall be repaired by the Cemetery Commission and cost of such



repair shall be charged to the dealer or contractor or the worker's employer.

- N. The Cemetery Commission, the Cemetery Superintendent or other designee reserves the right to stop all work of any nature, whenever, in its opinion, proper preparations have not been made or when work is being done in such a manner as to endanger life or property; or when there is evidence of misrepresentation; or when work is not being executed according to specifications; or when any reasonable request on the part of the Cemetery Commission is disregarded; or when any person employed on the work violates any rule of the Cemetery Commission.
- O. The Cemetery Commission shall exercise all possible care to protect raised lettering, carving or ornaments on any memorial; it shall not be held responsible for any damage or injury caused thereto during routine maintenance or by vandalism.
- P. The Cemetery Commission reserves, and shall have, the right to correct any error that may be made by Town employees or by any other person or persons as to the location or placing of a memorial in the cemetery.
- Q. Should any memorial, become unsightly, dilapidated, or become a menace to the safety of persons within the cemetery, the Cemetery Commission shall have the right either to correct the condition or to remove the same, in either case at the expense of the lot holder.

## **SECTION XXI. MAUSOLEUMS AND TOMBS**

Mausoleum or tombs, either wholly or partially above ground, shall be constructed only in lots so designated. Plans, specifications, material and location in the lot of such mausoleum or tomb shall be subject to the approval of the Cemetery Commission.

## **SECTION XXII IN GENERAL**

- A. The statement of any employee of the Cemetery Commission shall not be binding upon the Cemetery Commission except as such statement is consistent with the document conveying the right of interment and these rules and regulations.
- B. These rules and regulations shall apply to any mausoleum now in existence or which may hereafter be erected in the cemetery.
- C. The Cemetery Commission reserves the right, without notice, to make temporary exceptions, suspensions or modification in any of these rules and regulations when, in its judgment, the same appears advisable; and such temporary exception, suspension or modification shall in no way be considered as affecting the general application of such rule.

- D. In all matters not specifically covered by these rules and regulations the Cemetery Commission reserves the right to do anything, which in its judgment is deemed reasonable under the circumstances and such determination, shall be binding upon the lot holder and all parties concerned.
- E. The Cemetery Commission, with Board of Selectmen approval, reserves the right at any time and from time to time to change, amend, alter, repeal, rescind or to adopt new rules and regulations or any part thereof or to adopt any new rules and regulations with respect to said cemetery or anything pertaining thereto.
- F. Any person who violates these rules and regulations and/or willfully damages, defaces or destroys cemetery property, including fences, gates, grounds, site furnishings, structures, plantings, markers, and monuments shall be subject to prosecution.

These rules and regulations apply to:

**GREAT NECK WOODS CEMETERY**  
Great Neck Road South, Mashpee Massachusetts

**TOWN OF MASHPEE  
BOARD OF SELECTMEN**

**TOWN OF MASHPEE  
CEMETERY COMMISSION**

---



---



---



---



---



---



---



---

## **APPENDIX 1**

## Town of Mashpee Interment Order

*This form must be submitted a minimum of 48 hours prior to the scheduled burial. Submit completed form to the Cemetery Superintendent at the Mashpee Department of Public Works, 350 Meetinghouse Road, Mashpee, MA 02649 or by fax to 508-539-3894.*

Date: \_\_\_\_\_

Cemetery: \_\_\_\_\_

Section: \_\_\_\_\_ Plot No.: \_\_\_\_\_ (If known)

Name of Deceased: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Date of Death: \_\_\_\_\_

Is Deceased a Veteran? ☐ Yes ☐ No

If yes, ☐ Army ☐ Navy ☐ Air Force ☐ Marines ☐ Coast Guard

☐ Other \_\_\_\_\_

Date of Funeral: \_\_\_\_\_ Time of graveside service/burial: \_\_\_\_\_

Is use of Memorial Shelter requested: ☐ Yes ☐ No

Funeral Home \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Grave Opening Contractor: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Insurance Company: \_\_\_\_\_ Policy No.: \_\_\_\_\_

*Please provide copy of insurance policy if not already on file with the Cemetery Commission.*

**Town of Mashpee**  
**Application for Permit to Perform Memorial Work in Cemetery**

*This application must be submitted a minimum of 72 hours prior to any work being performed. Submit to the Cemetery Superintendent at the Department of Public Works, 350 Meetinghouse Road, Mashpee, MA 02649 or by fax to 508-539-3894.*

Date: \_\_\_\_\_

Cemetery: \_\_\_\_\_

Section: \_\_\_\_\_ Plot No.: \_\_\_\_\_

Plot owner: \_\_\_\_\_

Individual/Company Performing Work: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

License No.: \_\_\_\_\_

Insurance Company: \_\_\_\_\_ Policy No.: \_\_\_\_\_

Please provide copy of insurance policy if not already on file with the Cemetery Commission.

Type of Memorial:      Flush Marker      Monument

Size of Memorial (In inches. List base separately if monument):

Flush Marker

Monument

Width: \_\_\_\_\_ Length: \_\_\_\_\_

Base:      Width: \_\_\_\_\_ Length: \_\_\_\_\_

Headstone:      Width: \_\_\_\_\_ Length: \_\_\_\_\_

Date of Proposed Work: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

***For Office Use***

Date Permit Issued: \_\_\_\_\_ Permit No.: \_\_\_\_\_

Date Plot Marked: \_\_\_\_\_ Date of Final Inspection: \_\_\_\_\_

Remarks: \_\_\_\_\_